

11/22/2005

Parks and Recreation Department

Annual Concession Report

2004-05

October 2005

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I. Introduction

City of Austin Ordinance No. 890126-P, known as the Town Lake Ordinance, requires that an annual report concerning the status of concessions in Town Lake Park, including the Zilker Park area, be prepared by the Parks and Recreation Department (PARC) and presented to the Parks and Recreation Board and the Environmental Board in October of each year. The report shall describe the current concessions in Town Lake Park, including operations, sales and revenues for the prior fiscal year, along with any issues or problems that may have arisen.¹ In addition to current concessions, any information regarding new concessions in Town Lake Park shall be presented as well. The Parks and Recreation Board and the Environmental Board shall then make a recommendation to the City Council within 30 days of receipt of the report regarding appropriate concessions in Town Lake Park, the status of existing concessions and the advisability of issuing Request for Proposals (RFP) for any new concessions.

II. Current Concessions

There are currently seven concessions in Town Lake Park which have or are eligible for contracts of a year or more and have permanent facilities. The seven concessions include four boat related concessions, a train concession, a pitch and putt golf course, and a food and beverage concession. The four public boat related concessions along with private boat concessions provide a total of 168 boats for rent on Town Lake, this is an increase of 69 boats since 1999.

As shown in the table below, gross sales for these concessions in 2004-2005 were \$1,733,842 a 13% increase from 2003-2004 sales. Revenues to the City also increased 4% in 2004-2005, as \$201,110 in commission payments was remitted by Town Lake concessionaires. The overall increase in gross sales and revenues to the City is due to the 36% increase in gross sales produced by Texas Rowing. This increase in revenue from Town Lake concessionaires; continues to be due to the increase in gross sales from Texas Rowing withstanding, concessionaires' gross sales were down an average of 3%.

Current Concessions Table

Concession	Commission Paid	2003-2004 Gross Sales	2004-05 Gross Sales	2003-2004 Revenue to the City	2004-05 Revenue to the City
Barton Springs Food & Beverage	\$90,000 annually (\$7,500 per month) plus 8% of gross annual sales up to \$265,000 and 28.5% of gross annual sales exceeding \$265,000	\$243,169	\$295,697	\$ 80,203	\$75,762
Butler Pitch & Putt	\$13,200 annually (\$1,100/mo.) 1% of gross annual sales up to \$80,000 and 1 1/2 % of gross annual sales exceeding \$80,000.	\$93,290	\$109,559	\$12,000	\$12,300
Lone Star River Boat	\$1,250/month; 8% of net revenue over \$187,500	\$193,040	\$243,486	\$15,000	\$15,000

¹ Temporary concessions, defined as those involving no permanent facilities and having a contract term shorter than one year, are not included in this report.

Rowing Dock	7%	\$218,336	\$229,938	\$16,108	\$17,397
Texas Rowing (formerly L'Aviron Rowing)	\$12,000 annually (\$1,000/mo.) 1% of gross annual sales, and 1 8% of net annual sales exceeding \$80,000.	\$274,225	\$374,113	\$20,271	\$30,954
Zilker Canoe Rental	11% of first \$40k & 12% thereafter	\$156,074	\$163,394	\$16,845	\$17,700
Zilker Zephyr Railroad	11%	\$325,481	\$317,655	\$32,600	\$31,997
Total		\$1,503,615	\$1,733,842	\$193,027	\$201,110

Major Updates

Driving Range Proposal/Negotiations

Driving Range Update - Tejas Golf (Bud Morgan) opened in March of 2005.

Concept Proposals Submitted in 2004-2005: No proposals were submitted for a permanent concession in 2004-2005.

III. Other Concession Activity

Concession Policy

No revisions were made to the concession policy in 2004-05. The concession policy should be revisited every 2-3 years or as the need arises to allow the document to be an effective tool to regulate and control the City of Austin Parkland. A copy of the City Council Approved concession policy is included as attachment A.

Other Permanent Concessions

- | | |
|-----------------------------------|-----------------------|
| a. Clay/Kizer Golf Course | (Food & Beverage) |
| b. Morris Williams Golf Course | (Food & Beverage) |
| c. Lions Municipal Golf Course | (Food & Beverage) |
| d. Lions Municipal Golf Course | (Pro Shop Management) |
| e. Tejas Golf | (Golf Driving Range) |
| f. Vending Machines at PARD Sites | (Food & Beverage) |

IV. Concession Status

The following section of this report will discuss the location, contract term, general activities, reviews, sales, revenues, and commissions for the 2004-05 fiscal year each of the permanent Town Lake concessions.

A. Barton Springs Food and Beverage

Concessionaire	Location
Mr. Willie Rodriguez	Zilker Park – near Barton Springs Pool
5000 Broken Bow	
Austin, Texas 78745	Commission Paid to City – \$90,000 annually (\$7,500 per month) plus 8% of gross annual sales up to \$265,000 and 28.5% of gross annual sales exceeding \$265,000
(512) 444-5992	
(512) 447-5872	
Hours of Operation	Sign Posted
9:00 a.m. – 8:00 p.m., Monday – Friday	Yes – menu
9:00 a.m. – 10:00 p.m., Saturday and Sunday	

General Activities

Barton Springs Food and Beverage is the City's oldest concession. Mr. Willie Rodriguez of Rodriguez Concession, Inc. has been managing the concession since May 1, 1950. A five-year contract with two five-year extension options was executed on August 13, 2004.

Tables 1 & 2 illustrate the monthly sales and revenue to the City for Barton Springs Food and Beverage for the past five fiscal years. Gross sales for fiscal year 2004-05 were \$295,697. Revenues to the City were \$75,762, a 6% decrease in gross revenues from 2003-04. The decrease of revenues to the City were due in part to contract negotiations that took place between August, 2004 and May of 2005.

Table 1: Barton Springs Food and Beverage Sales

	Sales 99-00	Sales 00-01	Sales 01-02	Sales 02-03	Sales 03-04	Sales 04-05
October	16,518	8,124	18,311	10,669	13,162	16,107
November	15,557	5,709	12,932	15,971	12,052	10,133
December	7,622	3,572	4,392	9,163	8,112	11,700
January	12,964	8,426	20,873	12,001	13,216	8,295
February	15,507	15,100	11,096	11,859	11,438	13,699
March	24,930	24,049	22,523	31,771	26,411	30,636
April	29,607	41,532	27,997	29,192	15,702	29,820
May	33,188	37,331	40,117	36,394	34,266	32,246
June	29,001	47,511	44,252	37,394	21,096	45,791
July	53,328	57,737	29,156	38,739	49,452	49,976
August	30,368	33,480	35,611	31,776	27,569	30,587
September	26,776	19,468	18,242	12,860	10,645	16,707
Total	\$295,366	\$302,039	\$285,500	\$277,789	\$243,169	\$295,697

Table 2: Barton Springs Food and Beverage Revenue to the City

	Rev. 99-00	Rev. 00-01	Rev. 01-02	Rev. 02-03	Rev. 03-04	Rev. 04-05
October	5,799	2,853	6,428	3,745	4,620	5,654
November	5,461	2,004	4,540	5,607	4,231	3,557
December	2,781	1,254	1,542	3,216	848	4,107
January	4,551	2,958	7,327	4,213	4,639	2,912
February	5,444	5,301	3,895	4,163	4,031	4,809
March	8,751	8,442	7,907	11,153	9,271	10,755
April	10,393	14,579	9,828	10,248	5,512	10,468
May	11,650	13,105	14,082	12,776	12,029	7,500
June	10,181	16,678	15,534	13,127	7,406	7,500
July	18,720	20,268	10,581	13,598	14,201	7,500
August	10,660	11,753	12,501	11,154	9,678	7,500
September	9,399	6,834	6,404	4,514	3,737	3,500
Total	\$103,790	\$106,029	\$100,567	\$97,515	\$80,203	\$75,762

B. Butler Pitch and Putt

Concessionaire	Location
Mr. Al Kinser	201 Lee Barton Drive
2600 Stratford Drive	(512) 477-9025
Austin, Texas 78703	
(512) 327-0761	Commission Paid to City - \$13,200 annually (\$1,100/mo.) 1% of gross annual sales up to \$80,000 and 1 1/2 % of gross annual sales exceeding \$80,000.
Hours of Operation	Sign Posted
8:30 AM until dark, seven days a week	Yes

General Activities

Butler Pitch and Putt offers a par-three short irons golf course to participants of all ages. Mr. Winston Kinser and his brother designed the course in 1949. Opened in 1950, Butler Pitch and Putt is one of the City's oldest concessions. Mr. Kinser's son, Al, now maintains and operates the course. Under the contract the concessionaire pays a flat rate of \$1,100 per month and 1% of gross sales up to \$80,000 and 1 1/2% of gross sales over \$80,000. In addition, the City realizes an annual savings of approximately \$20,000 with Mr. Kinser's continued maintenance of the course.

Kinser Ranch LLC: Lee and Albert Kinser was awarded a five year contract that began on August 13, 2004, with the option of two five year extension periods.

Tables 3 & 4 illustrate the monthly sales and revenue to the City for Butler Pitch and Putt for the past five fiscal years. Gross revenues for fiscal year 2004-2005 were \$109,559 a 16% increase from 2004-2005.

Table 3: Butler Park Pitch and Putt Green Fees and Merchandise Sales

	Sales 99-00	Sales 00-01	Sales 01-02	Sales 02-03	Sales 03-04	Sales 04-05
<i>October</i>	2,387	2,471	5,020	4,938	6,078	7,381
<i>November</i>	2,716	2,752	4,988	4,761	4,577	4,734
<i>December</i>	2,107	2,984	5,240	4,985	5,193	6,249
<i>January</i>	1,799	3,128	4,100	4,373	4,515	5,265
<i>February</i>	2,384	4,563	5,927	3,917	4,813	5,545
<i>March</i>	2,694	5,509	6,738	8,098	9,139	9,905
<i>April</i>	3,919	8,689	10,774	9,143	9,146	10,645
<i>May</i>	4,135	10,069	14,006	11,417	11,330	12,666
<i>June</i>	8,738	11,918	14,912	12,134	9,600	13,051
<i>July</i>	10,166	15,011	14,441	12,149	12,003	14,891
<i>August</i>	8,614	12,571	12,674	10,688	10,266.32	12,063
<i>September</i>	4,823	7,568	6,858	5,905	6,630	7,166
Total	\$54,481	\$87,233	\$ 105,677	\$92,509	\$92,290	\$109,559

Table 4: Butler Park Pitch and Putt Revenue to the City

	Rev. 99-00	Rev. 00-01	Rev. 01-02	Rev. 02-03	Rev. 03-04	Rev. 04-05
<i>October</i>	1,000	1,000	1,000	0	1,000	1,000
<i>November</i>	1,000	1,000	1,000	626	1,000	1,000
<i>December</i>	1,000	1,000	1,000	1,000	1,000	1,000
<i>January</i>	1,000	1,000	1,000	1,000	1,000	1,000
<i>February</i>	1,000	1,000	1,000	1,000	1,000	1,000
<i>March</i>	1,000	1,000	1,000	1,000	1,000	1,000
<i>April</i>	1,000	1,000	1,000	1,000	1,000	1,000
<i>May</i>	1,000	1,000	1,000	1,000	1,000	1,000
<i>June</i>	1,000	1,000	1,000	1,000	1,000	1,000
<i>July</i>	1,000	1,000	1,000	1,000	1,000	1,100
<i>August</i>	1,000	1,000	1,000	1,000	1,000	1,100
<i>September</i>	1,000	1,000	1,000	1,000	1,000	1,100
Total	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,300

C. Lone Star Riverboat

Concessionaire	Location
Mr. Michael K. Pearce	101 South First
P.O. Box 160608	(512) 327-1388
Austin, Texas 78716	
Hours of Operation	Commission Paid to City - \$1,250/month; 8% of net sales over \$187,500
<i>Summer Hours (June – August):</i>	
Public rides: Tuesday – Sunday 5:30; Friday Night 10:30	
Private charters: on a reservation basis	
<i>Fall and Spring Hours (Sept. – Nov. & March – May)</i>	
Public rides: Saturday – Sunday 3:30 p.m.	Sign Posted
Private charters: on a reservation basis	Yes
<i>Winter Hours (Dec. – Feb.)</i> Private charters: on a reservation basis	

General Activities

The Lone Star Riverboat is an old-fashioned style stern paddle wheel riverboat that has been providing rides on Town Lake since 1979. Narrated tours of the lake, which last 1½ hours, are available to the public Tuesday through Sunday at 5:30 p.m. A "Moonlight Cruise", which is not narrated, is offered on Friday nights at 10:30. Public rides are offered on Saturday and Sunday at 3:00 p.m. during off months. Prices for public rides are as follows: \$9.00 for adults, \$7.00 for seniors, and \$6.00 for children under twelve. Private charters occur on a reservation basis only and constitute approximately 75% of the concession's annual gross receipts. Catering is available on charters.

Michael Pearce was awarded a five-year contract that began in January 2001 with one five year extension option. Under the terms of the contract, Mr. Pearce remits monthly payments of \$1,250. In addition, at the end of each calendar year, he remits the City eight percent of any net revenue over \$187,500 net revenue for 2004 was \$172,178.

Tables 5 & 6 illustrate the monthly sales and revenue to the City for Lone Star Riverboat for the past five fiscal years. Gross sales for 2004-20005 were \$243,486, a 26% increase in sales from 2003-2004. Revenues to the City totaled \$15,000.

Table 5: Lone Star Riverboat Sales

	Sales 99-00	Sales 00-01	Sales 01-02	Sales 02-03	Sales 03-04	Sales 04-05
<i>October</i>	32,720	38,211	31,430	23,237	13,388	24,465
<i>November</i>	14,882	13,480	10,509	7,336	6,634	7,585
<i>December</i>	8,680	7,209	4,569	5,851	11,719	5,219
<i>January</i>	1,311	3,582	-	0	0	0
<i>February</i>	4,726	2,981	2,458	1,394	100	364
<i>March</i>	12,446	12,023	7,796	6,284	9,231	15,205
<i>April</i>	29,975	20,736	22,149	15,840	19,696	30,703
<i>May</i>	45,690	35,518	33,999	29,123	27,608	30,347
<i>June</i>	40,665	30,353	35,450	18,817	19,626	39,118
<i>July</i>	41,531	26,955	12,383	35,280	28,704	37,152
<i>August</i>	31,964	28,146	19,563	33,511	24,008	23,342
<i>September</i>	35,007	23,277	20,940	20,307	32,326	29,986
Total	\$299,598	\$242,471	\$201,246	\$196,979	\$193,040	\$243,486

Table 6: Lone Star Riverboat Revenue to the City

	Rev. 99-00	Rev. 00-01	Rev. 01-02	Rev. 02-03	Rev. 03-04	Rev. 04-05
<i>October</i>	1,636	1,785	1,250	1,250	1,250	1,250
<i>November</i>	744	635	1,250	1,250	1,250	1,250
<i>December</i>	434	335	1,250	1,250	1,250	1,250
<i>January</i>	66	1,250	1,250	1,250	1,250	1,250
<i>February</i>	218	1,250	1,250	1,250	1,250	1,250
<i>March</i>	575	1,250	1,250	1,250	1,250	1,250
<i>April</i>	1,384	1,250	1,250	1,250	1,250	1,250
<i>May</i>	2,126	1,250	1,250	1,250	1,250	1,250
<i>June</i>	1,888	1,250	1,250	1,250	1,250	1,250
<i>July</i>	1,923	1,250	1,000*	1,250	1,250	1,250
<i>August</i>	1,473	1,250	1,250	1,250	1,250	1,250
<i>September</i>	1,625	1,250	1,250	1,250	1,250	1,250
Total	\$14,092	\$14,005	\$14,750	\$15,000	\$15,000	\$15,000

D. Texas Rowing

Concessionaire	Location
Matt and Kristin Knifton	North shore of Town Lake, off of
P.O. Box 50424	Stephen F. Austin Drive
Austin, Texas 78703	
	Commission Paid to City - \$12,000 annually (\$1,000/mo.) 1% of gross annual sales, and 8% of net annual sales exceeding \$80,000.
Hours of Operation	
5:00 p.m. – 8:00 p.m. Monday – Friday	Sign Posted
8:00 a.m. – 12:00 p.m. Saturday and Sunday	Yes

General Activities

Texas Rowing offers rowing lessons, coaching and equipment rentals on Town Lake. In 1999, Matt and Kristin Knifton partnered with Anne Marie Heilman, owner of L'Aviron, to form Texas Rowing. In May 2005 Texas Rowing signed a 5 year contract extension with the City of Austin. Two five year extensions options remain on the contract.

Based on the terms of the contract the concessionaire remits a monthly payment of \$1,000 to the City. In addition, the contractor will pay the City one percent of the club's yearly net revenue, and eight percent of the net revenue above \$80,000 per year in four equal payments. In April 2004, the Knifton's bought out Ms. Heilman and they are now sole owners of the business.

The Knifton's continues to increase business around producing a 36% increase in gross sales from 2003-2004. Tables 7 & 8 illustrate the monthly sales to the City for Texas Rowing for the past five fiscal years. The gross sales for 2004-2005 were \$374,113. The revenues paid to the City were \$30,954, with the lump-sum payment constituting \$21,285 of the revenues.

Table 7: Texas Rowing Sales

	Sales 99-00	Sales 00-01	Sales 01-02	Sales 02-03	Sales 03-04	Sales 04-05
<i>October</i>	7,093	11,012	7,686	6,992	17,772	20,562
<i>November</i>	6,824	5,770	2,662	9,021	9,688	10,207
<i>December</i>	6,358	4,454	3,364	8,195	14,540	21,827
<i>January</i>	5,980	5,961	2,745	9,392	17,129	20,141
<i>February</i>	6,312	5,923	3,498	7,366	13,448	18,353
<i>March</i>	9,115	8,254	4,556	16,336	21,634	30,666
<i>April</i>	10,188	5,555	3,950	19,418	22,495	35,315
<i>May</i>	12,990	8,508	14,046	20,997	30,631	38,914
<i>June</i>	13,068	6,547	9,617	23,641	22,836	49,251
<i>July</i>	10,058	5,371	4,214	21,899	33,007	43,244
<i>August</i>	12,749	7,942	10,838	21,868	41,178	52,723
<i>September</i>	12,116	6,731	12,855	16,831	29,867	32,910
Total	\$112,851	\$82,028	\$80,033	\$181,956	\$274,225	\$374,113

Table 8: Texas Rowing Revenue to the City

	Rev. 99-00	Rev. 00-01	Rev. 01-02	Rev. 02-03	Rev. 03-04	Rev. 04-05
<i>October</i>	709	667	667	667	667	667
<i>November</i>	682	667	667	667	667	667
<i>December</i>	636	667	667	667	667	667
<i>January</i>	598	667	667	667	667	667
<i>February</i>	594	667	667	667	667	667
<i>March</i>	912	667	667	667	667	667
<i>April</i>	956	667	667	667	667	667
<i>May</i>	667	667	667	667	667	1,000
<i>June</i>	667	667	667	667	667	1,000
<i>July</i>	667	667	667	667	667	1,000
<i>August</i>	667	667	667	667	667	1,000
<i>September</i>	667	667	667	667	667	1,000
<i>Lump Sum</i>		1,706	597	4,255	12,267	21,285
Total	\$8,422	\$9,710	8,601	\$12,259	\$20,271	\$30,954

E. Rowing Dock

Concessionaire	Location
Rachel Yates	On Stratford Drive just west of the Austin Nature and Science Center
P.O. Box 685162	
Austin, Texas 78768	Commission Paid to City – 7%
Hours of Operation	
6:00 a.m. to 6:00 p.m.	Sign Posted
	Yes

General Activities

Rowing Dock, Parks and Recreation Department's newest concession, opened for business in December 1999. They offer a variety of services which promote the sport of rowing including rentals, private lessons, classes and membership. Rowing Dock features a variety of boats from pontoons to sleek racing shells to accommodate the individual goals of all rowers.

May 1, 2002, Rowing Dock signed a five year contract with the City with the option of two five year extension periods. Under the terms of the contract, Rowing Dock will pay 7% of net sales through the first five years of its contract with the City. Once the initial contract extension is exercised, the compensation plan will convert to monthly payments of \$667 and a lump sum payment. In early 2003, Rachel Yates bought out her partner, Paolo Missinni to become the sole proprietor of Rowing Dock.

Tables 9 & 10 illustrate Rowing Dock's monthly sales and revenues paid to the City of Austin for the past four years. In FY 2004-2005, gross sales totaled \$229,938, a 5% increase from 2003-2004 figures. Revenues paid to the City totaled \$17,396.

Table 9: Rowing Dock Sales

	Sales 00-01	Sales 01-02	Sales 02-03	Sales 03-04	Sales 04-05
<i>October</i>	10,767	16,586	11,765	13,808	15,739
<i>November</i>	9,524	14,768	10,143	6,262	9,215
<i>December</i>	8,937	8,473	6,939	6,412	7,789
<i>January</i>	17,550	19,146	19,234	17,840	11,480
<i>February</i>	11,834	13,273	9,413	8,827	11,495
<i>March</i>	13,816	16,207	20,647	19,739	24,976
<i>April</i>	15,967	22,207	23,591	20,787	24,539
<i>May</i>	18,910	28,884	28,553	25,983	30,616
<i>June</i>	28,971	29,971	26,050	20,470	29,706
<i>July</i>	25,651	10,444	25,103	32,181	24,645
<i>August</i>	26,335	21,794	23,739	26,438	21,992
<i>September</i>	23,917	26,009	20,944	19,535	17,746
Total	\$212,179	\$227,761	\$226,121	\$218,335	\$229,938

Table 10: Rowing Dock Revenue to the City

	Rev. 00-01	Rev. 00-01	Rev. 02-03	Rev. 03-04	Rev. 04-05
<i>October</i>	719	1,099	784	1,048	1,200
<i>November</i>	634	988	768	472	702
<i>December</i>	597	564	525	482	590
<i>January</i>	1,197	1,293	1,502	1,391	884
<i>February</i>	792	883	713	669	873
<i>March</i>	926	1,080	1,566	1,503	1,893
<i>April</i>	1,069	1,479	1,800	1,585	1,865
<i>May</i>	1,264	1,911	2,181	1,977	2,320
<i>June</i>	1,939	1,997	1,975	1,563	2,244
<i>July</i>	1,710	688	1,896	2,433	1,848
<i>August</i>	1,758	1,449	1,794	1,479	1,646
<i>September</i>	1,606	1,743	1,608	1,506	1,331
Total	\$14,211	\$15,174	\$17,112	\$16,108	\$17,396

F. Zilker Canoe Rentals

Concessionaire	Location
Mr. Howard Barnett	West side of Barton Creek immediately below
2202-A Homedale Drive	Barton Springs Pool
	Commission Paid to City – 11% for first \$40,000 in revenue; 12% thereafter
Austin, Texas 78704	
Hours of Operation	Sign Posted
March – Labor Day: Weekdays: 11:00 a.m. – dusk Weekdays and Holidays: 9:00 a.m. – dusk After Labor Day: 11:00 a.m. – dusk, weekends only	Yes

General Activities

Zilker Canoe Rentals is the City's oldest boating concession. Mr. Howard Barnett started the concession in 1969 and throughout the years has not only provided the City with consistent revenues, but has also provided many boating experiences to groups from various organizations free of charge. Some of these organizations include: the Austin Association for Retarded Citizens, the Austin Public Library System, the Austin Sunshine Camp, the Austin-Travis County Mental Health Mental Retardation Center, the Texas School for the Blind, and the Texas School for the Deaf. By allowing the use of the canoes during non-peak hours to groups such as these, Mr. Barnett has afforded experiences to many people who would otherwise never have an opportunity to canoe. Life jackets are supplied to all renters and required for children under 12

The current contract was awarded June 20, 1995 and expired in 2005. A 180 day contract extension was implemented until December 20, 2005, while PARD issued a request for proposal (RFP). Bids were received and reviewed. A new contract will be awarded at City Council on December 1, 2005.

Tables 11 & 12 illustrate the monthly sales and revenue to the City for Zilker Canoe Rentals for the past five fiscal years. Gross sales in 2004-2005 were \$163,394, as revenues to the City totaled \$17,700.

Table 11: Zilker Canoe Rental Sales

	Sales 99-00	Sales 00-01	Sales 01-02	Sales 02-03	Sales 03-04	Sales 04-05
<i>October</i>	12,560	4,915	11,689	5,027	11,480	12,268
<i>November</i>	11,068	2,497	7,608	5,220	3,392	2,166
<i>December</i>	1,960	956	1,807	1,758	1,771	0
<i>January</i>	10,220	2,747	4,787	3,693	5902	430
<i>February</i>	11,515	7,296	9,826	4,335	4396	3,579
<i>March</i>	21,792	16,278	16,437	20,607	18,015	19,085
<i>April</i>	24,364	25,935	19,228	22,837	15,496	21,594
<i>May</i>	25,522	26,365	26,273	23,296	26,380	24,130
<i>June</i>	11,475	28,281	23,583	23,339	11,132	24,266
<i>July</i>	25,102	27,237	6,443	20,539	25,387	24,829
<i>August</i>	11,704	16,650	16,300	19,841	19,654	18,733
<i>September</i>	15,787	12,279	12,470	10,350	13,071	12,315
Total	\$183,069	\$171,436	\$156,451	\$160,844	\$156,074	\$163,394

Table 12: Zilker Canoe Rental Revenue to the City

	Rev. 99-00	Rev. 00-01	Rev. 01-02	Rev. 02-03	Rev. 03-04	Rev. 04-05
<i>October</i>	1,392	545	1,296	557	1,273	1,360
<i>November</i>	1,227	277	843	579	376	240
<i>December</i>	217	106	200	195	196	0
<i>January</i>	1,039	279	486	375	600	44
<i>February</i>	1,170	740	998	440	447	364
<i>March</i>	2,217	1,654	1,670	2,094	1,831	1939
<i>April</i>	2,476	2,718	1,954	2,396	1,523	2,194
<i>May</i>	2,593	2,923	2,912	2,583	2,924	2,675
<i>June</i>	1,166	3,135	2,614	2,587	1,234	2,690
<i>July</i>	2,783	3,019	714	2,277	2,814	2,753
<i>August</i>	1,962	1,846	1,807	2,200	2,179	2,077
<i>September</i>	1,751	1,361	1,382	1,147	1,449	1,365
Total	\$19,993	\$18,604	\$16,879	\$17,430	\$16,846	\$17,700

G. Zilker Zephyr Railroad

Concessionaire	Location
Mr. Willie Rodriguez – Texas Special, Inc.	Zilker Park
5000 Broken Arrow	Train Station located next to playscape.
	Commission Paid to the City – 11%
Austin, Texas 78745	
Hours of Operation	Sign Posted
	Yes

General Activities

On November 16, 1996, the City Council awarded a ten year contract to Texas Special, Inc. to operate the Zilker Zephyr with two five year extension options. For the last three years Texas Special, Inc. was partnered with Rodriguez Concessions, Inc (of Barton Springs Food and Beverage). In mid 2000 Rodriguez Concessions bought out Texas Special and is currently responsible for the operation of the Zilker Zephyr. The current contract requires Texas Special to pay 11% of net sale to the City.

Tables 11 & 12 illustrate the monthly sales and revenue to the City for Zilker Zephyr (formerly Zilker Eagle) Railroad for the past five fiscal years. Gross sales for 2004-2005 were \$317,655 and revenues to the City totaled \$31,997..

Table 13: Zilker Zephyr Railroad Ticket and Souvenir Sales

	Sales 99-00	Sales 00-01	Sales 01-02	Sales 02-03	Sales 03-04	Sales 04-05
October	28,469	16,193	30,547	15,752	27,304	27,925
November	30,160	14,991	26,355	23,187	21,694	20,746
December	17,649	11,072	13,493	16,568	17,559	24,882
January	21,612	16,046	11,512	18,336	19,317	15,546
February	24,021	22,350	20,858	16,780	17,226	11,480
March	36,184	34,067	34,829	41,339	39,721	41,558
April	36,077	41,823	33,521	36,621	31,498	37,129
May	36,292	37,567	40,879	34,742	37,330	34,561
June	28,356	37,790	30,631	33,253	24,954	31,631
July	32,942	34,005	29,657	26,616	37,388	31,046
August	22,734	22,149	26,291	26,427	30,338	23,135
September	28,750	30,707	19,452	19,881	21,152	18,016
Total	\$343,246	\$318,760	\$ 318,023	\$309,502	\$325,481	\$317,655

Table 14: Zilker Zephyr Railroad Ticket and Souvenir Revenue to the City

	Rev. 99-00	Rev. 00-01	Rev. 01-02	Rev. 02-03	Rev. 03-04	Rev. 04-05
October	2,896	1,646	3,104	1,601	2,774	2,838
November	3,065	1,523	2,678	2,356	2,205	2,108
December	1,793	1,125	1,371	1,684	1,784	2,528
January	2,196	1,631	1,170	1,863	1,963	1,580
February	2,441	2,271	2,120	1,705	1,313	884
March	3,677	3,487	3,217	4,201	4,036	4,223
April	3,666	4,250	3,406	3,721	3,201	3,773
May	3,663	3,817	4,154	3,530	3,794	3,512
June	2,881	3,840	3,113	3,379	2,499	3,214
July	3,292	3,455	3,114	2,705	3,799	3,155
August	2,310	2,251	2,672	2,685	3,083	2,351
September	2,921	3,120	1,977	2,130	2,149	1,831
Total	\$34,801	\$32,416	\$32,095	\$31,560	\$32,600	\$31,997

Attachment: A

PARKS AND RECREATION DEPARTMENT POLICY/PROCEDURE

Title: Policy for Concessions on City Parkland **Effective Date:** 3/13/98

Council Approval: March 12, 1998 **Revised Date:** October 21, 1997

Purpose: To establish a policy for concessions on all City parkland.

Reference:

Policy: The Parks and Recreation Department (PARD) has developed this policy regarding the limited private commercial use within the City's park system in the form of concessions, including permanent and temporary concessions. These policies are intended to maintain the aesthetic and environmental quality of the City's park system and to ensure a financial return to the City of Austin from such uses or to provide a public good to the citizens of Austin.

All proposals for concessions on Town Lake will be reviewed in compliance with Chapter 11-3 of the City code. The definition of a concession is as follows: " Any privately operated business on parkland serving park users, authorized by the City in accordance with applicable ordinance requirements. Types of businesses operated as concessions may include without limitation, food and beverage stands, boat rentals, excursion boats, boating lessons, bicycle rentals, and pushcarts." Concessions also include businesses which provide souvenirs and other goods and services to park users and which generally pay a portion of their revenue to the City or provide a public good to the citizens of Austin.

There are three categories of concessions: 1) new permanent concessions, 2) existing permanent concessions, whose contracts have expired, and 3) unsolicited temporary concessions. The following policies will address the development of permanent concessions on parkland and establish guidelines for temporary concessions.

New Permanent Concession Development¹

In order to comply in a timely manner with the Town Lake Ordinance the following time line will be followed annually:

April 1 – June 30	Staff will accept input for new concession ideas through various methods e.g., surveys of boards, commissions, advisory groups and park users; public notice; and requests for written suggestions from the general public.
By July 31	Staff will submit a report to the Parks and Recreation Board and the Environmental Boards, describing all proposals received for new concessions ideas.
By August 31	A subcommittee made up of City staff, representatives of the Parks and Recreation Board and the Environmental Board will review concepts and make recommendations to each Board.
By September 30	The Environmental Board and the Parks and Recreation Board will recommend which of the concession concepts (if any) should go forward to a public hearing. Potential locations of all the concessions must be determined prior to the setting of the public hearing. No less than 21 days prior to the public hearing, signs will be posted at the prospective locations of the concession(s). Notices will be sent to all interested parties including the media.
By October 31	Staff will present the annual concession report ² . This report will provide a synopsis of this process and will include the Environmental Board, Parks and Recreation Board and staff recommendations.
By November 30	The Parks and Recreation Board and the Environmental Board will forward to the City Council their response to the annual report.
By January 31	Staff will issue RFPs for new concessions approved by Council.

RFPs for new permanent concessions will require payments based on a flat fee schedule or on a percentage basis of gross sales less sales tax. The method of payment for each concession will be determined on a case by case basis by the Parks and Recreation Director. The flat fee or percentage of sales methods will be determined based on an analysis of the location and type of concession and will be calculated by City staff. The contracts will require an annual review of the concession to determine incremental increases to the fees after the second year of the contract. Additionally, for the flat fee, concessionaires will be required to pay a percentage of their gross sales, once sales exceed the targeted annual gross sales on which the flat fee is based.

¹ A permanent concession is defined as a concession, which has or is eligible for a contract of a year or more and generally has a permanent structure.

² As required by Town Lake Ordinance No. 890126.

An evaluation team will review RFP responses and make recommendations to Council. (As allowed by chapter 11-3 of the City code, the evaluation team will include staff and may include one representative from each of the following organizations: Parks and Recreation Board, Environmental Board, and Design Commission.) Recommendations for award of contracts as a result of this process will be forwarded to the Parks and Recreation Board for review and recommendation prior to the City Council action. Following Council approval, a contract will be negotiated and executed.

Permanent Concession Policy for Existing Contracts About to Expire.

Staff will gather public input concerning items that should be addressed in a new contract, for an existing concessions 90 days prior to contract's expiring.

RFPs will be issued for new contract periods for existing concessions. An evaluation team will review the proposals and make recommendations to the Parks and Recreation Board. The evaluation team will include staff and may include one representative from the Parks and Recreation Board, Environmental Board, and Design Commission. Requests for Council Action (RCAs) will be submitted to Council for contract award.

RFPs for existing concessions will require payments based on a flat fee schedule or on a percentage basis (as they stand now) for the term of the contract. The method of payment for concessions will be determined on a case by case basis, by the Parks and Recreation Director. The flat fee or percentage of sales payment will be based on an analysis of the location and type of concession and on a five-year history of that particular concession. City staff will calculate this fee. For the flat fee method, the contracts will require an annual review of the concession to determine incremental increases to the flat fee after the first year of the contract. Additionally, concessionaires will be required to pay a percentage of their gross sales, once sales exceed the targeted annual gross sales on which the flat fee is based.

Temporary - Seasonal Concession Policy

A temporary or seasonal concession is defined as a concession which does not require a building or other type of permanent structure from which to operate and has a contract term limited to one year or less. Fees for temporary or seasonal contracts will be established by the City Council in the annual budget. Any temporary concession granted a temporary/seasonal permit two times within a 12 month period will be considered in the annual process for new permanent concessions. The Director of Parks and Recreation is authorized to negotiate and enter into temporary or seasonal concession contracts based on predetermined criteria to include impact, location, service level, revenues to the City, and any other criteria which may be in the best interest of the City and the use of its parkland.

Single Day – Temporary Permits

A single day temporary permit is defined as a concession set up outside of a special event taking place in a City Park. This concessionaire would have the opportunity to purchase a one-day permit for \$50.00 at the site of the event or cease and remove the operation of the concession from the area immediately.

Performing Artists in the Parks

Performing artists are allowed to entertain in the parks provided they register with and are approved by the Director of the City of Austin Parks and Recreation Department. Performing artists are categorized under the single day – temporary permit fee structure. The fee for performing artists will be \$10.00 a day and may be purchased in 2-week increments. When applying, the performing artist must provide specific days of operation, so this can be reflected on the permit.

Individuals may perform as artists or entertainers in any City park as long as they meet the following conditions. They:

- A. May not block sidewalks or in any way impede pedestrian or vehicular traffic circulation.
- B. May not be within 100 feet of an existing concession's main operating location.
- C. May set up at special events only with written permission of event organizer.
- D. May not use Amplified sound.
- E. Juggling of potentially hazardous materials or items such as knives or fire is prohibited.
- F. Any money exchanged must be on a "tips" or donation basis only, with the amount to be determined by the donor.
- G. Entertainers must carry the permit issued by the Parks and Recreation Department allowing them to perform in the park. This permit is to be available on request by any park employee charged with patrolling or supervising park use or by any citizen.
- H. May not impede or interfere with the use of park facilities or scheduled activities.

Failure to produce the permit issued from the Parks and Recreation Department can result in immediate expulsion from the park.

Report(s) Required: This policy is to be reviewed by the Parks Board every three years from the date of original approval with changes to be approved by Council. The Director of Parks and Recreation is authorized to develop guidelines and make changes thereto for the implementation of this policy.



MEMORANDUM

To: Parks and Recreation Board

From: Warren W. Struss, Director
Parks and Recreation Department

Date: October 25, 2005

Subject: Lake Austin Marina Wave Break at 2215 Westlake Dr.
Case Number SP-01-0415D

A request has been received from Shaw Hamilton on behalf of Lake Austin Marina, L.P. to construct a wave break at 2215 Westlake Dr.

The Parks and Recreation Department staff has reviewed plans for the proposed project and finds they do not meet the requirements of Article XIII, Section 25-2-1173 and 25-2-1176, (Regulations for the Construction of Boat Docks) of the Land Development Code. The proposed wave break extends more than 30 feet from the existing shoreline.

A dock may not extend more than 30 feet from the shoreline unless the Parks and Recreation Board determines that the dock will not create a hazard and approves the construction of the dock.

Warren W. Struss, Director
Parks and Recreation Department

**Aupperle Company**

10088 Circleview Drive, Austin, Texas 78733

Phone: 512-422-7838 Fax: 512-263-3763

Email: bsanline@gmail.com

27527.9

July 19, 2005

Department of Parks and Recreation
City of Austin
P.O. Box 1088
Austin, Texas 78767

Re: Engineer's Report & Summary Letter
Marina Wave Break for Lake Austin Marina
2215 Westlake Drive, Austin, TX

Dear Director:

This project is located on Lots 1, 2 and 3, St. Tropez Yacht Club and Marina, Bk. 86, Pg. 75D, Plat Records of Travis County, Texas and is at 2215 Westlake Drive. This tract is located entirely within the Lake Austin watershed. The existing use is marina and office.

General Overview

The proposed improvements consist of a marina wave break and necessary appurtenances. The wave break is proposed to help minimize the damage caused by excessive wave action from passing recreational boats. All piles will be steel driven to less than 0.5" refusal per blow. Details are included in the site plan correction submitted to Watershed Protection and Development Review. These improvements will be built in 2005.

Environmental Assessment

Vegetation Element: All construction will be in the water. No trees will be removed during the construction of the proposed wave break. **Geologic Element:** The site is located in Lake Austin and the soils are predominantly sedimentary. There are no known karst or other critical environmental features within 50 feet of the proposed bulkhead location. This site is not known to contain habitat for endangered fauna or flora. **Wastewater Element:** No wastewater service is proposed for this project.

Other Issues

The applicant wishes to align the wave break with the upstream Orleans Harbor project. This alignment will place the proposed dock approximately 55 feet lakeward of the existing marina and leave a safe passage area between the wave break and the existing marina. The project as designed is in substantial compliance with the applicable requirements of the City of Austin Development Code. There will be no adverse impact on the natural and traditional character of the land or waterways. We are requesting that Parks and Recreation Department approve the boat dock construction as proposed and sign the site plan cover sheet in conjunction with Watershed Protection and Development Review's review and issuance of a site development permit. If you have any questions, please feel free to call.

Very truly yours,

Aupperle Company

Bruce S. Aupperle, P.E.



Stephen Alexander
Lake Austin Marina
2215 Westlake Drive
Austin, Texas 78746

August 8, 2005

Mr. Alexander:


Thank you for briefing me on the breakwater/ wave attenuator project that the Lake Austin Marina has embarked upon. As you know, the Park Police will be taking delivery of a new patrol boat in late October or early November. As you also know, the new boat is going to be significantly larger than our other patrol boats. I am also concerned about the damage that it will receive by the extremely large wakes and heavy boat traffic that will cause the boat to rock back and forth against the dock. I am very excited about having the breakwater installed at the marina and can see several pluses that directly affect not only lake patrol but other citizens that share and frequent the marina as well:

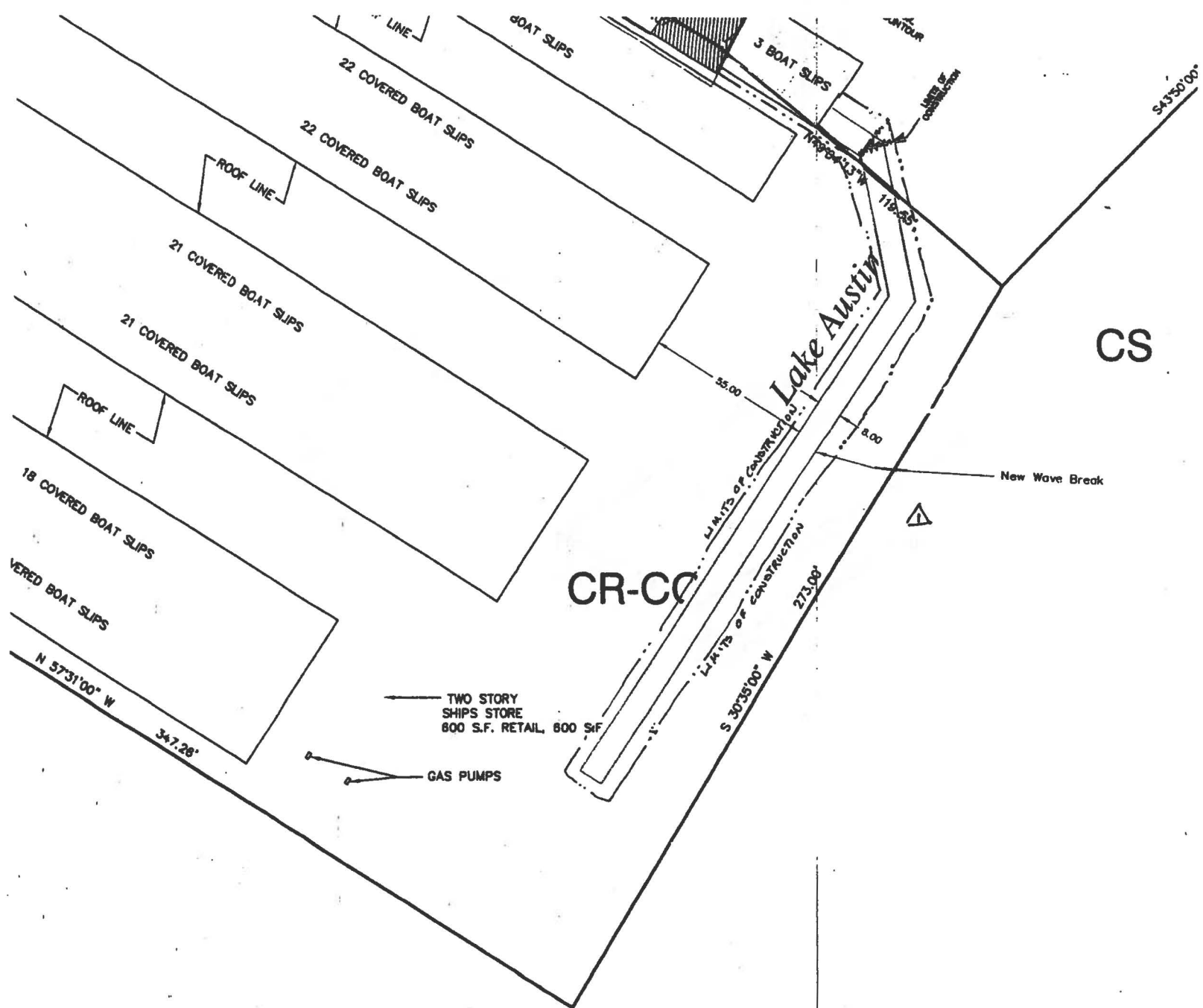
- 1) Less wear and tear on your marina and the boat lifts, thus keeping overhead costs down for maintenance, enabling the City to lease our commercial office space at a reasonable rate.
- 2) Less wear and tear on the boats stored here including the patrol boats that get constantly banged back and forth in the stalls that is caused by the wakes and constant traffic on the water
- 3) Easier ingress/ egress by our officers to and from the marina, since large wakes will be kept out of the marina area.
- 4) A decrease in the number of minor injuries that I have observed by people getting their hands and fingers caught in between the dock and their boat when they are waked while getting gas or docking up to the dock.
- 5) Built-in temporary parking on the inside of the breakwater for our larger boats that will not fit into the existing boat slips.
- 6) The ability for the marina to add additional slips on the ends of one of the piers that will be custom-built to accommodate our patrol boats, enabling them to be kept under cover and on boat lifts.

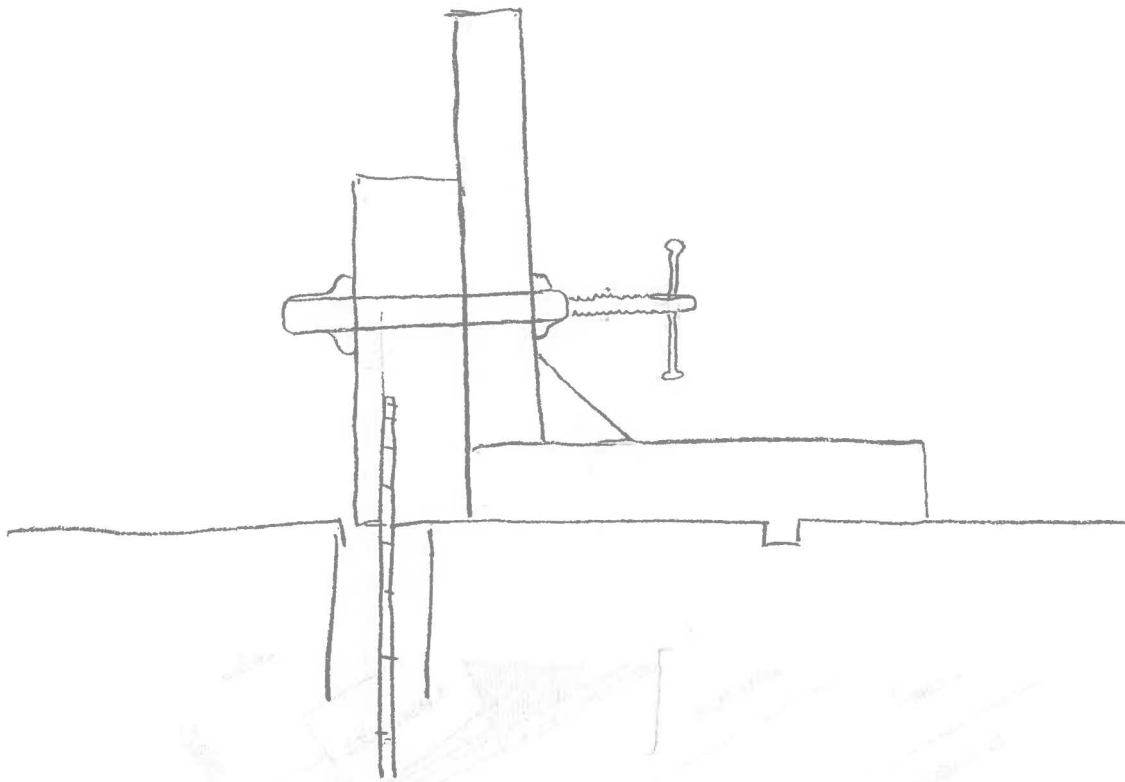
After speaking with you about this I am certain that with the structure being well-lit it will provide additional lighting in the area and assist us with providing better security in the marina when the officers are doing their patrol. And as you pointed out to me it will conform to all navigational safety requirements. In fact, the barrier could easily replace our six "no-wake" buoys that are stationed out front of the marina, and are a constant problem to maintain.

If there is anything I can assist with in this process, please do not hesitate to call on me.

Sincerely,


Sergeant Michael J. Wade
Austin Park Public Safety Division, Lake Patrol
2215 Westlake Drive
Austin, Tx. 78746
(512) 329-8841





7/06
10/07

