

Parks and Recreation Department

1997-98 Annual Concession Report

October 1998

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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 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 six concessions in Town Lake Park which have or are eligible for contracts of a year or more and have permanent facilities. Three of these concessions are boat related, one provides train rides, one operates a pitch and putt golf course, and another serves food and beverages. The three public boat related concessions along with private boat concessions provide a total of 99 boats for rent on Town Lake.

As shown in the table below, gross sales for these concessions in 1997-98 were \$888,451 or 14.5% more than the 1996-97 sales, while revenue to the City was \$154,174 or 11.9% more than in 1996-97.

Current Concessions Table

Concession	Commission Paid	1996-97 Gross Sales	1997-98 Gross Sales	1996-97 Revenue to the City	1997-98 Revenue to the City
Barton Springs F&B	38%	\$221,527	\$238,495	\$84,180	\$88,434
Butler Pitch & Putt	\$1,000/month	\$75,634	\$44,936	\$12,000	\$12,000
Lone Star River Boat	5%	\$181,440	\$209,615	\$9,072	\$10,255
L'Aviron Rowing	10%	\$51,334	\$60,382	\$5,125	\$6,050
Zilker Canoe Rental	11% of first \$40k & 12% thereafter	\$79,418	\$106,673	\$9,149	\$12,409
Zilker Zephyr Railroad	11%	\$166,337	\$228,350	\$18,297	\$25,026
Total		\$775,690	\$888,451	\$137,823	\$154,174

Rowing and Riverboat Concession

The Parks and Recreation Department currently has two concessions on Town Lake operating on a month to month basis since 1995. At that time the City Council instructed the Parks Department to revisit and rewrite the concession policy, at that time the Parks department was presenting these two concessions for contracts. The City Council would not award any new contracts on Town Lake until the concession policy was updated. On March 12, 1998 the City Council approved the revised concession policy. This policy was revised with the assistance of the Parks and Recreation Board, Environmental Board and City Staff. It is at this point that the department went out for bid on these two concessions. A committee was assembled consisting of Parks and Recreation Board Members, Environmental Board Members and City staff on August 21, 1998 to review proposals for these two concessions. Clear and concise recommendations were reached and moved forward to the Purchasing Department to be put on Council Agenda. As of 10/13/98 no specific date has been attained, but it should be on the agenda before December 1, 1998.

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.

The recommendation from the Parks and Recreation Department is to replace the existing concessionaires with two new concessionaires.

III. Other Concession Activity

Concession Policy

A committee of City staff, Parks Board and Environmental Board members has revised the "Concessions on City Parkland Policy". Approved changes incorporated into the revised policy include:

- Guidelines to convert temporary and seasonal concessions to permanent concessions. Rather than granting an unlimited number of renewals for temporary and seasonal concession permits, temporary and seasonal concessions that are granted a permit two times within a twelve-month period will be considered in the next annual process for conversion to new permanent concessions.
- Selection of fee structures. The Parks and Recreation Department Director will determine which type of fee structure will apply on a case by case basis for permanent concessions. The selected fee structure will either be on a "percentage of sales" basis or on a "flat fee" basis at the discretion of the Director.
- New fees for day permits and performing artists on City Parkland. Concessionaires or vendors who sell goods outside of a special event on City Parkland will be required to purchase a \$50-per-day permit. Performing artists who wish to perform on City Parkland will be required to purchase a \$10-per-day permit if they wish to solicit donations or charge for their service.

A copy of the City Council Approved concession policy is included "Attachment 1".

Other Permanent Concessions

- a. Krieg Softball Complex
- b. Havens Softball Complex
- c. Emma Long Metropolitan Park
- d. Clay/Kizer Golf Course
- e. Morris Williams Golf Course
- f. Lions Municiple Golf Course
- g. Vending Machines at PARD Sites

IV. Concession Status

The following section of this report will discuss each of the permanent concessions with regard to each location, contract term, general activities, reviews, sales, revenues, and commissions for the 1997-1998 fiscal year.

A. Barton Springs Food and Beverage

Concessionaire	Location
Mr. Willie Rodriguez	Zilker Park – near Barton Springs Pool
5000 Broken Bow	
Austin, Texas 78745	
(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 a five-year extension option was executed on December 1, 1993. The first 5 years of this contract will expire on November 30, 1998. The Parks and Recreation Department have submitted its approval to execute the remaining five-year option of their contract.

Tables 1 & 2 illustrate the monthly sales and revenue to the City for Barton Springs Food and Beverage for the past five fiscal years. The 1997-98 sales of \$238,495 are 7.7% more than the 1996-97 sales, resulting in a 5 % or a \$4,254 increase in revenue.

Concession Review

A desk review of the concession was completed to assess certain financial and performance related contract compliance issues, i.e. quarterly sales tax reports, monthly financial reports and insurance bond coverage. The City has received all of the revenue due under the contract, results indicate all insurances are in compliance of contract. The concessionaire has yet to obtain a fidelity bond as previously agreed to. The concessionaire has taken proper action to correct deficiencies in record keeping.

Table 1: Barton Springs Food and Beverage Sales

	Sales 93-94	Sales 94-95	Sales 95-96	Sales 96-97	Sales 97-98
<i>October</i>	10,308	8,490	16,710	10,105	9,006
<i>November</i>	4,862	8,623	8,797	6,944	8,638
<i>December</i>	3,517	5,019	5,977	6,519	3,705
<i>January</i>	4,652	9,145	10,076	6,561	8,843
<i>February</i>	8,056	10,110	14,839	8,786	9,511
<i>March</i>	20,055	19,586	21,335	23,621	19,130
<i>April</i>	19,799	23,477	26,161	14,902	23,967
<i>May</i>	26,273	26,859	34,992	27,298	37,572
<i>June</i>	36,613	29,151	43,023	19,316	38,086
<i>July</i>	40,874	41,399	50,865	42,419	40,360
<i>August</i>	24,895	25,399	29,261	34,028	23,777
<i>September</i>	15,730	20,411	20,994	21,028	15,900
Total	\$215,634	\$227,669	\$283,030	\$221,527	\$238,495

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

	Rev. 93-94	Rev. 94-95	Rev. 95-96	Rev. 96-97	Rev. 97-98
<i>October</i>	3,608	3,226	5,880	3,840	3,528
<i>November</i>	1,702	3,277	3,088	2,639	3,282
<i>December</i>	1,231	1,907	2,098	2,477	1,299
<i>January</i>	1,768	3,475	3,537	2,493	3,360
<i>February</i>	3,061	3,842	5,209	3,339	3,614
<i>March</i>	7,621	7,443	7,489	8,976	7,270
<i>April</i>	7,524	8,921	9,184	5,663	9,107
<i>May</i>	9,984	10,206	12,283	10,373	13,189
<i>June</i>	13,913	11,078	15,114	7,340	13,370
<i>July</i>	15,532	15,732	17,856	16,119	15,337
<i>August</i>	9,460	9,652	10,272	12,931	9,036
<i>September</i>	5,977	7,896	7,370	7,990	6,042
Total	\$81,381	\$86,655	\$99,380	\$84,180	\$88,434

B. Butler Pitch and Putt

Concessionaire	Location
Mr. Winston Kinser	201 Lee Barton Drive
2600 Stratford Drive	(512) 477-9025
Austin, Texas 78703	
(512) 327-0761	
Hours of Operation	Sign Posted
8:30 AM until dark, seven days a week	Yes

General Activities

Butler Pitch and Putt offers "par three" short irons of golf to participants of all ages. The current concessionaire, 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. Winston Kinser and his son Al Kinser were awarded a five-year contract with a five-year extension option in April 1993. The first five years of this contract expired March 31, 1998. The extension option of this contracted was executed and will expire March 31, 2003. Under their contract the Kinsers pay a flat rate of \$1,000 per month instead of the previous 30% of gross sales. In addition to operating the concession, the Kinsers are responsible for the continued maintenance and upkeep of the course, an annual cost savings of approximately \$20,000 to the City of Austin.

Tables 3 & 4 illustrate the monthly sales and revenue to the City for Butler Pitch and Putt for the past five fiscal years. 1997-98 sales of \$44,936 are 41% less than the 1996-97 sales. The amount of revenue received by the City in 1997-98 remained unchanged from 1996-97.

Concession Review

A desk review of the concession was completed to assess certain financial and performance related contract compliance issues, i.e. quarterly sales tax reports, monthly financial reports and insurance bond coverage. While the City has received all of the revenue due under the contract, results indicate record-keeping deficiencies. The concessionaire had agreed to implement more complete record keeping and revise and implement their original marketing plan. Concessionaire has requested a waiver from the requirement for non-owned vehicle liability insurance, and the Parks Department has submitted this request to the City's Risk Management office for consideration. The Parks Department is in the process of preparing a contract amendment to delete the requirement for IRS returns as recommended by the City Auditor and the requirements for a fidelity bond. Instead of IRS returns, the concessionaire agreed to submit monthly sales reports and annual sales tax returns.

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

	Sales 93-94	Sales 94-95	Sales 95-96	Sales 96-97	Sales 97-98
<i>October</i>	2,091	2,251	2,510	2,837	3,811
<i>November</i>	1,311	1,520	2,195	2,307	3,271
<i>December</i>	151	386	653	1,449	2,494
<i>January</i>	126	210	419	3,290	2,316
<i>February</i>	161	176	348	5,157	1,984
<i>March</i>	676	823	986	7,375	3,051
<i>April</i>	1,366	1,403	1,761	6,730	4,685
<i>May</i>	2,510	2,305	2,736	9,052	4,356
<i>June</i>	2,931	3,150	3,191	8,360	4,815
<i>July</i>	3,976	3,821	4,258	12,991	5,675
<i>August</i>	4,140	3,976	4,425	10,251	5,500
<i>September</i>	2,070	2,611	3,725	5,835	2,978
Total	\$21,509	\$22,632	\$27,207	\$75,634	\$44,936

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

	Rev. 93-94	Rev. 94-95	Rev. 95-96	Rev. 96-97	Rev. 97-98
<i>October</i>	1,000	1,000	1,000	1,000	1,000
<i>November</i>	1,000	1,000	1,000	1,000	1,000
<i>December</i>	1,000	1,000	1,000	1,000	1,000
<i>January</i>	1,000	1,000	1,000	1,000	1,000
<i>February</i>	1,000	1,000	1,000	1,000	1,000
<i>March</i>	1,000	1,000	1,000	1,000	1,000
<i>April</i>	1,000	1,000	1,000	1,000	1,000
<i>May</i>	1,000	1,000	1,000	1,000	1,000
<i>June</i>	1,000	1,000	1,000	1,000	1,000
<i>July</i>	1,000	1,000	1,000	1,000	1,000
<i>August</i>	1,000	1,000	1,000	1,000	1,000
<i>September</i>	1,000	1,000	1,000	1,000	1,000
Total	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000

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	Sign Posted
<i>Summer Hours (June – August):</i>	Yes
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.	
Private charters: on a reservation basis	
<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. The current owner of the riverboat, Mr. Michael Pearce, purchased the boat from Mr. Jerry Snodgrass in June of 1987. 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.

In August of 1996, PARD staff presented the audit findings and Council direction to the Parks Board. The Parks Board appointed a sub-committee, which also included PARD staff, to address these issues and to make recommendations on the revision of the "Concessions on City Parkland Policy". The recommendations of this sub-committee are incorporated in the approved revisions to the Concession Policy, which are included in this report as Attachment A. This concession currently operates on a month-to-month basis. The concessionaire currently pays the City 5% of gross sales. Tables 5 & 6 illustrate the monthly sales and revenue to the City for Lone Star Riverboat for the past five fiscal years. The 1997-98 sales of \$209,615 are 15.5% more than the 1996-97 sales, resulting in a 13% or a \$1,183 increase in revenue.

Concession Review

A desk review of the concession was completed to assess certain financial and performance related contract compliance issues, i.e. quarterly sales tax reports, monthly financial reports and insurance bond coverage. The City has received all of the revenue due under the contract, results indicate 1 late payment for the past year. The concessionaire has attained all proper insurances. The concessionaire is not currently under contract, but running the concession on a month to month basis.

Table 5: Lone Star Riverboat Sales

	Sales 93-94	Sales 94-95	Sales 95-96	Sales 96-97	Sales 97-98
October	12,710	22,590	21,310	17,909	20,327
November	10,644	10,260	11,576	11,947	11,333
December	2,726	1,731	5,777	9,951	9,404
January	728	1,663	1,293	710	2,819
February	0	1,218	4,726	0	3,999
March	7,692	4,659	7,754	5,419	10,039
April	19,425	11,867	15,228	15,338	14,065
May	25,000	23,252	25,205	31,503	33,885
June	18,938	12,626	20,370	20,310	35,179
July	26,118	16,476	23,610	14,248	28,871
August	23,773	21,020	16,010	24,294	24,708
September	10,054	22,140	18,638	29,811	14,986
Total	\$157,808	\$149,502	\$171,497	\$181,440	\$209,615

Table 6: Lone Star Riverboat Revenue to the City

	Rev. 93-94	Rev. 94-95	Rev. 95-96	Rev. 96-97	Rev. 97-98
October	626	1,129	1,066	895	1,016
November	532	513	528	597	567
December	136	87	289	498	470
January	36	83	65	36	130
February	0	61	236	0	200
March	385	233	388	271	502
April	971	594	761	767	703
May	1,250	1,163	1,260	1,575	1,694
June	947	631	1,019	1,015	1,627
July	1,306	824	1,181	712	1,444
August	1,189	1,051	800	1,215	1,153
September	503	1,107	932	1,491	749
Total	\$7,881	\$7,476	\$8,525	\$9,072	\$10,255

D. L'Aviron Rowing

Concessionaire	Location
Ms. Anne Marie Heilman (Paquet)	North shore of Town Lake, off of
P.O. Box 50424	Stephen F. Austin Drive
Austin, Texas 78703	
Hours of Operation	Sign Posted
5:00 p.m. – 8:00 p.m. Monday – Friday	Yes
8:00 a.m. – 12:00 p.m. Saturday and Sunday	

General Activities

L'Aviron Rowing provides rowing lessons for \$55, which includes one hour with an instructor and 2 additional hours of on-the-water training. Private coaching is available for \$25 per half-hour. Shells are not rented to people without rowing experience. Many citizens of Austin utilize this concession several times each week as a part of their physical fitness schedule. According to Anne Marie Heilman Paquet, who works at the concession and is a United States Rowing Association Coach, rowing is an excellent way to deal with the tensions of life while achieving a solid cardiovascular workout in the beautiful setting of Town Lake. Unlimited rowing memberships are available on a one year, six month, or three month basis for \$400, \$250, and \$150 respectively. Corporate rates are also available upon request.

In August of 1996, PARD staff presented the audit findings and Council direction to the Parks Board. The Parks Board appointed a sub-committee, which also included PARD staff, to address these issues and to make recommendations on the revision of the "Concessions on City Parkland Policy". The recommendations of this sub-committee are incorporated in the approved revisions to the Concession Policy, which are included in this report as Attachment A. This concession currently operates on a month-to-month basis. The current commission rate of 10% is applied to gross sales each month, resulting in revenue for the City. Tables 7 & 8 illustrate the monthly sales to the City for Texas Rowing / L'Aviron Rowing for the past five fiscal years. The 1997-98 sales of \$60,382 are 17.6% more than the 1996-97 sales, resulting in a 18% or an \$925 increase in revenue.

Concession Review

A desk review of the concession was completed to assess certain financial and performance related contract compliance issues, i.e. quarterly sales tax reports, monthly financial reports and insurance bond coverage. The City has received all of the revenue due under the contract, results indicate all outstanding insurances have been attained. The concessionaire has taken proper action to correct deficiencies in record keeping. The concessionaire has been contacted to request copies of all missing insurance documents. The concessionaire is not currently under contract, but running the concession on a month to month basis.

Table 7: L'Aviron Rowing / Texas Rowing Sales

	Sales 93-94	Sales 94-95	Sales 95-96	Sales 96-97	Sales 97-98
<i>October</i>	1,972	3,218	5,375	4,673	5,900
<i>November</i>	2,948	2,361	3,568	5,630	1,454
<i>December</i>	1,991	1,171	1,178	2,430	2,405
<i>January</i>	1,593	2,565	5,278	2,020	1,940
<i>February</i>	3,250	3,759	3,498	3,594	3,115
<i>March</i>	3,755	3,759	2,994	3,475	7,159
<i>April</i>	3,741	3,619	3,084	3,330	7,515
<i>May</i>	3,898	4,719	3,885	5,420	6,940
<i>June</i>	4,375	2,875	5,222	7,456	3,764
<i>July</i>	1,958	5,284	5,759	5,186	6,985
<i>August</i>	2,200	3,932	5,844	2,990	6,845
<i>September</i>	2,454	3,780	2,710	5,130	6,360
Total	\$34,135	\$41,042	\$48,395	\$51,334	\$60,382

Table 8: L'Aviron Rowing / Texas Rowing Revenue to the City

	Rev. 93-94	Rev. 94-95	Rev. 95-96	Rev. 96-97	Rev. 97-98
<i>October</i>	197	322	498	467	590
<i>November</i>	294	236	330	563	145
<i>December</i>	199	117	109	243	241
<i>January</i>	159	256	489	202	194
<i>February</i>	325	376	296	353	312
<i>March</i>	375	376	504	347	716
<i>April</i>	374	362	374	333	752
<i>May</i>	390	472	389	542	694
<i>June</i>	438	288	522	686	376
<i>July</i>	196	528	576	308	699
<i>August</i>	220	393	584	517	695
<i>September</i>	245	378	271	564	636
Total	\$3,412	\$4,104	\$4,942	\$5,125	\$6,050

E. Zilker Canoe Rentals

Concessionaire	Location
Mr. Howard Barnett	West side of Barton Creek immediately below
2202-A Homedale Drive	Barton Springs Pool
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. A five year contract with a five year extension option was executed on 6/20/95. The first 5 years of this contract will expire on 6/19/2000.

Life jackets are supplied to all renters and required for children under 12. Zilker Park Canoe Rentals currently pays 11% of its first \$40,000 in sales and 12% thereafter to the City.

Tables 9 & 10 illustrate the monthly sales and revenue to the City for Zilker Canoe Rentals for the past five fiscal years. The 1997-98 sales of \$106,673 are 34.3% more than the 1996-97 sales, resulting in a 35.6% or a \$3,260 increase in revenue.

Concession Review

A desk review of the concession was completed to assess certain financial and performance related contract compliance issues, i.e. quarterly sales tax reports, monthly financial reports and insurance bond coverage. While the City has received all of the revenue due under the contract, results indicate a lack of medical insurance. The concessionaire has taken proper action to correct deficiencies in record keeping. The concessionaire has been contacted to request copies of all missing insurance documents.

Table 9: Zilker Canoe Rental Sales

	Sales 93-94	Sales 94-95	Sales 95-96	Sales 96-97	Sales 97-98
<i>October</i>	2,725	3,353	6,986	4,707	2,644
<i>November</i>	1,063	3,075	3,505	3,769	4,423
<i>December</i>	500	630	2,065	3,283	698
<i>January</i>	114	2,821	4,339	3,168	4,784
<i>February</i>	1,882	4,400	5,316	5,750	5,150
<i>March</i>	6,733	9,243	16,533	9,374	10,455
<i>April</i>	9,391	12,628	16,337	4,529	18,805
<i>May</i>	8,508	10,225	16,161	15,220	17,883
<i>June</i>	8,172	9,882	16,783	5,904	12,943
<i>July</i>	7,780	14,849	15,837	6,059	12,415
<i>August</i>	5,186	8,931	8,405	11,022	8,673
<i>September</i>	6,313	7,822	7,978	6,633	7,800
Total	\$58,367	\$87,859	\$120,245	\$79,418	\$106,673

Table 10: Zilker Canoe Rental Revenue to the City

	Rev. 93-94	Rev. 94-95	Rev. 95-96	Rev. 96-97	Rev. 97-98
<i>October</i>	300	369	776	565	317
<i>November</i>	117	338	389	452	531
<i>December</i>	55	69	229	394	84
<i>January</i>	13	310	442	348	526
<i>February</i>	207	484	585	633	566
<i>March</i>	741	1,017	1,684	1,031	1,150
<i>April</i>	1,033	1,389	1,664	498	2,068
<i>May</i>	936	1,125	1,796	1,674	2,148
<i>June</i>	899	1,186	1,865	708	1,553
<i>July</i>	856	1,782	1,760	727	1,489
<i>August</i>	570	982	934	1,323	1,041
<i>September</i>	694	939	886	796	936
Total	\$6,421	\$9,990	\$13,010	\$9,149	\$12,409

F. Zilker Zephyr Railroad

Concessionaire	Location
Mr. Tom Larkin	Zilker Park
Texas Special, Inc., DBA Zilker Zephyr Austin, Texas 78704	Train Station located next to playscape.
Hours of Operation	Sign Posted
	Yes

General Activities

On November 16, 1996, the City Council awarded a new contract to Texas Special, Inc. to operate this concession. After construction and renovations, Texas Special began operating in March 1997. Texas Special currently pays 11% of its sales 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. The 1997-98 sales of \$228,350 are 37.3% more than the 1996-97 sales, resulting in a 36.8% or a \$6,729 increase in revenue. The increase in revenue is due to 7 months of operation in 1996-97, verses 12 months of operation in 1997-98.

Concession Review

A desk review of the concession was completed to assess certain financial and performance related contract compliance issues, i.e. quarterly sales tax reports, monthly financial reports and insurance bond coverage. While the City has received all of the revenue due under the contract, results indicate a lack of medical insurance. This particular concessionaire is in the first year of their first contract with the City, for this established concession. The concessionaire has been contacted to request copies of all missing insurance documents.

Table 11: Zilker Zephyr Railroad Ticket and Souvenir Sales

	Sales 93-94	Sales 94-95	Sales 95-96	Sales 96-97	Sales 97-98
<i>October</i>	17,207	0	24,350	0	13,149
<i>November</i>	4,517	1,860	12,040	0	17,366
<i>December</i>	4,740	8,490	12,140	0	11,443
<i>January</i>	8,574	8,400	12,110	0	13,567
<i>February</i>	11,115	8,400	18,110	0	13,869
<i>March</i>	18,698	20,540	24,080	22,837	26,446
<i>April</i>	22,923	24,349	26,560	19,401	29,116
<i>May</i>	20,717	28,738	20,590	28,491	27,242
<i>June</i>	18,720	26,595	26,690	23,551	22,337
<i>July</i>	23,045	32,570	20,460	28,084	21,775
<i>August</i>	22,400	14,598	20,380	23,062	16,569
<i>September</i>	2,424	18,060	21,930	20,911	15,471
Total	\$175,080	\$192,600	\$239,440	\$166,337	\$228,350

Table 10: Zilker Zephyr Railroad Ticket and Souvenir Revenue to the City

	Rev. 93-94	Rev. 94-95	Rev. 95-96	Rev. 96-97	Rev. 97-98
<i>October</i>	1,721	0	2,435	0	1,446
<i>November</i>	452	186	1,204	0	1,910
<i>December</i>	474	849	1,214	0	1,166
<i>January</i>	857	840	1,211	0	1,492
<i>February</i>	1,111	840	1,811	0	1,526
<i>March</i>	1,870	2,054	2,408	2,512	2,909
<i>April</i>	2,292	2,435	2,656	2,134	3,203
<i>May</i>	2,072	2,878	2,059	3,134	2,997
<i>June</i>	1,872	2,659	2,669	2,591	2,457
<i>July</i>	2,305	3,257	2,046	3,089	2,395
<i>August</i>	2,240	1,460	2,038	2,537	1,823
<i>September</i>	242	1,806	2,193	2,300	1,702
Total	\$17,508	\$19,264	\$23,944	\$18,297	\$25,026

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.

CITY OF AUSTIN

ARTWORK DONATION/LOAN PROPOSAL

Please read the City of Austin Art in Public Places Artwork Donation & Loan Policy before preparing your proposal. In order to facilitate the review process, please provide information that specifically addresses the Artwork Donation & Loan Review Criteria. If you have any questions please call Martha Peters, Art in Public Places Coordinator, 512/397-1455

DONOR/LENDER INFORMATION

Name(s): NANCY FYFE CARDOZIER
(Please check one: ☒ Individual(s) ☐ Corporation ☐ Not-for-Profit ☐ Other (please specify _____)
Address: 4005 EDGEFIELD COURT
City/State/Zip: AUSTIN TEXAS 78731
Telephone: (512) 345-9139 (day) Same (eve) (fax)
Contact Person: Nancy Cardozier

TYPE OF PROPOSAL

(Please check one):

- ☐ Donation of Artwork to be Commissioned
☐ Donation of Artwork to be funded by CoA Cultural Contracts
☒ Donation of Existing Artwork
☐ Loan of Existing Artwork

PROPOSAL ATTACHMENTS

- NARRATIVE PROPOSAL including concept, media, dimensions, site preference, total estimated budget, source of funding, timeline for completion, plaque or signage text, site preparation requirements, method of installation, annual maintenance requirements and costs
 - For existing artworks also include warranty of originality and provenance
 - For loans please also include duration and terms
- PHOTOGRAPH and MAP OF SITE
 - If a site has not been identified, please describe type of site preferred
- PHOTOGRAPH, DRAWING and/or MAQUETTE of artwork, preferably shown in the proposed site
 - For existing artworks or loans, please provide a slide or photograph of the artwork
- ARTIST'S RESUME and REFERENCES (STATEMENT and REVIEWS are optional)
 - If an artist has not yet been selected, please describe the method that is planned or you may request assistance from the Art in Public Places program
- ARTIST'S SLIDES 10-20 showing work completed during the past 3 years

NANCY F. CARDOZIER
4005 Edgefield Court
Austin, Texas 78731

NARRATIVE PROPOSAL

The enclosed three prints show two life size figures in the original plaster. The boy is 40 inches high, the girl, 46. They are still very much in an uncompleted state.

If accepted by the Art in Public Places panel, I envision the two standing in a secluded or protected natural setting surrounded by attractive vegetation, looking up as if listening to the birds and gazing at the wonders of nature.

I feel that Mayfield Park, on 35th Street, would be the ideal sheltered and peaceful spot for park users to come upon such an innocent pair of children, tucked into some leafy corner.

These figures are being sculpted as part of a grouping depicting Christ with three children. The tableau was commissioned as a memorial, to be installed in the parish hall of the oldest church in New Braunfels. Completion of the original plasters is anticipated by the end of September, after which, molds will be made and the two children can be cast in the material of choice.

Of course, there's always bronze, but I have the strong feeling that the weightiness and grandeur of bronze is not suitable to the simplicity and "lightness" of such a subject. There are polymer-based or resin-based casting compounds which are formulated to withstand outdoor conditions, and these make possible a lighter colored surface. Even cast concrete is a possibility, though not the most preferable.

The foundry that I expect to use will fabricate the necessary devices to stabilize the statues in their location. Little or no site preparation would be required, and I see maintenance as virtually nil, other than an occasional blast of a hose to remove pigeon droppings.

Nancy Cardozier

Nancy Cardozier

NANCY CARDOZIER

Mrs. V. R. Cardozier
4005 Edgefield Court, Austin, TX, 78731
phone 512-345-9139

Education

Stephens College, Columbia, MO, Associate of Arts
School of the Art Institute of Chicago, Bachelor of Fine Arts
Memphis State University, Memphis, TN, Master of Arts
University of Michigan, Ann Arbor, MI, independent study in art (brief)
University of Texas of the Permian Basin, Odessa, TX, further study in
sculpture and ceramics

Professional Art Activities

1950's - 1960's:

Advertising illustration and display, Gerber Dept. Store, Memphis, TN
Art teaching: Memphis Academy of Art Children's School, Memphis, TN
Shrine School for Crippled Children, Memphis, TN
Montgomery County Junior College, Montgomery County, MD
University of Maryland, College Park, MD (design, fashion design and
illustration)
Private classes in drawing and painting (intermittent)

Related Art Activities

1970 through 1981

Illustration and design work for many community events. Examples:
Midland-Odessa Symphony Association - logo design
Odessa Women's Symphony Guild - logo design, two yearbook cover
designs, numerous posters, designs for invitations to benefit affairs
Art Museum of the Permian Basin - invitation design for initial benefit
Brochure design for Virginia Haught retrospective show
Periodic guest art reviews for the Odessa American daily newspaper
Founding board member, Art Institute of the Permian Basin, Odessa, TX
Officer and exhibition chair, Odessa Art Association

Currently:

Member, Friends of the Umlauf Sculpture Garden
Member, Friends' Advisory Board, Umlauf Museum and Sculpture Garden
Member, Friends of the Austin Museum of Art
Member, Friends of the Archer M. Huntington Gallery
Member, Austin Visual Arts Association

Docent, Umlauf Museum and Sculpture Garden

Past President, Texas Society of Sculptors, and board member

Exhibitions

Juried and open shows as member of Odessa Art Association and the
Texas Fine Art Association

Solo show of paintings, Globe of the Great Southwest theatre,
Odessa, TX

Invitational three-woman show of sculpture, University of Texas of the
Permian Basin, 1981

Invitational Sculpture Event for International Women's Day Festival, 1989

Juried and open shows as member of Texas Society of Sculptors

Commissioned Sculpted Portraits

Miss Elizabeth Lambert,

Mr. H. Brown Jarratt,

Miss Paula Thompson,

Mr. Leonard Fisher,

Mrs. Timothy Sloan,

Mrs. Kathryn Boone,

Rebecca, granddaughter of Mr. and Mrs. Dyer Oakley,

Blake, Beau, and Brooke, grandchildren of Mr. and Mrs. M. O. Boring
all of Odessa, TX

Mrs. Rosemary Malone Hall of Driftwood, TX

and many portraits painted in oils

Public Installations

Bust of Mr. Peter Fyfe, bronze, Tipton County Bank, Covington, TN

Story Time, bronze, Tipton County Public Library, Covington, TN

The Prodigal's Return, concrete casting, 1/10, First Presbyterian
Church, Austin, Texas

The Prodigal's Return, concrete casting, 2/10, First United Methodist
Church, Grapevine, Texas

Personal References

Mr. William Harris, 2706 Parkview, Austin, TX 78731 (retired minister)

Mrs. Shirley Kivell, Director, Elisabet Ney Sculpture Conservatory, 305
East 45th Street, Austin, TX 78705

Mrs. Nelie Plourde, Director, Umlauf Museum and Sculpture Garden,
P.O. Box 50302, Austin, TX 78763

