

## Zilker Café Conditional Use Permit Community Meeting

### Question Report

Report Generated: 6/17/2021 7:50:00 PM

Webinar ID	Actual Start Time	Actual Duration	# Question
922 2541 4736	6/17/2021 17:01	152	159

### Question Details

#	Question	Asker Name	Asker Email (redacted)	Answer(s)
1	Will we be able to see all participants? I didn't hear the answer to Patricia's question. Will we be able to see	Patricia Bobeck		live answered
2	all participants?	Karen Blizzard		
3	Are we going to be able to see who is in attendance? And are we	Anonymous Attendee		
4	Yes, good question, are we all muted?	Karen Blizzard		
5	Will there be a time for comments (as opposed to questions)?	Bill Oliver		Yes. We will have a questions and comments portion at the end of the presentation. Thank you for the question. The selected vendor is Springfed L.L.C, we will provide more information on the vendor later in the
6	Who is the selected vendor?	Patricia Bobeck		Thank you for the question, Patricia. This question will be addressed later in the live answered
7	Who will enforce the perimeter?	Patricia Bobeck		As Christina mentioned, APD will be enforcing this. If your question was not fully answered, you can bring it up during the Q&A portion.
8	Will the No Smoking rule be enforced? If so, by whom?	Patricia Bobeck		live answered
9	Who is going to monitor whether booze goes outside of this area .... regardless of a "fence".	W. Tucker		Must be within park hours. Vendor can live answered
10	What kind of glasses will be used to serve beer? glass or plastic?	Patricia Bobeck		live answered
11	What are the hours of operation for the cafe?	David King		live answered
12	Who is going to keep inebriated consumers from entering the pool	Alma Kuttruff		live answered
13	will lifeguards be responsible for removing floks who are drunk from	W. Tucker		live answered
14	I have never seen anyone enforce the No Smoking rule	Patricia Bobeck		

## Zilker Café Conditional Use Permit Community Meeting

<p>Barton Springs and Zilker Park are already very popular destinations. They get quite crowded, and parking is at a premium. Why does PARD want the cafe to be an additional destination rather than a service to</p>		
15	<p>people who are there primarily to enjoy the natural resources?</p> <p>1. What will be done to prevent parking spaces from being used by diners/drinkers at Spring Fed from taking up scarce parking resources at BSP?</p> <p>2. How can you justify giving an alcohol license in close proximity to a playscape?</p> <p>3. Are there no other restaurants nearby (on Barton Springs Road) that serve alcohol? Why put one in over-taxed park resources?</p> <p>4. With so much public opposition, what is your motivation for approving alcohol sales?</p> <p>5. How will you police drunk driving out of the parking lot where there are many pedestrians and children playing in the park?</p>	<p>Kelly Besecke</p> <p>live answered</p>
16	<p>6. How does the CoA benefit from sales of alcohol in Barton Springs? Will park police enforce alcohol in/out rules during all hours of</p>	<p>Karen Kreps</p> <p>live answered</p>
17	<p>operation of the cafe?</p>	<p>David King</p> <p>live answered</p>
18	<p>Thank you for having compostable service ware!</p>	<p>Karen Blizzard</p> <p>We're happy about that part, too! The varied offerings are a response to current visitors. It may also bring additional people, but it is difficult to know. The primary purpose is to provide additional amenities at the park.</p>
<p>And, it didn't seem that the park has any problem being a destination.</p>		
19	<p>Why the need to sell alcohol to promote more visitors? So will APD be posted at the cafe to enforce the fence rule? If</p>	<p>Alma Kuttruff</p>
20	<p>someone goes out, and police are not there, the escapee will be long</p>	<p>Patricia Bobeck</p>
21	<p>Is the contract with the concessionaire dependent on approval of the alcohol permit? Will the concessionaire remain even if the alcohol</p>	<p>Sam Martin</p> <p>live answered</p> <p>The lifeguards are trained to identify inebriated visitors already as well as to identify any food or drink that individuals</p>
22	<p>You are asking lifeguards to be bouncers now?</p>	<p>Anonymous Attendee</p> <p>The vendor will be able to determine the hours as long as they are within park hours.</p>
23	<p>The public needs to know the specific hours of operation of the cafe.</p>	<p>David King</p>

## Zilker Café Conditional Use Permit Community Meeting

24	If an accident or legal infraction occurs that could be related to alcohol consumption, who will be liable? The concessionaire?, COA?, both?	Sam Martin	Typically, primarily responsibility goes to the offender. If there is negligence in the serving or other aspect, then the responsibility can
25	Thank you, Heidi, for your question about research into the scientific data associating alcohol consumption and drowning.	Karen Kreps	
26	What about the liability issue of PARD allowing and promoting the sale of alcohol in the park and at a pool concession stand?	Alma Kuttruff	
27	please ask the questions that Karen Kreps has asked	W. Tucker	
28	Why why why??? Other than vendor profits and city revenue(?), who wants this? Not the lifeguards I'm sure, and I've been one who has dealt with beach drunks. We don't need more pool visitors at 1 million a year now. This is a bad, unnecessary proposal.	Ed Crowell	
29	Do we not already have a lifeguard shortage? It seems that the additional tasks will exacerbate the lifeguard shortage.	Patricia Bobeck	live answered
30	And thank you for asking about how what they know about how the lifeguards feel about pulling drunk people out of the pool.	Karen Kreps	
31	WHY HAVE YOU NOT ASKED THE LIFEGURADS FEEL ABOUT THIS IN THIS SITUATION ????!!!!	W. Tucker	
32	Is there a reason that the city has not looked at the link between drinking and drowning? Is there a more "important" concern that weighs more heavily than drowning?	Patricia Bobeck	This is always a concern, which is why lifeguards at all pools are trained to identify patrons who may not be at full capacity.
33	fantastic question about liability.	W. Tucker	
34	What about alcohol and guns - now that no permits are needed for guns...and alcohol at the Springs?	Virginia Palmer	
35	If the PARD lifeguards respond to survey that they oppose the permit, will PARD drop the request to serve alcohol?	Sam Martin	Just like other projects and programs, PARD staff members are key stakeholders. BSP lifeguards and otehr PARD staff members are invited to also provide comments supporting or against the permitting process. Any surveying will also be shared with the Parks
36	The PARD intent to sell alcohol adjacent to the pool and in a family park area seems to have been promulgated with little concern for safety and well being of family visitors.	Alma Kuttruff	live answered

**Zilker Café Conditional Use Permit Community Meeting**

37 So will cafe patrons be required to order food to get an alcoholic	Patricia Bobeck	live answered
This meeting is about serving alcohol outside of the pool, not vegan		
38 and vegetarian and healthy food. Please stay on track.	Heidi Armstrong	
I never saw the cafe as a “destination” in my twelve of going to the pool. there is already a massive problem with parking at the pool		
39 and this will only be exacerbated by serving drinks.	W. Tucker	
How long would it take for APD to get to the cafe? Will APD be there		
40 at all times?	Patricia Bobeck	live answered
Can you provide the data source Patricia Rossett stated as there being		
41 support for alcohol sale in the park?	Alma Kuttruff	
42 Can community members speak during this meeting?	Jennifer Robenalt	Yes, feel free to click the 'raise hand' icon if you would like to ask a question.
If the primary responsibility of keeping alcohol within the boundary is		
43 with the vendor, then what is the penalty to the vendor if this rule is	Daniel Opdyke	
44 I missed what Denisha said about the contract. Could you repeat?	Patricia Bobeck	
45 Who gets the proceeds from the cafe sales of alcohol?	Jennifer Robenalt	The agreement with the concessionaire. The get the majority of proceeds. The City's share of revenue goes into the City's general fund, to support all of PARD operations, including pools, however, there is not a specific/direct relationship to the alcohol revenue and

## Zilker Café Conditional Use Permit Community Meeting

karen's questions again:1.

What will be done to prevent parking spaces from being used by diners/drinkers at Spring Fed from taking up scarce parking resources at BSP?

2. How can you justify giving an alcohol license in close proximity to a playscape?

3. Are there no other restaurants nearby (on Barton Springs Road) that serve alcohol? Why put one in over-taxed park resources?

4. With so much public opposition, what is your motivation for approving alcohol sales?

5. How will you police drunk driving out of the parking lot where there are many pedestrians and children playing in the park?

6. How does the CoA benefit from sales of alcohol in Barton Springs?

46 Please elaborate with specifics?	W. Tucker	live answered
47 Please repeat the response to liability issues. I did not hear that "Who is liable" is very different from who will "enforce rules	Sam Martin	
48 pertaining to alcohol."	Karen Kreps	
49 The shortage of lifeguards has reduced the public swim by 3 days a Are we trying to attract even more people to Zilker even with the parking situation and lack of safety personnel by allowing alcohol? There are bars within walking distance. Why are we putting more	Karen Kreps	
50 burdens on an already stretched thin staff? Does it seem likely that with an alcohol-serving cafe next door, there	Jennifer Robenalt	live answered
51 will be more inebriated people entering the pool?	Patricia Bobeck	
52 I also missed what Denisha said about the contract. Could you repeat? Please respond to Karen Kreps' question: "How does the CoA benefit from sales of alcohol in Barton Springs? Please elaborate with	Karen Kreps	
53 specifics?"	David King	live answered
54 Will the Q/A chat be included in the recording of this meeting?	David King	Yes, a record of the Q&A chat will be posted

## Zilker Café Conditional Use Permit Community Meeting

55	But it never had alcohol service in the past. It is naive to say it will not be a destination.	Karen Kreps	live answered
56	How can citizens oppose this? What is the process?	Jennifer Robenalt	Jennifer, here is the process now.
57	Why can't you bring your own food for your kids?	Karen Kreps	live answered
58	Why is it important to bring alcohol to Zilberberg park? typically playscapes near alcohol are part of the business (for example, a brewery with a playscape). My understanding is that TABC	Anonymous Attendee	
59	prohibits alcohol sales close to schools. Why would a public playscape What is the estimated revenue gain to PARD after full implementation	Daniel Opdyke	
60	of the concession?	Sam Martin	
61	Please answer my questions #3-6. Barton's Springs is rowdy without alcohol involved. (And current facility rules don't allow alcohol or those drinking alcohol to enter) The pool is basically run by about 13 people on a shift, dealing with	Karen Kreps	
62	thousands of folks inside the gates, it can get out of control. Can you provide information on your statement/research that the	Nichole Bohner	
63	public supports alcohol adjacent to the playscape and pool? Will additional security or support be provided to the pool to help with issues that arise? Alcohol = even rowdier people. What are the measures being put into place to help them? My experience was that Park Police were support when needed, but they weren't dedicated to the pool itself and depending on their other calls and workload, they were often slow to respond. I'd suggest dedicated support	Patricia Bobeck	
64	during busy times if this measure moves forward. Are you aware that you're not answering the questions, or do you	Nichole Bohner	
65	really think these constitute answers?	Anonymous Attendee	
66	Justin - thank you for keeping the focus on the question.	Daniel Opdyke	
67	Please answer our questions as we ask them. You all are being	Anonymous Attendee	
68	Does the revenue share go to the general fund or does it benefit the	Nichole Bohner	live answered
69	Is someone implying that vegan food negates the effects of alcohol?	Patricia Bobeck	

## Zilker Café Conditional Use Permit Community Meeting

70	This is not a good idea. 1) Public safety. 2) We need more family friendly all ages city spaces. 3) We don't need it. 4) Parking. 5) Bars are within walking distance. 6) Will attract more darling young people. 7) Why create potential problems where there are none now? 8) do we really need more public intoxication in Austin— especially next to a playground train tracks and a pool? 9) Healthier varied options are great. Why do we need alcohol too? 10) For money the city makes, we will pay for it.	Jennifer Robenalt	
71	So, to get healthy & vegan food options, we have to include alcohol on the menu? Wow!	David King	
72	Exactly David King! It's absurd. Can you present the data source for community support of alcohol sales at a public pool? When were the surveys conducted, what was the size of the data pool, what was the demographic sample and did it	Anonymous Attendee	
73	represent the whole Austin community?	Alma Kuttruff	
74	Thank you, Kasey (PARD)!	David King	
75	Will this chat be entered into the formal record of this meeting?	Karen Kreps	live answered
76	So there enough guards for 4 days a week, but not for the normal 6 day a week schedule, right?	Patricia Bobeck	live answered
77	What effect will having alcohol sales at the pool have on people who belong to AA and are trying to stay sober and coming to the pool for a	Karen Kreps	
78	Karen, I have saved a copy of the chat.	Anonymous Attendee	
79	Please present the data source for community support of alcohol sales at a public pool.	Karen Kreps	live answered
80	What was the data source for community support of alcohol sales at a public pool? When were the surveys conducted, what was the size of the data pool, what was the demographic sample and did it represent	Alma Kuttruff	
81	the entire Austin community?	Karen Kreps	live answered
82	How many people are in attendance?	Sam Martin	
83	I think you've missed the question about legal liability. If the shortage of lifeguards continues, will the Cafe be open while the pool is closed?	Craig Nazor	live answered

**Zilker Café Conditional Use Permit Community Meeting**

<p>What publicity for future meetings on this topic have been announced? Where? This is the first I've heard of one on next</p>		
<p>84 Tuesday. Thank you PARD staff for this community engagement meeting!</p>	<p>Karen Kreps</p>	<p>live answered</p>
<p>85 Thank you for your service and hard work for our parks and recreation</p>	<p>David King</p>	
<p>86 You guys want a song in the comments? I'm still unclear on alcohol leaving the designated area. If the vendor is primarily responsible for this, what will the penalty to the vendor</p>	<p>Bill Oliver</p>	<p>live answered</p>
<p>87 be if it is disobeyed? What ability will they have to enforce if a person Has anyone considered the fact that men often behave inappropriately at the pool, even without alcohol? and that with alcohol there will be more inappropriate behavior? I ask because a woman told me the other day that she was exercising pool side and saw a man watching her. She finally figured out he was masturbating</p>	<p>Daniel Opdyke</p>	<p>So sorry to hear this. This is such a challenge for our society, and specifically at BSP. This is terrible. I'm not sure that the panel can respond to this without making assumptions that we are not trained in.</p>
<p>88 while watching her. Does the panel think that this type of behavior</p>	<p>Patricia Bobeck</p>	
<p>If this CUP and license is granted and it results in a death or disability of a patron, what is the process for withdrawing this permit?</p>		
<p>89 Why not post full contract on webpage of project instead of a 6 week PIA request process?</p>	<p>Lin Mallardi</p>	
<p>The question about next Tuesday's meeting was about when and where it was announced.</p>		
<p>Will it be on Zoom?</p>		
<p>90 Will a recording of this and future meetings be easily available to the public, e.g. on a website?</p>	<p>Karen Kreps</p>	<p>live answered</p>
<p>91 Please put the URL of the website into the chat room.</p>	<p>Karen Kreps</p>	<p>It is in the general chat, but for reference this is the URL for the project webpage:</p>
<p>92 Please answer the question about legal liability.</p>	<p>Karen Kreps</p>	<p><a href="https://www.austintexas.gov/department/pard-conditional-use-permit-applications">https://www.austintexas.gov/department/pard-conditional-use-permit-applications</a></p>

## Zilker Café Conditional Use Permit Community Meeting

- PARD staff has listed seemingly all pro reasons / benefits for serving alcohol. Surely y'all must have thought of / listed reasons for not serving alcohol. What are the reasons you came up with? Also, I
- 93 have some comments I would like to publicly make. Robert Corbin live answered
- So if someone drowns in the pool after drinking at the cafe, is the city
- 94 responsible for the drowning in BSP? Patricia Bobeck live answered
- 95 What will be the capacity limit for the cafe area? Karen Kreps
- Has a cost analysis been done in order to understand the potential alcohol sales revenue for the city compared to the resources that will
- 96 be required to keep the area safe and accessible? Jennifer Robenalt
- Karen, Since they are not directly answering your questions about the meeting, I'll do it. The meetings are announced here:  
[http://austintexas.gov/cityclerk/boards\\_commissions/meetings/39\\_1.htm](http://austintexas.gov/cityclerk/boards_commissions/meetings/39_1.htm) This is agenda item B3.
- You can email [Sammi.Curless@austintexas.gov](mailto:Sammi.Curless@austintexas.gov), the PARD liaison to
- 97 the Board, with your comments. I'll be doing the same. Heidi Armstrong Thank you for providing that information, Heidi. We are trying our best to get to the questions as quickly as we can.
- We have actual data that say drinking and swimming don't mix:
- Driscoll TR, Harrison JA, Steenkamp M. Review of the role of alcohol in drowning associated with recreational aquatic activity. Injury Prevention 2004;10:107–113.
- Cummings P, Quan L. Trends in Unintentional Drowning: The Role of Alcohol and Medical Care. JAMA, 1999; 281(23):2198-2202.
- Read the CDC website about drowning:  
[https://www.cdc.gov/homeandrecreationalafety/water-](https://www.cdc.gov/homeandrecreationalafety/water-safety/waterinjuries-factsheet.html)
- 98 [safety/waterinjuries-factsheet.html](https://www.cdc.gov/homeandrecreationalafety/water-safety/waterinjuries-factsheet.html) Heidi Armstrong Thank you for providing this information.
- 99 Who are the partners in Springfed LLC? Patricia Bobeck
- 100 Robert is correct about the lack of law enforcement in our parks. Craig Nazor
- Zilker Park is open from 5 am to 10 pm, 7 days per week. Will the cafe
- 101 be open with alcohol sales from 5 am to 7 pm, 7 days per week? David King

## Zilker Café Conditional Use Permit Community Meeting

Is there not also a problem of inebriated people walking on the greenbelt at the end of the parking lot, where women and children walk alone and must be un-accosted.

102 Karen Kreps

To David King: They said it can be open any time the park is open so it could be open from 5AM-10PM, or at least that's what I conclude.

103 Kathleen Magor live answered

'@PARD Kasey — That's just the beginning. Please examine the data for yourself. You all are making a proposal directly opposed to scientific data and CDC guidelines. There will be physicians speaking at the next meeting.

104 Heidi Armstrong

How expensive is this restaurant? Is it really for the public or for the elite?

105 Karen Kreps

I appreciate the opportunity to comment on this issue. We have so few family gathering areas in Austin and green space ratio per population is diminishing as Austin grows. PARD should have healthy wholesome family enjoyment as the #1 priority. Alcohol sales should not be a part of the PARD agenda for parks. Let's keep the parks family parks where children can enjoy space, fresh air and whole family activities.

106 Alma Kuttruff

Are you saying there is a "community demand" for alcohol at the Springs????

107 Virginia Palmer

108 Why are you pursuing this? Doesn't that already show a bias? Craig Nazor

109 GREAT COMMENT ALMA ! W. Tucker

Good question: Who are the partners in Springfed LLC? Please answer it in the Chat room.

110 Karen Kreps Rick Garrett and Shawn Cirkiel

Why is city staff using public resources talking the lead on trying to push this permit through instead of the concessionaire?

111 Anonymous Attendee live answered

From the CDC website: Alcohol Use: Among adolescents and adults, alcohol use is involved in up to 70% of deaths associated with water recreation, almost a quarter of ED visits for drowning, and about one in five reported boating deaths.<sup>2,15,17</sup> Alcohol influences balance, coordination, and judgment, and its effects are heightened by sun exposure and heat.

112 Heidi Armstrong

## Zilker Café Conditional Use Permit Community Meeting

- If I have one beer with my meal at the cafe, does that mean I'm a  
113 danger to the community? Anonymous Attendee  
Are people having a drink at the cafe more dangerous than anyone  
114 else who visits the park? Anonymous Attendee  
115 How could you propose this without a cost analysis??? Anonymous Attendee  
How can the research that is needed be done in the schedule you  
116 displayed at the beginning of this meeting? Karen Kreps
- Wonderful points made about the nature of drunkenness hiding and  
why are we creating this situation. One suit from a drowning victim's  
117 family and this would be over. Give us one place without alcohol. Ed Crowell  
118 Anonyous Attendee, why are you hiding your identify? Karen Kreps  
The City is so afraid of being sued that it closes the pool when the  
weather gets below 32 or something liike that. Why is it not afraid of  
being sued for all the problems that will come from this license to sell  
119 booze in the park? Karen Kreps  
120 Yes, please identify the pro-alcohol people. Karen Kreps  
121 Is Spring Fed a local business or national? Karen Kreps  
We need good planners running this project and communicating with  
122 the public. Karen Kreps  
There are several questions that haven't been answered or haven't  
been answered thoroughly. Who has liability for drowning, injury,  
violence, or general bad behavior related to drinking at th~~e~~ cafe?  
How will the City benefit? What percentage will the City get from the  
cafe? Will that money go to the pool, PARD, or the general fund? Who  
and how many are the citizens who are supposedly clamoring to have  
alcohol at the cafe, and in exactly what way did this idea come from  
123 the community rather than Kathleen Magor
- 124 LOL. I hope Bill Oliver's new song lyrics about "Barton Drinks Eternal." Karen Kreps  
Thank you Kam Magor for trying to keep the panelists focused on  
125 answering the questions. Karen Kreps  
126 Bill, you are my hero Kelly Besecke

**Zilker Café Conditional Use Permit Community Meeting**

Continued: from PARD staff? When will cost analysis be done showing \$ made from cafe vs extra expenses to manage alcohol-related incidents?	Kathleen Magor	
127		
128 bravo Bill!	Daniel Opdyke	
129 Bravo Bill!	Craig Nazor	
130 You sang it true, Bill. Good job!	Ed Crowell	
Is there a reason that there has been no study of the “benefits” of making money on alcohol sales and the “disadvantages” of having to spend money on policing the alcohol sales?		
Is there a reason that there has been no study of the dangers of mixing alcohol and swimming?		
Does the city not have a standard contract checklist to deal with liability issues such as this? How did these major ideas slip through?	Patricia Bobeck	
131 How many additional port-a-potties will be required for the beer drinkers now and while the bathhouse be under construction?	Anonymous Attendee	
132 See repetition of unanswered questions cited above.	Karen Kreps	
133 Thanks, Bill!	Patricia Bobeck	
134 Where will the recording of this meeting be available?	Karen Kreps	
135 Please put the URL of the website in this chat room.	Karen Kreps	
136 Pleasee put the URL of the PARD info on this chat room.	Karen Kreps	
137 The agenda is posted but I’m not seeing a way to sign up for the meeting. As in register for a Zoom link.	Anonymous Attendee	
138 Yes, forgot to ask — does the cafe have a restroom?	Patricia Bobeck	live answered
139 Gee, we get 1 and a half business days to register for comments	Karen Kreps	
141 <a href="http://www.austintexas.gov/edims/document.cfm?id=362403">http://www.austintexas.gov/edims/document.cfm?id=362403</a>	Kelly Besecke	
Hi Patricia,		
142 Thanks for that clarification - we the taxpayers own the park!	Patricia Bobeck	
		The video recording will be posted on the project webpage: <a href="https://www.austintexas.gov/department/pard-conditional-use-permit-applications">https://www.austintexas.gov/department/pard-conditional-use-permit-applications</a>
143 What about the audio recording? Where can it be seen soon?	Karen Kreps	
144 How can others hear your answers?	Karen Kreps	

## Zilker Café Conditional Use Permit Community Meeting

But who prevents them from entering if they've had too much to  
145 drink?

Kathleen Magor

146 Where will the recording of this meeting be available?

Karen Kreps

147 Bill, please do post your lyrics here.

Karen Kreps

You should find it here on the project  
webpage:

<https://www.austintexas.gov/department/pard-conditional-use-permit-applications>

148 Where will the recording of this meeting be available?

Karen Kreps

149 Where will the recording of this meeting be available?

Karen Kreps

150 How can the public watch Tuesday's PARB meeting?

Kelly Besecke

151 Thanks for the song, Bill! You nailed it.

Jennifer Robenalt

152 So we cannot participate at PARB meeting?

Patricia Bobeck

153 I've heard no support for this idea throughout the meeting.

Alma Kuttruff

154 The Parks Board meeting is streamed live on ATXN.

Anonymous Attendee

When the bathhouse is closed, and the restaurant is open, how will  
155 that work?

Craig Nazor

156 how does one access the chat room?

Anonymous Attendee

157 Hey Bill - another verse about drunks in the bathhouse...

Virginia Palmer

Who are you Anonymous Attendee? Do you work for the city or

158 represent any BSP group?

Karen Kreps

159 As to the restroom?

Craig Nazor