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RESOLUTION NO.

WHEREAS, the Austin City Council is committed to continuing to combat and undo racist and racially discriminatory policies; and

WHEREAS, Austin City Code § 4-9-11 prohibits consumption of alcoholic beverages in public streets, sidewalks, or parks inside six “Designated Areas” that are defined in Austin City Code § 4-9-1(B).

WHEREAS, Resolution No. 20191205-062 directed the City Manager to prepare a report about the City’s restriction on consuming alcoholic beverages in the Designated Areas; and

WHEREAS, the City Manager’s report detailed the municipal history of the City’s no- public consumption ordinances and concluded that the Austin City Council has the authority to amend the City Code to remove any or all of the Designated Areas; and

WHEREAS, Designated Areas 2, 5, and 6 are the only Designated Areas located east of I-35—the symbolic barrier that solidified the segregation of white residents and Black and Latino residents; and

WHEREAS, Designated Areas 2, 5, and 6 are the only no-public consumption areas that include historically Black and Latino communities and neighborhoods; and

WHEREAS, the adoption of ordinances creating Designated Areas 2, 5 and 6, and the subsequent expansion of Designated Area 2, precipitated significant controversy inside the Austin City Council and throughout the City of Austin; and

WHEREAS, the fact that a person can legally and responsibly publicly

1 consume an alcoholic beverage in the City of Austin in overwhelmingly white
2 single-family residential areas, but cannot do so in historically Black and Latino
3 single-family residential areas, presents a blatant equity issue; and

4 **WHEREAS**, the number of citations given for violations of Section 4-9-11
5 have sharply declined in the past five (5) years; and

6 **WHEREAS**, on June 1, 2020, the Public Safety Commission
7 unanimously recommended that the Austin City Council remove all City
8 Code prohibitions on public consumption of alcoholic beverages, **NOW**,

9 **THEREFORE**,

0 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

1 The City Manager is directed to prepare an ordinance to amend Section 4-
2 9-1(B) of the Austin City Code to remove Designated Areas 2, 5, and 6.

3 **BE IT FURTHER RESOLVED:**

4 When appropriate, the City Manager is directed to collaborate with the
5 Public Safety Commission and the Austin City Council.

6 **BE IT FURTHER RESOLVED:**

7 The City Manager is directed to provide an update on the progress of this
8 resolution by October 1, 2020.

9
0 **ADOPTED:** _____, 2020

ATTEST: _____

1 Jannette S. Goodall
2 City Clerk
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