



Austin Parks and Recreation Department

Annual Concession Report

FY 2017

Joint Report of Parks and Recreation Board and the Environmental Commission



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Executive Summary

The mission of the Parks and Recreation Department (PARC) is to inspire Austin to learn, play, protect and connect by creating diverse programs and experiences in sustainable natural spaces and public places.

In carrying out its mission, PARC has established nine permanent concessions in Town Lake Park that provide recreation services that include canoe, kayak, sculling, and stand-up paddleboard rental and instruction, food and beverage sales, golf, excursion boats, and a mini-train. The aforementioned concessions were established pursuant to Section 8-1-71 of City of Austin Code that authorizes the Director of the Parks and Recreation Department to allow a person to operate a food or beverage, rental, or service concession in Town Lake Park.

Also included in City of Austin Code is Section 8-1-73 that requires PARC's annual concession report on the status of concessions operating in Town Lake Park to the Parks and Recreation Board (Board) and the Environmental Commission in October of each year. At a minimum, the report must include the following information for each of the concessions operating in Town Lake Park:

- Name and location;
- An income and expenditure statement;
- Total number of boats rented on Town Lake; and
- A statement describing any environmental or other problem that is caused or created by a concession.

Within 30 days after the receipt of the Annual Concession Report from PARC staff, the Parks and Recreation Board and the Environmental Commission make recommendations to the City Council regarding the:

- Creation, continuation, or termination of a concession;

- Status of each existing concession; and
- Issuance of a request for proposals for a concession under this division.

Staff provided the required report to Environmental Commission and Parks and Recreation Board on November 15, 2017 and December 5, 2017, respectively. This report is attached as Appendix A.

In response to the presentation of the Annual Concession Report, the Environmental Commission voted (10-0) to include the following recommendations with the stated conditions.

“The Environmental Commission recommends continuation of the concessions contracts with Town Lake with the conditions that Parks and Recreation Department (PARD) staff will verify that three years of records for marine waste disposal have been maintained for any entity that pumps waste on Town Lake and that these records are included in the public record going forward with the following;

Environmental Commission Conditions:

- PARD staff should review the issue of the number of public and private boats that are typically on the Lake, and if there is a capacity issue that should be considered, including consultation with the City of Austin rescue teams; and
- Consider working toward consistent terms and conditions in the various contracts to the extent practicable.”

In response to the Environmental Commission’s recommendations and conditions, PARD provided a response to the three areas referenced – marine

waste disposal; safe navigation on Town Lake; and consistent contract language.

Marine Waste Disposal:

- PARD will forward the recommendations to Austin Water for its enforcement of private operators; and
- PARD accepts recommendation and will ensure concessionaire compliance (PARD contract compliance staff verified that the concessionaire met the contract deliverables with its provision of the manifests/trip tickets for hauled liquid waste.).

Safe Navigation on Town Lake

- PARD will consult with city safety teams and coordinate with its Marketing and Communication Division on the utilization of drone to record number of watercraft on lake during peak times; and
- PARD staff will conduct periodic waterway site visits to assess permitted and non-permitted commercial boating.

Consistent Contract Language

- Standard terms and conditions are the basis of contracts in development; and
- To achieve a fair and equitable agreement, regarding revenue commitment to the city, consideration is given to:
 - Operational expenditures
 - Profit margins and price.

The Parks and Recreation Board accepted the PARD staff report at its December 5, 2017, meeting with the following additions:

- Include the Zilker Café renovation and Request for Proposal (RFP) timeline

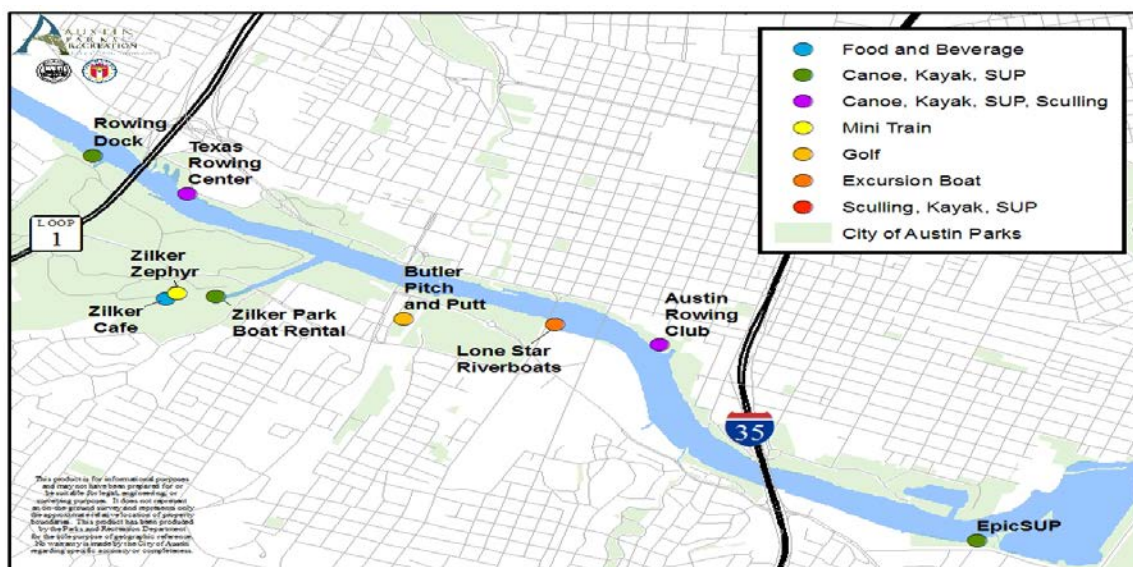
- Include temporary concessions currently in Town Lake Park;
- Include revenue received by the City in revenue by location slide; and
- Look for additional concessions at additional locations to include, but not limited to, the expansion of the Zilker Zephyr.

The following information is a compilation of the report elements and recommendations, along with responses to the requests for the inclusion of additional information.

Current Concessions

There are currently nine concessions in Town Lake Park as shown in the Town Lake Park Concessions Location Map below.

- Six of the concessions provide water-based recreation services, such as canoe, kayak, stand-up paddle boards (SUPs), sculling, and excursion tours.
 - Texas Rowing Center,
 - Zilker Park Boat Rentals,
 - Lone Star River Boats
 - Austin Rowing Club,
 - EpicSUP*, and
 - Rowing Dock.
- The remaining three concessions are:
 - Zilker Café** (food and beverage)
 - Butler Pitch and Putt (short course golf), and
 - Zilker Zephyr (mini train).



Town Lake Park Concessions: Location Map
Feb. 13, 2015 K.Scanlon

*EpicSup does not contract directly with the City of Austin. Its contract is with Hosteling International-USA, which holds a License Agreement with the City of Austin for the operation of a youth hostel on Lady Bird Lake.

** Currently, not in operation. Contract ended January 15, 2016.

Extensions and Terminations

During Fiscal Year 2017, Contract Compliance staff conducted two reviews of concession contracts in which contract option periods were expiring. The two concessions were the Zilker Zephyr (contract extension) and the Zilker Boat Rental (option period exercised).

The Barton Springs Food and Beverage contract for the operation and maintenance of the Zilker Café was in a hold-over period that expired January 15, 2016. Parallel to the hold-over period, staff conducted a solicitation for a new vendor. However, due to facility conditions that would have to be addressed to satisfy building code (unknown at the time of solicitation), City staff cancelled the solicitation in April 2016.

In order to continue a food and beverage services to Zilker Park patrons, the City released a Request for Application (RFA) to acquire mobile food vendors to provide these services. The successful applicants are Southside Flying Pizza and MMMpanadas. PARD will continue to utilize this solicitation method for temporary concessions to provide food and beverage services until a permanent concession can be re-established at the Zilker Café building.

Zilker Café Renovations and Request for Proposal for Concessionaire Timeline

Vision for the Concession: The Concession plays a significant role as an ancillary recreational amenity for the comfort and enjoyment of visitors to Zilker Park. The City's vision for the Concession is to create a local venue where the many visitors enjoying the multiple recreational opportunities available (swimming, hiking, picnicking, canoeing, etc.) at the park can relax in a comfortable, friendly setting to enjoy quality food and beverages at reasonable prices.

Background: The Barton Springs Pool/Zilker Park concession building was constructed circa 1960. Zilker Park is listed as a National Register Historic District and the 57-year old building, which has been modified over time, contributes to the historic character of the park and pool entrance. The Zilker Café, which requires extensive renovations, has not been used as a food and beverage concession since January 2016. The City is now in the process of renovating the shell of the building to enable its use once again as a food and beverage concession. The City intends to provide a building structure (including electrical, plumbing, grease trap) conducive to providing food and beverage services.

Design Considerations: Rehabbing the building with the current mansard roof or looking at a reconstruction of the original design which would be preferable. The building has many challenges ranging from severely deteriorated conditions, code violations, and lack of accessibility. The building can be sensitively modified and added on to. The fact that it is a contributing building to the National Register District does not mean that it can't be sensitively adapted.

Renovation Update

The abatement and air monitoring have been completed. The assessment indicates the building structural wall frame will require reconstruction and complete replacement of the plumbing, electrical and mechanical system. PARD staff met with an architectural consultant and expects a proposal in mid to late December 2017.

Given the unique nature of this renovation and PARD's desire to complete the project expediently, the department will utilize the Job Order Contract (JOC) methodology to provide constructability review and feedback. PARD will coordinate this effort with the Capital Contracting Office.

Draft Renovation Timeline

- March 2018 - Schematic Design (30%) package issued (JOC assignment made.)
- May 2018 - Design development (60%) package issued [QMD (Quality Management Division) review]
- August 2018 – Construction document (90%) package issued (QMD review, building permit submittal)
- Fall 2018 – Project documents issued for pricing
- Winter 2018 – Negotiations complete, construction begins
- Spring/Summer 2019 – Construction substantially complete

The solicitation and acquisition timeline for a concessionaire to provide a food and beverage concession at Zilker Park is included as Appendix B.

Contract Terms

All the Town Lake Park concessions are under contract, with the exception of the Zilker Café. Staff will complete a competitive solicitation for proposals for the Zilker Café once the renovations are complete. *Table 1: Current Town Lake Park Concessions – Terms* illustrates the length of contract for each concession.

As noted in the table below, only two of the concessions have option periods remaining, the Zilker Zephyr and EpicSUP. The other concessions will be available for solicitations as their contract periods near the end of the last term.

Table 1: Town Lake Park Concessions – Contract Terms

	Start	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
Lone Star River Boat	August 1, 2015																			5-year						5-year		
* Zilker Zephyr Railroad	October 1, 1996						10-year			5-year					5-year				2-year	2.1 year								
Butler Pitch & Putt	March 15, 2004							5-year						5-year					5-year									
Zilker Café	August 13, 2004							5-year						5-year														
Texas Rowing Center	May 19, 2000				5-year				5-year					5-year					5-year									
Zilker Park Boat Rental	February 2, 2006								5-year						5-year					5-year								
**Rowing Dock	May 1, 2001					5-year				5-year										10-year								
EpicSUP	February, 2013																		5-year		5-year							
Austin Rowing Club	March 1, 2012																		5-year		2-year							
Basic Term																												
Option -- executed																												
Option -- remaining																												
Holdover																												
Contract Ended																												

Note * Zilker Zephyr contract extension will be based on results of the Zilker Park Comprehensive Plan

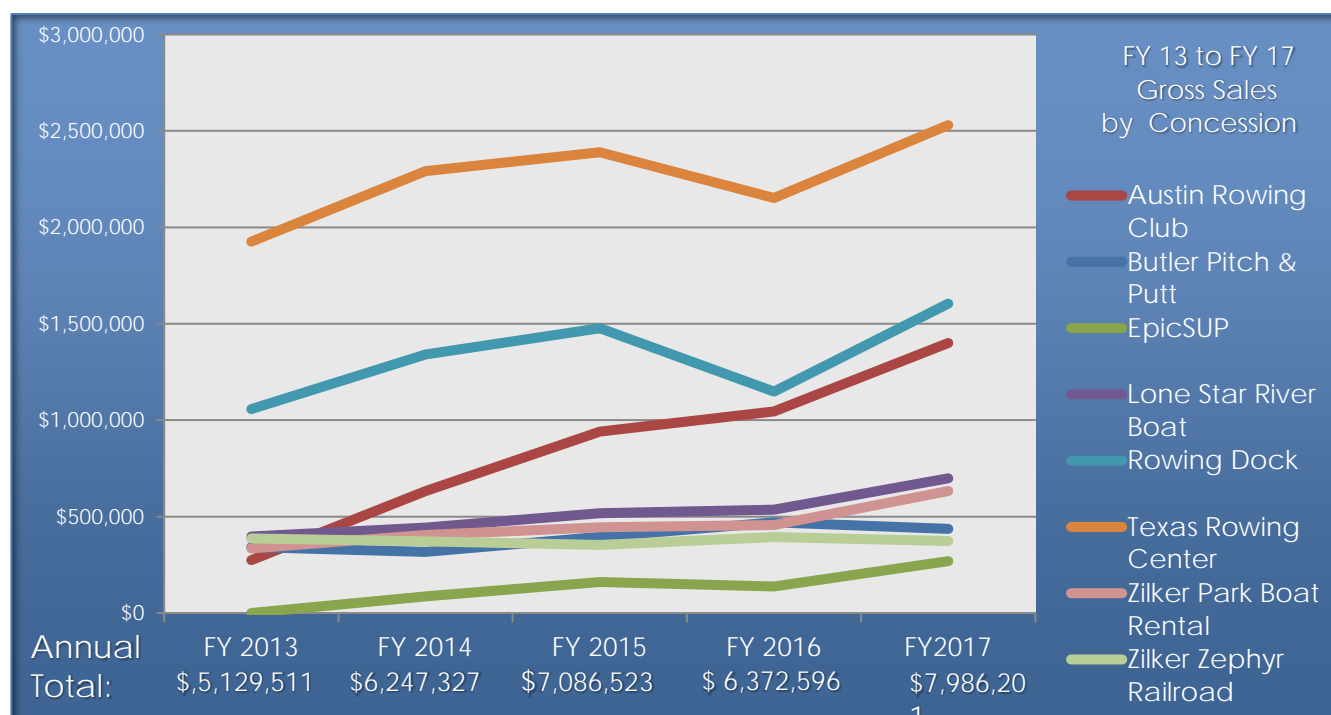
Note ** 10 yr contract extension granted to the Rowing Dock due to extensive capital improvements

Gross Revenues

Gross Revenue, as defined in the City's concession's contracts, are total sales minus sales tax. As shown in the *Table 1: Gross Revenue, FY13 to FY17*, Gross Revenue generated by the nine Town Lake Park concessions in FY17 was \$7,986,201. Gross Revenue for FY17 was approximately \$1,613,605 more than Gross Revenue in FY16.

Of the nine concessions, the Texas Rowing Center had the highest gross revenue in FY17, and the concessionaire with the lowest gross revenue was EpicSUP. A substantial increase in the Texas Rowing Center's inventory may have contributed to its increased revenue. EpicSUP experienced a management change and operates on a limited schedule in October through December. Overall, every vendor experienced an increase.

Table 2: Gross Revenue, FY 13 to FY 17



Payments to City

Each of the nine concessions within Town Lake Park has a unique formula for deriving a percentage of Gross Revenue owed to the City. The Zilker Zephyr and EpicSUP are required to remit a flat percentage of gross revenue, while the remaining concessions must pay a flat fee monthly with a lump sum payment based on total Gross Revenue generated in current contract year.

Table 2 Compensation Formulas provides the formulas used for each concession in determining its payment to the City.

Table 3: Compensation Formulas

TOWN LAKE CONCESSIONS REVENUE REPORTING REQUIREMENTS			
List of concession contracts included in 2017 Annual Concession Report	Monthly Fees to COA	Revenue % Paid to COA	Yearly Lump Sum Payments to COA
Austin Rowing Club	NA	3% of 1st \$300K, 10.5% of next \$900K, 15% of remainder of commercial annual gross revenue	NA
Butler Pitch & Putt	\$2,625	NA	18% of annual gross revenue minus the sum of the monthly payments (\$31,500)
EpicSUP	Payments-In-Kind not to exceed \$500,000	12% of gross revenue	NA
Lone Star Riverboat	\$1,500	NA	9% of annual gross revenue >\$200,000
Rowing Dock	\$667	NA	1% of annual net revenue (gross sales minus sales tax) and 8% of net revenue >\$80,000
Texas Rowing Center	\$1,000	NA	1% of annual net revenue and 8% of net revenue >\$80,000 minus \$4000 (3 payments made in May-July)
Zilker Zephyr	11% of monthly gross sales	11%	NA
Zilker Café*	NA	NA	NA
Zilker Park Boat Rentals	\$1,500	NA	10% of annual gross revenue >\$180,000
*Contract Ended: January 15, 2016			

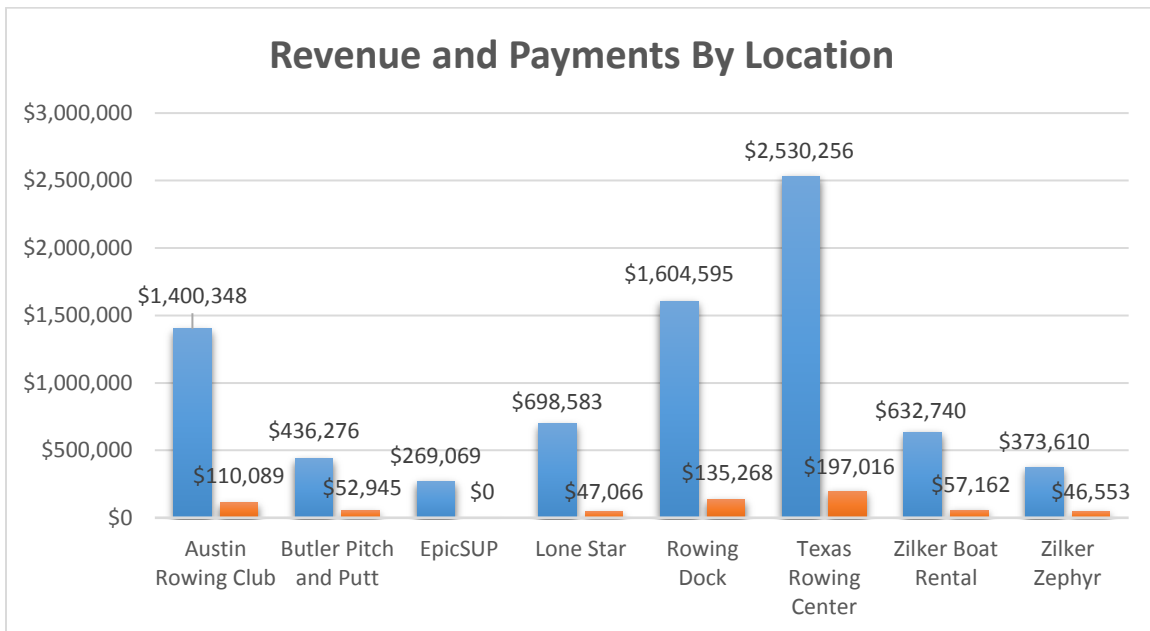
In FY17, the City received \$642,319 in payments from the permanent concessions in Town Lake Park. This equates to a 16% decrease in revenue to the City from FY16. This decrease is due to the absence of a vendor at the Zilker Café. The Texas Rowing Center had the highest gross revenue for FY16

and this translated into the highest revenue payment for this time period, as well, \$197,016.

Table 4: Revenue Payment FY13 to FY17

	FY 13	FY 14	FY 15	FY 16	FY17
Austin Rowing Club	\$9,377	\$57,540	\$77,126	\$97,390	110,089.78
Butler Pitch & Putt	\$19,145	\$19,272	\$73,337	\$113,480	52,945.00
EpicSUP	\$10,377	\$12,000	\$91,380	\$8,750	0.00
Lone Star River Boat	\$32,565	\$31,611	\$37,349	\$44,620	47,066.40
Rowing Dock	\$84,555	\$94,834	\$124,847	\$136,077	135,268.17
Texas Rowing Center	\$137,975	\$188,526	\$210,699	\$226,974	197,016.19
Zilker Café	\$142,675	\$150,480	\$91,380	\$8,750	0.00
Zilker Park Boat Rental	\$33,491	\$38,552	\$46,877	\$45,700	57,162.53
Zilker Zephyr Railroad	\$42,476	\$40,173	\$38,832	\$43,326	42,771.38
Total	\$502,260	\$620,989	\$791,827	\$725,067	\$642,319

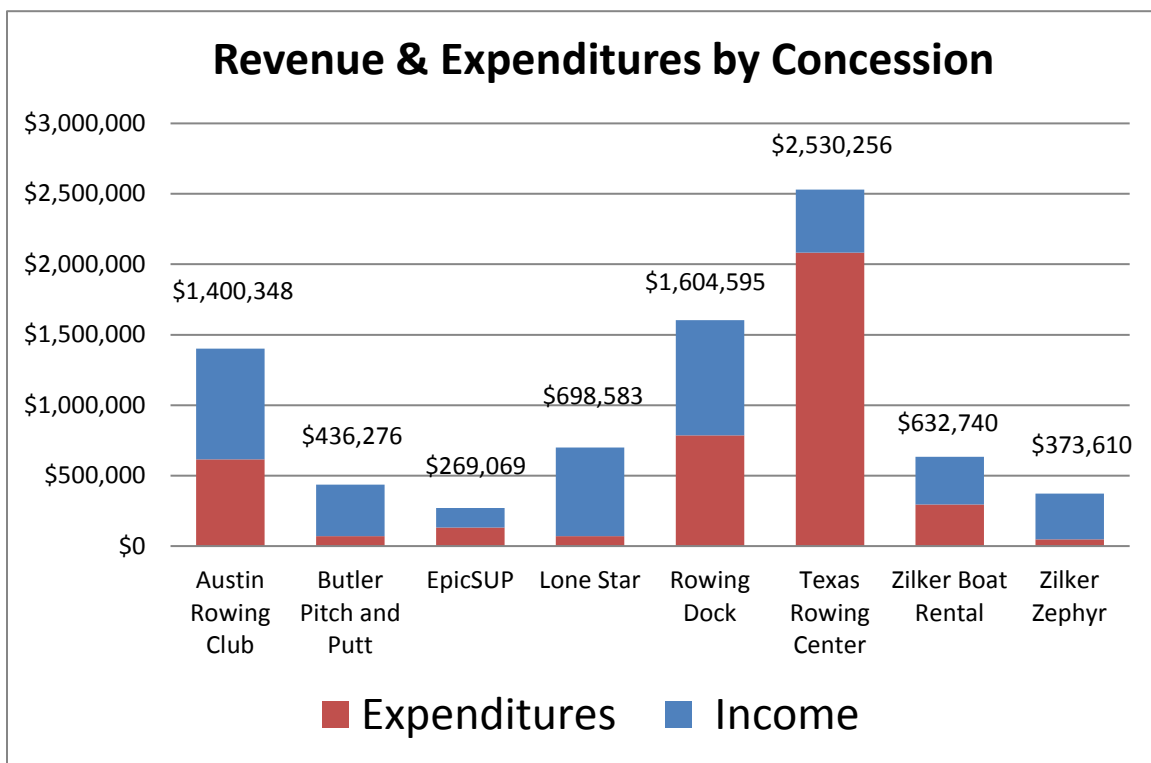
Table 5: Revenue and Payments to City for FY17



Concession Expenditures

Table 5. Concession Expenditure, 2017, tabulates the income, expenditures and the net taxable income for each Town Lake Park concession as reported on the concessions' calendar year 2017 tax return. The highest dollar value of revenue was derived from business operations of the Texas Rowing Center; however, as a percentage the Lone Star Riverboat made the highest percentage of profit to income of 90%.

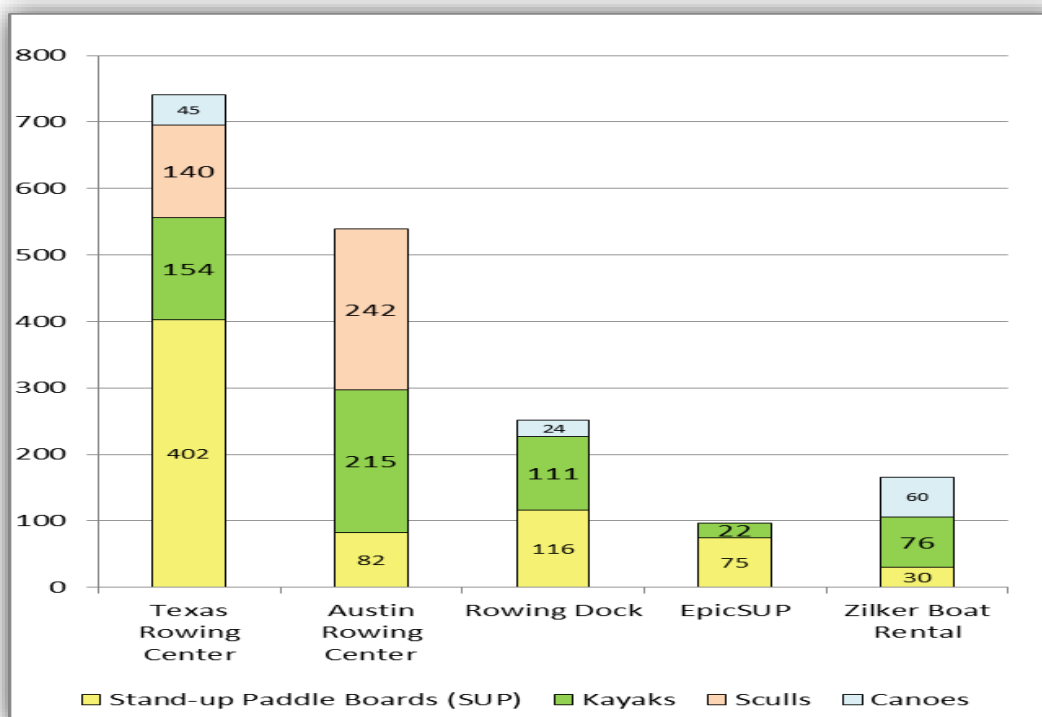
Table 6: Concession Revenue and Expenditures, 2017



Boat Inventory

In FY17, the total inventory of boats housed among the six concessions is 1,794 this is an increase of 338 boats from FY16. Town Lake water concessions have doubled their fleet inventories since 2013. The Austin Rowing Center more than doubled its inventory from FY16, with an increase of 272 more vessels. Texas Rowing Center also substantially increased its fleet by 83. *Table 5: Boat Inventory Lady Bird Lake Concessions*, tabulates the number of boats by concession and type.

Table 7: Boat Inventory Lady Bird Lake Concessions



Environmental Issues

The Environmental Commission recommends staff verify that three years of records for marine waste disposal have been maintained for any entity that pumps waste on Town Lake and that these records are included in the public record going forward.

Temporary Concessions on Town Lake Park

In addition to the permanent concessions discussed in the previous pages of the report, PARD's Special Events Office issues permits for temporary concessions. Below is a list of temporary concessions within Town Lake Park and their status.

- Southside Flying Pizza-Barton Springs Pool North Parking Lot
Expires 2/18/2018 & Vic Mathias Shores Terminated
- MMMpanadas- Barton Springs Pool North Parking Lot Expires
4/02/2018
- Jim Jim's Water Ice - Barton Springs Pool South Entrance & Deep
Eddy Pool Expired 10/01/2017
- Top G Sno Cones – Rowing Dock Parking Lot of Stratford Expired
10/15/2017

Also included for your reference is the Austin Parks and Recreation Department – 2017 Temporary Concessions Review and Enhancement Project (see Appendix B). In this report, five (5) key elements of the temporary concessions program were analyzed. The goal of this report is to foster change to the process and ensure park amenities keep pace with the demand on the park system. It is in the interest of PARD to strike a balance between commercial and recreational uses in the park system.

Exploration of Future Concession Opportunities

PARD's efforts regarding future concessions are included in a memo to the PARB, dated October 12, 2017, (see Appendix D).

Appendix A:

Annual Concession Report 2017



APPENDIX A

ANNUAL CONCESSION REPORT 2017

PARKS AND RECREATION BOARD MEETING
PARKS AND RECREATION DEPARTMENT (PARD)
FINANCE CONTRACT COMPLIANCE STAFF
DECEMBER 5, 2017



Section 8-1-73 of the City of Austin Code requires an annual report to the Parks and Recreation Board and the Environmental Commission providing the following information regarding concessions on Town Lake Park:

- NAME & LOCATION
- GROSS REVENUE, EXPENDITURES, & PAYMENTS
- BOAT INVENTORY
- CONTRACT TERMS
- CONCESSION IMPROVEMENTS

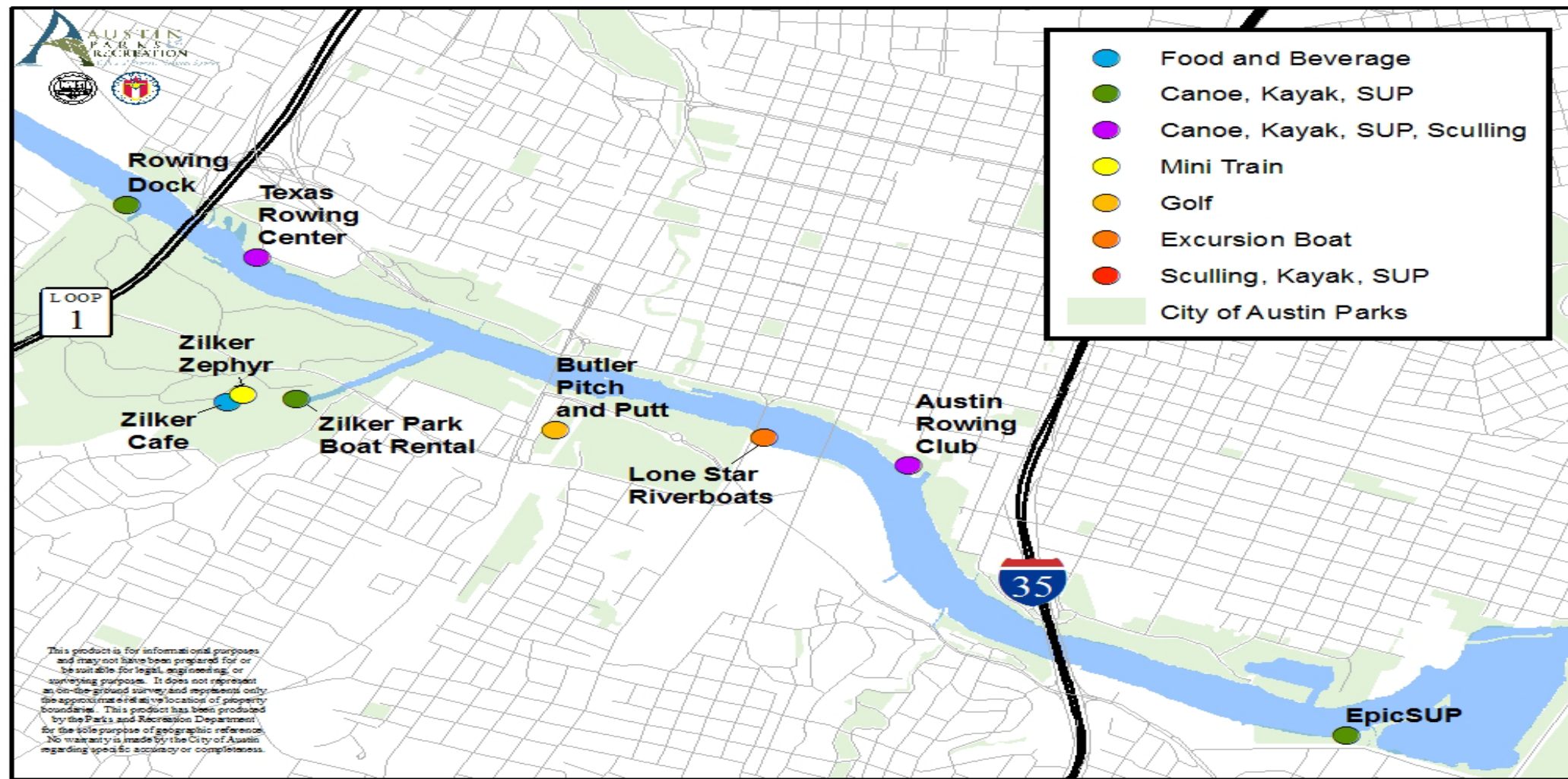


ANNUAL CONCESSION REPORT – 2017

CONCESSION LOCATIONS

Town Lake Park Concessions:

1. Rowing Dock
2. Texas Rowing Center
3. Zilker Zephyr Railroad
4. EpicSUP
5. Zilker Park Boat Rental
6. Butler Pitch and Putt
7. Lone Star Riverboats
8. Austin Rowing Club

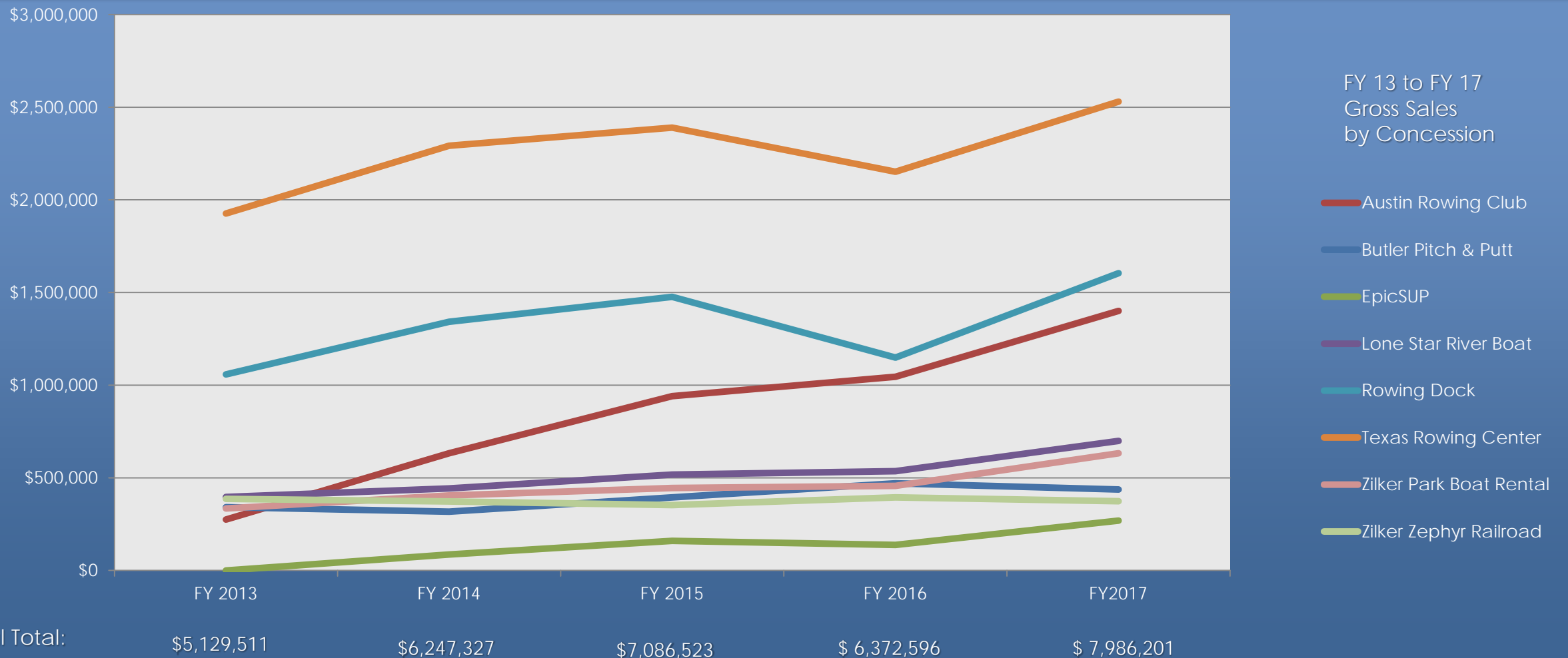


Town Lake Park Concessions: Location Map

Feb. 13, 2015 K. Scanlon

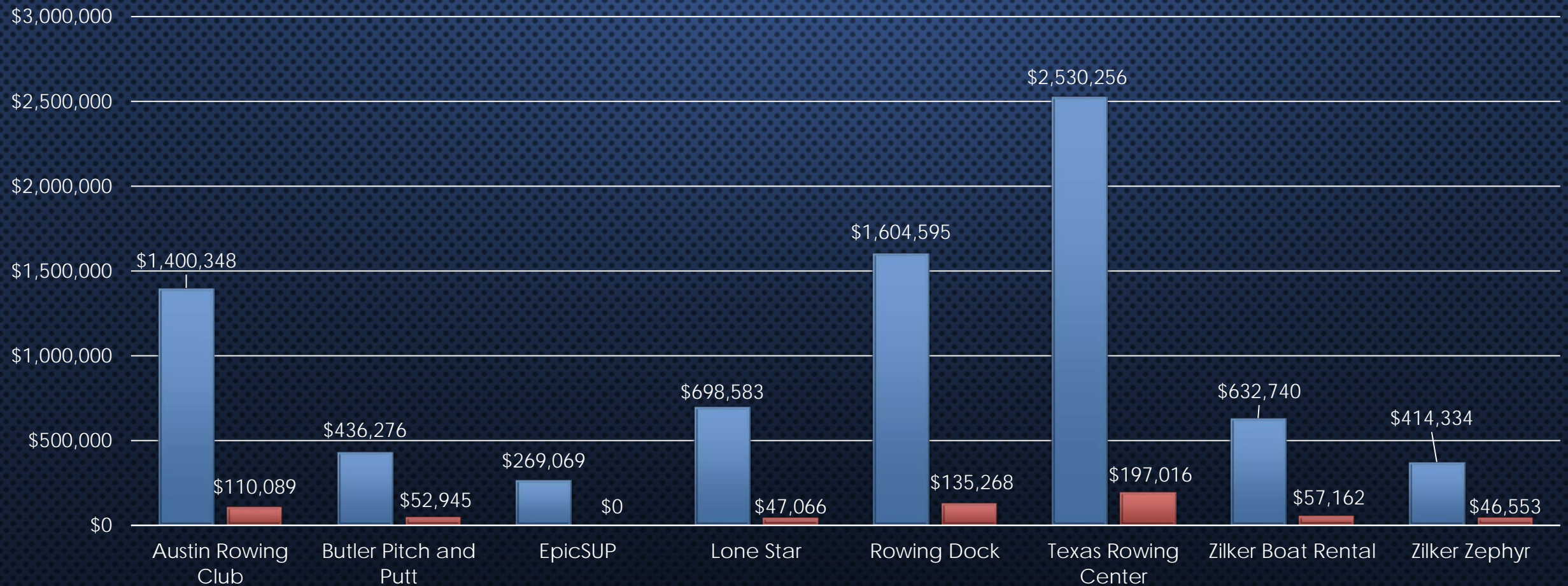
ANNUAL CONCESSION REPORT - 2017

GROSS REVENUE



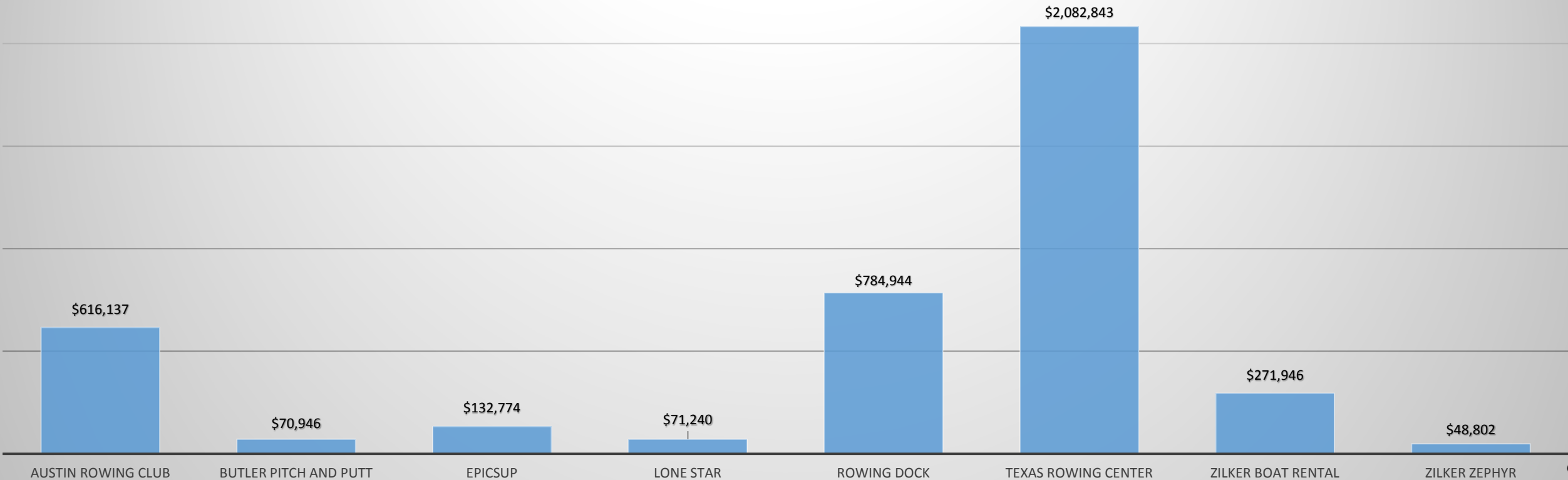
ANNUAL CONCESSION REPORT - 2017

Revenue (blue) and Payments (red) by Concession



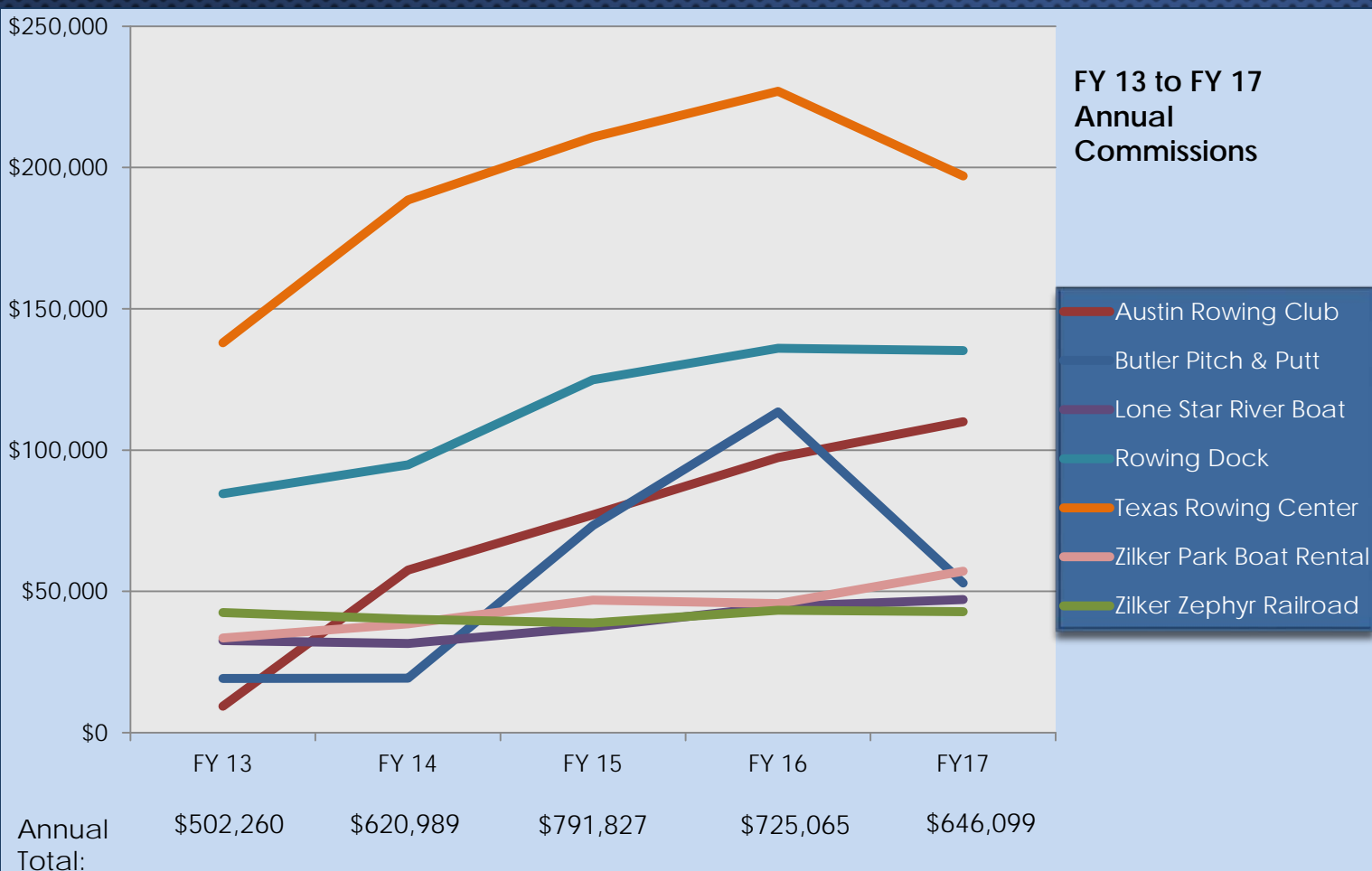
ANNUAL CONCESSION REPORT - 2017

Expenditures By Location



ANNUAL CONCESSION REPORT - 2017

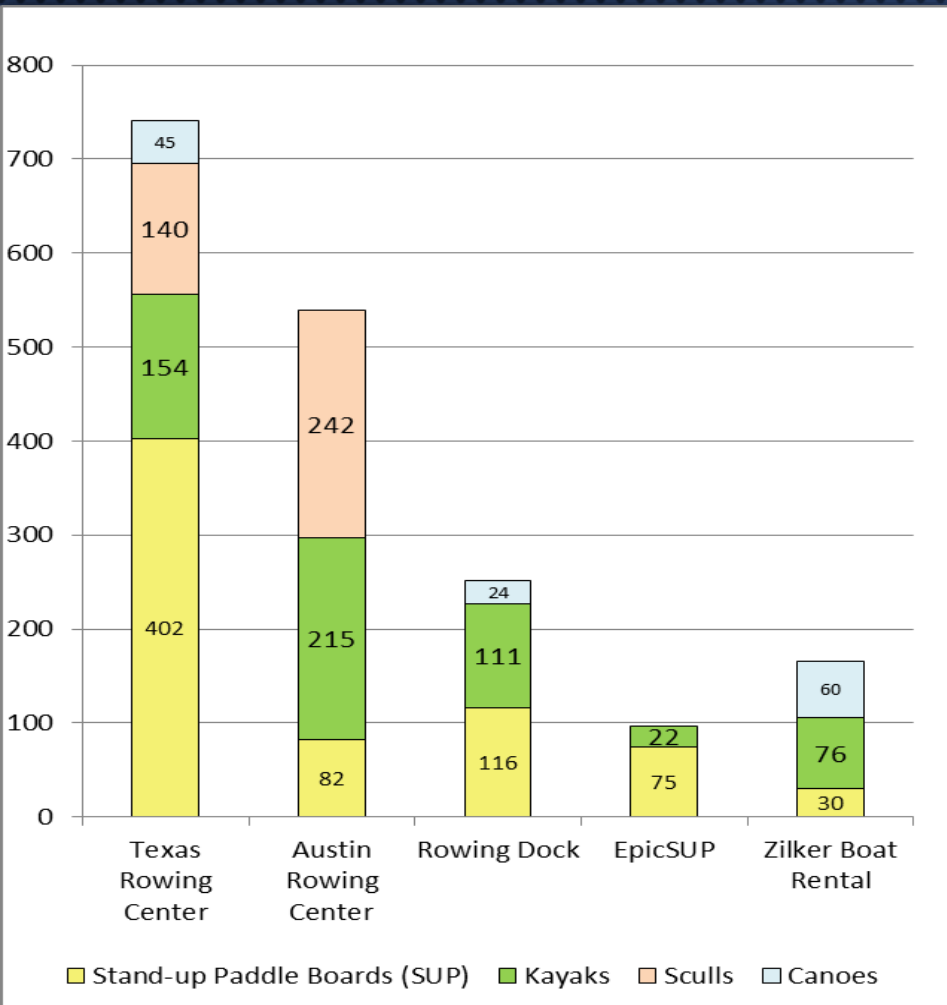
CONCESSION PAYMENTS



- The Texas Rowing Center paid the highest revenue to the City for FY17 in the amount of \$197,016
- The revenues paid by Zilker Park Boat Rental showed the highest percentage increase from FY16 to FY17 of 20%
- Zilker Zephyr Railroad had the lowest revenue to the City for FY17 in the amount of \$46,553

ANNUAL CONCESSION REPORT - 2017

BOAT INVENTORY



	Texas Rowing Center	Austin Rowing Center	Rowing Dock	EpicSUP	Zilker Boat Rental
Kayaks	154	215	111	22	76
Stand-up Paddle Boards (SUP)	402	82	116	75	30
Canoes	45		24		60
Sculls	140	242	0	0	0
Total:	741	539	251	97	166

Boat Inventory*

- 2013: 946
- 2016: 1,456

2014: 1,044
2017: 1,794

2015: 1,254

ANNUAL CONCESSION REPORT - 2017

CONTRACT TERMS

	Start	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
Lone Star River Boat	August 1, 2015																											
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Note * Zilker Zephyr contract extension will be based on results of the Zilker Park Comprehensive Plan

Note ** 10 yr contract extension granted to the Rowing Dock due to extensive capital improvements

ANNUAL CONCESSION REPORT - 2017

CONCESSION IMPROVEMENTS

- AUSTIN ROWING CLUB:
 - THE RISE (ROWING IN SCHOOL EXPERIENCE) PROGRAM VALUE OF ARC'S OUTREACH EFFORTS INCREASED FROM \$146,177 TO \$218,653
 - WEST PLATFORM REBUILD \$22,000
- BUTLER PITCH AND PUTT:
 - PURCHASED & INSTALLED 3 ENORMOUS STONES FROM THE PETRIFIED FOREST IN ARIZONA
 - UPDATED SPRINKLER SYSTEM & ADDED NEW PUMP STATION
- TEXAS ROWING CENTER:
 - FACILITY REPAIRS FOR DOCK/GROUNDS, BOATHOUSE, PADDING, & ROWING FOR \$49,150



ANNUAL CONCESSION REPORT - 2017

CONCESSION IMPROVEMENTS

- LONE STAR RIVERBOATS:
 - NEW ADA COMPLIANCE RAMP
\$60,000
- EPICSUP: INSTALLED A 100% SOLAR POWERED DOCK
- ZILKER ZEPHYR: ADDED A NEW ADA ACCESSIBLE RAMP, TRAIN CAR AND TICKET BOOTH \$48,802





ANNUAL CONCESSION REPORT - 2017 ENVIRONMENTAL COMMISSION RECOMMENDATIONS

“THE ENVIRONMENTAL COMMISSION RECOMMENDS CONTINUATION OF THE CONCESSIONS CONTRACTS WITH TOWN LAKE WITH THE CONDITIONS THAT PARKS AND RECREATION DEPARTMENT (PARD) STAFF WILL VERIFY THAT THREE YEARS OF RECORDS FOR MARINE WASTE DISPOSAL HAVE BEEN MAINTAINED FOR ANY ENTITY THAT PUMPS WASTE ON TOWN LAKE AND THAT THESE RECORDS ARE INCLUDED IN THE PUBLIC RECORD GOING FORWARD WITH THE FOLLOWING;

ENVIRONMENTAL COMMISSION CONDITIONS:

- PARD STAFF SHOULD REVIEW THE ISSUE OF THE NUMBER OF PUBLIC AND PRIVATE BOATS THAT ARE TYPICALLY ON THE LAKE, AND IF THERE IS A CAPACITY ISSUE THAT SHOULD BE CONSIDERED, INCLUDING CONSULTATION WITH THE CITY OF AUSTIN RESCUE TEAMS; AND
- CONSIDER WORKING TOWARD CONSISTENT TERMS AND CONDITIONS IN THE VARIOUS CONTRACTS TO THE EXTENT PRACTICABLE.”

ANNUAL CONCESSION REPORT - 2017

ENVIRONMENTAL COMMISSION RECOMMENDATIONS – PARD RESPONSE

MARINE WASTE DISPOSAL

- PARD WILL FORWARD THE RECOMMENDATIONS TO AUSTIN WATER FOR ITS ENFORCEMENT OF PRIVATE OPERATORS
- PARD ACCEPTS RECOMMENDATION AND WILL ENSURE CONCESSIONAIRE COMPLIANCE

SAFE NAVIGATION ON TOWN LAKE

- PARD WILL CONSULT WITH CITY SAFETY TEAMS AND COORDINATE WITH ITS MARKETING AND COMMUNICATION DIVISION ON THE UTILIZATION OF DRONE TO RECORD NUMBER OF WATERCRAFT ON LAKE DURING PEAK TIMES
- PARD STAFF WILL CONDUCT PERIODIC WATERWAY SITE VISITS TO ASSESS PERMITTED AND NON-PERMITTED COMMERCIAL BOATING

CONSISTENT CONTRACT LANGUAGE

- STANDARD TERMS AND CONDITIONS ARE THE BASIS OF CONTRACTS IN DEVELOPMENT
- TO ACHIEVE A FAIR AND EQUITABLE AGREEMENT, REGARDING REVENUE COMMITMENT TO THE CITY, CONSIDERATION IS GIVEN TO:
 - OPERATIONAL EXPENDITURES
 - PROFIT MARGINS AND PRICE

ANNUAL CONCESSION REPORT - 2017 PARKS AND RECREATION BOARD ACTION

PER CODE OF ORDINANCES, **§ 8-1-73** THE BOARD SHALL:

PREPARE A JOINT REPORT, WITH THE ENVIRONMENTAL COMMISSION, TO THE AUSTIN CITY COUNCIL NO LATER THAN THE 30TH DAY AFTER THE BOARD'S RECEIPT OF THE ANNUAL CONCESSION REPORT AND RECOMMEND THE FOLLOWING TO THE COUNCIL.

- CREATION, CONTINUATION OR TERMINATION OF A CONCESSION;
- STATUS OF EACH EXISTING CONCESSION
- ISSUANCE OF REQUEST FOR PROPOSAL FOR A CONCESSION UNDER THIS DIVISION

Appendix B:

Procurement Timeline for Concessionaire at Zilker Café

APPENDIX B

ZILKER CAFÉ REQUEST FOR PROPOSAL (RFP) ESTIMATED TIMELINE BASED ON COMPLETION OF RENOVATIONS IN APRIL 2019

Nov. 2017 – March 2019	PARD development of Scope of Work (SOW) & Deliverables for solicitation
April 2019	Finalization of SOW & Deliverables when construction substantially complete and provided to Corporate Purchasing as final version for solicitation
April 2019	Briefing presentation to Contract & Concessions Committee on development of RFP for concession
April 2019	Corporate Purchasing submits final SOW to Small and Minority Business Resources for review
May 2019	RFP posting
May-June 2019	Pre-proposal conference (usually scheduled a week after posting) On site visits (if construction/renovation included, on site visits will have to be conducted for potential proposers. May need more than one scheduled visit)
August 2019 [*]	RFP posting closed; proposals due. [*]
September 2019	Proposals provided to Evaluation Team
September 2019	Evaluation Team Meeting
October 2019 ^{**}	Possible Proposer Interview/Presentation/ Second evaluation team meeting ^{**}
October-November 2019	Selected vendor provided to Corporate Purchasing
October – November 2019	Selected vendor presentation to Contract & Concessions Committee
November 2019	Selected vendor presentation to Parks & Recreation Board
December 2019-January 2020	RCA for City Council-Award action

APPENDIX B

January 2020	Corporate Purchasing Contract negotiations and execution
Jan.-February 2020	Contract begins

Delays in the highlighted sections will delay the RFP posting and subsequent steps for contract completion.

** Depending on the number of proposals received, the closing date may need to be extended. If this occurs, it moves all other dates back also. Corporate Purchasing generally requires revenue-generating RFP's to be advertised for at least six weeks.*

*** Most likely to have a second evaluation meeting with RFP's that include major renovations.*

Appendix C:

Austin Parks and Recreation Department 2017 Temporary Concessions Review and Enhancement Project



www.cityofaustinparks.com (512)974-6700

Austin Parks and Recreation Department

2017 TEMPORARY CONCESSIONS REVIEW AND ENHANCEMENT PROJECT

Mission: Inspiring the residents of Austin to learn, play, protect and connect by creating diverse programs and experiences in sustainable natural spaces and public places

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Introduction

The Austin Parks and Recreation Department (PARD) boasts an inventory of over 300 parks on over 20,000 acres. City of Austin parks are undoubtedly one of the most beloved city assets to the citizens of Austin. In the past 20 years, the City of Austin has seen tremendous growth, the population has increased from 548,043 in 1996 to 947,890 in 2017. With population growth comes increased demand for open space, entertainment and recreational amenities. An analysis of the current state of temporary concessions in the City of Austin parks resulted in challenges and opportunities for enhancement.

Five (5) key elements of the temporary concessions program were analyzed. The goal of this report is to foster change to the process and ensure park amenities keep pace with the demand on the park system. It is in the interest of PARD to strike a balance between commercial and recreational uses in the park system.

PROJECT TIMELINE DETAILS

START DATE	MILESTONE
16-May	Project Proposal and Timeline Development
5-Jun	Current State Analysis
3-Jul	Standards Developed
31-Jul	PARD Operations Engaged
14-Aug	PARD Staff Engaged
28-Aug	Stakeholder Engaged
11-Sept	Contract/Permitting
12-Sept	Update Presented to Parks Board Contracts and Concessions Committee
25-Sept	Standard Request For Application Development
10-Oct	Public Survey Released
29-Oct	Public Survey Closed
17-Nov	Final Report Released

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Comparison of Austin Park Permits with Other Cities

A comparative analysis of the current state of temporary concessions in Austin and eleven (11) other cities across America was completed. The analysis focused on five (5) areas: 1) The types of permits offered; 2) Where the permit could be located; 3) The duration of the permit; 4) The costs associated with having and obtaining the permit; 5) Insurance consideration for the permit, and any other considerations for these permits in their respective cities. This document highlights some key consideration points, as well as average figures from the selected cities in the analysis.

Focus Areas

1. Permit Types
2. Location & Limitations
3. Duration of Permit
4. Cost Associated With Permits
5. General Liability Insurance Minimum Coverages Required

The eleven (11) cities selected for comparative review featured one or more of the following qualities:

- Similar in size to Austin
- Demographic similarities
- Seasonal climate similarities
- Recent surges to population
- Valuable resources

The following chart includes the cities and their populations that were used for this comparative analysis:

Cities	Populations *
Atlanta, Georgia	463,878
<i>Austin, Texas</i>	<i>931,830</i>
Boston, Massachusetts	667,137
Dallas, Texas	1,300,092
Denver, Colorado	682,545
Houston, Texas	2,296,224
Jacksonville, Florida	868,031
Nashville, Tennessee	654,610
New York, New York	8,550,405
Portland, Oregon	632,309
San Antonio, Texas	1,469,845
Seattle, Washington	684,451

*Population numbers taken from <http://worldpopulationreview.com/us-cities/>

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1. Permit Types

Currently in Austin, vendors have only one option to sell food and/or merchandise on parkland. In Portland, Oregon, the city has divided these two categories even further. Applicant must designate exactly the medium used in which they desire to vend from. For example, a pushcart, or a mobile food truck/trailer. They must also distinguish the size of the establishment where the vending happens. Boston, Massachusetts has categorized their vending categories based on varying food groups: frozen treats, prepared foods, simple snack food/cold beverages, and a healthy food option. On average, most cities require that a permit holder be distinguished with a defined attribute, which could be a food type or a vending stand type.

For merchandising permits, no single approach was uniquely different. The cities on the list below all offered simple merchandise selling permits.

Comparison of Permit Type(s) Offerings by City	
City	Permit Types
Atlanta, Georgia	No vending in Atlanta parks
<i>Austin, Texas</i>	Concession permit for food/merchandise
Boston, Massachusetts	Merchandise, frozen treat, prepared food, snack/cold beverage, healthy food/merchandise
Dallas, Texas	Concessionary permit to sell food/merchandise
Denver, Colorado	Temporary vending (must be stationary)
Houston, Texas	Food and beverage, alcohol, non-food sale, motorized food vendor
Jacksonville, Florida	Mobile food vendor
Nashville, Tennessee	Mobile food vendor
New York, New York	Non-processing cart (prepackaged). Processing cart/truck (prepared)
Portland, Oregon	Push cart, non-motorized mobile vendor, trailer vending, motorized vending
San Antonio, Texas	Food vendor non-hazardous/hazardous, approved openly handled potentially hazardous food, mobile food court
Seattle, Washington	Case by case basis

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2. Location & Limitations

The next researched attribute was where a permit holder could vend in their city's respective parks. For the City of Austin, permit holders must designate whether they would prefer to vend in a metro/district park (larger parks), or any other size of park (smaller parks). This is the average approach of most cities. Boston, Denver and Portland have both offered unique approaches, and, Denver, Colorado has also offered a unique approach.

In Boston, permittees choose a specific zone they wish to vend in, i.e., a vendor could choose Zone A in a certain park and be permitted for only that zone in that park. This zoning approach to vending also affects the price structure of permits in different locations. This will be discussed in more detail later in this report. Boston's zoning structure shares similarities with Austin's permitting approach in that the parks system places vendors based on whether a park is a metropolitan/district park, a neighborhood park, or a smaller park.

In Portland, the permit holder designates which park they desire to vend in and is then issued a permit based on the amount of foot traffic that goes through that park. For example Park A is classified with a large customer base; Park B with a moderate customer base, and Park C with a small customer base. Similar to Boston, this type of permitting allows for different pricing structures for vendors.

In Denver, their approach to determine a permit location is based on the material that makes up the surface the vendor wishes to vend on and the park's classification. Their parks are classified as a Tier One or Tier Two park. A permit for a Tier One park with turf surfaces will cost more than a permit for a Tier One park with road/trail surfacing. The same rule applies to Tier Two parks.

Location and Limitations By City	
City/State	Relative Location of Permit <i>NOTE - This list is not a list of specific parks where vendors could vend, but rather if the permit stated one permit per park, or if the city used a zoning/districting structure)</i>
Atlanta, Georgia	No vending in Atlanta parks
Austin, Texas	District/Metropolitan parks or all other parks
Boston, Massachusetts	Different zones within each park
Dallas, Texas	One permit per whole park regardless of size
Denver, Colorado	Tier one park: turf or road; Tier two park: turf or road
Houston, Texas	Predetermined list of parks
Jacksonville, Florida	One permit per park regardless of size
Nashville, Tennessee	Vendor provides a list of desired parks; vending site chosen on a case by case basis
New York, New York	Predetermined locations within a predetermined list of parks
Portland, Oregon	Type A, B or C parks, off leash dog parks, skate parks, stadiums, parks with music venues
San Antonio, Texas	Predetermined list of parks
Seattle, Washington	One permit per park

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Additional Location and Limitations at a Glance					
City/State	Relative Location of Permit				
	NOTE - This list is not a list of specific parks where vendors could vend, but rather if the permit stated one permit per park, or if the city used a zoning/districting structure				
	No Vending	One Vendor Per Park	Zones in Park	Predetermined List of Parks	Tiers of Parks
Atlanta, Georgia	X				
<i>Austin, Texas</i>					X
Boston, Massachusetts			X	X	
Dallas, Texas		X			
Denver, Colorado					X
Houston, Texas				X	
Jacksonville, Florida		X			
Nashville, Tennessee				X Site considered case-by-case basis.	
New York, New York			X	X	
Portland, Oregon				X	
San Antonio, Texas				X	
Seattle, Washington		X			

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3. Duration of Permit

The next consideration researched, was the duration of the permits. Currently, PARD issues permits that are valid for a single day, or six months from the date issued. For example, if a vendor obtains a permit in March, the permit expires at the end of August. This period relatively covers Austin's peak park season, stopping short of September and/or October. Based on the weather, these two months are viable for park use, however, there are demographic changes to consider as students/families return to school schedules, and the University of Texas campus begins their fall semester.

In other cities analyzed, permits can be issued for three months (Dallas, Texas), or a permit can be issued any time during the year and will automatically expire at the end of the calendar year (San Antonio, Texas and Portland, Oregon). Boston issues permits in an on and off-season approach. Boston permit holders pay by a monthly rate in the off-season (similar to a property owner charging rent); and the permits are not only cheaper, but easier to obtain than during the peak season.

Comparison of Permit Duration by City and by Time Period						
City/State	None	1 month	3 month	6 month	9 month	Other
Atlanta, Georgia	No vending allowed.					
<i>Austin, Texas</i>	<i>Single Day</i>			<i>6 Month</i>		
Boston, Massachusetts				6 month April – Sept 30		Off season: Oct 1-Mar 31
Dallas, Texas			3 month	6 month	9 month	
Denver, Colorado	Must renew permit each month					
Houston, Texas	Single Day		3 month	6 month		Weekend/ holiday
Jacksonville, Florida	Single day and 3 day	1 month	3 month	6 month		One year
Nashville, Tennessee	One Year					
New York, New York	Five years					
Portland, Oregon	Permits expire on December 31 st regardless of what month issued					
SanAntonio, Texas	One year					
Seattle, Washington	One year					

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4. Cost Associated With Permits

The next consideration researched were the costs associated with obtaining a permit. In most cities, the cost was based on the park's location. In Austin, metropolitan/district parks are \$1,500 for six months, whereas neighborhood parks and smaller are \$500 for six months. All the cities on the list offer truly unique pricing structures. In Seattle Washington, the city takes a percentage of revenue for sales, roughly 10%-20%, and charges a flat application fee of \$75, while Jacksonville, Florida (FL) charges a flat fee for their permits regardless of the park's location. Other cities, such as Boston, Massachusetts (MA), charge monthly fees to vend in an area, similar to a property owner charging a tenant for rent.

Research showed that the highest permit costs were found in Boston, MA. Vendors place a bid on a permit in a certain zone, and the winner of that bid is required to pay a flat monthly fee. The lowest permit costs to obtain are in Jackson, FL. Permits for a single day are \$10 and can cost up to \$250 for an annual permit. The highest flat rate fee charged was found in Dallas, TX, where vendors pay \$300 for a three-month permit, \$600 for a six-month permit, and \$900 for a nine-month permit.

Comparison of Permit Cost(s)		
City/State	Cost of Permit	
	Lowest	Highest
Atlanta, Georgia	N/A	N/A
<i>Austin, Texas</i>	<i>\$50, \$500, \$1,500</i>	<i>N/A</i>
Boston, Massachusetts	Off-season permit: \$250/month. Highest cost peak season permit: \$1,000/month	\$250 deposit
Dallas, Texas	\$300, \$600, \$900	N/A
Denver, Colorado	\$200/month, \$100/day	\$25
Houston, Texas	Lowest cost permit: \$27.95. Highest cost permit: \$447.29	N/A
Jacksonville, Florida	\$10-\$250	N/A
Nashville, Tennessee	N/A	\$55
New York, New York	Vendors issued concessions through a competitive bid process highest proposed fee wins contract. PARD requires a minimum bid of \$1,000 and recommends a 5% increase from year to year in fees paid.	\$750 deposit- Refundable to those who do not win the RFB
Portland, Oregon	Lowest cost permit: \$150. Highest cost permit: \$600. All permitting fees are on a per month basis. 10% for all permits if paid in full	N/A
San Antonio, Texas	\$100, \$200, \$300, \$220	N/A
Seattle, Washington	Percentage of gross sells is given to Seattle PARD	\$75

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Deposits

Currently, the Austin Parks and Recreation Department does not require temporary vendors to pay a deposit for obtaining a permit. As analyzed by the other cities on the table above, Boston and New York are the only two cities that require vendors to pay a deposit. New York requires a \$750 deposit, and Boston requires a \$250 deposit. New York implements a deposit because many of their vendors are subject to regulations that result in fines if these regulations are broken. Any fines levied are deducted from this deposit. Boston uses the deposit as a means for ensuring the vendors are using the space sustainably and that they do not damage their designated vending area.

It's recommended that PARD charge a refundable deposit of \$250, which would ensure vendors have a monetary stake in the overall care of our parks. A \$250 deposit is also an affordable amount for businesses wishing to conduct commercial activities in the park.

5. General Liability Insurance Minimum Coverages Required

The last consideration researched was the liability insurance and the minimum coverages required for vending in the park. In Austin, vendors are required to have a minimum of \$500,000 liability insurance. Based on the research analysis, the average liability insurance required in most of the cities was a \$1,000,000 insurance policy. Dallas, TX reported the lowest amount of liability insurance for vending in the park at \$300,000.

Comparison of Minimum General Liability Insurance Requirements	
City/State	Amount of General Liability
Atlanta, Georgia	\$1,000,000
Boston, Massachusetts	\$1,000,000
Denver, Colorado	\$1,000,000
Houston, Texas	\$1,000,000
Jacksonville, Florida	\$1,000,000
Nashville, Tennessee	\$1,000,000
New York, New York*	\$1,000,000
Portland, Oregon	\$1,000,000
San Antonio, Texas	\$1,000,000
Seattle, Washington	\$1,000,000
<i>Austin, Texas</i>	\$500,000
Dallas, Texas	\$300,000

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Current Enforcement Challenges

In addition to analyzing and comparing the eleven cities to Austin, the research team hosted meetings with park operation staff, park district managers, and the Division Manager of park operations. After conversations with current PARD field employees, some of the challenges identified below include enforcement, challenges the staff in the field face on a daily basis. This is not a comprehensive list of challenges, but rather a list of challenges that were determined by staff to be those that occurred most often.

Current Challenges Identified by PARD Operations Staff

- A. Ensuring vendors meet their contract compliance requirements once placed in a park.
Once permitted, the contract management becomes the responsibility of the District Park Manager.
- B. Currently, random and/or scheduled audits are not being performed meaningfully with the existing staffing resources.
- C. Ensuring that vendors are removing trash and litter around vending sites daily.
- D. Preventing unpermitted vendors from illegally vending.
- E. Permitted vendors violating park rules or changing designated locations once PARD staff leave the premises.

Office of Special Events Recommendations to Overcome Challenges

- A. The first step in combating the enforcement challenge is to develop a department-wide training standard for field staff and Park Rangers regarding the current permit process and applicable department policies and procedures.
 - The PARD Office of Special Events is in the process of creating a permit training that can help mitigate this challenge.
 - The training will assist field staff/rangers to implement policies when necessary, and know the appropriate resources to engage when assistance is required.

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B. Strategies to address the enforcement challenges include:

- Increase staff visits to parkland to monitor vending sites
- Hire additional PARD staff
- Ask permitted vendors to utilize the “311” option to report illegal vendors in the park.
- APD start citing illegal vendors, City Ordinance No. 20170615-023 (Parkland Events Task Force Ordinance). Vending illegally in a park is a Class C Misdemeanor punishable by a minimum \$100 fine

C. Another method to combat the enforcement challenge is to perform a random audit of these vendors. PARD staff should be allowed to perform an audit at any time during the assigned vending period, to ensure vendors are being compliant and adhering to park rules. Vendors who fail to pass an audit could either have their vending contracts terminated, or not have their contracts renewed.

D. Additional full time positions are needed to effectively manage enforcement issues and implement other recommendations. Full-time staff are needed in both the field and in administration to monitor temporary concessions, enforce departmental policies and ensure litter abatement.

In an effort to consolidate the permitting of vendors and concessions in the City of Austin, we have provided the list below that includes a list of current permanent concessions, and temporary concessions. This list also includes the scheduled expiration date of each vendor's contract.

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Summary of Austin's Current Temporary Concessions

In comparison to the other cities analyzed, Austin appears to be right in the middle of the road in the way it approaches vending on parkland. Austin has a less concise definition than a majority of the cities in the comparison concerning the types of permits offered, whether that be for a truck, trailer, push cart or number of other temporary vending stands. Currently, there is only a temporary concession available to vendors. Austin PARD could have a stronger concept on the designation of parks that allows vendors; however, the current structure is a good starting point. A specified location within a park may also be an option for the department to consider.

One point of contingency, however, is the duration of a temporary permit. The diction used in the 1998 concession Ordinance No. 980312-25 states, *“Any temporary concession granted a temporary/seasonal permit two times within a 12 month period be considered in the annual process for a new permanent concession.”* The confusion begins when we ask the question: “What does a vendor do if they vend for six months, take a break, and then receives a second permit?” If the vendor will not be vending in two separate twelve-month terms, does the vendor need to apply for a permanent concession, or does it mean that a vendor is only allowed to have a permit for two (2) six month periods and will then have to be considered a new permanent concession? These are confusing policy directions that should be reviewed and updated to meet current department demands/needs.

Austin's fee schedule does not seem to be up-to date on the fee schedule that is offered for its park system. The fee schedule does have two separate fees for varying sizes of parks; however, this fee schedule could be broken down further to include a different fee to vend in different locations within the parks.

Lastly, after conducting the research, it is determined that Austin is behind other cities on general liability insurance that is required for vendor per occurrence. On average, most cities require a minimum of \$1,000,000, whereas Austin only requires \$500,000 of general liability insurance per occurrence. Currently, PARD does not have a documented record of any claims or insurance causes for action against temporary vendors resulting from incidents or damages.

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One of the biggest qualitative challenges the department faces is creating a permitting process for a potential vendor that is simple, yet efficient. The recommendations in this report attempt to help mitigate some of those issues.

Revenue Breakdown for Fiscal Year 2014-2015-2016-2017

- Temporary Concession Permits \$50 per day
\$1,500 6 month permit Metro/District Park
\$500 6 month permit other parks
- Walsh Boat Landing Permits 6 month \$500
- Commercial Use Groups \$50 per trainer .45 per person per day
- Performing Artist \$10 per day

Permit Type	FY14-15	FY 15-16	FY 16-17	Total
Temporary Concession	\$2,050.00	\$11,200.00	\$12,000.00	\$25,250.00
Walsh Boat Permits	\$5,000.00	\$4,000.00	\$5,500.00	\$14,500.00
Commercial Use	\$13,263.45	\$9541.91	\$8,542.22	\$31,347.58
Performing Artist	\$160.00	\$1030.00	\$1330.00	\$2,520.00
Totals	\$20,473.45	\$25,771.91	\$27,372.22	\$73,617.58

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Public Input Survey

A public survey was developed and released to gather input regarding public priorities and perceptions. The survey gathered feedback from October 10-29, 2017. Over 1400 responses were received regarding temporary concessions in the park. The survey was transmitted via AustinNotes, Facebook, NextDoor and City Space.

The responses provided valuable information to assist PARD in shaping operations related to temporary concessions on City of Austin parkland moving forward.

Summary Overview from the Public Survey Data

Who are the responders?

- Over 1400 responders to the public input survey
 - 589 households with 2 members
 - 577 households with 3 or more members
 - 231 households with single membership
- Of the responding households in the newborn to 18 year old range:
 - 974 family members were 0-4
 - 1115 members in elementary school range
 - 1079 in middle school range
 - 1875 in high school range
 - 1536 older than 18 years old
 - The age range of the top 3 responding age brackets in this category is 26-55 year old

Where are the parks of interest?

- **Metropolitan Parks**
 - Zilker Park
 - Auditorium Shores (significantly lower than top response)
 - Walnut Creek (significantly lower than top response)
 - Emma Long (significantly lower than top response)
- **All other parks**
 - Dick Nichols
 - Pease
 - Garrison
 - Northwest Balcones
 - Bartholomew
 - Top write in – Little/Big Stacey Park
- 639 responders stated they visit their favorite park up to 3 times a week.

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- Per visit, 917 responders stated they stay at the park >30 minutes to over an hour
- Overall – 70% of respondents did not know where to find information regarding products and services in the park system. Over 500 responders indicated web information and limited appropriate signage as key measures to gather information regarding temporary concessions.

What are their interests?

- 440 responders were somewhat or not satisfied with park concessions
- 768 were neutral or had no opinion

What are the respondent's priorities?

- One-half of the 1400 respondents prefer conventional health food.
- A quarter of respondents also indicated near equal preferences for conventional concessions food and carbonated beverages.
- According to the survey, some services that offer small recreation equipment as well as incidentals could be successful in certain locations in the park(s).
- In addition, citizens asked that the department “Additionally, place restrictions on the locations and specific timeframes when permits are issued.”
- Noon to later afternoon was the top timeframe when respondents felt they would utilize services.
- Over 30% of those surveyed do not approve or desire thoughtful and measured use of vendors in the park system.

Full Survey - <https://www.surveymonkey.com/results/SM-PVRQP38J8/>

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Redefining the Temporary Concession Program

The goal of this analysis and report was to conduct a thoughtful, self-review of the current state of Austin's Temporary Concession Permit Program compared to current national trends. The following action items, terms, and strategies could be conducive for having seasonal vendors in the park as one component of ensuring quality outdoor recreational experiences in the park. This could also include helping a vendor determine a park that satisfies their needs, the needs of PARD, or a number of other permitting topics. From feedback received and general observations of successful vendors in certain locations, considerations to transform some temporary concession sites into permanent concessions should be reviewed.

Moving forward, the staff recommends that Austin not remodel its permitting process based on any one of the cities included in this analysis. Further, Austin should customize, and incorporate best practices and ideas that suit the business needs of the city. The following are the DRAFT recommendations to improve the Temporary Concession Program. Where applicable, please see the recommended adoption mechanism noted behind the section or line item in parentheses.

Policy Recommendations

Number *Item* *(recommended implementation action(s))*

1. The Parks and Recreation Board should review and update the existing concessions policy. **(Parks Board, Pard Staff & City Council)**
2. Update and adopt PARD procedures. **(Departmental Policy/ Procedure)**
 - Action items include:
 - a. Implement new standard operational definitions. *(see expanded notes)*
 - b. Adopt limits and evaluation criteria statements. *(see expanded notes)*
 - c. Establish priority locations. *(see expanded notes)*
3. Review, reconcile, and update the concession's web portal information for both temporary and permanent concessions. **(Administrative Action)**
 - a. Include technology enhancements such as interactive amenity maps.
 - b. Create FAQ documents to aid the public and potential concessionaires.
 - c. Include links to corporate purchasing to increase potential vendor registration for notifications regarding competitive processes
4. Update and standardize temporary concession contracts with new and approved policy rules and regulations for vendors. The updated contracts should include collaboration with other city departments regarding changes in the wording and drafting of new contracts. **(Administrative Action)**
5. Acquire 1 FTE to effectively manage, contract and monitor seasonal temporary concession program. (Administrative Specialist to Contract Management Specialist I level \$18.82-\$23.42)

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6. Develop a standard RFA process and tools to help streamline administration of the temporary concession program. **(Administrative Action)**
7. Implement an Application Fee for Temporary Concessions. **(Administrative Action, City Council Fee Adoption)**
8. Consider Increasing Fees associated with temporary concession permits. **(City Council)**
9. Implement a \$250 refundable damage deposit for all general park vendors. **(Administrative Action, City Council Fee Adoption)**
10. Utilize daily permits for events only, not for general park vending **(Administrative Action)**
11. Offer a monthly departmental permit option. **(Administrative Action, City Council Fee Adoption)**

Policy Recommendations – Expanded Limits and Evaluation Criteria Recommendations

Review and adopt limits and designated areas to maintain balance, increase transparency in the process, seek interest from potential vendors, and to minimize oversaturation of the park system through an extensive vetting process.

Implement the following recommended priority evaluation considerations as a guide in selecting park locations for a temporary concession. **(Park Procedure/Policy)**

- Duration (single season, continual season after season)
- Merchandise being sold
- User groups interested
- User groups affected
- Passive vs. Active recreation (market capability)
- Impact to the park
- Vendors that already legally occupy the park (permanent concessions)
- Infrastructure capability (water, power, wastewater)

The Director may adopt limits on the number of temporary concessions at a park after evaluating the following factors:

- conflict or duplication in vending services;
- compounding of temporary concessions that negatively impact meaningful park experiences;
- scheduling conflict, or conflict with existing uses;
- congestion and displacement of daily recreational users;
- potential damage to the *park*;
- noise; and
- public safety and welfare.

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Policy Recommendations - Expanded Potential Locations for Vending Recommendations

Being that each park is different; some parks may be able to support more vendors than others. At all parks, the balance between commercial activities and park users is of great importance. The Austin PARD does not want daily recreational users to perceive park vendors more of a nuisance, rather than a service. Parks Board, PARD Staff and Survey respondent lists should be condensed and prioritized to create priority locations for temporary concession consideration.

Below is a list of parks that are preliminarily desirable for temporary seasonal concessions.

Locations Identified by City Staff

Park for Vending	Location of Park	Park Type Designation
Barton Springs Pool Gate Areas	2100 Barton Springs Road, Austin	Metropolitan Park
Deep Eddy	401 Deep Eddy Ave., Austin, Texas 78703	Neighborhood Park
Dove Springs Park	5801 Ainez Dr., Austin, Texas 78744	District Park
Emma Long Metropolitan Park	1600 City Park Rd., Austin, Texas 78730	Metropolitan Park
Givens Parks	3811 E 12th St., Austin, Texas 78721	District Park
Holly Shores	2711 Canterbury St., Austin, Texas 78702	Metropolitan Park
Plaza Saltillo	1501 E 5th St., Austin, Texas 78702	Special Use Park
Walnut Creek Park	12138 N Lamar Blvd, Austin, Texas 78758	Metropolitan Park
Walter E. Long Park	6620 Blue Bluff Rd., Austin, Texas 78724	Metropolitan Park

Locations Identified by the Contracts and Concessions Committee of the Parks Board

Park for Vending	Location of Park	Park Type Designation
Auditorium Shores	900 W. Riverside Drive 78704	Metropolitan Park
Deep Eddy	401 Deep Eddy Ave., 78703	Neighborhood Park
Dove Springs Park	5801 Ainez Drive, 78744	District Park
Emma Long Metropolitan Park	1600 City Park Road., 78730	Metropolitan Park
Givens Parks	3811 E 12th St., 78721	District Park
Holly Shores	2711 Canterbury St., 78702	Metropolitan Park
Plaza Saltillo	1501 E 5th St., 78702	Special Use Park
ESB MACC	600 River St. 78701	Cultural Center
Seaholm Intake Facility	800 W. Ceasar Chavez St., 78701	
Walnut Creek Park	12138 N Lamar Blvd, 78758	Metropolitan Park
Walter E. Long Park	6620 Blue Bluff Road., 78724	Metropolitan Park

Of note, the survey respondent's top list included Zilker, Auditorium Shores, Dick Nichols, Pease, Garrison, Northwest Balcones, and Bartholomew Parks.

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Policy Recommendations – Expanded Standard Terms and Definitions

Four categories of standard terms and definitions were developed, and should be adopted by park policy/rule to create standard terminology in a unified document for customers.

1. Administrative Definitions
2. Permit Type Definitions
3. Vending Type Definitions
4. Device Type Definitions

1. **Administrative Definitions:**

(City Code) = terms defined in established City Code.

Applicant: interchangeable with and synonymous with the terms “Concessionaire,” “Provider,” and “Vendor,” each term of which is used to mean the person(s) who are submitting a written request for a temporary permit to provide the specified product in the parks.

Approval: a permit, reservation agreement, or other written document that is evidences of authorization by the department. (City Code)

Aquatic Recreation: activity, sport or leisure recreation performed in or on the water

City: when referred to as an actor or as the recipient of an action, means the government of the City of Austin, Texas. A reference to the City as a place includes all the territory over which the government of the City of Austin has jurisdiction for the exercise of its municipal powers.

Commercial Activity: to advertise or provide a good, service, class, or instructional activity for compensation. (City Code)

Compensation: any money, thing of value, payment, reward, tip, consideration, donation, gratuity, or profit paid to, accepted by, or received by a person. (City Code)

Department: City of Austin Parks and Recreation Department. (City Code)

Director: Director of the City of Austin Parks and Recreation Department. (City Code)

Merchandise: manufactured, crafted or assembled goods to be bought and sold.

Public Recreation Area: a park, recreational facility, athletic field, building, swimming pool, playground, nature preserve, [wildlife sanctuary,] trail, dock, or greenbelt [owned or] managed, maintained, or operated by the department or on the department’s behalf. (City Code)

Request For Application: type of solicitation notice in which the City of Austin Parks and Recreation Department announces that an opportunity for a Commercial Activity is available, and allows organizations to present applications based on a predetermined criteria.

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2. Permit Type Definitions:

Performance Artist: an entertainer who performs a dramatic, artistic, music or musical work for an audience. Performance artists work ONLY on a tip based income stream.

Permanent Concession: concession awarded through the RFA/RFP process and has or is eligible for a contract of a year or more and generally has a permanent structure.

Temporary Concession: concession issued on a daily or six month basis, does not require a building or other permanent structure, from which to operate and has a contract term limited to one year.

3. Vending Type Definitions:

Food and Beverage: referred to as (F&B). Any digestible substance or consumable liquid substance that is in a solid, liquid, vapor, or combination of these three is F&B. Items may be pre-packaged or prepared on site.

Mercantile: items/consumables sold to the public; with limited approved food/beverage, mercantile items are restricted to PRE-PACKAGED merchandise. Mercantile items generally support an activity or core function of a park. Examples of but not limited to firewood, camping supplies sporting goods or sunscreen.

Instructional Concessions Activity: the consumption of a service that includes a non-tangible aspect of the product. This could include the selling of a product and instructing constituents on the usage of the product or help in utilizing the product.

4. Device Type Definitions:

As the parks that allow vendors to operate in them, it is imperative that those parks have vending units that work best for them. Some park's infrastructure may be suitable for larger motorized mobile vendors and trailers, whereas other parks may only be suited for pushcarts and temporary kiosks. Below is a list of the different vending units that can be at a desired park, and the restrictions that follow these units.

Kiosk: temporary concession stand. The setting up of these stands may start once the park is open, and the taken down must be able to happen within the last hour before park curfew.

Motorized Mobile Vending: vending unit in which the mobility is not depended on manual transportation, this includes traditional food trucks, or other operations that have motors, or deemed to be motorized by the PARD.

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Non-Motorized Mobile Vending: vending unit in which the mobility is depended on the manual transportation of. This would include any traditional pushcart, or cart in which vending could take place.

Push Carts: vending units manually pushed by a vendor. These would sell merchandise that are prepacked and need no preparation to be sold. This would be classified as a Non-Motorized Mobile Vending Unit.

Trailer: non-motorized mobile vending unit that is licensed for towing on public streets and highways.

Appendix D:


Memo to PARB – Update on Concession Opportunities/Projects

APPENDIX D



MEMORANDUM

TO: Parks and Recreation Board

FROM: Kimberly A. McNeeley, Acting Director
Austin Parks and Recreation Department 

DATE: October 12, 2017

SUBJECT: Update on Concession Opportunities / Projects

In response to the Contracts and Concessions Committee's request for an update on Parks and Recreation Department's (PARD) current and future concession opportunities and projects, the following chart reflects PARD's current efforts:

Project	Anticipated Concession Scope of Work Completion	Anticipated Concession Solicitation Issuance	Anticipated Park/Facility Construction Completion	Project Manager
Art Wall - Holly Shores	Fall 2019	Late Fall 2019	Winter 2019	Reynaldo Hernandez/ Charles Mabry
Zilker Café Concessions	Fall 2018	Late Fall 2018	Spring 2019	George Maldonado
Zilker Botanical Gardens Concession	Exploring possible temporary food cart/truck concessions for the spring 2018	N/A at this time	N/A at this time	Cynthia Klemmer
Sand Beach Reserve / Gables Park- for a temporary carousel concession	November 2017	December 2017	N/A	Randy Scott
Auditorium Shores	February 2018, Request for Applications for a new food vendor	Spring 2018	N/A	Charles Vaclavik

The Zilker Café renovation schedule will include addressing utility code violations and abatement of the building for lead and asbestos. Completion of these steps is necessary prior to starting any renovations. PARD will be responsible for the exterior improvements to the building and stripping down the interior to

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allow a new vendor to prepare the building for their specific needs. In the meantime, PARD has two temporary vendors, Southside Pizza and Empanadas, conducting business near the Zilker Café site. Southside Pizza's last term will expire in February 2018 and Empanadas' temporary permit will expire on April 2018. Once these two temporary permits expire, PARD will initiate a new Request for Application (RFA). Both vendors will have the opportunity to submit their applications at that time.

In addition, several months ago, PARD Special Events Office commenced the Temporary Concession Review and Enhancement Project and reviewed five key elements of temporary concessions on parkland. Currently, the staff is collecting public input via a survey that will close on October 29, 2017. PARD will utilize the data from the survey to create a final report scheduled for completion by mid-November. The data obtained through this survey will be valuable in assessing the public's perception of temporary concessions and will be a driver in determining locations and types of services and/or products most desired by the park users. Upon completion, the Parks and Recreation Board will receive a copy of the survey results and the full report.

Should you have any questions, please contact my office at (512) 974-6717.

cc: Ricardo Soliz, Acting Assistant Director
Suzanne Piper, Acting Division Manager, Financial Services Division, PARD