

RESOLUTION NO.

WHEREAS, the Pecan Street Festival (Festival) is a free bi-annual beloved Austin all-family tradition; and

WHEREAS, the Festival has existed for over 34 years (more than 60 shows); and

WHEREAS, the Festival is one of the largest attended events in Central Texas; and

WHEREAS, the Festival provides income to hundreds of local artists and charities in Austin; and

WHEREAS, the has operated historically without incidents regarding their exemption of beer gardens; and

WHEREAS, the Festival is an inclusive community celebration that allows all Austinites and visitors of all walks of life, creeds and income levels, the opportunity to interact together strengthening the social fiber of the Austin community without discrimination; and

WHEREAS, the Festival has adapted to changing lifestyles in the City and so intends to provide more health oriented features separate and apart from the Festival such as a 5K run for all Austinites to actively participate in before enjoying the Pecan Street Festival; and

WHEREAS, the Festival has a positive economic and social impact in the City of Austin; and

WHEREAS, the Festival is a locally-focused, citywide celebration of Austin's creative character; and

WHEREAS, the City is proposing to reconstruct East Sixth Street, including the current location of the Festival, which will require temporary relocation of the event; and

WHEREAS, City Code Section 14-8-15(B) allows the director to approve certain annual events that have been held for at least the past 10 years if the event does not change its character, nature, location of route; and

WHEREAS, the Council desires to allow the Festival to relocate because of the reconstruction of East Sixth Street and to add a race without losing rights granted under City Code Section 14-8-15(B) or associated City administrative rules; and

WHEREAS, City Code Section 2-5-1(D) provides that the Council may waive a requirement in Chapter 14-8 without an amending ordinance;
NOW, THEREFORE,

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

- 1) The provisions of City Code Section 14-8-15(B) are waived so that:
 - a. the director may approve the relocation of the Festival to a neighboring street acceptable to the director during the reconstruction of East Sixth Street; and
 - b. after the reconstruction of East Sixth Street is completed, the director may approve the relocation of the Festival back to East Sixth Street; and
 - c. the director may approve the Festival if the character or nature of the festival is changed by the addition of a race.

- 2) In accordance with City Code Section 14-8-15(B), the applicant for the Festival is not required to satisfy requirements of City Code Section 14-8-3(B).
- 3) This resolution does not approve a race associated with the Festival or grant any variances for a race. The race must comply with all applicable regulations, including any applicable stakeholder process.

ADOPTED: _____, 2014 **ATTEST:** _____
Jannette S. Goodall
City Clerk