

Chris Riley  
**President**

Oct. 8, 2018

Eileen Portner  
**Vice President**

Mayor and Council of the City of Austin  
301 W. 2nd Street  
Austin, Texas 78701

Jarrad Toussant  
**Secretary**

Adam Levinson  
**Treasurer**

RE: Agent of Change policy -- agenda item #38

Jaden Black

Mayor, Mayor Pro Tem, and Council Members:

Steven Blackmon

Erica Diaz

Philip Wiley

Kristina Witt

Item 38 on your agenda for Thursday is a resolution directing the City Manager to consider stakeholder suggestions provided in regard to the proposed “Agent of Change” policy. The resolution refers to a letter from the Music Venues Alliance, included in the backup as [Exhibit A](#), setting out some recommendations.

On behalf of the Downtown Austin Neighborhood Association, I want to convey our concern that these recommendations seem to have been developed with little or no input from downtown residents. The letter states that it “reflects input from ANC, HLA and DAA.” The ANC has excluded DANA from its membership, and none of the organizations mentioned has sought input from DANA. Downtown residents were involved in previous discussions on the agent of change policy, but DANA has not heard any updates since late May 2017.

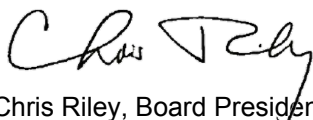
Substantively, our board is concerned about several aspects of the MVA’s recommendations, including the following:

- The letter states, “So long as an entertainment establishment is operating within legal limits, per the Sound Ordinance, the sound emanating from the establishment is not a public or private nuisance.” That assertion is inconsistent with state law, and could be very problematic for residents.
- The letter also states that when an establishment’s noise presents an inconvenience for neighbors, “MVA members have agreed to work with DAA and HLA on partnered arrangements for joint advertising and concessions as means of recovering unhappy guests/residents.” That agreement seems inadequate. Many downtown residents – including those in the Rainey, Northwest, and Market/Lamar districts – live outside the DAA’s boundaries, and have no connection to the Hotel & Lodging Association.

As stated in our email to Council on 5/26/2017, we recognize the need for Austin to maintain a thriving music scene, and we support the concept of the agent of change policy as previously proposed. But we urge the Council to ensure that concerns of downtown residents are identified and addressed as the policy continues to take shape.

Thanks for your service, and for your consideration of this input.

Regards,

A handwritten signature in black ink, appearing to read "Chris Riley". The signature is fluid and cursive, with the first name "Chris" and the last name "Riley" clearly distinguishable.

Chris Riley, Board President  
Downtown Austin Neighborhood Association