RESOLUTION NO. 20210729-175

WHEREAS, Sixth Street, once referred to as Pecan Street, was a center of Downtown commerce and offered an array of services and businesses; and

WHEREAS, Sixth Street is defined as the area that begins at the intersection of IH-35 and Fifth Street; north along IH-35 to the intersection of Seventh Street (East); west along Seventh Street (East) to Congress Avenue; south along Congress Avenue to Fifth Street (East); east along Fifth Street (East) to IH-35, the place of beginning; and

WHEREAS, bars and nighttime music venues currently dominate the uses on historic Sixth Street; and

WHEREAS, especially on weekend evenings, Sixth Street generates large crowds and much activity; and

WHEREAS, the area is known to attract and encourage certain at-risk practices, such as excessive binge drinking, which has contributed to the perception of an unsafe and volatile environment; and

WHEREAS, while the wide swathe of empty space created by weekend street closures provides opportunities for pedestrians to walk without interacting with vehicles, it also provides ample space and opportunity for less positive activity, including fighting and alcohol-fueled violence; and

WHEREAS, Austin Police Department regularly takes possession of illegal guns among individuals present along Sixth Street on weekend evenings; and

WHEREAS, in recent months, Sixth Street has been the site of multiple fatal shootings, including a mass shooting on June 12, 2021, that left one individual dead and others seriously wounded; and

WHEREAS, in the last decade, several studies conducted by non-city entities have recommended changes that could make Sixth Street safer for all who live, work, and recreate there, though these reports were apparently never shared with the full City Council; and

WHEREAS, in 2009, the Responsible Hospitality Institute (RHI) facilitated a process with more than 60 stakeholders from the Downtown faith community, hotels, area colleges and universities, South by Southwest, the real estate industry, and including city staff from the Austin Police Department, Emergency Medical Services, Planning, Solid Waste Services, and other departments; and

WHEREAS, the resulting report, "Managing the Nighttime Economy," recommended specific short- and long-term strategies for improving perceptions of safety, creating "visible systems of order," and achieving other goals essential to maintaining and enhancing a thriving Downtown historic district; and

WHEREAS, while City Council or staff have initiated and implemented several action items, such as the installation of public restrooms and a Downtown wayfinding system, other major recommendations related to the proposed analysis and action related to the weekend street closure, better lighting, additional placemaking, and others have not been pursued at all or to their fullest extent; and

WHEREAS, in 2013, SXSW commissioned an outside expert on crowd science to facilitate roundtable conversations with social service providers, business owners and operators, event producers, and City of Austin staff with the purpose of identifying challenges, such as underage drinking and the perception of a lack of safety, in the Sixth Street Historic and Entertainment District; and

WHEREAS, the resulting report "Austin 6th Street SXSW Report and Analysis" concluded that the area has a reputation for underage drinking and overcrowding, that a majority of the 6th Street crowd are individuals under the age of 21, and that the appropriate entities should take steps to address the perceived lack of safety and the high concentration of bars; and

WHEREAS, in 2014, Council approved Resolution No. 20140925-081, directing the City Manager to engage relevant stakeholders and City departments to ensure the City is creating a safe and vibrant environment in our Downtown entertainment districts, to examine opportunities and challenges related to achieving that goal, and to report back to Council with any necessary recommended Code changes; and

WHEREAS, Resolution No. 20140925-081 directed the Manager to explore creating an entertainment license, identifying a lead department to manage the nightlife economy, proposing a timeline for lighting upgrades, and other strategies; and

WHEREAS, in 2015, city staff issued a responsive memorandum indicating that they had analyzed and did recommend many of these initiatives including the

entertainment license; however, at least some of those slated for action – such as the 2016 Austin Nightlife Initiative -- did not move forward; and

WHEREAS, in 2015, the Economic Development Department again recommended to the Economic Opportunity Committee the creation of an Entertainment License to support consistent enforcement of the sound ordinance, safety and security provisions; and

WHEREAS, most key findings from the studies and stakeholder processes have not yet been fully addressed nor the proposals tested and implemented; and

WHEREAS, city staff have continued to engage with their peers in other cities to keep abreast of best practices with regard to management nightlife economies and enhancement of historic and entertainment districts; and

WHEREAS, recent acts of violence highlight the urgency of taking immediate steps to curb violence in this area of Downtown; and

WHEREAS, complex factors have led to escalating incidents of gun violence and, accordingly, policy solutions must be multi-faceted; and

WHEREAS, the Council has taken important steps to address gun violence through community-based prevention and intervention strategies, such as the creation of the Office of Violence Prevention, the seizure of illegal firearms, safe gun storage education, and the support of other critical legislation that could prevent access to firearms by domestic abusers, among other vital efforts; and

WHEREAS, the City should also implement physical changes and increased expectations and regulations along Sixth Street to increase the success of such anti-violence efforts; and **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY OF AUSTIN CITY COUNCIL:

The City Council supports implementing a more comprehensive strategy toward Sixth Street that maximizes its assets, embraces new opportunities, and ensures a safer environment for all. This strategy needs to be multi-faceted and shall build on the previous stakeholder processes and consultant reports. Council's intent may be further articulated in subsequent Council resolutions.

BE IT FURTHER RESOLVED:

The City Council directs the City Manager to take the following immediate actions by August 30, 2021:

(1) create an interdepartmental team led by the Entertainment Services Group and with representation from – at a minimum – the Austin Police Department, Austin Transportation Department, Austin Energy, Austin Fire Department, Austin/Travis County Emergency Medical Services, the Office of Violence Prevention, Austin Code, and the Historic Preservation Office;

(2) use temporary lighting and upgrade existing lighting, as necessary, to provide dramatically brighter spaces along the Sixth Street corridor;

(3) explore and pilot options such as café seating, water barriers, and other "pop up" efforts for temporarily dedicating wider walkways for patrons to move

between establishments and eliminating the space where people gather during the weekend closures by using the street for other purposes;

(4) determine the extent to which earlier assertions about underage presence on Sixth Street and underage drinking remain true today;

(5) briefly list which recommendations noted in the July 17, 2015, staff memo "Response to Resolution No. 20140925-081 – Downtown Entertainment Districts" and from the two consultant reports have been implemented;

(6) engage with peer cities to identify best practices in entertainment district planning and management and provide additional recommendations to Council based on that research;

(7) explore the feasibility of creating a dedicated EMS presence during weekend nights with personnel using specialized vehicles for rapid response, treatment, and extrication; and

(8) any other relevant actions deemed to be appropriate by the City Manager.

BE IT FURTHER RESOLVED:

The City Council directs the City Manager — through the interdepartmental team — to take the following actions by September 30, 2021:

(1) suggest a process and program for entertainment licenses that includes safety training for staff and increased coordination and communication with public safety officers; and

(2) coordinate with the Texas Alcohol and Beverage Commission (TABC) on additional strategies for curbing underage drinking and potentially limiting the presence of underage Austinites on Sixth Street during weekend evenings.

BE IT FURTHER RESOLVED:

The City Council directs the City Manager — through the interdepartmental team — to take the following actions and report to Council on the results by October 30, 2021:

(1) initiate development of a nightlife management plan;

(2) review plan for responding to mass casualties;

(3) analyze Sixth Street weekend closures and, if the team believes changes would be beneficial, develop a list of measures that would need to be met for Sixth Street to be re-opened and propose a corresponding timeline; and

(4) engage with property owners and impacted stakeholders to discuss land use regulations along Sixth Street to determine whether changes might foster more diverse uses along this historic corridor.

ADOPTED: July 29, 2021 **ATTEST:** _____

Jannette S. Goodall
City Clerk