

SPECIAL EVENTS TASK FORCE - RECOMMENDATION 20221019-4

Date: 10/19/2022

Subject: Special Events Task Force Final Report and Recommendations

Motioned By: Laurel White

Seconded By: Ingrid Weigand

Recommendation:

Approve the final version of the Special Events Task Force and submit to Mayor and Council.

Description of Recommendation to Council:

The Task Force submits to Mayor and Council the following Final Report and list of recommendations for their consideration to adopt in totality.

Rationale:

As directed by [Resolution No. 20210902-049](#) on September 2, 2021, The Special Events Task Force has been charged with providing Mayor and Council with a Final Report and recommended changes to the Special Events Ordinance by October 31, 2022. This report is the culmination of the Task Force's efforts and deliberations.

Vote

For: Dan Carroll, Bobby Garza, Shelley Phillips, James Russell, Jeff Smith, Frances Thompson, Ingrid Weigand, Laurel White,

Against: None

Abstain:

Absent: Cindy Lo, Heath Riddles-Sanchez, Mandi Thomas

Attest: Brydan Summers



Brydan Summers
Special Events Task Force Liaison
Development Services Department



SPECIAL EVENTS TASK FORCE

Final Report and Recommendations

This document details the Special Event Task Force's recommendations and topics for consideration for City Council, as directed in the Special Events Ordinance – Ordinance No. 20180510-018



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The Special Events Task Force (SETF or Task Force) was created by Ordinance number 20180510-018 approved by the Austin City Council on May 10, 2018. The Task Force held its first meeting on June 12, 2019, when all eleven voting members were seated, and the eleven ex officio members were identified. We had hoped to provide our final report by the prescribed timeline on March 31, 2020, but were forced into a hiatus due to COVID-19.

The Task Force is grateful that on September 2, 2021 the Council re-authorized our work so that we could continue to assess the performance of the Special Events Ordinance and provide recommendations for its improvement.

In the Special Events Ordinance, the Council directed the Task Force to “provide the Council with a report and any recommended changes.”

This overarching directive guided the Task Force through its deliberations and informed the following key Task Force recommendations:

- ACE (Austin Center for Events) Administration
- Amplified Sound
- Ordinance Definitions
- Notifications to the Public
- Staffing, Primarily Public Safety
- Post Event Reporting

The Task Force was subject to the provisions of the Texas Open Meetings Act, and all meetings were open to the public and included opportunities for public comment.

The Task Force referenced a wide array of public input to produce the recommendations. We also followed several events of various Tier sizes through their planning process under the new ordinance.

It’s worth noting the diversity of the 11-member Task Force, which was comprised of representatives from neighborhoods, venue owners/operators, event producers, and small business owners. Throughout all of our discussions and deliberations there was one constant theme: All 11 members are event and community advocates who want collective and responsible success along with a process that is equitable for all events, from block parties to large multi-day festivals.

As intended by Council, there were many different viewpoints expressed by Task Force members, as represented in this final report. In fact, not all of the recommendations adopted by the Task Force were unanimously supported. However, the success of the Task Force has been predicated on a philosophy of inclusion and not from the standpoint of any one person or group.

The Task Force members appreciate the opportunity to serve our community and produce this report for the Council. We hope these recommendations will be accepted and utilized to help ensure that Special Events are successful, safe for the public, and mindful of neighbors throughout the entire city, and that applicants of all Special Event Tiers have a clear process for success.

A handwritten signature in blue ink, appearing to read 'JR' or 'James Russell'.

James Russell, Co-chair
Special Events Task Force

A handwritten signature in blue ink, clearly legible as 'Jeff Smith'.

Jeff Smith, Co-Chair
Special Events Task Force



Each line contains thoroughly detailed recommendations later in this final report

- A. ACE Administration
 - 1. Provides guidance to staff to prioritize events requesting their traditional date when there are scheduling conflicts
 - 2. Reduces the application threshold for events seeking closure permits from 10 years to 5 years for events without violations or changes to the event
 - 3. Requires ACE to update the Administrative Rules to notify Tier 2 applicants of a denial of their application due to inappropriateness of the site plan or location
- B. Amplified Sound
 - 1. Extends allowable hours for amplified sound by one hour on Independence Day
 - 2. Clarifies the 30-day period in which only four days of amplified sound is allowed
- C. Definitions
 - 1. Brings the definition of a special event into alignment with the International Fire Code ([Enacted by Council on 2/3/2022](#))
 - 2. Amends the definition of a Tier 2 events so that it is based only on attendance at one time, not per day ([Enacted by Council on 2/3/2022](#))
 - 3. Removes the definition of fee paid event from the ACE Administrative Rules
- D. Notifications
 - 1. Clarifies notification deadlines for events less than 5 years old
 - 2. Clarifies notification deadlines for events greater than 5 years old
- E. Staffing
 - 1. Authorizes the Austin Police Department to enter into agreements with vendor Code 4 Emergency Services, LLC for on-site event security annually, in perpetuity
 - 2. Removes barriers for the Austin Fire Department to enter into third-party agreements to supplement their work
 - 3. Increases staffing, as needed, across ACE departments for application review and on-site staffing to ensure there are adequate City resources to support events
- F. Reporting
 - 1. Requires that ACE collect data and produce public reports on Tier 3 and 4 events



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Introduction

In 2018, City Council approved passage of the [Special Events Ordinance](#). Included in this ordinance was a directive for the creation of the Special Event Task Force, a group of 11 voting members appointed by Mayor and Council and 11 ex officio members comprised of staff from City departments that participate in the Austin Center for Events. The Task Force was charged to “*assess the efficacy of this ordinance, associated rules and ACE processes*”. The Task Force began work in April of 2019 and was directed to return a report and recommended changes by March 31, 2020.

On December 6, 2019, [Deputy City Manager Rivera-Vandermyde requested an extension](#) to provide an opportunity for Task Force members to follow the event permitting process during the Spring Festival Season to better inform their recommendations.

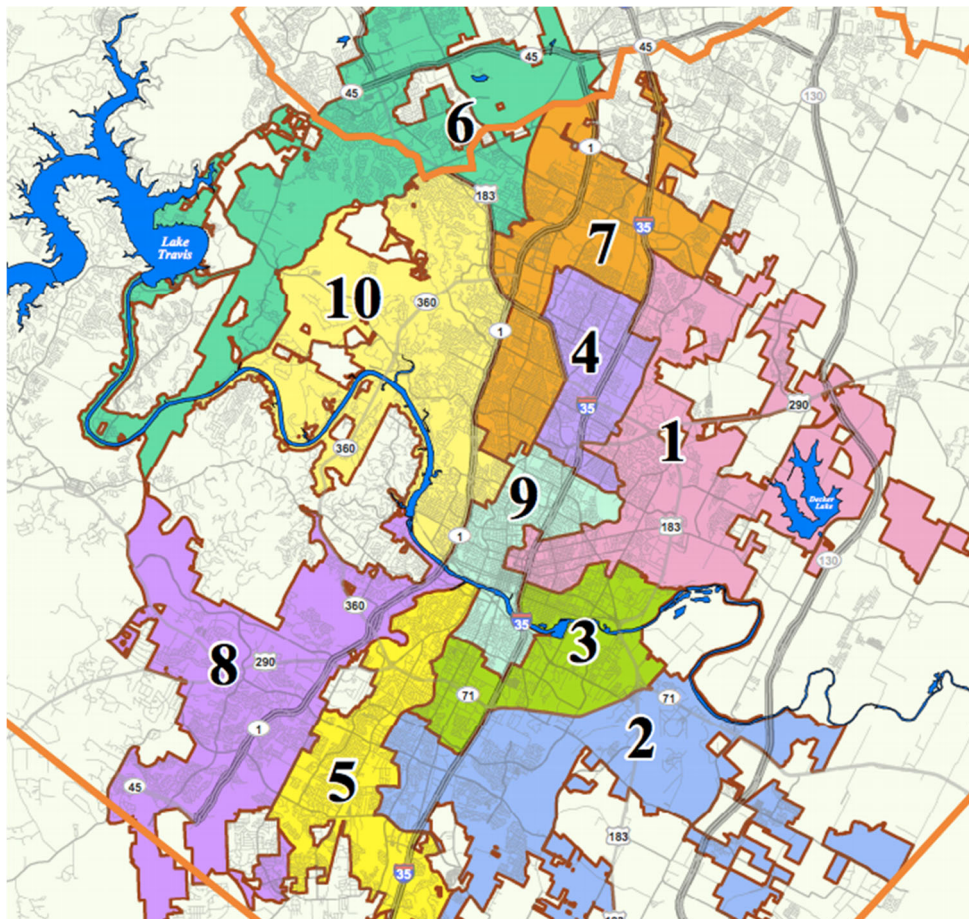
Due to the COVID-19 pandemic, the Task Force was not able to evaluate the Special Events Ordinance in Spring Festival Season 2020 or 2021, as all special events were effectively cancelled through April 2021. In response, on September 2, 2021 in [Resolution No. 20210902-049](#) City Council re-authorized the work of the Task Force and re-appointed the original members. The Task Force was directed to submit its final report by October 31, 2022.

The Task Force received regular support from the following City of Austin Departments:

- Austin Code Department
- Austin Fire Department
- Austin Police Department
- Austin Public Health
- Austin Resource Recovery
- Austin Transportation Department
- Austin – Travis County Emergency Medical Services
- Development Services Department
- Law Department
- Parks and Recreation Department



Task Force Members	Appointed By:
James Russell, Co-Chair	Mayor Adler
Jeff Smith, Co-Chair	CM Kitchen, District 5
Cindy Lo	CM Houston, District 1
Bobby Garza	CM Garza, District 2
Laurel White	CM Renteria, District 3
Shelley Phillips	CM Casar, District 4
Heath Riddles-Sanchez	CM Flannigan, District 6
Mandi Thomas	CM Pool, District 7
Dan Carroll	CM Troxclair, District 8
Ingrid Weigand	MPT Tovo, District 9
Frances Thompson	CM Alter, District 10

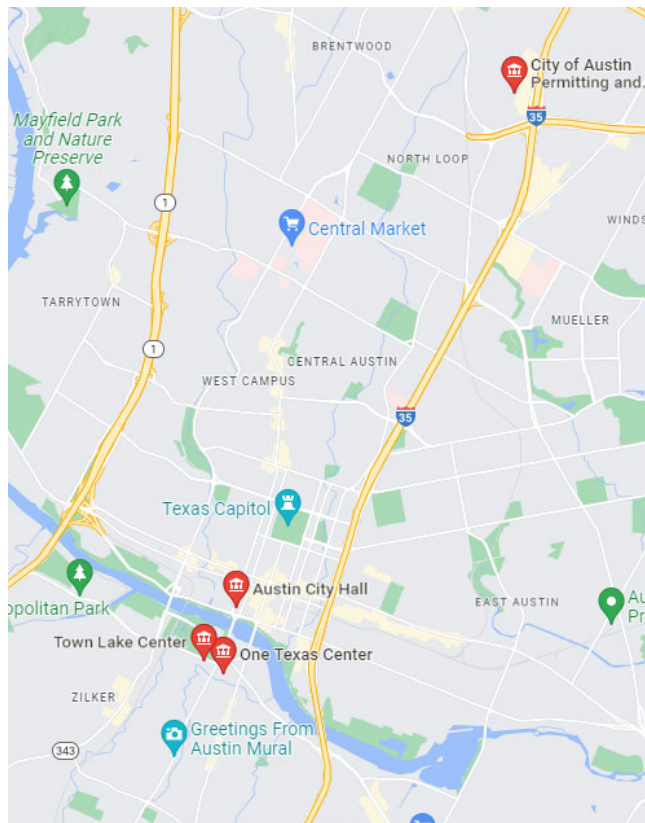




Meeting Details

Range of Meeting Dates:	Pre-Pandemic: June 2019 – February 2020 After Re-Authorization: October 2021 – October 2022
Number of Public Meetings:	Pre-Pandemic: 8 meetings held After Re-Authorization: 9 meetings held
Volunteer and Staff Time:	640+ hours
Meeting Locations:	City Hall - 301 W 2 nd St., 78701 One Texas Center – 505 Barton Springs Rd., 78704 Town Lake Center – 721 Barton Springs Rd., 78704 Permitting and Development Center, 6310 Wilhelmina Delco Dr., 78752

The Special Events Task Force was subject to the provisions of the Texas Open Meetings Act, and all meetings were open to the public and included opportunities for public comment.



Red Dots = Meeting Locations



Interactive Menu: Select a [BLUE](#) link to directly navigate to a specific final recommendation section.

[PART 1 Recommendations Already Sent to Council](#)

[Definitions](#)

[Staffing](#)

[PART 2 Recommendations Not Yet Sent to Council](#)

[ACE Administration](#)

[Amplified Sound](#)

[Notifications](#)

[Reporting](#)

Task Force Adoption of Final Report: October 19, 2022: Motion to approve by Jeff Smith, seconded by Frances Thompson.

Votes For: Dan Carroll, Bobby Garza, Shelley Phillips, James Russell, Jeff Smith, Frances Thompson, Ingrid Weigand, Laurel White

Votes Against: None

Abstain:

Absent: Mandi Thomas, Heath Riddles-Sanchez, Cindy Lo



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SETF Recommendations – Already Sent to Council

The following section contains two focus areas with recommendations that were sent to Council via the Boards and Commissions automated email process for approved recommendations . The Task Force determined that the nature of these topics made them time sensitive, and they should be addressed as soon as possible.

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Definitions

The following two recommendations are related to what is defined as a special event. [These recommendations were submitted to Mayor and Council in November 2021 and were amended by ordinance on February 3, 2022, prior to Spring Festival Season.](#)

1)

The following section of the Special Events Ordinance has been amended as shown.

4-20-1 (14) SPECIAL EVENT means as event that

- (a) Has ~~100 or more attendees per day~~ 50 or more attendees at a city facility, other than the Austin Convention Center, Long Center, City Hall, or Palmer Events Center.
- (b) Impacts a city street, sidewalk, alley, walkway, or other city public right-of-way other than as permitted under Chapter 14-6 (*Temporary Street Closures*): or
- (c) Is temporary, involves ~~100 or more attendees per day~~ 50 or more attendees ~~per day at any time~~; and
 - (i.) Is inconsistent with the permanent use to which the property may legally be used, or the occupancy levels permitted on the property; and
 - (ii.) Includes one of the following: set up of temporary structures, including, but not limited to, tents, stages, or fences; use of sound equipment in an area described in Section 4-20-43(A); or provision of food or beverages, including alcohol.

Rationale:

This change brings the Special Events definition into alignment with the International Fire Code definition of an event. This expands allowances in Chapter 4-20 for applicants with event attendance from 50-99.

2)

The following section of the Special Events Ordinance has been amended as shown.

4-20-21 CATEGORIES OF SPECIAL EVENTS

(B) A Tier 2 event is a special event that:

- (1) Is an assembly lasting at a city facility that estimates attendance at less than 2,500 attendees ~~per day; or at one time~~.
- (2) is an assembly ~~lasting four days or less~~, that is primarily on private property, and that estimates attendances at less than 2,500 attendees ~~per day; at one time~~; or
- (3) is stationary and impacts up to two blocks of a street, sidewalk, or city right-of-way

Rationale:

The administrative difference between an event lasting 4 days versus 5 days or more is the application deadline. In instances where the only difference is the number of days, ACE has been waiving the application deadline down to 30 days if requested. This would not increase amplified sound usage as that can only be permitted for 4 consecutive days in a 30-day period.



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Staffing

The following are recommendations related to City staffing for special events. [These recommendations were submitted to Mayor and Council in May, 2022.](#) No additional Council action has been taken at the time of this report's publication.

1)

The Task Force recommends Mayor and Council consider the following:

Authorize the Austin Police Department to enter agreements, such as what was authorized by City Council in [Item #56 on their February 17, 2022 Meeting– File#22-1375](#) annually, as needed, in perpetuity.

Rationale:

The Special Events Task Force would like APD to be able to enter into these agreements annually, if needed, without requiring Council approval each year.

2)

Encourage City Council to remove any barriers in the contract with the Austin Fire Department to enter into third-party agreements to help supplement their work.

Rationale:

The Collective Bargaining Agreement between the City of Austin and Austin Firefighters Association Local 975 states that only Fire Fighters can perform fire prevention duties, not civilians. As such, it is unclear what, if any, responsibilities could be performed by third-party vendors to support or supplement the work of AFD. However, the option of contracting for additional staffing to support events is desirable.

Furthermore, the Task Force has identified that staffing at AFD is critical to ensuring plans are appropriate for different sites, particularly if there is a change of use or if special events have not taken place at that location. Increasing staffing at AFD will help to ensure these applications can be reviewed in a timely manner so applicants know about the feasibility of their event sooner.

3)

The Special Event Task Force encourages City Council and ACE departments to increase funding, as needed, for positions that support special event permit application reviews and on-site staffing for special events.

Rationale:

In addition to an increase in special event applications in 2022 as the industry emerges from the pandemic, the City of Austin has added new high-capacity venues that regularly program large events. As the City enters the budget cycle, the Task Force stresses the importance of ACE departments to identify where there are gaps in staffing, communicate their needs to the Budget Office, and for Council to fund these positions. Special event permit applicants benefit from timely reviews that allow for preliminary approval, and adequate review and on-site staffing ensures events can take place on their desired date and be successful.



The following four focus areas contain recommendations that have not yet been sent to Mayor and Council through the Boards and Commissions automated process. The Task Force elected to consolidate these non-urgent recommendations into this final report.



The following are recommendations related to special event application processing

1)

The Task Force recommends the following amendment to the Special Events Ordinance.

4-20-32 (C)

Except as otherwise provided, when multiple Tier 3 and Tier 4 events are requested for the same day and location, ACE will prioritize applications based on the number of years a special event has been conducted in the City. When two or more special events have been conducted for the same number of years, ~~applications will be reviewed on a first come, first serve basis.~~ the event that is requesting its traditional date will have first priority on that date.

Rationale:

Although rare, ACE occasionally receives applications from Tier 3 and Tier 4 events that wish to use the same location or may be in competition for each other for City resources for a particular date. While some of these events may have been held for several years, or in some cases are considered Legacy Events due to operating for at least 20 years, they may have changed the dates or the time of year the event is held. This change gives priority to events that have maintained their traditional dates and provides greater clarity for staff on how to resolve scheduling conflicts.

2)

The Task Force recommends the following amendment to the Special Events Ordinance.

4-8-28 (E)

A special event that has been held for ~~10~~ 5 or more years and has not received a violation or changed its character, nature, location, or route shall be approved under Subsection (A).

Rationale:

A special event that has been held for 5 years without violations or changes is as sufficiently institutionalized within the City and its affected areas as events held for 10 years or more. The notification requirements for the initial 5 years provide ample opportunity for feedback from the community.

3)

The Task Force recommends updating the ACE Administrative Rules to describe how ACE accepts applications, processes application fees, performs completeness checks, and notifies applicants of the status of their application. This process should ensure that if a plan will not move forward with further review because the site or location is inappropriate that the applicant will be notified in a timely manner.

Rationale:

ACE began charging fees in October 2022. As such, the administrative rules should be updated to reflect this change. In addition, Tier 2 events currently do not require staff to provide preliminary approval within 10 days of submittal the way Tier 3 and Tier 4 events do. Staff have indicated that applications that have had a completeness check, and been accepted for review, have informal preliminary approval for these events, meaning staff will work with the applicant to further modify the plan so that a permit will be issued. Codifying this process should provide Tier 2 applicants with re-assurance in their planning without modifying City Code.

Furthermore, the Task Force has identified that staffing at AFD is critical to ensuring plans are appropriate for different sites, particularly if there is a change of use or if special events have not taken place at that location. Increasing staffing at AFD will help to ensure these applications can be reviewed in a timely manner so applicants know about the feasibility of their event sooner.

The Special Events Task Force was shown administrative rules draft language by ACE staff, which will be the baseline language that moves through the rules process.



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Amplified Sound

The following are recommendations related to restrictions on amplified sound at special events.

1)

The Task Force recommends the following amendment to the Special Events Ordinance.

4-20-43 (G)

(G) Unless Subsections (F) or (G) apply, ACE may approve the use of sound equipment between 10:00 a.m. and:

- (1) 10:30 p.m. Sunday through Wednesday; or
- (2) 11:00 p.m. on Thursday **or Independence Day if it falls on a Sunday, Monday Tuesday or Wednesday;** or
- (3) 12:00 midnight on:
 - a. Friday
 - b. Saturday, or
 - c. The night before New Year's Day, Memorial Day, Independence Day, or Labor Day.

Rationale:

This change allows outdoor amplified sound up to 11pm when Independence Day falls on a Sunday through Wednesday, instead of the standard end time for those days of the week which is 10:30pm. Independence Day is a little different from the other major holidays since the community celebrations are often focused on nighttime activities and fireworks that only happen after dark. The change acknowledges and accommodates this and gives event organizers up to 30 minutes of extra time to wrap up nighttime activities when it is needed and if the location is compatible with the 11pm end time.

2)

The Task Force recommends amending Section 4-20-43 (J) and removing 4-20-43 (K) of the Special Events Ordinance. All subsequent subsections of 4-20-43 should be re-titled K-N.

4-20-43 (J)

(J) ACE may approve the use of sound equipment for no more than four consecutive days or non-consecutive days during a 30-day period. **The initial 30-day period begins on the 1st day approved for the use of sound equipment associated with the premises and the next 30-day period begins 31 days later.**

~~(K) A premises may be the subject of only one approval to use sound equipment at a special event during a 30-day period, which begins the day after the approval associated with the premises expires.~~

Rationale:

The current code limits outdoor amplified sound to no more than four days during a 30-day period and also limits the number of applications for a premises to only one during the 30-day period. This change maintains the limit on outdoor amplified sound to no more than four days during a 30-day period, but allows event organizers to submit more than one application to achieve the four days of sound if needed.



The following are recommendations clarifying notification deadlines.

1)

The Task Force recommends amending Section 4-20-33 of the Special Events Ordinance to modify subsection (C) and create a new subsection (D). The current subsection D would be re-titled subsection (E)

4-20-33 (C)

In addition to the notice required under Subsection (A), ~~for an event that has been held for 4 years or less, organizer shall provide notice to interested persons and neighborhood associations within 10 calendar days after ACE issues a preliminary recommendation if a special event;~~ no later than 120 days prior to the event start date of a special event:

2)

4-20-33 (D)

~~D – If an event has been held for 5 or more years and has not received a violation or changed its character, nature, location, or route the event shall provide notice to interested persons and neighborhood associations no later than 30 days in advance of the event.~~

4-20-33 ~~(D)~~ E

An event organizer may provide the notice required in Subsections (A) and (C) in one document.

Rationale:

Events that are over five years and have not received violations or changed significantly have a different process and requirements than events less than five years old. This language differentiates the requirements between the two event types and updates the Ordinance language to reflect how notification requirements are currently administered by the Austin Transportation Department.



The following recommendation is related to creating a new reporting requirement for ACE.

1)

The Task Force recommends amending the Special Events Ordinance to create a new section, “4-20-37 Post-Event Reporting”. The following is the recommended language.

4-20-37 Post-Event Reporting

- (A) ACE will collect data on Tier 3 and Tier 4 events for the purposes of reporting.
- (B) Information about these events will be made available to the public within 60 days of the final day of the event.
- (C) The implementation of this reporting requirement shall take place before 2026.
- (D) Information that will be collected and reported includes:
 - a. Event history, including years in existence; if the event has taken place multiple years, the year it was established
 - b. Name of the event producer and/or production company
 - c. The number of attendees for every day and in total
 - d. Time of the event, including which days and times of the day
 - e. Length of the event in days and hours
 - f. Length of time for the set-up/take down
 - g. Whether or not neighborhood barricades were required.
 - h. Information on any road closures that took place in connection to the event.
 - i. Length of time that road closures and barricades were in place, including set-up/take down time.
 - j. Whether or not the event was free or required a ticket purchase.
 - k. Whether or not the event had amplified sound.
 - l. Whether or not a parking plan was required.
 - m. Whether or not alcohol was served

- n. Which of the following City resources were needed: Police, Fire, EMS, Solid Waste Services, Parks and Recreation Department, Entertainment Services Division.
- o. Complaints received via 311
- p. Whether or not ACE departments would recommend approving the event again under the same application, including any comments or changes that are recommended or required.

Rationale:

The Task Force believes that post-event reporting is necessary to promote transparency, accountability, continuity, and a reliable basis for future decisions on events. The reporting should be consolidated and accessible to interested members of the public. Recognizing that such reporting places an additional burden on staff, the task force recommends that the necessary additional resources be provided to implement this important task.



The following is a topic that was discussed by the Task Force discussed but did not result in a recommendation. However, it is perceived as ongoing concern for ACE that warrants Mayor and Council's attention.

High-Capacity Venues

ACE has seen special events increase steadily since 2019 and expects to receive more applications in 2022 than any year in City history. In addition, within the last year, three new high-capacity venues began operation and are consistently programming events that further strain public safety departments. They are: The Moody Amphitheatre at Waterloo Park, the Moody Center at UT-Austin, and the Q2 Stadium at McKalla Place. These new staffing obligations, vacancies within ACE public safety partner departments, and the annual busy seasons of Fall ACL and F1 weekends and Spring Festival Season raise concerns about the City's ability to provide adequate on-site public safety for events in upcoming years.

Under current City Code, these venues are not required to submit special event applications as their activities are in alignment with the designated occupancy/use type for the properties: "assembly". The venues have an informal agreement with ACE to submit one application per year, per event type (i.e. concert or game) and then notify the City of upcoming events so City staffing needs can be scheduled.

Some ideas to address this problem include:

- Placing a moratorium on special event permits for dates where City staffing is not sufficient
- Regulating high-capacity venues under City Code Chapter 14-8 (Temporary Closures for Special Events and Block Parties) by denying road closures to venues that do not adequately provide notice to the City for upcoming events.
- Entering into agreements with high-capacity venue operators to fund positions in public safety departments that can be dedicated for providing services at their events.

- Provide applicants with a list of event security resources that can be hired in addition to the Austin Police Department.
- Support third party contracting for public safety functions as identified in the recommendations in the 'Staffing' section of this report.

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References

[Special Events Ordinance](#)

[Special Events Task Force Website](#)

[Austin Center for Events](#)

[Austin Center for Events – Event Planning Guide](#)

Meeting Dates, Times, and Locations

The below chart depicts meeting dates, hours served, meeting times, and the locations of each meeting. Agendas, supporting documents, and past meeting minutes were posted on the Special Events Task Force website for each of the meetings. Public commentary was encouraged at each meeting.

Meeting Number	Meeting Date	Hours Spent	Meeting Hours	Place
1	6/12/2019	2	3pm-5pm	Town Lake Center
2	7/15/2019	2	3pm-5pm	One Texas Center
3	8/19/2019	2	3pm-5pm	One Texas Center
4	9/16/2019	2	2pm-4pm	Austin City Hall
5	10/21/2019	2	2pm-4pm	Austin City Hall
6	11/18/2019	2	2pm-4pm	Austin City Hall
7	12/16/2019	2	2:30pm-4:30pm	Austin City Hall
8	2/24/2020	2	2:30pm-4:30pm	One Texas Center
9	10/20/2021	2	2pm-4pm	Permitting and Development Center
10	11/17/2021	2	2pm-4pm	Permitting and Development Center
11	2/16/2022	2	2pm-4pm	Permitting and Development Center
12	4/20/2022	2	2pm-4pm	Permitting and Development Center
13	5/18/2022	2	2pm-4pm	Permitting and Development Center
14	6/15/2022	2	2pm-4pm	Permitting and Development Center
15	7/20/2022	2	2pm-4pm	Permitting and Development Center
16	8/17/2022	2	2pm-4pm	Permitting and Development Center
17	9/21/2022	2	2pm-4pm	Permitting and Development Center
18	10/19/2022	2	2pm-4pm	Permitting and Development Center

30 Meetings Total		36 Hours Total		4 Different Locations
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- [Agendas and Approved Meeting Minutes Listing for All Meetings](#)



Mayor and City Council

Steve Adler, Mayor
Alison Alter, Mayor Pro Tem, District 10
Natasha Harper-Madison, District 1
Vanessa Fuentes, District 2
Sabino "Pio" Renteria, District 3
José "Chito" Vela, District 4
Ann Kitchen, District 5
Mackenzie Kelly, District 6
Leslie Pool, District 7
Paige Ellis, District 8
Kathie Tovo, District 9

City Manager

Spencer Cronk, City Manager
Rey Arellano, Assistant City Manager
Veronica Briseño, Assistance City Manager
Gina Fiandaca, Assistant City Manager
Rodney Gonzales, Assistant City Manager
Stephanie Hayden-Howard, Assistant City Manager
Jason Alexander, Chief of Staff
Ed Van Eenoo, Chief Financial Officer

ACE Departments

Joel Baker, Chief, Austin Fire Department
Joseph Chacon, Chief, Austin Police Department
Denise Lucas, Director, Development Services
Robert Luckritz, Chief, Austin-Travis County Emergency Medical Services
Kimberly McNeeley, Director, Austin Parks and Recreation Department
Richard Mendoza, P.E., Interim Director, Austin Transportation Department
José Roig, Director, Austin Code Department
Ken Snipes, Director, Austin Resource Recovery
Adrienne Sturup, Director, Austin Public Health