



BOARD/COMMISSION RECOMMENDATION

Parks & Recreation Board

Recommendation Number 20230227-5: Recommend further Public Engagement surrounding the DRAFT recommendation for a Unified Non-Profit Role in Operation and Management of Zilker Park

WHEREAS, Zilker Metropolitan Park is a significant public resource for the citizens of Austin, providing critical land for the preservation of the area's natural environment, recreational and exercise space for public enjoyment, protection of the pristine waters of Barton Springs, as well as habitat for the region's important flora and fauna;

WHEREAS, Zilker Park is currently undergoing a planning process known as the Zilker Park Vision Plan, for which a consultant was hired to engage with the public to discern the community members' desires for the future of Zilker Park and to create a draft Zilker Park Vision Plan; and

WHEREAS, the public engagement process for the Zilker Park Vision plan was seriously flawed and not representative of Austin's overall resident park goers, and just two examples of this are (a) information from participants at pop ups hosted across the city was not recorded and participants were simply told to answer the online surveys, and (b) the online surveys were confusing and heavily biased "push polls" designed to encourage support for massive building projects, including the leading questions on the final survey asking survey takers to identify which projects within the plan they were most excited about, most of the choices were construction projects, and there was no option to answer "none of the above," and

WHEREAS, no one or almost no one, during the public engagement process, asked for or supported the further privatization of Zilker Park management and operations and the vast majority of public input on this was opposed to continued and further privatization of park operations; and

WHEREAS, no community engagement surveyed the public desire to create an umbrella organization, a single-point-of-contact non-profit group to take over Zilker Park decision-making and management, ceding control that should belong to the publicly funded and accountable Parks and Recreation Department; and

WHEREAS, the Draft Zilker Park Vision Plan was completed in November 2022, was open for public comment until January 8, 2023, and is planned to be presented to Boards and Commissions and the City Council; and

WHEREAS, the Parks and Recreation Board will be making a full review of the plan and recommendation to City Council in the future but only after it is reviewed by other Boards and Commissions; and

WHEREAS, the “Operation and Management” section of the Draft Zilker Park Vision Plan recommends “a Zilker unified (umbrella) non-profit, that can serve as a single point of contact for the Austin Parks and Recreation Department, serving as a go-between for the many active organizations and interested parties”... “in a formalized partnership with the city...”; and

WHEREAS, the “Operation and Management” section of the Draft Zilker Park Vision Plan recommends the Zilker unified (umbrella) non-profit be tasked with advocacy for the Zilker Park Vision Plan, to engage in private fundraising for capital improvements, and to work with a coalition known as Austin Outdoors to campaign for public funds and advocate for private funding, capital improvements, programming, operations, and maintenance, as well as many other potential roles; and

WHEREAS, the “Operation and Management” section of the Draft Zilker Park Vision Plan recommends the Zilker unified (umbrella) non-profit be given a role in concession management within Zilker Park and further recommends changes in the revenue sharing and fee models for concessions contracts within Zilker Park; and

WHEREAS, the Austin Parks and Recreation Department, in overseeing park operations, maintenance, and programming, follows specific guidelines to keep taxpayer-funded spending accountable and transparent to the public;

WHEREAS, despite good intentions, non-profit organizations are not governmental entities subject to open meetings, public information, bidding, contracting, and other laws intended to allow for transparency and accountability to residents in expenditure of public funds and development of public assets; and

WHEREAS, the recommendation for a unified non-profit partner and recommendations for the partner’s role, the change to concessions structures, and other operations and management

recommendations would be a significant change to the management of Zilker Park and unprecedented for a municipal park in the City of Austin; and

WHEREAS, there is no description of the public engagement undertaken during the engagement portion of the Vision Plan development regarding the role of a Zilker unified (umbrella) non-profit to oversee programming, concessions, advocacy, and other roles described, nor is there any indication of public support or lack thereof for a Zilker unified (umbrella) non-profit;

NOW, THEREFORE, BE IT RECOMMENDED that the Parks & Recreation Board:

- 1) Because of the above-referenced concerns about the public engagement process, cannot not support the inclusion of the language in the Draft Zilker Park Vision Plan referring to the Zilker unified (umbrella non-profit); and
- 2) Recommends that this resolution be presented to all boards and commissions and City Council along with the Draft Zilker Park Vision Plan, until there is a public process of community engagement to discern the type of entity, if any, the public feels is appropriate to have a role in the operation, management, concessions management, advocacy, and fundraising for Zilker Park.

Date of Approval: February 27, 2023

Record of the vote: The motion to recommend that the Parks & Recreation Board: 1) Because of the above-referenced concerns about the public engagement process, cannot not support the inclusion of the language in the Draft Zilker Park Vision Plan referring to the Zilker unified (umbrella non-profit); and 2) Recommends that this resolution be presented to all boards and commissions and City Council along with the Draft Zilker Park Vision Plan, until there is a public process of community engagement to discern the type of entity, if any, the public feels is appropriate to have a role in the operation, management, concessions management, advocacy, and fundraising for Zilker Park was approved on Chair Cottam Sajbel's motion, Vice Chair Faust's second on a 6-2 vote with two vacancies. Those Board Members voting aye were: Chair Cottam Sajbel, Vice Chair Faust, Board Members Moore, Hugman, Barnard Taylor. Those Board Members voting nay were: Board Members Villalobos and Flowers. Board Member Rinaldi absent

Attest: Tim Dombek