

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4

2
3
4
5

6
7
8
9

- 0
- 1
- 2
- 3

4
5
6

7
8
9
0

1
2

- 3
-
- 4

25 special access to enjoy the Event;

- 26 3. Over 750 community entertainment groups were provided free holiday
27 performance space;
- 28 4. Over 125,000 free books were distributed through sponsor partnerships;
- 29 5. Taxpayers saved over \$1,500,000 in costs for City personnel and services,
30 which were reimbursed by the Foundation with money raised through
31 fundraising efforts;
- 32 6. The Foundation invested approximately 12,000 hours in maintaining,
33 improving, and preserving the City's holiday displays; and
- 34 7. The Event contributed over \$70,000 toward the Zilker Holiday Tree Lighting
35 Ceremony and display, which offset PARD's unfunded expenses related to
36 the ceremony; and

37 **WHEREAS**, several full-time employees and nearly 100 seasonal employees,
38 as well as numerous local artists and food vendors, are hired by the Foundation for
39 the Event; and

40 **WHEREAS**, the Foundation has continually engaged surrounding
41 neighborhoods and various other stakeholders to discuss specific aspects of the
42 Event, including the schedule, transportation, and consolidation of set-up and take-
43 down activities in order to maximize public access to Zilker Park; and

44 **WHEREAS**, through five Council actions adopted between 2012 and 2016,
45 the City and the Foundation jointly established the following priorities and
46 requirements for the Event (Legacy Contract Terms):

- 47 1. Opening night is free to the public;
- 48 2. Half of all Event nights are free to the public;
- 49 3. Attendees under the age of 12 are admitted free on all Event nights;

4. Attendees riding a shuttle to the Event are admitted free on all Event nights;
and

5. Parking and Event entry fees will not exceed the fees charged by PARD, as
established annually by the Council during the City's budget adoption; and

WHEREAS, the Foundation seeks to continue to fund, plan, produce, market
and manage the multi-night Event, including a Fun Run, and to continue to
reimburse the City for direct expenses associated with the Event; and

WHEREAS, from 2012 to 2022, the Foundation operated incrementally
under a one-year and two five-year agreements, and the City now desires to ensure
the longer-term success of the Event by providing a more sustainable window of
time to allow for better fundraising opportunities; and

WHEREAS, the Foundation has the need to establish and build a contingency
fund to help keep the Event solvent in the event of weather or economic conditions
that would otherwise threaten the viability of the Event and which could negatively
impact the taxpayer should the City choose to produce the Event itself; **NOW,**
THEREFORE,

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

The Council declares the Austin Trail of Lights, including as subsequently
renamed if applicable, to be a City co-sponsored event starting fiscal year 2023-
2024.

BE IT FURTHER RESOLVED:

The Council directs the City Manager to add the Austin Trail of Lights, or the
appropriate name if the Event is renamed, to the list of City co-sponsored events for
which fees are waived annually in the ordinance adopted with the budget, starting

74 with the fiscal year 2023-2024 budget and continuing thereafter in accordance with
75 the term of the agreement described below.

76 **BE IT FURTHER RESOLVED:**

77 The Council authorizes the City Manager to negotiate and execute a 10-year
78 co-sponsorship agreement with the Trail of Lights Foundation, including extension
79 options, and any future co-sponsorship agreements and amendments. The agreement
80 shall include the Legacy Contract Terms as defined above and, notwithstanding the
81 fee waiver authorized above, shall also provide that the Foundation will continue its
82 long-standing practice of reimbursing the City for electricity costs and staffing-
83 related costs incurred in connection with the Event, including personnel costs for the
84 Austin Police Department, Austin Fire Department, and Austin-Travis County
85 Emergency Medical Services Department.

86
87 **ADOPTED:** _____, 2023 **ATTEST:** _____

88 Myrna Rios

89 City Clerk
90