

**RESOLUTION NO. 20230309-043**

**WHEREAS**, the Austin Trail of Lights (Event) originated in 1967 as Yulefest, a gift to the City from its Parks and Recreation Department (PARC), and over the last 58 years the Event has grown to include more than 2,000,000 lights and more than 70 displays; and the Event represents the unique spirit of Austin; and

**WHEREAS**, in 2009, the Event transitioned to the Zilker Holiday Tree Festival, a holiday event that was scaled down due to nationwide financial challenges; and in 2010 and 2011, the Event continued as a scaled-down model known as Holiday Fest; and

**WHEREAS**, after three years as a scaled-down event, the Event returned in 2012 through a partnership with the City of Austin. Met with a resounding welcome by the greater Austin area, the Event has seen continued success through innovative interactive displays and activations, with over 400,000 visitors annually; and

**WHEREAS**, the Event is produced by the Trail of Lights Foundation (Foundation) as a family-friendly, lighted, holiday-themed trail, with entertainment provided by local school children and talent; and

**WHEREAS**, the Foundation continues to host special recognition nights with various local community groups and local non-profits and provides free admission and accommodations to low-income and special-needs individuals through the Foundation's initiative and programming; and

**WHEREAS**, the Foundation achieved the following successes over the initial 10-year period:

1. Over 40,000 seniors visited the Event annually;
2. Over 30,000 STARS Program participants were provided free entrance and

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

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

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

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

1. Opening night is free to the public;
2. Half of all Event nights are free to the public;
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

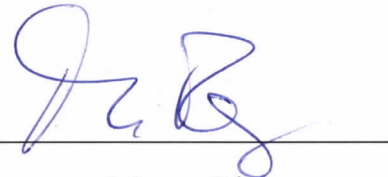
with the fiscal year 2023-2024 budget and continuing thereafter in accordance with the term of the agreement described below.

**BE IT FURTHER RESOLVED:**

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

**ADOPTED:** March 9, 2023

**ATTEST:**



Myrna Rios  
City Clerk