



PARKS AND RECREATION BOARD RECOMMENDATION YYYYMMDD-XXX

Date:

Subject: Expedition School Concession and Amendment to Holly Shores/ Edward Rendon Sr. Vision Plan

Motioned By:

Seconded By:

Whereas on Dec. 15, 2019, the Austin City Council passed Ordinance No. 20191205-070 to expedite authorization of a boating concession on Lady Bird Lake for the Expedition School¹

Whereas Ordinance No. 20191205-070 was an unprecedented Council directive for a boating concession approval in that it waived the requirements of City Code Section 8-1-74 (Review of a Proposal Seeking a Concession) by-passing review by the Parks Board, the Environmental Commission, Design Commission, and related public engagement process²

Whereas, by waiving the requirements of City Code Section 8-1-74, Ordinance No. 20191205-070 conflicts with City Charter Article 2, Chapter 7, Section A³

Whereas Ordinance No. 20191205-070 authorized an amendment to the Holly Shores / Edward Rendon Sr. Park Master Plan without notification to the community and public stakeholders who have collaborated in good faith with the Parks and Recreation Dept. on the Park Master Plan since it was approved in 2015⁴

Whereas community stakeholders have significant issues with a large boating concession that was not part of the original Holly Shores / Edward Rendon Sr. Park Master Plan and have expressed to the Parks and Recreation Board their difficulty in having their issues addressed in the current process⁵

Whereas the City of Austin and State of Texas recognize the Mexican American heritage, cultural and historical significance of the Holly Shores / Edward Rendon Sr. Park

Whereas the proposed location of the commercial dock for the Expedition School Concession is within an area that has poor water quality and may create additional negative environmental impact and public safety concerns

Whereas the Parks and Recreation Dept. has not amended the Holly Shores / Edward Rendon Sr. Park Master Plan to indicate the location of the Expedition School boating concession, as directed by Ordinance No. 20191205-070 over four years ago

¹ Ordinance No. 20191205-070 <https://services.austintexas.gov/edims/document.cfm?id=333264>

² [City Code 8-1-74](#)

³ [Section 7 Powers of the Council](#)

⁴ [Holly Shores / Edward Rendon Sr. Master Plan](#)

⁵ Open Letter In Opposition RE: Permit and Concession for Expedition School et al, Opposition Letter

Whereas PARD staff, working with the Expedition School, but not the community stakeholders, identified a long-term location at Edward Rendon Senior Park Festival Beach Lagoon west end for the operation of the watercraft concession, in conflict with the Master Plan⁶

Whereas in Dec. 2022, the Assistant City Manager approved Contract Terms and a Parkland Improvement Donation Agreement for the Expedition School Boating Concession, including an interim two-year period during which the vendor was required to meet specific development and fundraising benchmarks⁷

Whereas the Contract Terms of 2022 stated that failure to meet the established benchmarks would be considered a contract violation and grounds for termination⁸

Whereas the Expedition School has not signed the Parkland Improvement Donation Agreement and the status of compliance with the terms is unknown and

Whereas the Parks and Recreation Board, per City Code section 8-1-73 may make a recommendation related to continuing an existing concession or terminating an existing continuation⁹, therefore

The City of Austin Parks and Recreation Board recommends the Austin City Council:

- (1.) Review Council Ordinance No. 20191205-070 to determine if it is no longer appropriate and/or in violation of Austin's City Charter and Municipal Code.
- (2.) Direct the Parks and Recreation Dept. to pause The Expedition School Parkland Improvement Donation Agreement, Concession Agreement and the Amendment to the Holly Shores / Edward Rendon Sr. Master Plan until November 30, 2024. Allow the community to review and comment on these agreements
- (3.) Direct the Parks and Recreation Dept. to provide a list of alternative locations for The Expedition School Concession that are not as culturally and historically significant as the current proposed location
- (4.) Direct the Parks and Recreation Dept. to examine the public safety and environmental issues including but not limited to water quality. Provide the Parks and Recreation Board and Environmental Commission with the "environmental reviews" done by Development Services Dept.
- (5.) Direct the Parks and Recreation Dept. to provide the status of the Parkland Improvement Donation Agreement with The Expedition School, stating minimum financial requirements the applicant must meet
- (6.) Direct the Parks and Recreation Dept. to examine in detail the financial liability and risk elements this concession poses to the City
- (7.) Direct the Parks and Recreation Dept. to examine any legal liability or legal risk that overturning Ordinance No. 20191205-070 poses to the City and request input from City Attorneys for any legal impact to the City

⁶ PARD Memorandum RE: Contract Term for Expedition School Boating Concession Dec. 15, 2022 page 1
⁷ “

⁸ “

⁹ City Code 8-1-73

(8.) Determine if the PARD Director and Department reviewed and implemented Code Sections 8-1-14 and 8-1-73 and if so, provide a report with results to the Parks Board since the inception of the Expedition School Concession Agreement and

(9.) Rescind Council Ordinance No. 20191205-070 if during this time it is determined to be no longer appropriate and/or in violation of City Charter and Municipal Code, and a suitable alternative location for the Expedition School Concession is not provided.

Vote

For:

Against:

Abstain:

Absent:

Attest: *[Staff or board member can sign]*
