# RESOLUTION NO. 2016xxxx-xxx

**WHEREAS,** the City Council approved the Austin Music and Creative Ecosystem Omnibus Resolution No. 20160303-019 on March 3, 2016 that culminated in a June 2016 staff report of analysis and recommendations supported with multiple forms of input; and

**WHEREAS,** the staff report identified 10 priority recommendations in response to the Omnibus resolution. This includes: affordable space; agent of change; cultural tourism; entertainment license; incentives, tools, and loans; land use regulations; music genre development; permitting and licensing; professional development; and revenue development; and

**WHEREAS,** the approved 2017 City budget addressed service issues identified in the Omnibus resolution and approved $475,000 for the following: $200,000 to implement the creation of an entertainment services group; and, $200,000 transitional funding for performing arts and creative affordable space need; and $75,000 for implementation of revenue development program and platform; and

**WHEREAS,** the Music Commission on November 17 recommended number 20161107-4 to the City Council to create legislation to allow for a case study to investigate the impact of extending the amplified sound curfew for the Red River District; and

**WHEREAS, the** City Council Economic Opportunity Committee considered the Music Commission recommendation on extending the sound curfew on December 12; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Manager is directed to activate findings and recommendations from the Music and Creative Eco-system Omnibus Resolution and approved FY2016-17 City Budget with the elements shown on for the following:

1. Case study implementation for extended hours for Red River Cultural District (RRCD) Venues
2. Implementation of $75,000 for Revenue Development platform
3. Implementation of $200,000 transition funding for performing arts venues
4. Implementation of $200,000 funding for the creation of an Entertainment Services Group and the Nightlight Initiative

The City Manager should report back in 60 days with a status update on implementation. Attachment A provides parameters and considerations for each item.

**ADOPTED \_\_\_\_\_\_\_\_\_\_** 20 17 **ATTEST \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**ATTACHMENT A**

1. ***Extended hours for Red River District:***

* Case study to investigate the amplified sound curfew for the RRCD. As part of the study, allow Music and Entertainment Division (MED) to extend the hours listed in City Code Chapter 9-2-30 (Decibel limits for outdoor music) at scheduled times over a twelve month period and document venue revenue, public safety impact and sound complaints.
* Recommended Red River District Extended Hours components for case study:
* 1:30 am the max cut off (outside of SXSW)
* Limit scope of study to look at only Thursday, Friday, and Saturday). This gets about 12-15 good hours a month by which venue public testimony suggested $12,000 to $15,000 more per month per venue.
* Interdepartmental work group would convene monthly or bi-month and consists of:
  + Neighborhood Advisor – Planning and Zoning Department
  + APD Sound Enforcement Officer – Austin Police Department Special Events Unit
  + Fire Marshall – Austin Fire Department Special Events Unit
  + Sound Engineering Consultant – ED Department, MED
  + Office of Special Events – Transportation Department
  + ED Department Division – Manager
* Equipment and Resources to be used: MED will use technology from Brunel and Kjaer Noise Sentinel self-contained monitoring units
* Hours and Days included in the program: MED has enough historical data and knowledge of the other two entertainment districts (6th and Warehouse) to know that Sunday- Wednesday are problematic. Focus will be on Thursday, Friday, and Saturday.
* Thursday – Midnight
* Friday – 1:30 am
* Saturday – 1:30 am
* Related action:
  + Expand purpose of music venue loan program (Resolution 201330822-16) beyond sound mitigation devices and technologies to improve the acoustical environment to include general business operation needs
* Consider the following neighborhood stakeholder concerns:
* To insist on compliance to regulations.
* For the the City of Austin organization to deal with the negative impact from nightlife activity with more involvement at higher levels and for the Music Office to have a key role.
* A rigorous evaluation of sound travel that impacts their neighborhoods.
* Creation of a regular transparent forum to make complaints on venues other than 311 and for venues that violate the rules of the study to be disqualified from receiving extended hours.
* The case study should isolate venues to determine which ones are creating impact and which ones are not.

1. ***Revenue Development Program***

* Identified in the Omnibus Resolution 201603030-19 as a need to be reviewed and responded with a proposal in the staff response to the Omnibus resolution.
* Funding of $75,000 approved in FY2016-17 budget.
* Staff response to the Omnibus for revenue development identified in the Indie Band Survival Guide and indieguide.com as a curriculum that would reinvigorate and revitalize Austin’s commercial music industry and create sector by providing the resources needed to remain current as industry trends and technology evolves. The intent of the Council during the allocation of funding assumed that this program would be implemented with start-up funding of $75,000.
* Curriculum should be delivered via online format.
* Revenue Development program should use NGO’s in the community for outreach, workshops and other educational activity relating to the online curriculum.
* Revenue Development program should include a method to connect musicians to other local music services and sectors.

1. ***Performing Arts Venues Arts Space “Crisis” Funding Program***

* $200,000 total funding approved in FY2016-17 Budget for transitional funding for performing arts space crisis and the development proposed guidelines as suggested by a stakeholder group:
  + Replace Performance/Rehearsal/Work/Exhibit Space – provide for $100,000 in a low interest/no-interest loan designed to bring a new venue up to the minimum code standards as a performing arts space
  + Preserve Existing Performance/Rehearsal/Exhibit Space – provide for a portion of $100,000 for immediate emergency aid for existing venue(s) that currently provide work/performance/exhibition space for multiple artists or arts groups
    - * Supplemental Program Supporting Communities and Artists of Color – provide for a portion of funding to support emerging arts space specifically run by and providing space to communities and artists of color.

1. ***Implement the Nightlife initiative.***

* Budget of $200,000 was approved to implement the Omnibus Entertainment Services Group with the Music and Entertainment Office. The Entertainment Services Group is intended to act an Ombudsman for regulatory and convener of various city departments to coordinate services in the three entertainment districts – 6th Street, the Warehouse District, and Red River.
* In reference to City Council Resolution 20140925-081, the Music & Entertainment Division (MED) was identified as the office that would lead the City’s nightlife economy efforts.
* The Austin Nightlife Initiative contains seven components to develop a safe and vibrant nighttime economy. The goals of the initiative are to ensure public safety, streamlining the multiple permit process’s for better coordination between city departments with regulatory and enforcement responsibilities of entertainment venues so we may maintain urban vibrancy, and grow our local economy.
* The Austin Nightlife Initiative is a comprehensive approach for managing Austin’s nighttime economy through a full suite of interdependent actions. Now that funding and personnel have been approved it is important to implement this initiative in conjunction especially with the extended hour proposal for the Red River District.