

Item 20



Travis County Commissioners Court Agenda Request

Meeting Date: July 16, 2013

Prepared By/Phone Number: John Carr, 854-4772

Dept. Head: Roger El Khoury, M.S., P.E., Director, FMD, 854-4579

County Executive: Leslie Browder, Planning and Budget, 854-9106

Sponsoring Court Members: Commissioner Davis, Precinct One

A handwritten signature in black ink, appearing to read "Roger El Khoury", with the initials "R.E.K." written below it.

AGENDA LANGUAGE:

Consider and take appropriate action on request from Forklift Danceworks to waive the fees associated with setup and rehearsal days for a previously approved event, Austin Energy Dance, at the Exposition Center.

BACKGROUND/SUMMARY OF REQUEST:

On March 12, 2013, the Commissioners Court approved a non-standard license agreement with Austin Energy (AE) to use the Exposition Center grounds for an event in September 19, 2013 to September 23, 2013. AE, as a City of Austin municipally-owned electric utility, requested changes to the standard insurance and indemnity clauses. AE signed the contract and agreed to pay the standard charges for the event, covering use of the grounds from September 19, 2013 thru September 23, 2013.

Forklift Danceworks is a non-profit organization which has the primary service area in Travis County. They are putting together the event for AE and have approached Travis County about the possibility of waiving fees for certain days outside of the contracted period for setup and rehearsals. Specifically, they request waiver of fees for the 3 days of August 5, 6 and 7 of 2013 that would be required for setup of the poles for the performance. They also request waiver of fees for the rehearsals that will be held on the grounds prior to the performance. The rehearsals days are August 12, 13, 19, 20, 26, 27 and September 3, 4, 9, 10 and 11 of 2013.

STAFF RECOMMENDATIONS:

The standard rate for the rental of a portion of Expo Center ground for non-profit organizations with primary area in Travis County is \$375 per day. For 14 days the rental fee is \$5,250. The AE contract which was approved on March 12, 2013 and signed is for \$10,200. Only the Commissioners Court can reduce or waive the fees at the Expo Center. Facilities Management

Department is looking for direction from the Commissioners Court on this request. The requested setup and rehearsal use days could be accommodated without significant impact on the Exposition Center if the Commissioners Court wished to approve this request from Forklift Danceworks.

ISSUES AND OPPORTUNITIES:

Forklift Danceworks will be presenting the event, *PowerUP* which is a free performance with an expected attendance of 6,000 plus. This event will celebrate Austin Energy employees while educating the audience about the critical job done by these utility workers. One of Forklift Danceworks' previous projects highlighted the jobs of city sanitation workers and received positive reviews. Forklift Danceworks states that "As a supporter and project partner, Forklift Danceworks would recognize Travis County and the Expo Center on all press and media materials."

FISCAL IMPACT AND SOURCE OF FUNDING:

Possible Expo Center revenue increase of \$5,250.

ATTACHMENTS/EXHIBITS:

1. Letter from Ms. Allison Orr, Director of Forklifts Danceworks
2. Letter of support from Council Member Laura Morrison, Place 4
3. Exhibit A, showing the rate and discount values

REQUIRED AUTHORIZATIONS:

N/A

July 8, 2013

Roger A. El Khoury, M.S., P.E.,
Director , Travis Country Facilities
1010 Lavaca Street, Suite 400
Austin, TX 78701



Dear Mr. El Khoury,

As Artistic Director of Forklift Danceworks, an 501(c)3 non-profit arts organization located in Travis County, I am writing in regards to the event *PowerUP*—a free performance for 6,000+ people to be held at the Expo Center Sept 21-22nd. Forklift Danceworks is producing this event in collaboration with Austin Energy, and Austin Energy holds a contract for this event with the Expo Center for September 19-23.

I am writing to respectfully request access to the grounds and the waiving of the associated rental fees for 14 days for site installation and rehearsals for this event. Specific dates requested are:

- August 5, 6, and 7 for the installation of twenty-five 45 ft. wooden poles and one 60 ft. metal pole as the performance set for this event.
- August 12, 13, 19, 20, 26, 27 and Sept 3, 4, 9, 10, 11 for use of the installed pole area for rehearsals during regular business hours.

Note about pole location, install and liability

- A drawing showing pole location is attached. It is our understanding that this field is not scheduled for use for any other events during the requested period.
- Austin Energy will remove all poles following the performance, fill the holes, and return the site to its previous condition.
- Austin Energy is self-insured and all employees and vehicles will be covered by Austin Energy insurance when rehearsing on the Expo Center grounds. Austin Energy can provide additional documentation as requested concerning liability coverage.

More about Forklift Danceworks and *PowerUP*

- Austin arts organization Forklift Danceworks presents unique, large-scale public events that celebrate and build community. *PowerUP* will be a free, family-friendly performance celebrating our city's power employees while educating audiences about this essential job.
- Current project partners include: The Applied Materials Foundation, The AKR Reynolds Foundation, San José Hotel, AFSCME Local #1624, The National Endowment for the Arts, The Texas Commission on the Arts, the City of Austin

Exhibit 1

Cultural Arts Program, The Mid-America Arts Alliance, and the MAP Fund.

- Forklift Danceworks has produced similar projects with the City of Austin Fire Department and Austin Resource Recovery (Austin sanitation department). Winning wide public and critical acclaim, these events educate Austinites about these critical and often invisible jobs while boosting morale and pride for the city employees.
- City leaders support Forklift Danceworks. Please see the attached letter of support from Council Member Laura Morrison.
- As a project partner, Travis County and the Expo Center is invited to be a part of our City Hall Press Conference to be hosted by Council Member Morrison in early September. A designated Travis County official will have an opportunity to give remarks at this press conference. Travis County can also be recognized as an event partner on all event materials, with an opportunity for signage at the event, a program ad, website listing, and reserved seats.

In closing, as a small non-profit organization Forklift Danceworks must rely on community partnerships in order to present our free events. A partnership with Travis County through the ability to install poles and rehearse on site with waived rental fees is essential to the success of *PowerUP*. Ultimately, this project cannot move forward without this kind of support from Travis County and the Travis County Commissioners.

Thank you very much for considering this request.

Sincerely,

Allison Orr

Allison Orr
Artistic Director, Forklift Danceworks
2023 Cesar Chavez
Austin, TX 78702
Tel: (512) 222-5287
www.forkliftdanceworks.org



City of Austin

Laura Morrison, Council Member, Place 4

P. O. Box 1088, Austin, TX 78767, (512) 974-2258, Fax (512) 974-1886

TO: Judge Samuel Biscoe
Commissioner Ron Davis, Precinct 1
Commissioner Bruce Todd, Precinct 2
Commissioner Gerald Daugherty, Precinct 3
Commissioner Margaret Gomez, Precinct 4

FROM: Council Member Laura Morrison, Place 4

DATE: July 8, 2013

SUBJECT: Support for Forklift Danceworks' production PowerUP

PowerUP is another example of Forklift Danceworks' unique style of community-based art making which brings great benefit to Austin, Travis County and public sector employees. The production will bring together local artists and public employees to create a family friendly event to be enjoyed by thousands. PowerUP will celebrate public sector employees and help educate the community about their vital yet often invisible work.

I saw firsthand the tremendous impact that Forklift's previous production of "The Trash Project" had on our community and the pride that it instilled in public employees. The City of Austin is proud to provide support to Forklift Danceworks for its PowerUP project. I hope that Travis County will join us in supporting this unique and important production.

*The City of Austin is committed to compliance with the Americans with Disabilities Act.
Reasonable modifications and equal access to communications will be provided upon request.*

Exhibit 2

EXHIBIT A

Travis County Exposition Center - Event Costing Schedule						
Customer:	Austin Energy					
Event:	AE Dance Rehearsals			Date of Event:	Aug/Sept 2013	
Item	Details	Unit	Qty	Rate	Amount	
Facility Rental Fees	Luedecke Arena - Rental Period is 16 Hours	Day		\$ 3,000.00	\$ -	
	Luedecke Arena for Each Additional Hour	Hour		\$ 100.00	\$ -	
	Luedecke Arena Dressing Room	Day		\$ 100.00	\$ -	
	Skyline Club - Rental Period is 8 Hours	Day		\$ 1,200.00	\$ -	
	Skyline Club for Each Additional Hour	Hour		\$ 100.00	\$ -	
	Banquet Hall - Rental Period is 8 Hours	Day		\$ 1,800.00	\$ -	
	Banquet Hall for Each Additional Hour	Hour		\$ 100.00	\$ -	
	Show Barn - Rental Period is 12 Hours	Day		\$ 900.00	\$ -	
	Show Barn for Each Additional Hour	Hour		\$ 50.00	\$ -	
	Outside Show Barn Equestrian horse Arena	Day		\$ 200.00	\$ -	
	All Grounds - Non-Concert Event	Day		\$ 1,000.00	\$ -	
	Portion of the Grounds - Non-Concert Event	Day	14	\$ 500.00	\$ 7,000.00	
	All or Portion of the Grounds - Concert Event	Day		\$ 2,000.00	\$ -	
	Other 501-c-3 TC primary area	DIS	-0.25	\$ 7,000.00	\$ (1,750.00)	
	Total Facility Rental Fees				\$ 5,250.00	
Equipment Rental Fees	Tables	Each/Event		\$ 6.00	\$ -	
	Chairs	Each/Event		\$ 1.50	\$ -	
	Picnic Tables	Each/Event		\$ 10.00	\$ -	
	Portable Bleachers	Each		\$ 20.00	\$ -	
	Stalls	Each		\$ 15.00	\$ -	
	Pens	Each		\$ 2.00	\$ -	
	Cattle Ties	Each		\$ 2.00	\$ -	
	50 stalls free if total stalls >100	Each		\$ 15.00	\$ -	
	Other	Each		\$ -	\$ -	
	Total Equipment Rental Fees				\$ -	
Custodial Fees	Luedecke Arena	Day		\$ 600.00	\$ -	
	Skyline Club	Day		\$ 200.00	\$ -	
	Luedecke Arena Including Skyline	Day		\$ 775.00	\$ -	
	Luedecke Arena Dressing Rooms	Day		\$ 75.00	\$ -	
	Banquet Hall	Day		\$ 200.00	\$ -	
	Grounds	Day		\$ 260.00	\$ -	
	Show Barn - One day horse show event	Day		\$ 200.00	\$ -	
	Show Barn - Two days horse show event	2-Day		\$ 250.00	\$ -	
	Show Barn - Three days horse show event	3-Day		\$ 300.00	\$ -	
	Show Barn - All Events Except Horse Show	Day		\$ 200.00	\$ -	
	Custodial Services During Event per Custodian	Hour		\$ 25.00	\$ -	
	Stall Cleaning	Each		\$ 5.00	\$ -	
	Total Custodial Fees				\$ -	
Other Fees	HVAC - Luedecke Arena	Hour		\$ 125.00	\$ -	
	Forklift - with Driver	Hour		\$ 35.00	\$ -	
	Moving and Placing Dirt	Hour		\$ 200.00	\$ -	
	RV Parking with Hook-Ups	Each		\$ 35.00	\$ -	
	RV Parking without Hook-Ups	Each		\$ 20.00	\$ -	
	Electrical Hook-Ups for 110V duplex outlet	Each		\$ 20.00	\$ -	
	Electrical Hook-Ups for 220V duplex outlet	Each		\$ 25.00	\$ -	
	Water Connection	Each		\$ 30.00	\$ -	
	Other	Each		\$ -	\$ -	
	Total Other Fees				\$ -	
ORIGINAL CONTRACT SUM					\$ 5,250.00	
DEPOSIT	Non-Refundable = Percent of Original Contract Sum	1		20%	\$ 1,050.00	
BALANCE	To Be Adjusted for Additional Services, If Applicable	2		80%	\$ 4,200.00	
DAMAGES DEPOSIT	Refundable = Percent of Facilities Rental	3		20%	\$ 1,050.00	
PARKING SURCHARGE	One-Third of Parking Fees Collected by Licensee	4				
1. Due at the Time the License Agreement is Signed by the Licensee						
2. Due 30 Days Prior to Commencement of the Event						
3. Due One Day Prior to Commencement of the Event						
4. Due upon Event Conclusion						