

SAVE AUSTIN MUSIC
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Feedback to Live Music Task Force Oct 29, 2008

Thanks again for your hard work, your sacrifice, and your service to our community.

I'm proud to say it appears as if the music community and our neighborhood groups have actually begun the process of settling our problems together as a community instead of as opposition. I have an even more unifying recommendation to come in a minute. As a representative for an organization that supports music as an centerpiece of the Austin experience, I have both the interests of our industry and our neighborhoods in mind. Simply put, it doesn't serve music to be inconsiderate of the needs of other residents. After all, most of our audience is Austin residents.

So I'd first like to speak about our community in relation to our fellow Austin neighbors who may not also be members of our industry or of Save Austin Music.

We understand and believe that home ownership represents the American dream. Your hard work and diligence is rewarded with a sanctuary where you are safe from the world outside, where you can build stability and enjoy serenity. We understand that ANYTHING that challenges the integrity of a home is seen as a threat, whether it's a masked intruder or a sonic nuisance. We respectfully remind you that there is a major difference, and often we in the music community feel challenged with a reputation reserved for criminals in "Neighborhood Watch" meetings. We're not, even when members of our industry are offensive or sonically invasive. We Americans make great sacrifices for the right of our neighbor to be wrong.

We ask you to understand something about our life as Austin musicians: We are men and women who have traded the security of day jobs and home ownership for financial uncertainty so that we can create the art that makes your life and ours more bearable, enjoyable, and have deeper meaning. We have sacrificed our well-being to serve our fellows in creation, from our hearts. It is more than a 40-hour-a-week job, it is a lifestyle that many of us live our every waking hour.

The very real cost is that most of us don't own homes and we've experienced our own city, some of its residents, and some businesses push us out to make room - not just for the highest bidder, but for the NEXT bidder. As creatives first and sometimes never businesspeople, finances have forced out of our temporary homes every time property values rose and other parties got overly ambitious. Many of us are displaced renters in the neighborhoods we are now seen as threatening. Many of us paid property owners' mortgages while we kept neighborhoods from deteriorating until their increased "quality of life" and property values forced us out into other less-than-stellar neighborhoods to begin the process again. In my 33 years as an Austinite and my 25 years as an Austin musician, I have watched musicians and artists turn Clarksville, Travis Heights,

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Hyde Park, SoCo, and South Lamar from run-down overlooked areas of town into premiere neighborhoods which subsequently priced us out.

Now we find both our living quarters and our music unwelcome and/or unaffordable in downtown Austin. Music is a very real aspect of the value of this City as a destination for people from around the world. It is better known than LadyBird Lake, Barton Springs, or the University of Texas. Perhaps music was a factor for many of you who have moved here in the last 15 years. We are not your enemies, and we would be your neighbors if we could still afford to. These days, its possible that a working musician lived in your home before you purchased it. And we also feel at times like we are considered hoodlums simply because we've been uncommunicative.

We understand your anger. Aren't we really all upset with the nearly unchecked growth which has plagued our city for decades? Haven't we watched downtown expand into neighborhood areas without much recourse or responsiveness from the city? Council members who are long gone have cashed in on Austin's cache and have moved on to leave us fighting each other in their wake to fix the problems they created. Perhaps music makes an easy target because we don't defend ourselves. Perhaps you're upset because you moved into an entertainment corridor without knowing it, set your stakes, and nobody ever told you that your nice home used to be a musician hovel ever since the nightclub down the street moved in years ago. Perhaps you've moved into a neighborhood that was renewed by music, but you just want some peace and quiet because you have to go to work tomorrow to pay that mortgage.

We as an industry have been accused of being unresponsive and we are guilty. But we are now coming to the table - and we came to negotiate, not to dominate. And even in this LMTF, we didn't always find that attitude returned. But we are here now, so we can stop fighting and get to work. Please.

We understand the importance of dealing with the issue of sound control. The LMTF has given it great consideration and we have forged the most equitable solution ever presented in our City. It will add City Staff to address bad actors that fall between the cracks of ordinances and allow us to address a business that may be acting within the law, but still acting as a bad neighbor. It will allow us to protect Austin's existing historical venues while allowing us to create future venues with foreseeable futures as businesses and good neighbors.

Save Austin Music would like to propose a further course of action. We would like the LMTF to recommend to City Council that the City co-sponsor a series of bi-monthly workshops with the Austin Music Commission, Save Austin Music and the Austin Neighborhood Council to discuss and formulate a new proposed sound ordinance that protects both music venues and neighborhoods. We would like the City to provide meeting space and legal staff to assist those proceedings. The format would be an open discussion with leaders from each organization to create test ordinances that can be discussed as to the merits and problems with

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each idea. Within 90 days, those workshops can produce new language or enforcement policy to be presented to City Council and can stand alongside the new PACE recommendations.

Now, to address the Recommendations directly, Save Austin Music would like to propose the following:

We support the creation of a Music Department within the City and we hope that it will have separate offices to 1) deal with noise issues, taxes and incentives, as well as permits, and 2) to further the growth of local music business infrastructure. These are very different areas of expertise and should be staffed accordingly.

The immediate question that arises is “where does the funding come from?”. The City of Austin budget has shortfalls and City services are being cut left and right. Save Austin Music recommends that the LMTF assist the Council in finding these funds instead of leaving funding dangerously ambiguous. Also, remember these are funds that will be invested in returning tax revenue and economic activity locally and present an expense that will return income to the City budget.

It’s time to look a serious issue in the eye too. The City of Austin Collected nearly \$50 million in bed taxes last year, of which over \$5 million went to fund Austin Arts. Live Music Programs received far less than \$1 million of that money, while the remainder went to fund Fine Arts. Perhaps someone can provide us with data about how much of the bed tax the fine arts generate. Are people traveling here to visit our museums, our ballet, and our symphony? I know that Austin is a popular tourist destination for Americans and Europeans who take “music holidays” and return home with suitcases full of our CDs and other souvenirs sold in local shops. We are earning those bed taxes and we are not being represented with the proceeds.

I think most Austinites agree that fine arts deserve funding – and most Austin Musicians can agree on that too. But we are not being represented fairly in this disbursement and this lack of vision must be corrected immediately. It’s not unreasonable for Austin Music to spend 5% of the bed tax we help generate a large portion of to fund the furthering of our industry, is it? Couldn’t it be argued that allowing our industry to be better funded with tax revenue *we created* would in turn generate even more tax revenue? We support our brothers and sisters in the fine arts community, but we generate income for this City and we demand our fair share.

Additionally, I would encourage the LMTF to add language to items b, c, & d under item 3 on page 9 that would add those requirements to the WPDR within 90 days. This would create immediate action and a success story for the LMTF.

Save Austin Music proposes that item 8 on page 14 should be more aggressive and should create funding to pay musicians for performing in public areas like the

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proposed “busking circles”, in our AISD Schools, and in the new train stations. We also ask that consideration be given to creating video kiosks in ABIA so that music performances there could occur during all operating hours at little additional cost.

I want to say that we are disappointed that the recommendation to spearhead a Statewide movement to lower the alcohol sin tax for qualified LMVs has been removed. You were encouraged to “think big” and “reach for the stars” and this action would bring together every LMV in the State as well as gain the cooperation of every alcohol distributor Statewide to rally around (and fund) the cause. It would also send owners of regular bars to invest money in meeting the criteria of LMV to earn the tax break. This would in turn re-create the State of Texas as a touring circuit that would create hundreds of jobs and pay musicians real wages.

Finally, we fully support the LMTF recommendation to create a marketing campaign that will encourage both Ausitnites and tourists to “Buy Austin’s Live Music”. We also realize that all these recommendations will take time to approve, fund, and produce. We at Save Austin Music have already created a marketing campaign that will run until the City launches it’s proposed campaign.

The Public Service Announcement campaign is titled “Austin Music: You’re Invited”. It will be placed on every television & radio station, and in every publication and website based in the greater Austin area. It is currently on the air at ME Television and will begin airing on Austin Access next week, and will begin appearing on radio and in other publications and websites shortly thereafter. It will have an immediate impact on attendance at live music venues and will begin infusing capital into our local economy immediately.

I spoke to the owner of a local music legacy venue tonight. That owner begged us to “do something quickly, while I still have a venue to save”. We’d like ask City to help us deal with this immediate emergency of infusing capital into the local music economy and the small business economy by funding our PSA campaign until such time as its campaign can be launched. We would also like the City to fund on an emergency basis a website that SAM will manage to provide up to the day music listings of every music venue in Austin. The website will employ staff to update listings daily, as well as a research staff to contact venues every 24-48 hours for the latest show times, ticket prices, and related details. The website will also include information and images about each venue for visitors, and can be online and functional within 45 days. The website will sell banner advertising and return the proceeds to the City quarterly until another solution is created.

We would like \$10,000 each month for advertising buys, and \$5,000 each month for website production. The budget could be drawn from the City’s Emergency Discretionary Fund. We understand that this is a large curveball we are throwing, but lets remember that we are addressing a financial emergency that is accompanying a national financial crisis. Evasive action to improve our local

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economy could be the kind of action that allows us to weather this storm well and come out the other side a more unified City.

Finally, we'd like to announce that Save Austin Music will be partnering with The Austin Music Foundation to create a LMTF Support Rally for all members of Austin's Music Community and our neighbors. We will meet at Antone's Nightclub at 1pm Thursday, November 20th and walk a few blocks together to City Hall to support the LMTF Presentation. Please spread the word and invite everyone you can. Schedule a long lunch at your job, or musicians please wake up an hour earlier than usual to make it on time! We hope to see you all here with 10 friends each.