

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE WAIVING THE REQUIREMENTS OF CHAPTER 14 OF THE  
CITY CODE FOR THE NAMING OF A CITY FACILITY**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The City Council finds that:

- (A) On December 18, 2008, the City Council authorized the negotiation and execution of an “Agreement for Development and Construction of New Cultural Facilities for Public Use Funded in Part with Bond Funds” with Zachary Scott Theatre Center, Inc. (Zach Scott), a Texas non-profit corporation (Agreement).
- (B) The Agreement describes the rights and responsibilities of the City and Zach Scott regarding the funding, design, and construction of a new city-owned theatre building to be located on city-owned property adjacent to the existing Zach Scott theater facilities, located at 1510 Toomey Road. The City has leased the existing facilities at this location to Zach Scott for a term of ninety nine years. The new theater will also be subject to the lease.
- (C) The Agreement grants Zach Scott the right to contract for and grant sponsorships and naming rights for the new building and areas within the new building, subject to certain restrictions.

**PART 2.** Council waives the requirements of Chapter 14 of the Austin City Code related to naming a city facility for the new building and areas within the building that will be constructed adjacent to the Zachary Scott Theatre.

**PART 3.** Council authorizes Zach Scott to name the new building and areas within the new building during its tenancy, subject to ratification of the names by City Council and compliance with the terms of the Agreement.

**PART 4.** This ordinance takes effect on \_\_\_\_\_, 2008.

**PASSED AND APPROVED**

December 18, 2008

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\_\_\_\_\_  
Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_  
David Allan Smith  
City Attorney

**ATTEST:** \_\_\_\_\_  
Shirley A. Gentry  
City Clerk

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