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36 recipient of the City-owned land posts with the City Attorney of the City a
37 payment and performance bond guaranteeing the lessee's, buyer's,
38 mortgagee's, beneficiary's, or recipient's payment and performance of all of
39 its obligations under said lease, conveyance, mortgage, or other alienation in
40 an amount approved and accepted by the affirmative vote of at least three-
41 fourths of the members of the City Council.

42
43 Part 3. The City shall require that the lessees, purchasers, or recipients of said
44 City-owned land shall pay all ad valorem taxes each tax year due on said land
45 and any improvements in any agreement relating to such sale, lease,
46 conveyance, mortgage, or other alienation; or, if such land is determined to be
47 exempt from taxation, the City shall require said lessees, purchasers, or
48 recipients to make an annual payment in lieu of taxes to the City in an amount
49 equal to the ad valorem taxes which would have been owed in that tax year to
50 the tax assessor-collector for all taxing entities taken together if the land and
51 improvements had been determined to be taxable.

52
53 Part 4. Notwithstanding any exceptions to public disclosure pursuant to the
54 Texas Public Information Act which could be claimed by the City, any party,
55 or its agents or representatives, to any such agreement relating to such sale,
56 lease, conveyance, mortgage, or other alienation, all agreements, documents,
57 files, communications and records relating to the sale, lease, conveyance,
58 mortgage, or other alienation of said City-owned land shall be promptly
59 disclosed to the public upon request by any person and shall be deemed public
60 information under the Texas Public Information Act.

61
62 Part 5. This ordinance shall apply to any sale, lease, conveyance, mortgage,
63 or other alienation of any City-owned land that is or will be used as a sports
64 stadium, sports facility, sports arena, and/or entertainment stadium,
65 entertainment facility or entertainment arena regardless of the effective date
66 of the sale, lease, conveyance, mortgage, or other alienation, except
67 that this ordinance shall not apply to periodic events, such as the Austin City
68 Limits Music Festival or the Trail of Lights, that have been held since prior to
69 January 1, 2018.

70
71 Part 6. The City shall require the submittal and customary review of
72 applications for a site development permit and all variances related thereto or
73 necessary for the development of any such sports stadium, sports facility,
74 sports arena, entertainment stadium, entertainment facility and/or
75 entertainment arena on or to be located on City-owned land to go through the

76 City's normal development review processes, and said site development
77 permit and variances shall not be valid or approved unless and until they are
78 approved by the affirmative vote of at least three-fourths of the members of
79 the City Council.
80

81 Part 7. The site development permit for any sports stadium, sports facility,
82 sports arena, entertainment stadium, entertainment facility and/or
83 entertainment arena on or to be located on City-owned land must be approved
84 by a majority of the qualified voters of the City in a municipal election prior
85 to the construction of the sports stadium, sports facility, sports arena,
86 entertainment stadium, entertainment facility and/or entertainment arena if the
87 sale, lease, conveyance, mortgage, or other alienation of said City-owned land
88 has not been submitted to the voters in a municipal election pursuant to Part
89 1, hereof.
90

91 Part 8. The lessee, recipient, mortgagee, or other beneficiary of City-owned
92 land on which a sports stadium, sports facility, sports arena, and/or
93 entertainment stadium, entertainment facility or entertainment arena is or will
94 be constructed shall be responsible for all off-site infrastructure costs and
95 municipal services costs related to or necessitated by the construction and
96 operation of the facility, arena, or stadium, including, without limitation,
97 vehicle and pedestrian transportation, additions, improvements or alterations
98 to mass transit, wet and dry utilities, parking infrastructure, police service, fire
99 service, and Emergency Medical Services.
100

101 Part 9. This ordinance shall be liberally construed to ensure the public's right
102 to all and complete information about and to vote on sales, leases,
103 conveyances, mortgages or alienations of City land for any sports stadium,
104 sports facility, sports arena, and/or entertainment stadium, entertainment
105 facility or entertainment arena before it can become effective.
106

107 Part 10. If any provision of this Ordinance or its application to any
108 circumstances or person is held invalid, the invalidity does not affect other
109 provisions or applications of this ordinance that can be given effect without
110 the invalid provision or application, and to this end the provisions of this
111 ordinance are declared severable to the maximum extent allowed by law.
112

113 Part 11. This Ordinance shall be effective as of the date that it is adopted by a
114 majority of the voters of the City of Austin.
115

PART 3. The election shall be conducted between the hours of 7:00 a.m. and 7:00 p.m. The address of the main early voting locations and the mailing address of each of the early voting clerks are detailed in Exhibit A, attached and incorporated as a part of this ordinance.

PART 4. A direct electronic recording voting system, as the term is defined in Title 8 of the Texas Election Code, shall be used for early voting and for voting conducted on election day. The central counting station is established at the Travis County Elections Division, 5501 Airport Boulevard, Austin, Texas.

PART 5. Notice of this election shall be given by posting and publishing a copy of this ordinance in both English and Spanish. The notice and a copy of this ordinance shall be posted, in both English and Spanish, in the office of the City Clerk and at the City Hall notice kiosk not later than the 21st day before election day. Notice of this election shall be published one time, not earlier than the 30th day before the date of the election or later than the 10th day before the date of the election, in a newspaper of general circulation in the City of Austin.

PART 6. In accordance with Chapter 271 of the Texas Election Code, the November 5, 2019 municipal special election may be held jointly with the various political subdivisions that share territory with the City of Austin and that are holding elections on that day. The City Clerk may enter and sign joint election agreements with other political subdivisions for this purpose, and their terms as stated in the agreements are hereby adopted.

PASSED AND APPROVED

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§

, 2019

Steve Adler
Mayor

APPROVED:

Anne L. Morgan
City Attorney

ATTEST:

Jannette S. Goodall
City Clerk

151

Exhibit A

152 *Exhibit A: Main early voting location information and Early Voting Clerk mailing addresses*

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