

25 approve all programs and expenditures of [ABLE] and annually review any
26 financial statements of [ABLE]”; and

27 **WHEREAS**, ABLE’S Amended and Restated Articles of Incorporation and
28 Chapter 303 of the Texas Local Government Code provide that Council appoints
29 all directors to the ABLE Board of Directors and may remove a director at any
30 time for cause or without cause; and

31 **WHEREAS**, Resolution No. 20191017-024 established certain conditions
32 for Council approval of the ACE operating agreement; and

33 **WHEREAS**, in accordance with Resolution No. 20191017-024 Council
34 approved the ACE operating agreement on December 3, 2020 under Resolution
35 No. 20201203-047; **NOW, THEREFORE**,

36 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

37 In order to responsibly and consistently exercise its rights under Article I,
38 Section 3 of the ABLE Bylaws to approve ABLE expenditures, Council directs the
39 Board of Directors of ABLE to follow the City’s ACE Operating Agreement
40 approval policy described in Resolution No. 20191017-024, including minimum
41 briefing and Council approval standards therein, regarding any future amendment,
42 renewal, successor, or extension of the ABLE Management Agreement and all
43 future ABLE hotel management agreements. Council will not approve any ABLE
44 hotel management agreement that does not meet the standards and achieve the
45 goals of Resolution No. 20191017-024.

46 **ADOPTED:** _____, 2021 **ATTEST:** _____
47 Jannette S. Goodall
48 City Clerk