

WHEREAS, in Resolution No. 981209-11, Council approved the creation of Austin-Bergstrom Landhost Enterprises, Inc. (ABLE) as a nonprofit public facilities corporation under authority of Texas Local Government Code Chapter 303 for the purposes of acquiring, constructing, equipping, and improving a full service airport hotel (the Project) located on City-owned land at Austin-Bergstrom International Airport; financing the costs of acquiring and improving the Project through the issuance of airport hotel revenue bonds; and operating or providing for the operation of the Project; and

WHEREAS, the Agreement was amended and restated as of October 1, 2017 (Amended and Restated Hotel Management Agreement) and provides for an initial term of 60 months (through September 30, 2022) and which may be extended for up to two additional 12-month periods, unless earlier terminated; and

WHEREAS, in Resolution No. 20191017-024 Council reiterated the City's policy to promote labor peace and directed the Austin Convention Enterprises, Inc. (ACE) Board of Directors to brief Council and obtain Council support before executing an amendment to the ACE Operating Agreement; and

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Council approval standards therein, regarding any future amendment, renewal, successor, or extension of the Amended and Restated Hotel Management Agreement and all future hotel management agreements, which includes obtaining Council support before executing an amendment to the Amended and Restated Hotel Management Agreement; and

WHEREAS, the Manager entered into a labor peace agreement with Unite Here Local 23, effective April 4, 2022; and

WHEREAS, ABLE and the Manager have negotiated Amendment No. 1 to the Amended and Restated Hotel Management Agreement that complies with Resolution No. 20210603-075; **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The Austin City Council finds that the proposed amendment to the Amended and Restated Hotel Management Agreement meets the labor peace objectives established in Resolution No. 20191017-024 and otherwise supports the City's proprietary interest in the Project.

BE IT FURTHER RESOLVED:

The Council declares that the actions taken by ABLE since approval of Resolution No. 20210603-075 have fully met the objectives of that Resolution, that no further action by ABLE or the ABLE Board of Directors is required by that Resolution, and that ABLE may enter into the Amendment No. 1 to the Amended and Restated Hotel Management Agreement, attached as **Exhibit A**.

ADOPTED: _____, 2022 **ATTEST:** _____

Myrna Rios
City Clerk