

ORDINANCE NO. 20190826-001

AN ORDINANCE AMENDING ORDINANCE NO. 20190808-017 TO AMEND BALLOT LANGUAGE FOR A SPECIAL MUNICIPAL ELECTION ON THE USE OF AUSTIN'S HOTEL OCCUPANCY TAX REVENUE; AND DECLARING AN EMERGENCY.

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

PART 1. Through its adoption of Ordinance No. 20190808-017 on August 8, 2019, the City Council adopted ballot language for Proposition B, regarding the use of Austin's Hotel Occupancy Tax revenue.

PART 2. A suit was filed in the Third Court of Appeals on August 16, 2019 challenging the ballot language for Proposition B.

PART 3. The Third Court of Appeals issued its opinion on August 22, 2019, directing the City to modify the ballot language by (1) deleting the phrase "at an election for which the city must pay"; and (2) adding information to inform voters that the proposed ordinance would require the City to prioritize the spending of hotel-occupancy tax revenue on cultural arts, historic preservation, and "Austin's Cultural Tourism Industry," to the potential exclusion of other allowable uses under the Tax Code.

PART 4. Pursuant to that direction, Ordinance No. 20190808-017 is amended to alter the ballot language of Proposition B to permit voting "Yes" or "No" on the proposition:

Proposition B: Shall an ordinance be adopted that prioritizes the use of Austin's Hotel Occupancy Tax revenue by continuing the City practice to spend 15% of the Austin Hotel Occupancy Tax revenue on cultural arts and 15% on historic preservation, limiting the City's spending to construct, operate, maintain, or promote the Austin Convention Center to 34% of Austin's Hotel Occupancy Tax revenue, and requiring all remaining Hotel Occupancy Tax revenue to support and enhance Austin's Cultural Tourism Industry to the potential exclusion of other allowable uses under the Tax code; and requires the City to obtain voter approval and public oversight for convention-center improvement and expansion costing more than \$20,000,000.

PART 5. Council finds that the need to adopt new ballot language constitutes an emergency. Because of this emergency, this ordinance takes effect immediately on its passage for the immediate preservation of the public peace, health, and safety.

PASSED AND APPROVED

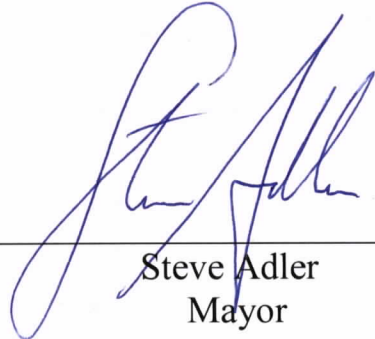
__ August 26 __ 2019

APPROVED:



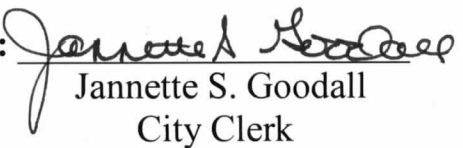
Anne Morgan
City Attorney

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Steve Adler
Mayor

ATTEST:



Jannette S. Goodall
City Clerk