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**WHEREAS**, in 2000, the City of Austin determined that constructing a convention center headquarters hotel adjacent to the Austin Convention Center would result in economic benefits to the City; and

**WHEREAS**, the City of Austin thus formed Austin Convention Enterprises, Inc. (“ACE”), a Texas nonprofit public facility corporation acting on behalf of the City of Austin, to finance the construction, renovation, and improvement of the convention center headquarters hotel, garage, and supporting facilities; and

**WHEREAS**, in Resolution 00303-030, Council adopted corporate bylaws for ACE that grant the City of Austin the ability to approve all programs and expenditures and to review annual financial statements; and

**WHEREAS**, the bylaws allow that ACE may make payments of “capital project expenditures constituting public facilities in the approximate area of the Hotel that the Corporation Board believes would be of direct or indirect benefit to the Hotel”; and

**WHEREAS**, some of the money generated by ACE are placed into ACE’s “Excess Revenues Fund” (“Fund”); and

**WHEREAS**, new revenue caps imposed by the Legislature will severely restrict basic service delivery, making new options for revenue critical; **NOW THEREFORE**,

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

20 The City Council directs the City Manager to provide a memorandum to the

21 Council that:

- 22 • provides the current financial status and financial projections for the Fund; and
- 23 • identifies projects potentially eligible for funding from this Fund; and
- 24 • describes ACE's competitive and non-competitive procurement policies for
- 25 professional, consulting, and construction services; and
- 26 • identifies ACE's largest expenditures; and
- 27 • identifies options to increase the monies generated by ACE that could be applied
- 28 toward City of Austin capital and operating expenses; and
- 29 • studies the operational and legal feasibility of additional Council oversight for
- 30 expenditures for amounts that exceed the City Manager's authority; and
- 31 • makes recommendations on whether ACE's procurement policies should be
- 32 modified to align with current city practices.

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34 The memorandum shall be provided to Council no later than December 1, 2019.

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38 **ADOPTED:** \_\_\_\_\_, 2019

**ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk