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**ORDINANCE NO.**

**AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF ALL DOCUMENTS AND INSTRUMENTS NECESSARY OR DESIRABLE FOR CONVEYANCE OF APPROXIMATELY NINE ACRES OF PARKLAND LOCATED AT 2525 S. LAKESHORE BOULEVARD, ALSO KNOWN AS CENTRAL MAINTENANCE COMPLEX, TO ORACLE, AMERICA, INC.**

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

**PART 1.** The council finds the following:

- (1) The City of Austin (the “City”) currently owns approximately nine acres of parkland located at 2525 S. Lakeshore Boulevard, also known as the Central Maintenance Complex (“CMC”).
- (2) On August 11, 2021, Council authorized a special municipal election on November 2, 2021, asking the voters whether the City Council should have the authority to convey or lease the CMC (“ballot measure”) under the following conditions:
  - a) Use a public bidding process, where the total value of the bid is equal to or greater than the appraised fair market value of CMC; and
  - b) Exchange the CMC for at a minimum:
    - i) at least 48 acres of waterfront land contiguous to an existing City park;
    - ii) the cost or construction of a new maintenance facility for the Parks and Recreation Department on other city-owned land; and
    - iii) partial or full funding for the removal of Fiesta Gardens' existing maintenance facility and restoration of that land to parkland (“ballot conditions”).
- (3) On November 2, 2021, the voters approved the ballot measure by 73 percent.
- (4) On November 15, 2021, the City issued a public solicitation for proposals from persons or entities interested in acquiring the CMC in accordance with the ballot conditions.

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- (5) The City received one proposal, which was submitted by Oracle, America Inc. (“Oracle”) proposing a bid package that conveyed the following terms:
    - a) convey approximately 50.021 acres of waterfront land located at the 8400 Delwau Lane;
    - b) design and construction of a new maintenance facility located on other City-owned land; and
    - c) payment of one million dollars to fund the restoration of the land at Fiesta Gardens that is currently being used as a maintenance facility.
  - (6) After additional negotiations with Oracle, on October 18<sup>th</sup>, 2023, the City received a final offer.
  - (7) Council determines that 8400 Delwau is waterfront property because a portion of the southern boundary of the property abuts a neighboring pond and portions of the northern boundary border abut Walnut Creek which is a perennial stream.
  - (8) Council further determines that the total value of the proposed bid package meets or exceeds the appraised value of CMC and meets all other ballot conditions.

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**PART 2.** Council authorizes the city manager to negotiate and execute all the documents and instruments necessary or desirable to convey the approximately nine acres of parkland known as the CMC to Oracle if the following conditions are met.

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- (1) Oracle conveys approximately 50.021 acres of waterfront land located at the 8400 Delwau Lane in fee simple.
  - (2) Oracle provides one million dollars in cash to be used for restoring the land at Fiesta Gardens that is currently being used as a maintenance facility.
  - (3) Oracle designs and constructs a new maintenance facility that meets or exceeds the specifications generally described in Exhibit A and complies with all applicable rules, regulations, and policies applicable to constructing improvements on City-owned land for a minimum value of \$23.5 million on 6700 Bolm Road (“New Facility”).

