

1 **RESOLUTION NO.**

2 **WHEREAS**, the City is establishing a vision for historic preservation as the  
3 work of an actively engaged community in protecting and sharing important places  
4 and stories; and

5 **WHEREAS**, preservation uses the past to create a shared sense of belonging  
6 and to shape an equitable, inclusive, sustainable, and economically vital future for  
7 all; and

8 **WHEREAS**, the City released a draft Equity-Based Preservation Plan on  
9 February 6, 2024, that will replace the current citywide Historic Preservation Plan  
10 adopted in 1981 with an inclusive, equity-focused, and community-oriented  
11 process and outcome; and

12 **WHEREAS**, the draft equity-based preservation plan includes the following  
13 goals:

- 14 - Recognize cultural heritage,
- 15 - Support environmental sustainability,
- 16 - Engage new partners,
- 17 - Proactively identify important places,
- 18 - Follow good designation practices,
- 19 - Support stewardship of community assets, and
- 20 - Implement the plan collaboratively; and

21 **WHEREAS**, the use of hotel occupancy taxes (“HOT”) for historical  
22 restoration and preservation projects is controlled by Chapter 351 of the Texas Tax  
23 Code; and

25           **WHEREAS**, Resolution No. 20170831-060 directed the City Manager to  
26 allocate 15 percent of the City’s HOT to fund operations and maintenance of  
27 facilities and sites deemed historic by the City of Austin, in accordance with Texas  
28 Tax Code Section 351.101(a)(5); and

29           **WHEREAS**, Resolution No. 20181004-033 directed the City Manager to  
30 allocate the Historic Preservation Fund Fiscal Year 2019 budget in the following  
31 manner:

- 32           • 70 percent for City of Austin historic facilities and sites in accordance with  
33 Texas Tax Code Section 351.101(a)(5);
- 34           • 15 percent reserved for potential future historic acquisitions or major  
35 preservation projects that would be frequented by tourists and convention  
36 delegates; and
- 37           • 15 percent for the Heritage Preservation Grant Program, which promotes  
38 tourism by supporting historic preservation projects and activities at  
39 historic properties; and

40           **WHEREAS**, City Council has previously directed the acquisition of historic  
41 properties of cultural significance, including Resolution No. 20170928-056, which  
42 directed the City Manager to negotiate acquisition of the Montopolis Negro School  
43 located at 500 Montopolis Drive, but City Council has not provided direction to  
44 City staff regarding funds to be used for the acquisition of properties for historic  
45 preservation (the “Historic Preservation Acquisition Funds”); and

46           **WHEREAS**, Resolution No. 20180215-082 directed the City Manager to  
47 propose steps for collaborating with and supporting the Austin Cultural Trust  
48 (“Cultural Trust”), which creates spaces to support artists and arts organizations,

49 preserves historic and iconic cultural buildings and spaces for creative and cultural  
50 uses, and provide for cultural assets to exist in all parts of the city; and

51 **WHEREAS**, Resolution No. 20201001-055 created the Austin Economic  
52 Development Corporation (“AEDC”) now known as Rally Austin (“Rally  
53 Austin”), to aid, assist, and act on behalf of the City for, among other legal  
54 purposes, the (i) development, construction, acquisition, ownership, and operation  
55 of community development projects; (ii) promotion, development, encouragement  
56 and maintenance of employment, commerce and economic development in the  
57 City; (iii) promotion, development, construction, acquisition, ownership and  
58 operation of affordable housing projects; and (iv) promotion, development,  
59 encouragement and maintenance of for profit and not-for-profit creative and  
60 cultural venues within the City; and

61 **WHEREAS**, Resolution No. 20221201-041 directed the City Manager to  
62 work with the AEDC to conduct a preliminary evaluation of, and partner with the  
63 City on, the strategic reutilization and redevelopment of several identified City-  
64 owned properties, including historic properties at 124 W. 8th Street and 3002  
65 Guadalupe Street; and

66 **WHEREAS**, many cultural spaces that attract tourism in the city are located  
67 in historic buildings, provide important infrastructure for diverse and underserved  
68 communities, and could be potential candidates for the Historic Preservation  
69 Acquisition Funds; **NOW, THEREFORE,**

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

71 The City seeks to preserve historic structures and cultural heritage by  
72 utilizing the Historic Preservation Acquisition Funds to secure artistic, cultural,  
73 and community spaces serving tourists, convention delegates, and community

74 members and organizations, including spaces that currently serve this function.  
75 Consistent with this goal, as well as the upcoming Equity-Based Preservation Plan,  
76 the City Manager is directed to work with Rally Austin and other key historic  
77 preservation and arts stakeholders to recommend a process for identifying,  
78 prioritizing, and acquiring property with the Historic Preservation Acquisition  
79 Funds and other resources as applicable, as well as a process for how it will  
80 consider properties for which the City has first right of refusal, and identification  
81 of current properties that merit preservation as historic structures and cultural  
82 spaces and meet relevant goals in the Equity-Based Preservation Plan.

83 **BE IT FURTHER RESOLVED:**

84 The City Manager is directed to consider historic properties owned or  
85 controlled by Rally Austin for funding from the City's Historic Preservation Fund  
86 and facilitate Rally Austin's participation in any City programs that may support  
87 the historic rehabilitation, weatherization, and water or energy efficiency of  
88 Cultural Trust properties, when those properties are eligible under Texas Tax Code  
89 Section 351.101(a)(5).

90 **BE IT FURTHER RESOLVED:**

91 The City Manager is directed to assist Rally Austin with the historic  
92 designation process for all eligible Cultural Trust properties, including but not  
93 limited to those that are purchased using the Historic Preservation Acquisition  
94 Funds, that meet the City criteria for historic designation.

95 **BE IT FURTHER RESOLVED:**

96 The City Manager is directed to consider which historic or eligible  
97 properties the City currently owns that might be conveyed to Rally Austin or other  
98 partner entities sustain long-term cultural use of the tourism-serving properties and

99 to provide a list of such properties to City Council for consideration of conveyance  
100 with relevant terms and/or conditions.

101 **BE IT FURTHER RESOLVED:**

102 The City Manager is directed to work with Rally Austin to develop a  
103 financially sustainable and legally compliant stewardship model for operation,  
104 maintenance, and programming for acquired historic or eligible properties in the  
105 Cultural Trust portfolio that serve tourists and convention delegates, in addition to  
106 community members and organizations, and meets the requirements of the Texas  
107 Tax Code Section 351.101(a)(5).

108 **BE IT FURTHER RESOLVED:**

109 The City Manager is directed to return to the City Council with  
110 recommendations and status of all other related items in this resolution by  
111 November 7, 2024.

112  
113 **ADOPTED:** \_\_\_\_\_, 2024 **ATTEST:** \_\_\_\_\_

114 Myrna Rios  
115 City Clerk