

I, ANNA RUSSELL, City Secretary of the City of Houston, Texas, do hereby certify that the within and foregoing is a true and correct copy of Ordinance No. 97-942, passed and adopted by the City Council of said City on the 30th day of July, 1997, as the same appears in the records in my office.


WITNESS my hand and the Seal of said City this 27th day of August 1997.

A handwritten signature in cursive script, appearing to read "Anna Russell", written in black ink.

City Secretary of the City of Houston  
Anna Russell

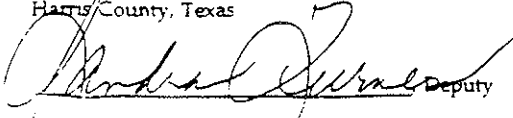
I, ANNA RUSSELL, City Secretary of the City of Houston, Texas, do hereby certify that the within and foregoing is a true and correct copy of Ordinance No. 97-942, passed and adopted by the City Council of said City on the 30th day of July, 1997, as the same appears in the records in my office.

WITNESS my hand and the Seal of said City this 27th day of August 1997.

  
\_\_\_\_\_  
City Secretary of the City of Houston  
Anna Russell

A CERTIFIED COPY

ATTEST: SEP 29 1997  
BEVERLY B. KAUFMAN, County Clerk  
Harris County, Texas

  
\_\_\_\_\_  
Sandra Turner Deputy

07-28-97(2)

*City of Houston:*

CITY OF HOUSTON ORDINANCE NO. 97-942

AN ORDINANCE ORDERING CONCURRENTLY WITH THE COMMISSIONERS COURT OF HARRIS COUNTY, TEXAS, THE CREATION OF A SPORTS AND COMMUNITY VENUE DISTRICT PURSUANT TO CHAPTER 335, TEXAS LOCAL GOVERNMENT CODE; MAKING OTHER PROVISIONS AND FINDINGS RELATED TO THE SUBJECT; AND DECLARING AN EMERGENCY.

*Harris County:*

APPROVAL OF A CONCURRENT ORDER TO BE ADOPTED BY HARRIS COUNTY AND THE CITY OF HOUSTON IN CONNECTION WITH THE CREATION OF A SPORTS AND COMMUNITY VENUE DISTRICT PURSUANT TO CHAPTER 335, TEXAS LOCAL GOVERNMENT CODE AND MAKING OTHER PROVISIONS AND FINDINGS RELATED TO THE SUBJECT.

WHEREAS, the Seventy-Fifth Legislature of the State of Texas, by Act of May 20, 1997, H.B. 92, 1st R.S. (to be codified as Chapters 334 and 335, Texas Local Government Code) authorized a municipality and a county to adopt concurrent orders to create a sports and community venue district under Chapter 335, Texas Local Government Code, which district shall be a political subdivision of both the State of Texas and each of the creating political subdivisions; and

WHEREAS, Harris County, Texas (the "County"), which has a population of more than 2.2 million, and the City of Houston, Texas (the "City"), which has a population of more than 1.2 million, desire to create such a district to plan, acquire, establish, develop, construct or renovate one or more sports and community venue projects in the district; and

WHEREAS, the Legislature has found for all constitutional and statutory purposes that an approved sports and community venue project is owned, used and held by a district for public purposes; and

WHEREAS, at a special election conducted on November 5, 1996 (the "Special Election"), the voters of the County, in which the City is primarily located, authorized the establishment and operation of new or renovated stadiums, arenas or other facilities for professional baseball and football teams, as a result of which an election to create a sports and community venue district is not necessary under the provisions of H.B. 92 so long as a sales and use tax or facility use tax is not used to finance such venue projects; and

WHEREAS, it is expected that the approved venue project for a professional football team will be suitable for rodeo purposes and that the Authority may call future elections to secure voter approval of one or more other venue projects for a professional basketball team, a professional hockey team and other sports and community venue purposes; and

WHEREAS, by their concurrent creation of the district, neither the County nor the City agrees to undertake the obligations, if any, that are assumed or undertaken by the district, including but not limited to those assumed or undertaken by the district pursuant to the terms of any agreement between the City, the County, the Houston Astros Baseball Club, the Sports Facilities L.P. and any other entities that may join in such an agreement; NOW, THEREFORE,

*City of Houston:*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON,  
TEXAS:

!

*Harris County:*

BE IT ORDERED BY THE COMMISSIONERS COURT OF HARRIS COUNTY,  
TEXAS:

Section 1. That the City Council of the City and the Commissioners Court of the County hereby create, effective September 1, 1997, a sports and community venue district under Chapter 335, Texas Local Government Code. The district shall be named the HARRIS COUNTY-HOUSTON SPORTS AUTHORITY, which shall be referred to herein as the "Authority."

Section 2. The boundaries of the Authority shall be coextensive with the combined boundaries of the City and the County.

Section 3. The Authority shall be governed by a Board of Directors (the "Board"), consisting of a Chair and ten other Directors, to be appointed by the Mayor of the City and the County Judge of the County, as follows:

Chair	Appointed by the Mayor of the City and the County Judge by written notice of both such officials to the City Secretary, the County Clerk and the Secretary of the Board
Position No. 1	Appointed by the Mayor of the City by written notice to the County Judge and the Chair
Position No. 2	Appointed by the Mayor of the City by written notice to the County Judge and the Chair
Position No. 3	Appointed by the Mayor of the City by written notice to the County Judge and the Chair
Position No. 4	Appointed by the Mayor of the City by written notice to the County Judge and the Chair
Position No. 5	Appointed by the Mayor of the City by written notice to the County Judge and the Chair
Position No. 6	Appointed by the County Judge by written notice to the Mayor of the City and the Chair
Position No. 7	Appointed by the County Judge by written notice to the Mayor of the City and the Chair
Position No. 8	Appointed by the County Judge by written notice to the Mayor of the City and the Chair
Position No. 9	Appointed by the County Judge by written notice to the Mayor of the City and the Chair
Position No. 10	Appointed by the County Judge by written notice to the Mayor of the City and the Chair

Successive Directors shall be appointed in the same manner as the original appointees.

The Chair shall be the presiding officer of the Board; and during the absence of the Chair, or in the event of a vacancy in such position, the presiding officer of the Board shall be the Director designated or elected by the Board as Vice-Chair. A quorum of the Board is a majority of the number of members fixed hereby.

Directors shall serve staggered two-year terms as follows: The original appointees to Positions Nos. 1, 2, 3, 6, 7 and 8 shall serve initial terms expiring on August 31, 1998.

Persons appointed as the Chair and to Positions Nos. 4, 5, 9 and 10 shall serve initial terms expiring on August 31, 1999. Thereafter, the terms of Directors serving in Position Nos. 1, 2, 3, 6, 7 and 8 shall expire on August 31 of subsequent even-numbered years, and the terms of Directors serving as the Chair and in Positions Nos. 4, 5, 9 and 10 shall expire on August 31 of subsequent odd-numbered years.

A Director may be removed at any time without cause by written notice to the Director and the Chair (unless the Chair is to be removed) or the Secretary of the Board (if the Chair is to be removed) by the appointing Mayor or County Judge, or jointly with respect to removal of the Chair.

Section 4. A. In accordance with Sec. 335.072, Texas Local Government Code, the Authority shall establish by resolution a fund known as the venue project fund and use money in such fund for planning, acquiring, establishing, developing, constructing or renovating one or more approved venue projects, including venue projects for a professional baseball team and a professional football team (which project is expected to be suitable for rodeo purposes) and, if approved by the voters of the Authority, for a professional basketball team, a professional hockey team and other sports and community venue purposes.

B. With respect to the approved venue project for a professional baseball team, the City Council of the City and the Commissioner Court of the County hereby determine that the costs described in A. above include (but are not limited to) the following: (a) the costs of the Special Election; (b) the costs of consulting services paid by the County relating to the approved venue project for a professional baseball team; (c) the costs paid by the City for professional consulting services for a study of revenues that will be generated from the hotel occupancy tax and the short-term motor vehicle rental tax expected to be imposed by the Authority; and (d) the costs paid by the City and the County for architectural and engineering services for planning, acquiring, establishing, developing and constructing the approved venue project for a professional baseball team. The Authority shall use money in the venue project fund to reimburse the City and the County for such costs.

Section 5. A. The City Council of the City and the Commissioners Court of the County expressly reserve the right of prior approval granted in Sec. 335.073, Texas Local Government

Code, with respect to the power of the Authority to issue bonds or other obligations to pay the costs of each approved venue project.

B. With respect to the approved venue project for a professional baseball team, the City Council of the City and the Commissioners Court of the County hereby approve the issuance of obligations by the Authority to pay the costs described in Section 4.B. and the Authority's organizational and administrative costs; provided that any other bonds or obligations to pay costs (other than those described in Section 4.B.) of planning, acquiring, establishing, developing or constructing the approved venue project for a professional baseball team shall be conditioned upon the Authority's reimbursement or payment of the costs described in Section 4.B.

Section 6. The adoption and approval hereof by either governing body is subject to the adoption and approval hereof by the other governing body within 21 days of the date of adoption and approval by the first governing body.

Section 7. The agreement of the City, the County, the Houston Astros Baseball Club and the Sports Facilities L.P., originally dated September 14, 1996, as amended on January 7, 1997, and July 15, 1997, which is attached hereto, and Chapters 334 and 335, Texas Local Government Code, are hereby approved. The Authority is expected to assume the obligations of the Authority set forth in such agreement.

Section 8. Each of the City Council and the Commissioners Court officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of the meeting at which this Ordinance or Order was presented was posted at a place convenient to the public at the City Hall of the City or the County Courthouse, respectively, for the time required by law preceding such meeting, as required by the Open Meetings Act, Tex. Gov't Code Ann. ch. 551 (Vernon 1994); and that such meeting has been open to the public as required by law at all times during which this Ordinance or Order and the subject matter thereof has been discussed, considered and formally acted upon. Each of the City Council and the Commissioners Court further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 9. If any provision, section, subsection, sentence, clause or phrase hereof, or the application of same to any person or set of circumstances is for any reason held to be

unconstitutional, void or invalid, the validity of the remaining portions hereof or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council and the Commissioners Court in adopting this Ordinance or Order that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance or Order are declared to be severable for that purpose.

Section 10. Upon final passage and adoption hereof by the City Council, the City Secretary is directed to give prompt written notice to the Commissioners Court of Harris County, Texas, by mailing a certified copy to the office of the County Judge of Harris County, 1001 Preston, Houston, Texas 77002. Upon final passage and adoption hereof by the Commissioners Court, the County Clerk is directed to give prompt written notice to the City Council of the City of Houston by mailing a certified copy to the office of the City Secretary of the City of Houston, 900 Bagby, Houston, Texas 77002.

Section 11. As to the City, there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 30<sup>th</sup> day of July, 1997.

APPROVED this 30<sup>th</sup> day of July, 1997.

*Bob Lanier*

Mayor of the City of Houston

CAPTION PUBLISHED IN DAILY COURT REVIEW  
DATE: AUG 05 1997

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is

AYE	NO	
✓		MAYOR LANIER
••••	••••	COUNCIL MEMBERS
	✓	HUEY
	✓	YARBROUGH
✓		WONG
	✓	ABSENT-DUP OF CITY ON PERSONAL BUSINESS ONEY
	✓	TODD
✓		DRISCOLL
✓		KELLEY
✓		FRAGA

City Secretary

\* \* \*

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✓		CASTILLO
	✓	SAENZ
✓		ROACH
✓		SANCHEZ
✓		BELL
✓		ROBINSON
CAPTION	ADOPTED	



APPROVED this \_\_\_\_ day of \_\_\_\_\_, 1997, by the Commissioners Court of Harris County, Texas.

HARRIS COUNTY

ATTEST:  
BEVERLY KAUFMAN, County Clerk and  
Ex Officio Clerk of Commissioners Court  
of Harris County, Texas

By \_\_\_\_\_  
ROBERT ECKELS  
County Judge

By \_\_\_\_\_  
Deputy  
(COM. CT. SEAL)

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079728/1718

I, ANNA RUSSELL, City Secretary of the City of Houston, Texas, do hereby certify that the within and foregoing is a true and correct copy of Ordinance No. 97-1013, passed and adopted by the City Council of said City on the 20th day of August, 1997, as the same appears in the records in my office.

WITNESS my hand and the Seal of said City this 22nd day of August, 1997.

A handwritten signature in cursive script, appearing to read "Anna Russell", written in black ink.

City Secretary of the City of Houston  
Anna Russell

*City of Houston:*

City of Houston Ordinance No. 97-1013

**AN ORDINANCE AMENDING CITY OF HOUSTON ORDINANCE NO. 97-942 FOR THE PURPOSE OF INCREASING, CONCURRENTLY WITH THE COMMISSIONERS COURT OF HARRIS COUNTY, TEXAS, THE SIZE OF THE BOARD OF DIRECTORS OF THE HARRIS COUNTY-HOUSTON SPORTS AUTHORITY; MAKING CERTAIN FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; AND DECLARING AN EMERGENCY.**

*Harris County:*

**APPROVAL OF A CONCURRENT ORDER TO BE ADOPTED BY HARRIS COUNTY AND THE CITY OF HOUSTON IN CONNECTION WITH THE CREATION OF A SPORTS AND COMMUNITY VENUE DISTRICT.**

WHEREAS, the Commissioners Court of Harris County, Texas (the "County"), by concurrent order and the City Council of the City of Houston, Texas (the "City"), by its concurrent order in City of Houston Ordinance No. 97-942 have previously ordered the creation of the Harris County-Houston Sports Authority (the "Authority"), effective September 1, 1997, pursuant to Chapter 335, Texas Local Government Code, and

WHEREAS, the Board of Directors of the Authority has not yet been appointed and qualified for office; and

WHEREAS, the City and County now wish to increase the size of the Board of Directors described in Section 3 of the concurrent order previously adopted from eleven Directors to thirteen Directors; **NOW, THEREFORE,**

*City of Houston:*

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:**

**Harris County:**

**BE IT ORDERED BY THE COMMISSIONERS COURT OF HARRIS COUNTY, TEXAS:**

**Section 1.** That Section 3 of the concurrent order contained in Order of Harris County Commissioners Court dated July 29, 1997, regarding the creation of the Harris County-Houston Sports Authority and City of Houston Ordinance No. 97-942 shall be amended to read as follows:

“Section 3. The Authority shall be governed by a Board of Directors (the “Board”), consisting of a Chair and twelve other Directors, to be appointed by the Mayor of the City and the County Judge of the County, as follows:

- |                |   |
|----------------|---|
| Chair          | Appointed by the Mayor of the City and the County Judge by written notice of both such officials to the City Secretary, the County Clerk and the Secretary of the Board |
| Position No. 1 | Appointed by the Mayor of the City by written notice to the County Judge and the Chair  |
| Position No. 2 | Appointed by the Mayor of the City by written notice to the County Judge and the Chair  |
| Position No. 3 | Appointed by the Mayor of the City by written notice to the County Judge and the Chair  |
| Position No. 4 | Appointed by the Mayor of the City by written notice to the County Judge and the Chair  |
| Position No. 5 | Appointed by the Mayor of the City by written notice to the County Judge and the Chair  |
| Position No. 6 | Appointed by the County Judge by written notice to the Mayor of the City and the Chair  |
| Position No. 7 | Appointed by the County Judge by written notice to the Mayor of the City and the Chair  |

- |                 |  |
|-----------------|--|
| Position No. 8  | Appointed by the County Judge by written notice to the Mayor of the City and the Chair |
| Position No. 9  | Appointed by the County Judge by written notice to the Mayor of the City and the Chair |
| Position No. 10 | Appointed by the County Judge by written notice to the Mayor of the City and the Chair |
| Position No. 11 | Appointed by the Mayor of the City by written notice to the County Judge and the Chair |
| Position No. 12 | Appointed by the County Judge by written notice to the Mayor of the City and the Chair |

Successive Directors shall be appointed in the same manner as the original appointees.

The Chair shall be the presiding officer of the Board; and during the absence of the Chair, or in the event of a vacancy in such position, the presiding officer of the Board shall be the Director designated or elected by the Board as Vice-Chair. A quorum of the Board is a majority of the number of members fixed hereby.

Directors shall serve staggered two-year terms as follows: The original appointees to Positions Nos. 1,2,3,6,7 and 8 shall serve initial terms expiring on August 31, 1998. Persons appointed as the Chair and to Positions Nos. 4, 5, 9, 10, 11 and 12 shall serve initial terms expiring on August 31, 1999. Thereafter, the terms of Directors serving in Position Nos. 1, 2, 3, 6, 7 and 8 shall expire on August 31 of subsequent even-numbered years, and the terms of Directors serving as the Chair and in Positions Nos. 4, 5, 9, 10, 11 and 12 shall expire on August 31 of subsequent odd-numbered years.

A Director may be removed at any time without cause by written notice to the Director and the Chair (unless the Chair is to be removed) or the Secretary of the Board (if the Chair is to be removed) by the appointing Mayor or County Judge, or jointly with respect to removal of the Chair.”

**Section 2.** The adoption and approval hereof by either governing body is subject to adoption and approval hereof by the other governing body within 21 days of the date of adoption and approval by the first governing body.

**Section 3.** Each of the City Council and the Commissioners Court officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of the meeting at which this Ordinance or Order was presented was posted at a place convenient to the public at the City Hall of the City or the County Courthouse, respectively, for the time required by law preceding such meeting, as required by the Open Meetings Act, Tex. Gov't Code Ann. ch. 551 (Vernon 1994); and that such meeting has been open to the public as required by law at all times during which this Ordinance or Order and the subject matter thereof has been discussed, considered and formally acted upon. Each of the City Council and the Commissioners Court further ratifies, approves and confirms such written notice and the contents and posting thereof.

**Section 4.** If any provision, section, subsection, sentence, clause or phrase hereof, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions hereof or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council and the Commissioners Court in adopting this Ordinance or Order that no portion hereof or

provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance or Order are declared to be severable for that purpose.

**Section 5.** Upon final passage and adoption hereof by the City Council, the City Secretary is directed to give prompt written notice to the Commissioners Court of Harris County, Texas, by mailing a certified copy to the office of the County Judge of Harris County, 1001 Preston, Houston, Texas 77002. Upon final passage and adoption hereof by the Commissioners Court, the County Clerk is directed to give prompt written notice to the City Council of the City of Houston by mailing a certified copy to the office of the City Secretary of the City of Houston, 900 Bagby, Houston, Texas 77002.

**Section 6.** As to the City, there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and

approval by the Mayor, however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED and ADOPTED this 20<sup>th</sup> day of August, 1997.

APPROVED THIS 20<sup>th</sup> day of August, 1997.

*Bob Jan*

\_\_\_\_\_  
Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is \_\_\_\_\_.

\_\_\_\_\_  
City Secretary

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 1997, by the Commissioners Court of Harris County, Texas.

HARRIS COUNTY

By \_\_\_\_\_  
ROBERT ECKELS  
County Judge

ATTEST:  
BEVERLY KAUFMAN, County Clerk and  
Ex Officio Clerk of Commissioners Court  
of Harris County, Texas

By \_\_\_\_\_  
Deputy  
(COM. CT. SEAL)