

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL,
SIGNED ORDINANCE ADOPTED BY THE CITY COUNCIL.**

AN ORDINANCE

ORDERING A GENERAL ELECTION TO BE HELD ON THE 3RD DAY OF NOVEMBER, 2026, TO CONSIDER WHETHER THE CITY SHOULD ISSUE OR CAUSE OR SUPPORT THE ISSUANCE OF BONDS IN AN AMOUNT UP TO \$489 MILLION TO CONTRIBUTE TOWARD THE CONSTRUCTION OF AN NBA ARENA IN THE PROPOSED DOWNTOWN SPORTS AND ENTERTAINMENT DISTRICT TO BE SECURED AND REPAID FROM: 1) OPERATING RENT FROM THE SPURS LEASE OF THE ARENA; 2) GROUND RENT FROM THE CITY'S GROUND LEASE OF CITY-OWNED PROPERTY WITHIN THE SPORTS & ENTERTAINMENT DISTRICT; 3) REVENUE FROM THE HEMISFAIR TAX INCREMENT REINVESTMENT ZONE; AND 4) REVENUE FROM PROJECT FINANCE ZONE NUMBER 2.

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WHEREAS, on August 21, 2025, the City of San Antonio City Council approved a non-binding term sheet between the City of San Antonio and Spurs Holdings LLC for the construction of a downtown arena which contemplated the County, subject to voter approval, agreeing to contribute 25% of the costs of the arena up to a maximum of \$311 million from the proceeds of a new venue tax bond issuance, the Spurs contributing \$500 million and all costs overruns and amounts necessary to finish the construction of the arena in excess of the amounts required to be contributed by the City and the County, and the City agreeing to contribute \$489 million through the issuance of revenue bonds; and

WHEREAS, on November 4, 2025, Bexar County voters approved Proposition B which increased the county's hotel occupancy venue tax and extended the car rental tax to provide the maximum amount of \$311 million towards the construction of the arena; and

WHEREAS, the issuance of the contemplated revenue bonds by the City of San Antonio does not require a public vote under Texas law but the City Council desires to hold an election to provide voters with the opportunity to vote on the City's potential contribution; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The Election shall be held on Tuesday, the 3rd day of November, 2026, in accordance with the laws of the State of Texas and the provisions of the Charter of the City of San Antonio (the "City Charter"), and the official ballots for the Election shall be prepared in accordance with the Texas Election Code and at the Election the following PROPOSITION shall be submitted to the qualified City voters in accordance with law AS FOLLOWS:

ISSUANCE OR CAUSE OR SUPPORT THE ISSUANCE OF BONDS SECURED BY CITY REVENUE IN AN AMOUNT UP TO \$489 MILLION TO CONTRIBUTE TOWARD THE CONSTRUCTION OF AN NBA ARENA IN THE PROPOSED SAN ANTONIO SPORTS & ENTERTAINMENT DISTRICT.

“Shall the City of San Antonio, Texas issue or cause or support the issuance of bonds in an amount up to \$489 million to contribute toward the construction of an NBA arena in the proposed downtown sports and entertainment district to be secured and repaid from: 1) operating rent from the Spurs lease of the arena; 2) ground rent from the City’s ground lease of city-owned property within the sports & entertainment district; 3) revenue from the Hemisfair Tax Increment Reinvestment Zone; and 4) revenue from Project Finance Zone Number 2.”

SECTION 2. The official ballots for the Election shall be prepared in accordance with the Texas Election Code to permit the electors to vote “FOR” or “AGAINST” the aforesaid PROPOSITION with the ballots to contain such provisions, markings, and language as required by law, and with such PROPOSITION to be expressed substantially as follows:

ISSUE OR CAUSE OR SUPPORT THE ISSUANCE OF BONDS SECURED BY CITY REVENUES IN AN AMOUNT UP TO \$489 MILLION TO CONTRIBUTE TOWARD THE CONSTRUCTION OF AN NBA ARENA IN THE PROPOSED SAN ANTONIO SPORTS & ENTERTAINMENT DISTRICT.

[] FOR ISSUE OR CAUSE OR SUPPORT THE ISSUANCE OF BONDS IN AN AMOUNT UP TO \$489 MILLION TO CONTRIBUTE TOWARD THE CONSTRUCTION OF AN NBA ARENA IN THE PROPOSED DOWNTOWN SPORTS AND ENTERTAINMENT DISTRICT TO BE SECURED AND REPAID FROM: 1) OPERATING RENT FROM THE SPURS LEASE OF THE ARENA; 2) GROUND RENT FROM THE CITY’S GROUND LEASE OF CITY-OWNED PROPERTY WITHIN THE SPORTS & ENTERTAINMENT DISTRICT; 3) REVENUE FROM THE HEMISFAIR TAX INCREMENT REINVESTMENT ZONE; AND 4) REVENUE FROM PROJECT FINANCE ZONE NUMBER 2.

[] AGAINST

SECTION 3. The City Council authorizes the Election to be held jointly with the governing bodies of other local political subdivisions situated in the County who intend to call elections to be held on November 3, 2026 (“Participants”) and authorizes the execution of an agreement with the County, acting through the Administrator, for the conduct of the Election as a joint election with the Participants (as identified in such agreement). Pursuant to Section 61.012, as amended, Texas Election Code, the Administrator shall provide at least one accessible voting system in

each polling place used in the Election. Such voting system shall comply with Texas and federal laws establishing the requirements for voting systems that permit voters with physical disabilities to cast a confidential or secret ballot.

SECTION 4. Precincts and Polling Locations; Hours of Voting. The Election shall be held as prescribed by law within the hours of 7:00 o'clock a.m. and 7:00 o'clock p.m. on the day of the Election on Tuesday, November 3, 2026, at the following voting places in the several precincts of the City, as listed at the locations listed by the Bexar County Elections Administration office. The list of locations, as currently anticipated, shall be attached once finalized to this ordinance as **Attachment I**, which may be updated by the Administrator.

SECTION 5. Voting System. Voting on Election Day shall be conducted by the use of ES&S EVS 6.0.2.0 equipment, comprised of the ExpressVote (voting unit), the DS200 (Tabulator), the Express Touch (Curbside unit) and the DS450 and 850 (for tabulating the mail ballots, as determined by the City Clerk of the City (the "City Clerk") and the Administrator.

For early voting by mail and for provisional voting at this election, voting shall be conducted by the use of the 850 equipment, and paper ballots.

For early voting by personal appearance, voting shall be conducted by the use of same equipment as on Election Day. The equipment shall be placed at branch offices established for the purpose of conducting early voting by personal appearance at the locations and during the dates and hours listed by the Bexar County Elections Administration office, in an attachment to the election agreement brought to Council for consideration at a later meeting.

SECTION 6. The main, permanent branch, and temporary branch early voting times and locations, as shall be attached once finalized to this ordinance as **Attachment II**, are adopted and approved by the City Council as the times and locations for the conduct of early voting by personal appearance. Early voting by personal appearance shall commence Monday, October 19, 2026 and end on Friday, October 30, 2026, including Saturday, October 24, 2026 and Sunday, October 25, 2026. Hours and locations of early voting shall be established by the Administrator in accordance with the applicable provisions of Texas law. The Administrator is designated as the Early Voting Clerk for the Election.

Hours of early voting are established by the Bexar County Elections Administrator in accordance with the applicable provisions of Texas law. A copy of the locations as identified on the date of this ordinance and hours for early voting shall be attached as **Attachment II**. If any locations are changed, this will be reflected on the Bexar County Elections webpage.

Electors may cast their early vote by mail. Ballot applications and ballots voted by mail shall be mailed to the early voting clerk as follows:

Michele Carew
Bexar County Elections Administrator
1103 S. Frio St., Suite 100
San Antonio, Texas 78207
Attention: Early Voting Clerk

Per the Administrator, applications for ballots by mail must be received by the Administrator no later than as prescribed by law.

SECTION 7. Notice.

(a) Form of Notice of Election. The City Clerk of the City of San Antonio is authorized and directed to prepare a form of the Notice of Election in both English and Spanish, the contents of which comply with the requirements of Section 4.004 of the Texas Election Code and any other applicable law, and will include at the minimum, the nature and date of the election; the location of each election day and early voting polling place; the hours the polls will be open; the locations, dates and times of temporary branch locations of early voting by personal appearance; the early voting clerk's mailing address; the Internet website of the authority conducting the election; and any other information required by other law, and with variations as permitted by applicable law.

(b) Method of Giving Notice. Notice of the Election shall be given by posting a copy of the Notice of Election, both in English and Spanish, not later than the 21st day before the date set for the election as required by state law. Notice of the election shall also be given by publishing a Notice of Election, both in English and Spanish, at least once, not earlier than the 30th day or later than the 10th day before Election Day, in a newspaper of general circulation published in the City of San Antonio. The City Council declares that the San Antonio Express News is a newspaper of general circulation within the city.

SECTION 8. All resident qualified voters of the City shall be permitted to vote at the Election and on Election Day, such electors shall vote at their designated polling places. The Election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, the City Charter, and the provisions of the Texas Government Code, as amended, and as may be required by any other law. All election materials and proceedings shall be printed in both English and Spanish.

SECTION 9. The City Council authorizes the City Manager of the City, or her designee to negotiate and enter into any additional agreements with the Administrator and the Participants in accordance with the Texas Election Code, as amended, and as may be desired or determined to be necessary, to make such technical modifications to this Ordinance, including the Attachments, for the purpose of compliance with Texas or federal law or to carry out the City Council's intent as evidenced in this Ordinance.

SECTION 10. The recitals contained in the preamble hereof are found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 11. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 12. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 13. If any provision of this Ordinance or the application thereof to any person or circumstances shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and this City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 14. The financial allocations in this Ordinance are subject to approval by the Chief Financial Officer, City of San Antonio. The Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 15. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

PASSED AND APPROVED this 17th day of August, 2026.

MAYOR
Gina Ortiz Jones

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney