

RESOLUTION NO. 20170608-012

WHEREAS, on September 22, 2016, the City Council authorized the creation and incorporation of the Austin/Travis County Sobriety Center Local Government Corporation (the "Corporation") pursuant to applicable state law; and

WHEREAS, on September 22, 2016, the City Council also approved the Articles of Incorporation ("articles") and the Bylaws of the Corporation ("bylaws") and authorized the incorporators of the Corporation to file the articles with the Office of the Secretary of State in the manner provided by law; and

WHEREAS, the Corporation has filed a written application with the City Council requesting permission to amend the articles and the bylaws and has specified the proposed amendments; and

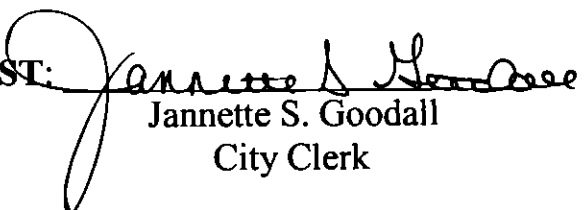
WHEREAS, the City Council has considered the application, and has determined that the making of the amendments is wise, expedient, necessary and advisable; **NOW THEREFORE**,

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

The amendments to the articles and bylaws, as reflected in the application attached hereto as Exhibit A, are authorized and the form of each of the amendments is approved.

ADOPTED: June 8, 2017

ATTEST:


Jannette S. Goodall
City Clerk

Austin/Travis County Sobriety Center Local Government Corporation

Board of Directors:

Chair: Judge Nancy Hohengarten Director:
Stephen Strakowski Director: Christopher
Ziebell Director: Craig Moore
Director: Douglas Smith
Director: Jana Ortega
Director: Deborah Hiser
Director: Bill Brice
Director: Andy Brown
Director: Mayor Pro Tem Kathie Tovo
Director: Commissioner Margaret Gomez
Ex-Officio: Travis County Judge Sarah
Eckhardt
Ex-Officio: Asst. City Manager Rey Arellano
Ex-Officio: Asst. Chief Jason Dusterhoft
Ex-Officio: Asst. Chief Jasper Brown
Ex-Officio: Asst. Director Stephanie Hayden

City of Austin
Austin City Council
PO Box 1088
Austin, TX 78767-1088

Dear Honorable Mayor and City Council Members:

In order to apply for IRS 501(c)3 status we are requesting a formal resolution to amend the By Laws and Articles of Incorporation of the LGC. We have been advised that new language is required as follows:

An addition to the By Laws under Article 1 below:

Section 1.4 Dissolution

Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)3 of the Internal Revenue code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

Additional language to the Articles of Incorporation shown by underline below:

Article XII TAX MATTERS; DISSOLUTION

Paragraph 3:


If the Board of Directors determines by resolution that the purposes for which the Corporation was formed have been substantially met and all bonds issued by and all obligations incurred by the Corporation have been fully paid or provision made for such payment, the Board shall execute a certificate of dissolution which states those facts

and declares the Corporation dissolved in accordance with the requirements of Section 394.026 of the Texas Local Government Code, or with applicable law then in existence. In the event of dissolution or liquidation of the Corporation, all assets will be turned over to the City and the County for deposit into such accounts or funds as the City Council and the Commissioners Court shall direct for a public purpose.

Article XIV DIRECTED DISSOLUTION

The City Council and the Commissioners Court may at any time consider and approve resolutions directing the Board of Directors to proceed with the dissolution of the Corporation, at which time the Board of Directors shall proceed with the dissolution of the Corporation in accordance with applicable state law. The failure of the Board of Directors to proceed with the dissolution of the Corporation in accordance with this Section shall be deemed a cause for the removal from office of any or all of the Directors as permitted by Article VI of these Articles of Incorporation. All assets will be turned over to the City and the County for deposit into such accounts or funds as the City Council and The Commissioners Court shall direct for a public purpose.

Regards,



Nancy Hohengarten

Board President

