

**RESOLUTION NO. 20180614-070**

**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

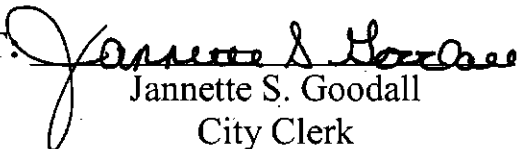
**WHEREAS**, the City Council has considered the application, and has determined that the making of the amendments is wise, expedient, necessary, and advisable; **NOW, THEREFORE**,

**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 14, 2018

**ATTEST:**

  
Jannette S. Goodall  
City Clerk

# SOBERING CENTER

SERVING AUSTIN & TRAVIS COUNTY

RECEIVED

MAY 24 2018

DISTRICT 9 COUNCIL OFFICE

## Chair

Judge Nancy Hohengarten

May 16, 2018

City of Austin  
City Council  
P.O. Box 1088  
Austin, TX 78767-1088

## Vice-Chair

Andy Brown

Re: Amendment of Sobriety Center Articles of Incorporation  
and By-Laws

## Secretary

Bill Brice

Dear Honorable Mayor and City Council Members:

## Treasurer

Doug Smith

## Director

Dr. Stephen Strakowski  
Jana Ortega  
Margaret Gomez  
Mayor Pro Tem Kathie Tovo  
Craig Moore  
Dr. Chris Ziebell  
Reginald Smith

On May 9, 2018 the Board of the Austin Travis County Sobriety Center LGC (also known as the Sobering Center) voted to request a formal resolution to amend the Articles of Incorporation and By Laws. The purpose of the amendment is to broaden the requirements for admission to include individuals intoxicated by more than just alcohol alone. We believe it is better to utilize the definition of intoxication in the Texas Penal Code and Medical Code: "Intoxicated" means not having the normal use of mental or physical faculties by reason of the introduction of alcohol, a controlled substance, a drug, a dangerous drug, a combination of two or more of those substances, or any other substance into the body.

Currently the Articles of Incorporation state the following:

### ARTICLE IV. PURPOSES, ACTIVITIES

The Corporation shall be incorporated to aid and to act on behalf of the City and the County to accomplish their governmental purpose; namely to staff, manage, and operate a sobriety center for the safe short-term treatment and management of **persons under the influence of alcohol**, and to provide those persons with information on and referrals to community-based outpatient services for the purposes of preservation of law enforcement, judicial, and medical resources in the jurisdictional limits of the City and County.

## Ex-Officio

Stephanie Hayden  
Roger Jefferies  
Rey Arellano  
Jasper Brown  
Justin Newsom

## Executive Director

Rhonda Patrick

# **S** **BERING** **CENTER**

SERVING AUSTIN & TRAVIS COUNTY

## **Chair**

Judge Nancy Hohengarten

We propose the text be changed to read as follows:

## **Vice-Chair**

Andy Brown

## **Secretary**

Bill Brice

The Corporation shall be incorporated to aid and to act on behalf of the City and the County to accomplish their governmental purpose; namely to staff, manage, and operate a sobriety center for the safe short-term treatment and management of **intoxicated persons**, and to provide those persons with information on and referrals to community-based outpatient services for the purposes of preservation of law enforcement, judicial, and medical resources in the jurisdictional limits of the City and County.

## **Treasurer**

Doug Smith

Additionally, the By-Laws state the following:

### Section 1.3 Purposes.

## **Director**

Dr. Stephen Strakowski

Jana Ortega

Margaret Gomez

Mayor Pro Tem Kathie Tovo

Craig Moore

Dr. Chris Ziebell

Reginald Smith

The Corporation shall be incorporated to aid and to act on behalf of the City of Austin (the "City") and Travis County (the "County") to accomplish their governmental purpose; namely to staff, manage, and operate a sobriety center for the safe short-term treatment and management of **persons under the influence of alcohol**, and to provide those persons with information and referrals to community based outpatient services, for the purposes of preservation of law enforcement, judicial, and medical resources in the jurisdictional limits of the City and The County.

We recommend the text be changed to read as follows:

## **Ex-Officio**

Stephanie Hayden

Roger Jefferies

Rey Arellano

Jasper Brown

Justin Newsom

The Corporation shall be incorporated to aid and to act on behalf of the City of Austin (the "City") and Travis County (the "County") to accomplish their governmental purpose; namely to staff, manage, and operate a sobriety center for the safe short-term treatment and management of **intoxicated persons**, and to provide those persons with information and referrals to community based outpatient services, for the purposes of preservation of law enforcement, judicial, and medical resources in the jurisdictional limits of the City and The County.

## **Executive Director**

Rhonda Patrick

# **SOBERING CENTER**

SERVING AUSTIN & TRAVIS COUNTY

## **Chair**

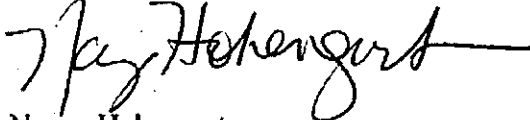
Judge Nancy Hohengarten

We request that these changes be considered as soon as possible as we anticipate the Sobering Center will open by the end of summer.

## **Vice-Chair**

Andy Brown

Yours truly,



## **Secretary**

Bill Brice

Nancy Hohengarten  
Board Chair

## **Treasurer**

Doug Smith

## **Director**

Dr. Stephen Strakowski

Jana Ortega

Margaret Gomez

Mayor Pro Tem Kathie Tovo

Craig Moore

Dr. Chris Ziebell

Reginald Smith

## **Ex-Officio**

Stephanie Hayden

Roger Jefferies

Rey Arellano

Jasper Brown

Justin Newsom

## **Executive Director**

Rhonda Patrick