

RESOLUTION NO. 20200409-071

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, 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

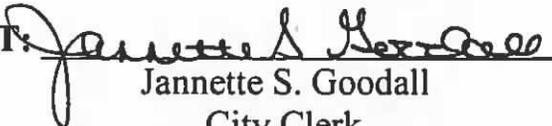
WHEREAS, the Corporation has filed a written application, dated March 27, 2020, with the City Council requesting permission to amend the articles and the bylaws and has specified the proposed amendments; and

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: April 9, 2020

ATTEST: 
Jannette S. Goodall
City Clerk



March 27, 2020

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

County of Travis
Commissioner's Court
P.O. Box 1748
Austin, Texas. 78767-1748

RE: Amendment of the Sobering Center Articles of Incorporation and By-Laws

Dear Honorable Mayor and City Council Members, County Judge and Commissioners:

On March 30, 2020 the Board of the Austin Travis County Sobriety Center LGC (also known as the Sobering Center) intends to vote to request a formal resolution to amend the Articles of Incorporation and By-Laws. The purpose of the amendment is to broaden the purpose and scope of work performed by the Sobering Center so that it may be utilized by the City and County in times of disaster and emergency.

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 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 the County.

We propose the text be changed to read as follows:

EXHIBIT A

The Corporation shall be incorporated to aid and to act on behalf of the City and the County to accomplish their governmental purpose; including but not limited to staffing, managing, and operating 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 the County. At the request and direction of the City and County, the Corporation may further provide support to the City and the County for any purpose qualifying for exemption under Internal Revenue Code §501(c).

Additionally, Article 1, Sec. 1.3 of the By-Laws states the following:

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 the County.

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We request that these changes be considered as soon as possible so that we may assist our community in times of disaster.

Sincerely

/S/

Jana Ortega

EXHIBIT A

Chair, ATC Sobering Center