

**ORDINANCE NO. 20-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, APPROVING THE AMENDED AND RESTATED CERTIFICATE OF FORMATION AND AMENDED AND REVISED BYLAWS OF THE GALVESTON ISLAND REDEVELOPMENT AUTHORITY; DIRECTING THE FILING OF THE SAME WITH THE OFFICE OF THE TEXAS SECRETARY OF STATE, PROVIDING FOR FINDINGS OF FACT AND FOR AN EFFECTIVE DATE.**

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**WHEREAS**, Subchapter D of Chapter 431 of the Texas Transportation Code authorizes the creation and organization of public non-profit local government corporations to act as a duly constituted authority of a city to aid and assist the city in the performance of one or more governmental functions; and

**WHEREAS**, on August 22, 2002, pursuant to City of Galveston Ordinance Number 02-071, the City Council granted the Galveston Island Redevelopment Authority's (the "Authority") application for incorporation, authorized Articles of Incorporation, approved Bylaws, and appointed the original board of directors of the Authority; and

**WHEREAS**, on or about June 26, 2006, pursuant to City of Galveston Ordinance No. 06-055 the City Council approved certain amendments to the Articles of Incorporation and Bylaws passed by the Board members of the directors of the Authority; and

**WHEREAS**, on or about January 23, 2020, pursuant to City of Galveston Ordinance No. 20-003 the City Council approved certain amendments to the Articles of Incorporation and Bylaws passed by the Board of Directors of the Authority providing for an increase in the number of Directors of the Authority to seven members, to provide for three year terms, to aid and assist the City in the performance of its governmental functions with respect to all Economic Development Areas, including land banks and other development opportunities; and

**WHEREAS**, at its regular meeting held September 14, 2020, the newly elected Board of Directors of the Authority voted unanimously to approve the Restated Certificate of Formation (With Amendments) and Amended and Revised Bylaws attached hereto as Exhibit "A" and "B" that has been amended to remove the closed TIRZ areas and add the names of the seven current Directors; and

**WHEREAS**, the City Council has considered the amendments to the Restated Certificate of Formation and the Bylaws, and has found the amendments to be consistent with the original purpose of the Authority as previously authorized and satisfactory for approval,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS:**

**Section 1.**     Approval of Restated Certificate of Formation (With Amendments).

The City Council hereby approves the Restated Certificate of Formation (With Amendments) in substantially the form attached hereto as Exhibit "A" and authorizes the Authority to file the Restated Certificate of Formation (With Amendments) with the Secretary of State of the State of Texas in the manner provided by law. The City Council hereby acknowledges and approves of the changes set forth in Exhibit "A".

Section 2. Approval of Amended and Revised Bylaws.

The City Council hereby approves the Amended and Revised Bylaws of the Authority in substantially the form attached hereto as Exhibit "B". The City Council hereby acknowledges and approves the changes set forth in Exhibit "B".

Section 3. Ministerial Duty

The City Council hereby authorizes the Mayor and/or City Attorney to make any ministerial changes to the Amended and Revised Bylaws and the Restated Certificate of Formation (With Amendments) attached hereto as Exhibits A and B.

Section 4. Severability

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

Section 5. Open Meetings

It is hereby found determined and declared that sufficient written notice of the date, hour, place and subject of the meeting of City Council at which this Ordinance was adopted was posted in compliance with the provision of Texas Government Code Chapter 551 and this meeting was open to the public as required by law.

Section 6. Availability of Ordinance

In accordance with the provisions of Sections 12 and 13 of Article II of the City Charter this Ordinance has been publicly available in the office of the City Secretary for not less than 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

Section 7. Effective Date

This Ordinance shall become effective upon its adoption and publication in accordance with the provision of the Charter of the City of Galveston.

APPROVED AS TO FORM:

\_\_\_\_\_  
BEVERLY WEST  
ASSISTANT CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its Regular Meeting held on the \_\_\_\_\_, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Secretary for the City Council  
of the City of Galveston