

**RESOLUTION NO. 23-R-16**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, APPROVING AMENDED AND RESTATED BYLAWS OF THE SCHERTZ ECONOMIC DEVELOPMENT CORPORATION; AND OTHER MATTERS IN CONNECTION THEREWITH**

**WHEREAS**, the City Council (the "Council") of the City of Schertz, Texas (the "City") has previously authorized the creation of the City of Schertz Economic Development Corporation (the "Corporation") in accordance with the Development Corporation Act, as amended, Title 12, Subtitle Cl, Texas Local Government Code (the "Act"); and

**WHEREAS**, on January 12, 2011, the Schertz City Council reviewed and approved the existing Certificate of Formation and the existing Bylaws of the Corporation in Ordinance 11-M-21; and

**WHEREAS**, the Schertz City Council took action on May 10, 2022, to change the term end dates for City Boards, Commissions, and Committees in Ordinance 22-M-20; and

**WHEREAS**, the Board of Directors of the City of Schertz Economic Development Corporation took action on February 23, 2023, to approve the proposed amendments to the existing Bylaws of the Corporation in SEDC Resolution No. 2023-3; and

**WHEREAS**, the Schertz City Council have reviewed and approved the proposed amendments to the existing Bylaws of the Corporation and has determined to authorize and approve such amendments; and

**WHEREAS**, the Schertz City Council hereby finds and determines that the adoption of this Resolution is in the best interests of the citizens of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:**

Section 1. The Schertz City Council hereby approves the amended Bylaws for the Corporation in the form attached hereto as Exhibit A.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so ordered.

PASSED AND ADOPTED, this 7<sup>th</sup> day of March, 2023.

CITY OF SCHERTZ, TEXAS

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Ralph Gutierrez, Mayor

ATTEST:

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Sheila Edmondson, City Secretary

<City Seal>

EXHIBIT A

SCHERTZ ECONOMIC DEVELOPMENT CORPORATION  
AMENDED AND RESTATED BYLAWS

(See Attached)