

**RESOLUTION NO. 2024-00**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANDERA, TEXAS, APPROVING AN AMENDMENT TO THE BYLAWS OF THE BANDERA ECONOMIC DEVELOPMENT CORPORATION TO CONFORM THE BOARD MEMBER RESTRICTIONS TO THOSE FOUND IN STATE LAW; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Bandera Economic Development Corporation’s current Bylaws include expenditures that exceed \$10,000.00 must have a public hearing and be approved by City Council by state law; and,

**WHEREAS**, the City Council hereby finds that it is in the best interest of the corporation to conform with state law in regards to restrictions on board membership; and

**WHEREAS**, the City Council has determined that this bylaw amendment is necessary and proper, serves a public purpose and will help the Corporation better meet its corporate purpose.

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

**Section 1. Amendment.** The City Council of the City of Bandera, Texas does hereby approve an amended the Bylaws of the Bandera Economic Development Corporation as set forth in the attached Exhibit A.

**Section 2. Findings.** 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 Council.

**Section 3. Repealer.** 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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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. Effective Date.** This Resolution shall become effective immediately from and after passage and any publication if required by governing law.

**Section 5. Proper Notice and Meeting.** It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED and APPROVED this the 13<sup>th</sup> day of February 2024.

\_\_\_\_\_  
Rebeca Gibson, Mayor

ATTEST:

\_\_\_\_\_  
Jill Shelton, City Secretary

## **EXHIBIT A**

**THE BYLAWS OF THE BANDERA ECONOMIC DEVELOPMENT CORPORATION ARE HEREBY AMENDED TO READ AS FOLLOWS: (additions are underscored and deletions are strike-thru)**

### **4.03 Public Hearings**

The BEDC Board of Directors will schedule public hearings at a time and place that are necessary to conduct business and provide for public hearings that meet the requirements of Local Government Code Chapter 505 and that are in accordance with the Texas Open Meetings Act.

If the BEDC proposes to expend more than ~~\$10,000.00~~ on a project, they must hold a public hearing on the project. They must also pass the project to the Bandera City Council by resolution for a public hearing and a 60-day waiting period. If, during that 60 day period following the public hearing by the Bandera City Council and on the approval of the Bandera City Council of the project by resolution, there has not been a petition signed by 10% or more of the registered voters of the City of Bandera in opposition to the project, the BEDC may proceed with funding the project. If a verified petition is presented, the project may go to a vote in a public election.