

**ROLLINGWOOD COMMUNITY DEVELOPMENT CORPORATION
RESOLUTION NO. 2023-11-13-04**

A RESOLUTION OF THE ROLLINGWOOD COMMUNITY DEVELOPMENT CORPORATION, OF ROLLINGWOOD, TEXAS APPROVING AND AUTHORIZING FUNDING FOR A PARK IMPROVEMENT PROJECT IN ROLLINGWOOD PARK FOR RETAINING WALL IMPROVEMENTS, AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, Rollingwood Community Development Corporation ("RCDC") is a non-profit development corporation duly established under the Development Corporation Act of 1979, as amended (Section 501.001 et seq. Texas Local Government Code, formerly the Development Corporation Act of 1979) (the "Act"); and

WHEREAS, according to the Act, the authorizing unit for the RCDC shall mean the City of Rollingwood City Council ("City Council"); and

WHEREAS, all of the powers of the RCDC are vested in the RCDC Board of Directors (the "Board") appointed by the City Council; and

WHEREAS, Section 501.073 of the Act requires the City Council to approve all programs and expenditures; and

WHEREAS, the RCDC, after holding a public hearing, considered and approved the expenditure of funds for a Park Improvement project for Rollingwood Park for retaining wall improvements that will enhance the recreational and community facilities available and will enhance the quality of life; and

WHEREAS, the RCDC has determined that the expenditure of those funds are for an eligible project consistent with the definition of "project" as that term is defined in Chapter 501 and 505 of the Texas Local Government Code, and in particular Section 505.152 of the Texas Local Government Code; and the definition of "cost" as that term is defined by Section 501.152 of the Texas Local Government Code.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD DIRECTORS OF THE ROLLINGWOOD COMMUNITY DEVELOPMENT CORPORATION THAT:

Section 1. That the foregoing recitals are hereby found to be true and correct findings of the RCDC Board of Directors and are fully incorporated into the body of this Resolution.

Section 2. That the RCDC Board of Directors finds and determines that the expenditure of funds in an amount not to exceed **Thirty-One Thousand DOLLARS and No/100 Dollars (\$31,000.00)** for the Park Improvement project in Rollingwood Park for retaining wall improvements will enhance recreational and community facilities and will enhance the quality of life within the City of Rollingwood, Texas, is an authorized project and is consistent with Section

505.152 of the Act.

Section 3. That the RCDC Board of Directors authorizes the projects and expenditures, subject to Council approval, and authorizes the President to execute this Resolution.

Section 4. The RCDC Board of Directors affirms, pursuant to Local Government Code Section 505.160, that the voters of the City of Rollingwood have previously approved the undertaking of this general type of project at an election ordered for that purpose.

Section 5. 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 6. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 7. 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 Board hereby declares that this Resolution would have been enacted without such invalid provision.

Section 8. 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 9. This Resolution shall be in force and effect from and after its passage, and it is so resolved.

PASSED AND APPROVED by the Rollingwood Community Development Corporation Board of Directors on this the 11th day of November, 2023.

Emily Doran, President

ATTEST:

Pat Sheehan, RCDC Board Secretary