

AGENDA ITEM # 18

December 16, 1997

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Consider approving resolution concerning amendment of articles of incorporation for Capital Area Housing Finance Corp.

Moved: Commissioner Boatright

Seconded: Commissioner Heiligenstein

Motion: To approve resolution amending articles of incorporation for Capital Area Housing Finance Corporation.

Vote: Motion carried 4 - 0 with Commissioner Mehevec absent from the dais  
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### RESOLUTION

#### Approving Articles of Amendment to the Articles of Incorporation of the Capital Area Housing Finance Corporation

**WHEREAS** The Capital Area Housing Finance Corporation was incorporated on October 20, 1981, and Williamson County, Texas, was an initial incorporator and is a sponsoring local government of the Corporation; and

**WHEREAS** The Board of Directors of the Corporation has recommended to the Commissioners Court that the Corporation's Articles of Incorporation be amended to admit Burnet and Lee Counties as sponsoring local governments of the Corporation and to change the formula for distributing the Corporation's net assets upon dissolution; and

**WHEREAS** Amendment of the Corporation's Articles of Incorporation is authorized by Section 394.016 of the Local Government Code; and

**WHEREAS** An exact copy of the Articles of Amendment to the Corporation's Articles of Incorporation, as recommended by the Board of Directors, is attached to this Resolution; now, therefore, be it

**RESOLVED** by the Commissioners Court of Williamson County, Texas:

1. The Commissioners Court finds that the amendments of the Articles of Incorporation of the Capital Area Housing Finance Corporation, as recommended by the Corporation's Board of Directors and attached to this Resolution, are wise, expedient, necessary, or advisable; and

2. The Commissioners Court approves the form of the amendments and authorizes the Board of Directors to adopt the Articles of Amendment and file them with the Secretary of State.

Adopted this 16<sup>TH</sup> day of December, 1997.

Attest:

Claine Brizell  
[Deputy] County Clerk

[Seal]

John C. Dwyer  
County Judge

**CAPITAL AREA HOUSING FINANCE CORPORATION**  
**Certificate Authenticating Resolution**

My name is Betty V. Voights and I am the duly appointed and qualified Secretary/Treasurer of the Capital Area Housing Finance Corporation (the "Corporation"). As such I am familiar with the matters contained in this certificate, which I execute for the benefit of all persons interested in the action of the Corporation.

I accordingly certify as follows:

1. The Board of Directors of the Corporation convened in special meeting on October 3, 1997, at the place and time designated in the meeting notice, which notice was given in accordance with the Bylaws of the Corporation. The roll was called of the duly elected, qualified, and acting members of the Board of Directors, who are:

Judge Eddy Etheridge	President
Jack A. Griesenbeck	Vice President
Fritz Lobpries	Director
Judge Rebecca Hawener	Director
Commissioner Greg Boatright	Director
Commissioner Randy Leifeste	Director
Judge George E. Byars, Jr.	Director
Fred Markham	Director

All members of the Board of Directors were present except:

Fred Markham.

A quorum was present.


2. Among other business the Board considered a written resolution recommending amendment of the Corporation's Articles of Incorporation.

After discussion, on motion duly made and seconded, the Board adopted the resolution by the following vote:  
 Ayes 7 Nays 0 Abstentions 0.

3. The attached photocopy is a true and complete copy of the resolution, the original of which is on file with the minutes of the Board of Directors' meeting; the resolution has not been amended; and the resolution is in full force and effect.

WITNESS my signature and the official seal of the Corporation, done in Austin, Travis County, Texas, this 3rd day of October, 1997.

[Seal]

  
Betty V. Voights  
Secretary/Treasurer

**CAPITAL AREA HOUSING FINANCE CORPORATION**

**RESOLUTION RECOMMENDING AMENDMENT OF THE  
ARTICLES OF INCORPORATION**

**WHEREAS** Burnet and Lee Counties have formally expressed interest in becoming sponsoring local governments of the Corporation; and

**WHEREAS** Both counties are located in State Planning Region 12; and

**WHEREAS** Their becoming sponsoring local governments requires amending the Corporation's articles of incorporation; and

**WHEREAS** Section 394.016 of the Local Government Code authorizes such amendment if approved by all of the sponsoring local governments of the Corporation; now, therefore, be it

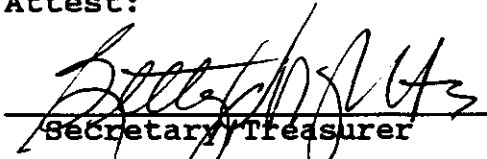
**RESOLVED** By the Board of Directors of the Capital Area Housing Finance Corporation:

1. The attached Articles of Amendment to the Articles of Incorporation are recommended for approval by the sponsoring local governments.
2. The Corporation's legal counsel is directed to furnish a copy of this resolution, with the recommended Articles of Amendment attached, to the governing body of each of the sponsoring local governments for approval by written resolution.
3. Legal counsel is further directed to inform the Board of Directors at a meeting of the Board when all of the sponsoring local governments have approved the Articles of Amendment.
4. The Articles of Amendment do not affect the terms of office of the current Directors, which begin October 22, 1997.

Adopted this 3rd day of October, 1997.

  
President

Attest:

  
Secretary/Treasurer

**CAPITAL AREA HOUSING FINANCE CORPORATION**

**ARTICLES OF AMENDMENT  
TO THE  
ARTICLES OF INCORPORATION**

Pursuant to section 394.016, Local Government Code, the Capital Area Housing Finance Corporation adopts the following Articles of Amendment to its Articles of Incorporation that add Burnet and Lee Counties as sponsoring local governments of the Corporation and change the formula for distributing the Corporation's net assets upon dissolution.

**Article One**

The name of the corporation is the Capital Area Housing Finance Corporation.

**Article Two**

The following amendments to the Articles of Incorporation were adopted by the Corporation on \_\_\_\_\_.

1. Article VI.B is amended to read as follows:

"B. All powers of the Corporation shall be vested in a Board of Directors consisting of ten individuals. Each of the sponsoring local governments named in Article X shall appoint one director of the Corporation to serve a term of two years or until his or her successor is appointed. However, a director may be removed from office at any time, with or without cause, by written resolution of the governing body of the sponsoring local government that appointed the director."

2. Article VI.D of the Articles of Incorporation is amended to read as follows:

"D. Upon dissolution the net earnings and funds and properties of the Corporation, if any, shall be distributed to the sponsoring local governments named in Article X in the following manner. If the total value of the net

earnings and funds and properties equals or is less than \$1,400,000, the total value shall be distributed equally among Blanco, Bastrop, Caldwell, Fayette, Hays, Llano, and Williamson counties and the City of San Marcos. If the total value of the net earnings and funds and properties exceeds \$1,400,000, \$1,400,000 shall be distributed equally among the eight sponsoring local governments named in the preceding sentence and the excess over \$1,400,000 shall be distributed equally among all ten sponsoring local governments named in Article X."

3. Article X of the Articles of Incorporation is amended to read as follows:

"The sponsoring local governments of the Corporation are the Texas counties of Blanco, Bastrop, Burnet, Caldwell, Fayette, Hays, Lee, Llano, and Williamson and the City of San Marcos, Texas."

#### Article Three

The amendments were adopted at a meeting of the board of directors held on \_\_\_\_\_, and received the vote of a majority of the directors in office, there being no members of the Corporation having voting rights. The amendments were also approved by a majority of the members in office of the governing bodies of the Texas counties of Blanco, Bastrop, Caldwell, Fayette, Hays, Llano, and Williamson and the City of San Marcos, Texas.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Capital Area Housing Finance Corporation

By \_\_\_\_\_ and  
President

By \_\_\_\_\_  
Secretary/Treasurer

STATE OF TEXAS

COUNTY OF TRAVIS

Before me, the undersigned authority, on this day personally appeared Betty Voights, known to be to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements contained therein are true and correct.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

AGENDA ITEM # 19December 16, 1997\*

Consider approving grant slot for Juvenile Services "After Care Officer" to be funded completely by grant until 8/31/98.

Moved: Judge Doerfler

Seconded: Commissioner Boatright

Motion: To approve grant slot for Juvenile Services "After Care Officer" to be funded completely by grant until August 31, 1998.

Vote: Motion carried 4 - 0 with Commissioner Mehevec absent from the dais

AGENDA ITEM # 20December 16, 1997\*

Discuss and take appropriate action concerning Projects Coordinator position for Commissioners Court.

No action taken on this agenda item.

AGENDA ITEM # 21December 16, 1997\*

Consider acknowledging anonymous donation to EMS for EKG Monitor.

Moved: Judge Doerfler

Seconded: Commissioner Hays

Motion: To acknowledge a \$10,000.00 anonymous donation to EMS for EKG Monitor.

Vote: Motion carried 4 - 0 with Commissioner Mehevec absent from the dais

AGENDA ITEM # 22December 16, 1997\*

Consider adopting an order allowing District Judge's participation in TCDRS.

Judge Stubblefield addressed the court regarding a change in the law effective January 1, 1998 concerning District Judges participation in TCDRS. The change will allow either all or none of the judges to participate. Judge Stubblefield has participated for 16 years and would like to continue, but none of the other judges want to.

Moved: Commissioner Boatright

Seconded: Judge Doerfler

Motion: To adopt order allowing District Judges participation in TCDRS with Judge Stubblefield paying the county's 9 per cent participation for his supplement salary for the remainder of this budget year, and the county will pay thereafter.

Vote: Motion carried 4 - 1 with Commissioner Mehevec voting against the motion.

Moved: Commissioner Mehevec

Seconded:

Motion: To adopt order allowing District Judges participation in TCDRS stating the judges pay the county's matching part as well as their 7 per cent.

The motion died for lack of second.

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