

# A Resolution

NO. \_\_\_\_\_

## **APPOINTING FERNANDO COSTA TO THE BOARD OF DIRECTORS OF FORT WORTH COMMUNITY LAND TRUST, A TEXAS NON-PROFIT CORPORATION**

**WHEREAS**, the Fort Worth Community Land Trust (“FWCLT”) was formed as a Texas non-profit corporation in June 2023, to “be operated exclusively for charitable, religious, scientific, or educational purposes [and, in particular,] to acquire and hold land for the benefit of developing and preserving long-term affordable housing in Fort Worth, Texas”; and

**WHEREAS**, FWCLT has filed with the Internal Revenue Service to seek 501(c)(3) non-profit designation and is in the process of formalizing the structure of its board and finalizing its governing documents; and

**WHEREAS**, the City and FWCLT are coordinating their efforts to address affordable housing issues; and

**WHEREAS**, FWCLT’s draft bylaws (the “Bylaws”) specify that the corporation’s affairs will be directed by a board of directors (the “Board”), with one (1) place on the Board reserved for an individual appointed by the City Council (the “City Council Appointed Director”); and

**WHEREAS**, the Bylaws specify that the City Council Appointed Director must be a person serving as Mayor, a member of the City Council, the City Manager, or an Assistant City Manager; and

**WHEREAS**, the City’s Ethics Code permits the City Council to appoint a person to the board of directors or other governing board of a business entity without acquiring a substantial interest in the entity so long as the person receives no direct or indirect remuneration for his or her service and the primary nature of the business is either charitable, nonprofit or governmental; and

**WHEREAS**, the City Council Appointed Director will not receive remuneration or have any other financial interests in FWCLT; and

**WHEREAS**, the City Council wishes to appoint the individual named below to the Board as a City Council Appointed Director in order to further the City’s and the public’s interests in the management and operation of the Fort Worth Community Land Trust.

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

1. The person whose names appears below is hereby appointed to the Board as a City Council Appointed Director to serve for a term expiring on the date set forth below:

<u>Name</u>	<u>City Position</u>	<u>Expiration of Term</u>
Fernando Costa	Assistant City Manager	December 31, 2025

2. The position of the City Council Appointed Director will be deemed vacant upon the effective date that such individual is no longer serving as Mayor, a member of the City Council, the City Manager, or an Assistant City Manager.

3. The City Council hereby reserves the right, at any time and for any reason, to remove the City Council Appointed Director and to appoint a qualifying individual to serve in that Director's place for the remainder of his or her term.

4. This Resolution shall take effect immediately upon its adoption.

**AND IT IS SO RESOLVED.**

**ADOPTED** this 28<sup>th</sup> day of November 2023.

ATTEST:

By: \_\_\_\_\_

Jannette S. Goodall, City Secretary