



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

Item Creation Date: 8/14/2025

HAS – Amendment No. 1 to Certificate of Formation and Bylaws for Houston Spaceport Development Corporation (HSDC)

Agenda Item#:

Background:

RECOMMENDATION:

Pass a Resolution approving and authorizing Amendment No. 1 to the Certificate of Formation and Bylaws of the Houston Spaceport Development Corporation, a Local Government Corporation.

SPECIFIC EXPLANATION:

On September 15, 2021, City Council passed Resolution 2021-28, authorizing the creation of the Houston Spaceport Corporation (HSDC), approving the Certificate of Formation, approving the initial Bylaws, and appointing the initial Board of Directors. The HSDC was created pursuant to Sections 501 and 507 of the Texas Local Government Code.

As stated at the time, one of the primary benefits of a Spaceport Development Corporation was the ability to accept grant awards under the Texas Spaceport Trust Fund for eligible projects such as roads, utilities, and building structures. HSDC was subsequently successful in being awarded a \$5M grant for the Taxiway L project at Houston Spaceport at Ellington Airport (EFD).

HSDC applied for tax-exempt status under Section 501(c)(3) of the Internal Revenue Code and received advice from the Internal Revenue Service (IRS) noting that the HSDC Certificate of Formation must be amended to include an adequate purpose clause to meet the organizational test under 501(c)(3). As such, the Resolution now before City Council will amend the Certificate of Formation and Bylaws to add organizational purpose clause language suggested by the IRS.

Fiscal Note:

There is no impact to the fiscal budget or no additional spending authority. Therefore, no Fiscal Note is required as stated in the Financial Policies.

Director's Signature:

Signed by:

Handwritten signature of Jim Szczesniak in black ink.

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Jim Szczesniak

Houston Airport System

Prior Council Action:

09/15/2021 (R) 2021-28

Amount and Source of Funding:

No funding required.

Contact Information:

Todd Curry 281/233-1896

Jim Szczesniak 281/233-1877