

RESOLUTION 2019-RES004

A RESOLUTION OF THE CITY OF DOUBLE HORN, TEXAS ESTABLISHING ITS INTENT TO PROVIDE MUNICIPAL SERVICES TO THE CITIZENS OF THE CITY AS PROVIDED BY LAW; AND PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING RESOLUTIONS; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the Double Horn was incorporated as a Type B, General Law municipal corporation on December 11th; and

WHEREAS, a mayor and five city aldermen were elected on February 12th to serve as the City of Double Horn's first city council; and

WHEREAS, the City Council of the City of Double Horn recognizes its responsibility under the law to provide municipal services to the citizens of Double Horn; and

WHEREAS, the City finds that the establishment of a plan to secure and implement necessary municipal services is in the best interest of the citizens and essential for public health, safety and welfare and to ensure control and quality of growth and future development.

NOW THEREFORE BE IT RESOLVED THAT:

The City Council of the City of Double Horn, Texas, hereby states its intention to provide and secure the following municipal services some of which will be considered within the next 90 to 180 days, whereas some items will be considered as needed to provide municipal services on behalf of the citizens of the City of Double Horn to wit:

1. The City Council may consider adoption of ordinances for the following purposes:

(a) Adoption of a comprehensive plan, zoning ordinance, subdivision regulations, park and trail plan for all property located within the boundaries of the City. The zoning districts shall correspond to the current uses of the property consisting primarily of single-family estate property, commercial uses fronting Highway 71, agricultural uses and industrial uses or single family estate residential on the aggregate production site.

(b) For the preservation of public safety, relating to the materials or methods used to construct a building or other structures or improvements, including the foundation, structural elements, electrical wiring or apparatus, plumbing and fixtures, entrances, or exits;

(c) For the protection of designated places and areas of historical, cultural or architectural importance and significance; and

(d) for the preservation of public health or for the fire safety of a building or other structure or improvement, including provisions relating to materials, types of construction or design, interior configuration, illumination, warning devices, sprinklers or other fire suppression devices, availability of water supply for extinguishing fires, or location, design, or width of entrances or exits;

(e) for the establishment of criteria for land subdivision or construction of buildings, including provisions relating to street width and design, lot size, building width or elevation, setback requirements, or utility service specifications or requirements;

(f) for the establishment of regulations relating to dangerously damaged or deteriorated structures or improvements;

(g) for the establishment of regulations relating to conditions caused by accumulations of refuse, vegetation, or other matter that creates breeding and living places for insects and rodents;

(h) for the establishment of regulations relating to the interior configuration, design, illumination, or visibility of business premises exhibiting for viewing by customers while on the premises live or mechanically or electronically displayed entertainment intended to provide sexual stimulation or sexual gratification;

(i) for the establishment of regulations relating to point source effluent limitations or the discharge of a pollutant, into a sewer system, including a sanitary or storm water sewer system, owned or controlled by the municipality;

(j) for the establishment of regulations relating to floodplain control and administration, including an ordinance regulating the placement of a structure, fill, or other materials in a designated floodplain;

(k) for the establishment of regulations relating to animal care and control;

(l) for the establishment of regulations relating to water conservation measures, including watering restrictions;

(m) for the establishment of regulations relating to a water pollution control and abatement programs in accordance with the Texas Water Code;

(n) for the establishment of regulations relating to outdoor burning and to establish fire breaks or other regulations to reduce the threat of wild fires;

(o) for the establishment of any other necessary regulations not inconsistent with state law that the governing body considers proper for the governance of the City;

(p) for the establishment of an ordinance regulating sexually oriented businesses; and

(q) for the establishment of an ordinance regulating fireworks.

2. The City Council may consider acquisition of personal and real property, through purchase, lease, contract, or license for the following purposes:

(a) to establish an appropriate and convenient location to conduct meetings of the City and to conduct City business; and

- (b) to secure and acquire additional sources of potable water and water systems if needed for growth and development of the City; and
- (c) to secure and acquire sources of non-potable water for use in fire suppression and for fire protection storage purposes; and
- (d) to acquire, establish and protect open space, parks and establish trails and walkways within the City; and
- (e) to secure and acquire a sanitary sewer system if needed for growth and development of the City; and
- (f) to preserve and protect archeological or historical sites within the City; and
- (g) to acquire right of way for streets, utilities and other public purposes; and
- (h) to acquire property and easements for drainage and flood protection; and
- (i) to acquire property for use as a City cemetery; and
- (j) to acquire any other personal or real property in furtherance of the City's governmental interest;

3. The City Council may consider undertaking on its own or may enter into contracts or agreements with third parties or other governmental entities, including interlocal cooperation agreements under Texas Government Code ch. 791, for the following purposes:

- (a) To provide for police protection and law enforcement services; and
- (b) To provide for ambulance services; and
- (c) To provide for animal control and management; and
- (d) To provide for garbage and recycling services within the City; and
- (e) To implement a program to monitor and report air quality within the corporate limits and provide the results to residents and property owners; and
- (f) To implement a program to monitor and report seismic activity within the corporate limits and provide the results to residents and property owners; and
- (g) To provide for maintenance of City streets and right of way;
- (h) To conduct traffic studies on Highway 71, or to contract with TxDOT for same to improve traffic safety and for construction of traffic improvements within the City; and
- (i) To provide for emergency and disaster response and to obtain or improve emergency services for all areas within the corporate boundaries, including through an agreement with Burnet County Emergency Services District No. 9; and
- (j) To take such action and perform such services as may be needed from time to time to protect the health, safety and welfare of its citizens and as otherwise allowed by law.

4. The City Council finds that the City of Double Horn is currently, and has for many years, comprised primarily of an assemblage of residential properties

and homes with an urban or semi-urban character, which homes have unity and fairly close proximity; is susceptible of receiving municipal services, which are and will be provided by the City; the City has a park, a meeting place, a common nucleus, many City streets, and seeks to provide municipal services to its current and future residents and contiguous tracts of property in its extra territorial jurisdiction.

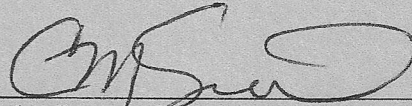
5. Should any part, sentence or phrase of this Resolution be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Resolution shall not be adversely affected. No portion of this Resolution shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Resolution are severable.

6. This Resolution shall be and become effective immediately upon and after its passage and publication as may be required by governing law.

7. 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.

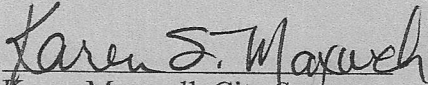
PASSED AND APPROVED on this the 30th day of March 2019.

CITY OF DOUBLE HORN, TEXAS

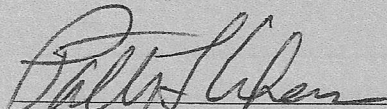


Cathy Sereno, Mayor

ATTEST:


Karen Maxwell, City Secretary

APPROVED AS TO FORM:


Patty L. Akers, City Attorney