

CITY OF WILLOW PARK

ORDINANCE NO. 662-13

AN ORDINANCE OF THE CITY OF WILLOW PARK, TEXAS, AUTHORIZING AND ADOPTING THE UPDATED AND AMENDED LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN; PROVIDING FOR A REPEALER, SAVINGS AND SEVERABILITY CLAUSES; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Willow Park, Texas (City) is a general law municipality located in Parker County, created in accordance with the Laws of the State of Texas; and

WHEREAS, it is intent of the City of Willow Park to protect the health, safety and welfare and well being of its citizens; and

WHEREAS, the municipal offices of the City perform certain functions related to the preservation of health, safety and general welfare of its citizens; and

WHEREAS, the City Council of the City of Willow Park, Texas previously adopted Ordinance No. 504-13 adopting certain land use assumptions and a Capital Improvements Plan; and

WHEREAS, the City has fully complied with Chapter 395, TEX. LOCAL GOVT CODE, concerning the notice, adoption, promulgation and methodology necessary to adopt land use assumptions and a capital improvement plan; and

WHEREAS, pursuant to Chapter 395, TEX. LOCAL GOVT CODE, the City has conducted a periodic review by qualified professionalism using generally accepted engineering and planning practices to evaluate the current land use assumptions in order to update the land use assumptions and Capital Improvement Plan; and

WHEREAS, the *Capital Improvement Plan 2012-2040* (Dec 2012), was prepared for the City by Biggs and Matthews, Inc., (Plan), qualified professionals, and included updated land use assumptions, service area, and Capital Improvement Plan for water and sewer facilities; and

WHEREAS, pursuant to Section 395.056, TEX. LOCAL GOVT CODE, the Capital Improvements Advisory Committee filed its written comments on

the proposed land use assumptions and Capital Improvement Plan before the public hearing on the amendments; and

WHEREAS, the City has reviewed the updated and amended land use assumptions and Capital Improvement Plan and held a public hearing to discuss the proposed updates to the land use assumptions and Capital Improvement Plan; and

WHEREAS, the proposed updates and amendments to the land use assumptions and Capital Improvement Plan have been made available to the public; and

WHEREAS, the City has fully complied with Chapter 395, TEX. LOCAL GOVT CODE, to approve the proposed updated and amended land use assumptions and Capital Improvement Plan; and

WHEREAS, the City Council finds that it is in the best interest and welfare of the City to approve the adoption of the updated land use assumptions and Capital Improvement Plan; and

WHEREAS, the City is acting on this Ordinance within thirty (30) days after the public hearing held by the City Council on the proposed updates to the land use assumptions and the Capital Improvement Plan.

NOW THEREFORE BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK THAT:

SECTION 1. AUTHORIZATION.

The Mayor, or the Mayor's designee, is hereby authorized and directed to implement the applicable provisions of this Ordinance.

SECTION 2. UPDATED LAND USE ASSUMPTIONS.

The City Council finds that the updated land use assumptions contained in the plan attached hereto as Exhibit "A", and incorporated herein for all purposes, are hereby adopted and approved and shall supersede any prior land use assumptions.

SECTION 3. UPDATED CAPITAL IMPROVEMENTS PLAN.

The City Council finds that the updated Capital Improvements Plan contained in the Plan attached hereto as Exhibit "A", and incorporated herein for all purposes, is hereby adopted and approved and shall supersede any prior Capital Improvements Plan.

SECTION 4. REPEALER.

All provisions of any ordinances in conflict with this Ordinance and in particular Ordinance No. 504-03 are hereby repealed; but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of conflicting ordinances shall remain in full force and effect.

SECTION 5. RECITALS.

The City Council hereby finds and declares all precatory language herein to be true and correct

The Willow Park City Council in acting on Ordinance No. 662-13 did on the 03-27-13 day of March, 2013 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
Richard Neverdousky, Mayor	_____	_____
Brian Thornburg, Place 1	✓ _____	_____
Gene Martin, Place 2	✓ _____	_____
Amy Podany, Place 3	✓ _____	_____
Dan Stalling, Place 4	✓ _____	_____
Bernard Suchocki, Place 5	✓ _____	_____

and approves and adopts the same herein as part of this Ordinance.

SECTION 6. PUBLICATION.

The City Secretary is hereby directed to publish in a newspaper of general circulation the caption herein above.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect after its publication.

PASSED AND APPROVED this 03-27-13 day of March, 2013.

/s/ Richard Neverdousky
Mayor

ATTEST:

/s/ Joel Hoffman
City Secretary/Clerk

APPROVED AS TO FORM:

/s/ _____
City Attorney