

CITY OF WILLOW PARK

RESOLUTION NO. 11-12

A RESOLUTION PROVIDING AUTHORIZATION FOR THE EXECUTION OF A CONTRACT BY AND BETWEEN THE CITY OF WILLOW PARK, TEXAS, AND BIGGS & MATHEWS, INC. FOR CERTAIN PROFESSIONAL SERVICES TO WIT: PERIODIC UPDATE OF LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENT PLAN; AND, PROVIDING FOR CERTAIN FINDINGS AND 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 has the authority to enter into a contract or agreement with another entity for certain governmental services; and

WHEREAS, the City has the authority to adopt certain impact fees to fund or recoup the costs of capital improvements or facility expansions necessitated by and attributed to new development pursuant to §395.001 TEX. LOCAL GOV'T CODE; and

WHEREAS, the City did lawfully adopt certain impact fees based upon a Capital Improvement Plan that requires the land use assumptions to be periodically updated pursuant to §395.052 TEX. LOCAL GOV'T CODE; and

WHEREAS, Biggs & Matthews, Inc., a qualified professional service entity has submitted a proposal for a periodic update of land use assumptions and this capital improvement plan, attached as Exhibit A hereto and incorporated herein for all purposes; and

NOW THEREFORE BE IT RESOLVED, 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 Resolution.

SECTION 2. CONTRACT.

The Mayor, or City Administrator, is hereby authorized to enter into or execute a Contract, with concurrence of counsel, with Biggs & Matthews, Inc., for the provision of professional service to update the land use assumptions and this municipal capital improvements plan, consistent with Subchapter C, Chapter 395 TEX LOCAL GOV'T CODE at the cost and price contained in the relevant section of Exhibit A.

SECTION 3. SEVERABILITY.

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Resolution shall be held invalid, it shall not affect any valid provisions of this or any other Resolution or Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 5. REPEALER.

To the extent any other ordinance or resolution is inconsistent with the provisions herein it is hereby repealed and superseded by the provisions herein.

SECTION 6. RECITALS.

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Resolution.

SECTION 7. EFFECTIVE DATE.

This Resolution shall take effect from and after its adoption.

PASSED AND APPROVED this 12th day of June, 2012.

/s/ Marvin Glasgow
Mayor

ATTEST
/s/ Joel Hoffman
City Secretary/Clerk

APPROVED AS TO FORM:
/s/ [Signature]
City Attorney

The Willow Park City Council in acting on Resolution No. 11-12, did on the 12th day of June, 2012 vote as follows:

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