

RESOLUTION NO. RES 2016-1

THE CITY OF SPRING BRANCH

A RESOLUTION OF THE COMMISSION OF THE CITY OF SPRING BRANCH, TEXAS, ACKNOWLEDGING AND ASSUMING ITS RIGHTS, AUTHORITIES, AND OBLIGATIONS AS A NEW INCORPORATED MUNICIPALITY UNDER THE LAWS OF THE STATE OF TEXAS, DECLARING THE AUTHORITY OF THE CITY COMMISSION TO ACT ON BEHALF OF THE CITIZENS OF THE CITY; RECOGNIZING THE AUTHORITY OF THE CITY TO ENTER INTO CONTRACTS, OWN PROPERTY, ENACT AND ENFORCE ORDINANCES, LEVY TAXES, SERVE AS A PARTY TO LITIGATION, ACCEPT DONATIONS, ENTER INTO INTERLOCAL AGREEMENTS WITH OTHER POLITICAL SUBDIVISIONS; AUTHORIZE FRANCHISES FOR THE USE OF PUBLIC RIGHTS-OF-WAY AND TO COLLECT COMPENSATION THEREFORE; AND TO EXERCISE ALL OTHER AUTHORITY RIGHTS AND AUTHORITIES GRANTED TO A GENERAL LAW MUNICIPALITY UNDER STATE AND FEDERAL LAW

WHEREAS, the incorporation of the City of Spring Branch, Texas was approved by the voters on November 10, 2015; and

WHEREAS, the member of the City Commission of the City of Spring Branch ("the Commission") have qualified for and have taken office; and

WHEREAS, the members of the Commission wish to make know their adoption and approval of the powers and authority of an incorporated municipality under the laws of the State of Texas and the United States;

WHEREAS, the City of Spring Branch is a Type C General Law Municipality with all of the authority and powers granted by the Legislature of the State of Texas for such a municipality; and

WHEREAS, the Commission desires to specifically identify and enumerate certain of those powers and authorities herein;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SPRING BRANCH, that:

1. The foregoing recitals are adopted herein for all purposes.

2. All powers and authorities, and well as obligations and duties, of a Type C General Law Municipality in the State of Texas are hereby adopted, recognized, and assumed, on behalf of the citizens of the City of Spring Branch by the Commission.
3. Such powers and authorities specifically include but are not limited to the following:
 - a. The authority to grant franchises for the placement of facilities in and along the streets, alleys, highways, roads, and other rights-of-way within the corporate limits of the City as they now exist and as the same may expand in the future;
 - b. To require compensation for the placement of such facilities in such rights-of-way to the full extent allowed by law, including Sec. 183.025 and .026 Tax Code, Chapters 33 and 63, Utilities Code, Ch. 283, Local Government Code, and any other relevant statute;
 - c. To accept donations, which shall be tax deductible pursuant to 26 U.S.C. Sec. 170, from members of the public;
 - d. To levy taxes;
 - e. To call elections, including those for the purpose of seeking voter authorization for the collection of sales and use taxes;
 - f. To engage in economic development programs pursuant to Ch. 380, Local Government Code;
 - g. To engage in all financial matters necessary and convenient for the City, including the selection of a Depository Bank under Ch. 105, Local Government Code, the adoption, maintaining, amending, and auditing of annual itemized budgets, as described in Ch. 102, Local Government Code;
 - h. The securing of liability coverage and any type of insurance necessary or convenient for the protection of the City, its officers and employees;
 - i. To hire and terminate the services of employees and contractors;
 - j. To contract, acquire and own property, and to sue and be sued;
 - k. To appoint committees and subcommittees to study, make recommendations, and assume responsibility for matters delegated to the same by the Commission;
 - l. To adopt subdivision regulations as authorized in Ch. 212, Local Government Code;
 - m. To adopt land use regulations as authorize in Ch. 211, Local Government Code and other relevant statutes;
 - n. To annex land in the manners allowed for Type C General Law Cities under Ch. 43, Local Government Code;
 - o. To appoint and employ persons and to accept the services of volunteers for official positions in the City, including those described in Ch. 24, Local Government Code;
 - p. To provide for the health, safety, and welfare of the citizens of the City of Spring Branch, whether by creation of a police department, fire department, emergency services agency, or to contract with other political subdivisions for such services;
 - q. To enter into interlocal agreements pursuant to Ch. 791, Government Code, for any and all purpose necessary or convenient for the operation of the City; and

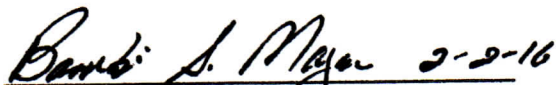
- r. To exercise any and all such lawful authorities granted to a Type C General Law Municipality by the Texas Legislature.

**ADOPTED AND APPROVED BY THE CITY COMMISSION OF THE CITY OF
SPRING BRANCH ON THIS, THE 2ND DAY OF FEBRUARY, 2016.**

CITY OF SPRING BRANCH


James Mayer, Mayor

ATTEST:


Bambi Mayer, City Secretary