

JOINT RESOLUTION NO. 2005-2

WHEREAS, (The cities of Annetta, Annetta North and Annetta South are General Law cities organized and existing pursuant to the laws of the state of Texas; and

WHEREAS, the three cities are co-located in close proximity to one another in the southeastern portion of Parker County, Texas; and

WHEREAS, the three communities share many similarities such as a rural character consisting of large lot and small acreage tracts occupied by single family residences or small agricultural operations, limited commercial activity, similar population characteristics, common community values and a desire to maintain current lifestyle characteristics; and

WHEREAS, changes in federal regulations, state regulations and growing environmental awareness have made it clear that it is essential to develop an organized, efficient and publicly managed utility infrastructure (to serve the health, safety and welfare needs of the residents of the three communities; and

WHEREAS, the communities have determined, after careful study and consideration that it is financially more feasible and realistic to develop a joint system for providing water and wastewater utility service that can serve all three communities thereby reducing duplication of costs and services and achieving maximum financial efficiency; and

WHEREAS, the City Councils of the three communities believe that it is essential that the utility system be operated, managed and controlled by a public entity answerable to the public and which can implement the growth and development goals and objectives of the community to produce the lifestyle chosen by the communities through their comprehensive growth planning processes; and

WHEREAS, in order to achieve this goal it is necessary to work in a cooperative manner, the three communities hereby agree to enter into an intergovernmental agreement pursuant to the provisions of Chapter 791 of the Texas Government Code to form an entity to be known as the Annettas Public Utility Board; and

WHEREAS, it is the desire of the three communities that the Annettas Public Utility Board own and, operate a water distribution and a wastewater collection and disposal system capable of meeting the water and wastewater utility needs of the citizens of the three communities; and

WHEREAS, the cities agree to create such a board by written contract which will provide that the membership of the board will consist of six (6) members, each of whom will serve a two (2) year term. Each community will appoint two members to the Board with one appointment being for an initial one year term and the second appointment being for an initial two year term; and

WHEREAS, the: cities agree to share on a pro rata basis the cost of staffing and operating the Annettas Public Utility Board to develop and implement a water distribution and wastewater collection and disposal system adequate to serve the needs of the three communities; and

WHEREAS, the three communities agree that the contract establishing the Board will more specifically set forth the manner in which the Board will operate, how funding will flow to the Board and the role of the City Councils in approving the plans for facility construction and any debt to be incurred by the entity in meeting these obligations; and

WHEREAS, the cities desire that the Annettas Public Utility Board shall pursue all available funding options through state or federal agencies to reduce the cost of these improvements that must be directly born by the residents of the communities and

WHEREAS, the City Councils by the adoption of this Resolution reflect their desire and intent to work together cooperatively to consolidate services and service delivery systems to maximize benefits for citizens of the communities while minimizing costs; and

WHEREAS, the City Councils of the respective communities reflect their intent to carry on discussions concerning the possible consolidation of the three communities into a single united governmental entity if that should be determined to be in the best interest of the communities and their citizens.

NOW, THEREFORE BE IT RESOLVED, BY THE CITIES OF ANNETTA, ANNETTA NORTH, AND ANNETTA SOUTH.

I.

We hereby commit our communities to the development of a written contract under the terms of the Intergovernmental Cooperation Act set forth in Chapter 791 of the Texas Government Code to create the Annettas Public Utility Board whose purpose shall be the development and operation of water utility and wastewater utility service to the three communities and their citizens, if it can be demonstrated that such a course of action will work to the benefit of our cities and their residents.

II.

We each commit to appoint the required representatives to serve on the initial Utility Board and will work to implement the joint utility system in the most expeditious manner possible.

III.

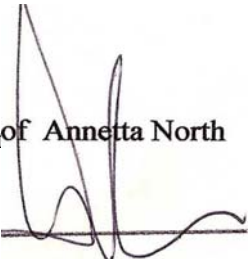
We commit to initiate and continue discussions concerning the possibility of consolidating the three communities into a single unified entity if it can be demonstrated that such a course of action will work to the benefit of our cities and their residents.

ADOPTED this
24th Day
Of February
2005

Mayor of Annetta

City Secretary Annetta

Mayor of Annetta North

A handwritten signature in black ink, appearing to be 'W. L.', written over a horizontal line. The signature is stylized with a large initial 'W' and a smaller 'L'.

City Secretary of Annetta North

Mayor of Annetta South

City Secretary of Annetta South