

**City of Cottonwood Shores, Texas**

**RESOLUTION 679**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, REQUESTING AND SUPPORTING AN AMENDMENT TO THE DEFINITION OF "MUNICIPALITY" IN THE TEXAS LOCAL GOVERNMENT CODE.**

**WHEREAS**, the City of Cottonwood Shores, Texas has been made aware that a recent court of appeals decision interprets the word "municipality," as used throughout the Texas Local Government Code, as excluding general-law cities; and

**WHEREAS**, the erroneous interpretation of the definition of "municipality" to exclude general-law cities would have a significant detrimental impact on all general-law municipalities in the State of Texas and would be inconsistent with the historic application of numerous statutory provisions; and

**WHEREAS**, the City Council of the City of Cottonwood Shores, Texas (the "City Council") has determined that requesting the Legislature to clarify the definition of "municipality" is in the best interest of the City and its citizens.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, THAT:**

**SECTION 1.** The findings set forth above are incorporated into the body of this resolution as if fully set forth herein.

**SECTION 2.** The City Council hereby requests and supports an amendment to Section 1.005(3) of the Texas Local Government Code to provide a clarification that the definition of "municipality" includes all municipalities, whether general-law, special-law or home-rule, unless specifically and clearly differentiated.

**PASSED THIS THE 5<sup>TH</sup> DAY OF FEBRUARY, 2015, AT A MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, THERE BEING A QUORUM PRESENT, BY 3 YEAS, 0 NAYS AND 0 ABSTAINS.**

  
Donald Orr, Mayor



  
Sheila C. Moore  
City Administrator/City Secretary