



## City of Morgan's Point Resort

### Agenda

#### City Council Regular Session

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Tuesday, March 11, 2025

6:00 PM

MPR EVENT CENTER – 60

Morgan's Point Blvd

To View the meeting go to: [www.MorgansPointResortTX.com/YouTube](http://www.MorgansPointResortTX.com/YouTube)

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#### Call to Order

#### Invocation

#### Pledge of Allegiance

#### Presentations

#### Citizen Comments on Agenda Items

*This is an opportunity for members of the public to suggest the addition of topics for the discussion, or to address topics of interest, with the presentation limited to three (3) minutes. All speakers will conduct themselves in an orderly and lawful manner. All speakers will be recognized prior to speaking and will announce their name and address to be included in the minutes. State law prohibits the Mayor and Members of the City Council from commenting on any statement or engaging in dialogue without an appropriate agenda item being posted in accordance with the Texas Open Meetings Law.*

#### Consent Agenda

*All items under this heading are considered to be routine and may be enacted by one motion, unless the Mayor or a Councilmember request that an item be removed for separate discussion. Any item removed from the Consent Agenda will be considered immediately following the motion to approve the Consent Agenda.*

1. **MS-25-003** Consider Minutes of Regular City Council Meeting on February 11, 2025

#### Interlocal Agreements

2. **DS-ILA-1** Discuss and consider one of two Interlocal Government Agreements with Bell County in regard to platting in the extraterritorial jurisdiction of the City as required by Section 242.001, Local Government Code.

#### Resolutions

3. **RS-25-008** Discuss and Consider a memorandum/resolution authorizing assigning primary and alternate Horizon Bank authorizations

4. **RS-25-009** Discuss and Consider memorandum/resolution approving the change of Interim City

Manager to current City Manager as the authorized official for a grant application in the amount of \$14,025 for portable radios under the FY 2025 Criminal Justice Grant

- [5.](#) **RS-25-010** Consider memorandum/resolution accepting the resignation of Justin Strawn from the Planning & Zoning Commission and declaring a vacancy for the position
- [6.](#) **RS-25-011** Consider memorandum/resolution authorizing the creation of the Central Texas Regional 9-1-1 Emergency Communications District

### **Ordinances**

- [7.](#) **OR-25-001** Consider an Ordinance approving minor adjustments to Chapter 14 Section 23. Zoning Commission and 24. Changes and Amendments to All Zoning Ordinances and Districts and Administrative Procedures of Appendix B

### **City Manager Updates**

### **Adjournment**

I certify that a copy of the \_3-11-2025\_ agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the \_\_3-7-2025\_\_ at 5:00PM and remained posted continuously for at least 72 hours proceeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. For further information please contact the City Secretary's office at 254-742-3206 .

Camille Bowser, City Secretary

### **Notice of Meetings**

The Mayor and/or City Council have been invited to attend and/or participate in the following meetings/conferences/events. Although a quorum of the members of the City Council may or may not be available to attend this meeting(s), this notice is being posted to meet the requirements of the Texas Open Meetings Act subsequent opinions of the Texas Attorney General's Office. No official action will be taken by Council.

LIBRARY COMMITTEE MTG:	Mary Ruth Briggs Library, March 12, 2025, 7:00 pm-9:00pm
AUXILIARY MTG:	Garrett and Mic Hill Event Center, March 13, 2025, 6:00pm-9:00pm
MPR COFFEE W/ COUNCIL MEMBER ALLYN:	Mary Ruth Briggs Library, March 14, 2025, 8:00 am-10:00am
FIRE DEPARTMENT AWARDS:	Mic and Garrett Hill Event Center, March 15, 2025, 6:00pm-10:00pm
PRESIDENT'S DAY:	City Hall Closed, March 17, 2025, 7:00am
LIBRARY VOLUNTEER WORKDAY:	Mary Ruth Briggs Library, March 19, 2025, 1:00pm-3:00pm
PARKS & REC MTG:	Priority Charter School Admin Conference Rm, March 19, 2025, 6:00pm-9pm
MPR COPS:	Garrett and Mic Hill Event Center, March 20, 2025, 7:00pm-9:00pm
PLANNING & ZONING WKSHP:	Garrett and Mic Hill Event Center, March 25, 2025, 5:00pm-5:30

PLANNING & ZONING  
PUBLIC HEARING:

Garrett and Mic Hill Event Center, March 25, 2025, 5:30-6:00

PLANNING & ZONING MTG:

Garrett and Mic Hill Event Center, March 25, 2025, 6:00pm-8:00pm

MPR EXPLORERS:

Garrett and Mic Hill Event Center, March 27, 2025, 9:00am-12:00pm

CITY COUNCIL CANDIDATE  
MEET & GREET:

Garrett and Mic Hill Event Center , April 7, 2025, 6:00pm

CITY COUNCIL WKSHP:

Garrett and Mic Hill Event Center, April 8, 2025, 5:00pm-6:00pm

CITY COUNCIL MTG:

Garrett and Mic Hill Event Center, April 8, 2025, 6:00pm



## City of Morgan's Point Resort

### Minutes

#### City Council Regular Session

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Tuesday, February 11, 2025

6:00 PM

MPR EVENT CENTER – 60  
Morgan's Point Blvd

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#### Call to Order

Meeting called to order by Mayor, Dennis Green, at 5:58 pm

#### PRESENT

Dennis Green  
Dorothy Allyn  
Jimbo Snyder  
Pat Clune  
Roxanne Stryker  
Stephen Bishop

#### Invocation

Led by Evan Abell

#### Pledge of Allegiance

Led by Evan Abell

#### Citizen Comments on Agenda Items

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Denise Seibert, 114 Great West Lp, MPR - Spoke in regard to the city's public works department and students from the high school cleaning Smith Park and Oakmont Park; Notice of Meetings

Andrea Hankins, 35 Tanyard Rd, MPR - Spoke in regard to her appreciation for Katrice Jackson, Director of Admin Services and her issues with the city's new software and her water bills

(Video 1:34)

#### Consent Agenda

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**1. MN-25-002** Consider Minutes of Regular City Council Meeting on January 14, 2025

Motion made to approve Minutes of Regular City Council Meeting on January 14, 2025

Motion made by Allyn, Seconded by Clune.  
Voting Yea: Snyder, Stryker, Bishop

Passed

(Video 8:22)

**Resolutions**

**2. RS-25-002** Consider a Resolution calling and ordering a General Election to be held on May 3, 2025, and establishing procedures thereof

Motion made to approve calling and ordering a General Election to be held on May 3, 2025, and establishing procedures thereof

Motion made by Snyder, Seconded by Clune.  
Voting Yea: Allyn, Stryker, Bishop

Passed

(Video 9:00)

**Presentations**

**3. PS-25-002** Departmental Annual Reports

City Secretary's Office - Camille Bowser, City Secretary

Administrative Services - Katrice Jackson, Director of Admin Services

Police Department - Matthew Schuetze, Police Chief

Fire Department - Taran Vaszocz, Fire Chief

Public Works - BJ Scheible, Public Works Director

Public Utilities - Jesse Measles - Public Utilities Director

(Video 10:25)

**Resolutions**

**4. RS-25-003** Consider a Resolution to appoint Election Officers for the City of Morgan's Point Resort General Election

Motion made to approve RS-25-002 to appoint Election Officers for the City of Morgan's Point Resort General Election, Katrice Jackson, and Nayda Santana

Motion made by Stryker, Seconded by Bishop.  
Voting Yea: Allyn, Snyder, Clune

Passed

(Video 47:30)

- 5. RS-25-004** Consider a Resolution ratifying a change order providing for a reduced contract amount with JM Pipeline LLC for the installation of a ground storage tank and pump station

Motion made to approve RS-25-004 ratifying a change order for (\$12,971.70) providing for a reduced contract amount of \$3,665,347.30 from the original contract amount of \$3,678,319.00 with JM Pipeline LLC for the installation of a ground storage tank and pump station

Motion made by Snyder, Seconded by Clune.  
Voting Yea: Allyn, Stryker, Bishop

Passed

(Video 48:30)

- 6. RS-25-005** Consider a Memorandum accepting the resignation of Maria Carmen G. Garcia from the position of Assistant City Attorney/Municipal Prosecutor and declaring a vacancy for the position

Motion made to accept RS-25-005, the resignation of Maria Carmen G. Garcia from the position of Assistant City Attorney/Municipal Prosecutor and declaring a vacancy for the position

Motion made by Snyder, Seconded by Clune.  
Voting Yea: Allyn, Stryker, Bishop

Passed

(Video 50:30)

- 7. RS-25-006** Consider a Memorandum accepting the resignation of Judy Dillon & Edward Cozart from the Parks & Recreation Committee and declaring vacancies for the positions

Motion made to accept RS-25-006, the resignation of Judy Dillon & Edward Cozart from the Parks & Recreation Committee and declaring vacancies for the positions

Motion made by Bishop, Seconded by Snyder.  
Voting Yea: Allyn, Clune, Stryker

Passed

(Video 51:15)

- 8. RS-25-007** Consider a Memorandum accepting the resignation of Eric Seeliger & Rebecca Cooley from the Planning & Zoning Commission and declaring vacancies for the positions

Motion made to accept RS-25-007, the resignation of Eric Seeliger & Rebecca Cooley from the Planning & Zoning Commission and declaring vacancies for the positions

Motion made by Stryker, Seconded by Snyder.  
Voting Yea: Allyn, Clune, Bishop

Passed

(Video 52:04)

## 9. City Manager Updates

Thanks to Cary Erskine for his service with the city

FEMA

Debris removal contracts

TxDOT sidewalk project

Ground storage tank

Roadway improvement plan

Comprehensive Plan update given by Nayda Santana

Potholes and request tracker

FY 2023 audit and a single audit for ARPA funds

FYE 2024 Finance Director transition

Grants

Strategic CIP Planning 2-22-2025

(Video 52:54)

## 10. Public Hearings

N/A

## 11. Ordinances

N/A

## 12. Adjournment

Meeting adjourned at 7:13 pm

I certify that a copy of the 2-11-2025 agenda of items to be considered by the Morgan's Point Resort was posted and could be seen on the City Hall bulletin board on the 2-7-2025 at 5:00PM and remained posted continuously for at least 72 hours proceeding the scheduled time of the meeting. I further certify that the following news media were properly notified of the above stated meeting: Belton Journal. The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodation or interpretive services must be made 48 hours prior to this meeting. For further information please contact the City Secretary's office at 254-742-3206.

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Dennis Green, Mayor  
City of Morgan's Point Resort

ATTEST:

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Camille Bowser, City Secretary  
City of Morgan's Point Resort

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LIBRARY COMMITTEE MTG:	Mary Ruth Briggs Library, February 12, 2025, 7:00 pm-9:00pm
AUXILIARY MTG:	Garrett and Mic Hill Event Center, February 13, 2025, 6:00pm-9:00pm
LAST DAY TO FILE FOR PLACE ON GENERAL ELECTION BALLOT:	City Hall, February 14, 2025, 7:00am-5:00pm
MPR COFFEE W/ COUNCIL MEMBER CLUNE:	Mary Ruth Briggs Library, February 14, 2025, 8:00 am-10:00am
FIRE DEPARTMENT AWARDS:	Mic and Garrett Hill Event Center, February 15, 2025, 6:00pm-10:00pm
PRESIDENT'S DAY:	City Hall Closed, February 17, 2025, 7:00am
LIBRARY VOLUNTEER WORKDAY:	Mary Ruth Briggs Library, February 19, 2025, 1:00pm-3:00pm
PARKS & REC MTG:	Priority Charter School Admin Conference Rm, February 19, 2025, 6:00pm-9pm
MPR COPS:	Garrett and Mic Hill Event Center, February 20, 2025, 7:00pm-9:00pm
CIP STRATEGIC PLANNING:	Level 3 Coworking & Event Center, February 22, 2025, 8:30am-12:00pm
PLANNING & ZONING WKSHP:	Garrett and Mic Hill Event Center, February 25, 2025, 5:00pm-6pm
PLANNING & ZONING MTG:	Garrett and Mic Hill Event Center, February 25, 2025, 6:00pm-8:00pm
MPR EXPLORERS:	Garrett and Mic Hill Event Center, February 27, 2025, 9:00am-12:00pm
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CITY COUNCIL MTG:	Garrett and Mic Hill Event Center, March 11, 2025, 6:00pm



Office  
of the  
County Judge

February 24, 2025

Honorable Dennis Green  
Mayor, City of Morgans Point  
8 Morgans Point Blvd  
Morgans Point Resort, Texas 76513

In re: Ch 242 Platting Agreement for the ETJ

Honorable Mayor Dennis Green,

Please find enclosed two draft Interlocal Agreements relating to the charge counties and cities are given in Chapter 242 of the Local Government Code. That charge, as you may be aware, is for the county and the city to come to an agreement relating to who will approve plats in the extraterritorial jurisdiction of a city. (I have enclosed a copy of relevant portions of Ch. 242 for your ease of reference.)

As you may also be aware, the County was recently involved in litigation relating to an Interlocal Agreement on this matter. I have enclosed a copy of the Order from the Court relating to that litigation. The concerning part of the Order for the County is Paragraph 5. Paragraph 5 states 'accepting the maintenance of the streets in a subdivision is part of the platting process'.

Prior to this Order the County has always considered acceptance of the street maintenance (and any infrastructure maintenance associated with a plat) as a separate matter, apart from the approval of the plat. This Order clearly indicates the Court did not take such a view.

Accordingly, the Commissioners Court believes that our ILA's with all the cities needs to be amended to reflect the legal finding that plat approval and maintenance responsibilities for infrastructure are one and the same action. And, as such, we believe that whichever entity is the

Page Two  
Honorable Dennis Green  
February 24, 2025

approving entity for the plat, should also accept maintenance responsibilities for the infrastructure associated with the plat.

There are two draft ILA's enclosed. One provides for the County to approve all plats in the ETJ and accept maintenance responsibilities for infrastructure associated with such. The other ILA provides for the City to accept maintenance responsibilities for infrastructure associated with such. From the Commissioners Court perspective, we don't care which draft is acceptable to the City. But, it needs to be one or the other. We believe it is not fair or right or acceptable for one entity to approve a plat and then bind another entity for maintenance responsibilities.

We would respectfully request your acceptance of one or the other ILA within the next 60 days. If we aren't able to execute one or the other ILA's, then the County will invoke the provisions of Ch.242 and seek arbitration for resolution of this matter.

We recognize that this has been, and is, a challenging environment as it relates to managing growth and development for both of us. The State has done neither of us any favors and, in many respects, forced us into this position. However, we are committed to managing growth and development in a manner that will be serve the interests of our residents.

Thanks.

Sincerely,



D. Blackburn  
County Judge

Enclosures/ ILA's

cc: Dennis Baldwin, City Manager



## LOCAL GOVERNMENT CODE

### TITLE 7. REGULATION OF LAND USE, STRUCTURES, BUSINESSES, AND RELATED ACTIVITIES

#### SUBTITLE C. REGULATORY AUTHORITY APPLYING TO MORE THAN ONE TYPE OF LOCAL GOVERNMENT

#### CHAPTER 242. AUTHORITY OF MUNICIPALITY AND COUNTY TO REGULATE SUBDIVISIONS IN AND OUTSIDE MUNICIPALITY'S EXTRATERRITORIAL JURISDICTION

Sec. 242.001. REGULATION OF SUBDIVISIONS IN EXTRATERRITORIAL JURISDICTION GENERALLY. (a) This section applies only to a county operating under Sections 232.001-232.005 or Subchapter B, C, or E, Chapter 232, and a municipality that has extraterritorial jurisdiction in that county. Subsections (b)-(g) do not apply:

- (1) within a county that contains extraterritorial jurisdiction of a municipality with a population of 1.9 million or more;
- (2) within a county within 50 miles of an international border, or to which Subchapter C, Chapter 232, applies; or
- (3) to a tract of land subject to a development agreement under Subchapter G, Chapter 212, or other provisions of this code.

(b) For an area in a municipality's extraterritorial jurisdiction, as defined by Section 212.001, a plat may not be filed with the county clerk without the approval of the governmental entity authorized under Subsection (c) or (d) to regulate subdivisions in the area.

(c) Except as provided by Subsections (d)(3) and (4), a municipality and a county may not both regulate subdivisions and approve related permits in the extraterritorial jurisdiction of a municipality after an agreement under Subsection (d) is executed. The municipality and the county shall enter into a written agreement that identifies the governmental entity authorized to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction. For a municipality in existence on September 1, 2001, the municipality and county shall enter into a written agreement under this subsection on or before April 1, 2002. For a municipality incorporated after September 1, 2001, the municipality and county shall enter into a written agreement under this subsection not later than the 120th day after the date the municipality incorporates. On reaching an agreement, the

municipality and county shall certify that the agreement complies with the requirements of this chapter. The municipality and the county shall adopt the agreement by order, ordinance, or resolution. The agreement must be amended by the municipality and the county if necessary to take into account an expansion or reduction in the extraterritorial jurisdiction of the municipality. The municipality shall notify the county of any expansion or reduction in the municipality's extraterritorial jurisdiction. Any expansion or reduction in the municipality's extraterritorial jurisdiction that affects property that is subject to a preliminary or final plat, a plat application, or an application for a related permit filed with the municipality or the county or that was previously approved under Section 212.009 or Chapter 232 does not affect any rights accrued under Chapter 245. The approval of the plat, any permit, a plat application, or an application for a related permit remains effective as provided by Chapter 245 regardless of the change in designation as extraterritorial jurisdiction of the municipality.

(d) An agreement under Subsection (c) may grant the authority to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction of a municipality as follows:

(1) the municipality may be granted exclusive jurisdiction to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction and may regulate subdivisions under Subchapter A of Chapter 212 and other statutes applicable to municipalities;

(2) the county may be granted exclusive jurisdiction to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction and may regulate subdivisions under Sections 232.001-232.005, Subchapter B or C, Chapter 232, and other statutes applicable to counties;

(3) the municipality and the county may apportion the area within the extraterritorial jurisdiction of the municipality with the municipality regulating subdivision plats and approving related permits in the area assigned to the municipality and the county regulating subdivision plats and approving related permits in the area assigned to the county; or

(4) the municipality and the county may enter into an interlocal agreement that:

(A) establishes one office that is authorized to:

(i) accept plat applications for tracts of land located in the extraterritorial jurisdiction;

(ii) collect municipal and county plat application fees in a lump-sum amount; and

(iii) provide applicants one response indicating approval or denial of the plat application; and

(B) establishes a single set of consolidated and consistent regulations related to plats, subdivision construction plans, and subdivisions of land as authorized by Chapter 212, Sections 232.001-232.005, Subchapters B and C, Chapter 232, and other statutes applicable to municipalities and counties that will be enforced in the extraterritorial jurisdiction.

(e) In an unincorporated area outside the extraterritorial jurisdiction of a municipality, the municipality may not regulate subdivisions or approve the filing of plats, except as provided by The Interlocal Cooperation Act, Chapter 791, Government Code.

(f) If a certified agreement between a county and municipality as required by Subsection (c) is not in effect on or before the applicable date prescribed by Section 242.0015(a), the municipality and the county must enter into arbitration as provided by Section 242.0015. If the arbitrator or arbitration panel, as applicable, has not reached a decision in the 60-day period as provided by Section 242.0015, the arbitrator or arbitration panel, as applicable, shall issue an interim decision regarding the regulation of plats and subdivisions and approval of related permits in the extraterritorial jurisdiction of the municipality. The interim decision shall provide for a single set of regulations and authorize a single entity to regulate plats and subdivisions. The interim decision remains in effect only until the arbitrator or arbitration panel reaches a final decision.

(g) If a regulation or agreement adopted under this section relating to plats and subdivisions of land or subdivision development establishes a plan for future roads that conflicts with a proposal or plan for future roads adopted by a metropolitan planning organization, the proposal or plan of the metropolitan planning organization prevails.

(h) This subsection applies only to a county to which Subsections (b)-(g) do not apply, except that this subsection does not apply to a county subject to Section 242.002 or a county that has entered into an agreement under Section 242.003. For an area in a municipality's extraterritorial jurisdiction, as defined by Section 212.001, a plat may not be filed with the county clerk without the approval of both the municipality and the county. If a municipal regulation and a county regulation relating to plats and subdivisions of land conflict, the more stringent regulation prevails. However, if one governmental entity requires a plat to be filed for the subdivision of a particular tract of land in the extraterritorial jurisdiction of the municipality and the other governmental entity does not require the filing of a plat for that subdivision, the authority responsible for approving plats for the governmental entity that does not require the filing shall issue on request of the subdivider a written certification stating that a plat is not required to be filed for that subdivision of the land. The certification must be attached to a plat required to be filed under this subsection.

(i) Property subject to pending approval of a preliminary or final plat application filed after September 1, 2002, that is released from the extraterritorial jurisdiction of a municipality shall be subject only to county approval of the plat application and related permits and county regulation of that plat. This subsection does not apply to the simultaneous exchange of extraterritorial jurisdiction between two or more municipalities or an exchange of extraterritorial jurisdiction that is contingent on the subsequent approval by the releasing municipality.

(j) If an area subject to an agreement under Subsection (c) is removed from a municipality's extraterritorial jurisdiction, the agreement is terminated as to the area and the county is the political subdivision authorized to regulate subdivisions in the removed area.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, Sec. 46(c), 87(n), eff. Aug. 28, 1989; Acts 1997, 75th Leg., ch. 1428, Sec. 1, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 404, Sec. 26, eff. Sept. 1, 1999; Acts 2001, 77th Leg., ch. 736, Sec. 2, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 1028, Sec. 1, eff. Sept. 2001; Acts 2003, 78th Leg., ch. 523, Sec. 1, 3(a), 4, eff. June 20, 2003.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 971 (H.B. 1970), Sec. 1, eff. June 14, 2013.

Acts 2023, 88th Leg., R.S., Ch. 106 (S.B. 2038), Sec. 3, eff. September 1, 2023.

Sec. 242.0015. ARBITRATION REGARDING SUBDIVISION REGULATION AGREEMENT. (a) This section applies only to a county and a municipality that are required to make an agreement as described under Section 242.001(f). If a certified agreement between a county and a municipality with an extraterritorial jurisdiction that extends 3.5 miles or more from the corporate boundaries of the municipality is not in effect on or before January 1, 2004, the parties must arbitrate the disputed issues. If a certified agreement between a county and a municipality with an extraterritorial jurisdiction that extends less than 3.5 miles from the corporate boundaries of the municipality is not in effect on or before January 1, 2006, the parties must arbitrate the disputed issues. A party may not refuse to participate in arbitration requested under this section. An arbitration decision under this section is binding on the parties.

- (b) The county and the municipality must agree on an individual to serve as arbitrator. If the county and the municipality cannot agree on an individual to serve as arbitrator, the county and the municipality shall each select an arbitrator and the arbitrators selected shall select a third arbitrator.
- (c) The third arbitrator selected under Subsection (b) presides over the arbitration panel.
- (d) Not later than the 30th day after the date the county and the municipality are required to have an agreement in effect under Section 242.001(f), the arbitrator or arbitration panel, as applicable, must be selected.
- (e) The authority of the arbitrator or arbitration panel is limited to issuing a decision relating only to the disputed issues between the county and the municipality regarding the authority of the county or municipality to regulate plats, subdivisions, or development plans.
- (f) Each party is equally liable for the costs of an arbitration conducted under this section.
- (g) The arbitrator or arbitration panel, as applicable, shall render a decision under this section not later than the 60th day after the date the arbitrator or arbitration panel is selected. If after a good faith effort the arbitrator or panel has not reached a decision as provided under this subsection, the arbitrator or panel shall continue to arbitrate the matter until the arbitrator or panel reaches a decision.
- (h) A municipality and a county may not arbitrate the subdivision of an individual plat under this section.



STATE OF TEXAS §

INTERLOCAL GOVERNMENT AGREEMENT  
IN REGARD TO PLATTING IN THE  
EXTRATERRITORIAL JURISDICTION

COUNTY OF BELL §

**WHEREAS**, Section 242.001, Local Government Code, requires that a county and municipalities within the unincorporated areas of the county, specifically the area of extraterritorial jurisdiction of the cities, that county shall enter into a written agreement that identifies the governmental entity authorized to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction of each such municipality; and

**WHEREAS**, Section 242.001 authorizes a county and municipalities to establish a consolidated and consistent set of regulations related to plats and subdivisions of land as authorized by Chapters 212 and 232 of the Local Government Code, as well as other statutes applicable to both a county and municipalities, that will be enforced in the extraterritorial jurisdiction; and

**WHEREAS**, it is in the best interests of citizens of Bell County for the various governmental entities in this county to cooperate in the provision of more efficient and higher quality delivery of government services, which in this case can be more effectively provided by the County herein; and

**WHEREAS**, the parties herein have found it advisable to enter into a written agreement providing for regulation of subdivision platting in the unincorporated areas of the County and in the extraterritorial jurisdictions of the City of Morgan's Point Resort ("City") by Bell County ("County") and the City, as authorized by Section 242.001, Local Government Code.

**NOW, THEREFORE**, in consideration of the promises, covenants, and agreements contained herein, the parties hereto mutually agree as follows:

1. From and after the execution of this Agreement by all parties, the County, as a party to this agreement, shall be the entity authorized to regulate subdivision plats and approve related permits within the extraterritorial jurisdiction of the City, as that authority is found under Chapter 212, Local Government Code, except as otherwise herein provided, and the office established by the County for that purpose( the County Engineer's Office) shall be the exclusive office for acceptance of such plat and permit applications and all other transactions involving the County, the City, and the developer in the planning process.

2. The County may charge appropriate fees as authorized by law related to the subdivision platting and permitting process and shall retain those fees.
3. The County shall require a developer to provide to the City a copy of all proposed subdivision plats in the City's extraterritorial jurisdiction. The City may review and may offer comments on any proposed subdivision plat located within the City's extraterritorial jurisdiction and such comments shall be given due consideration by the County. Notwithstanding, the City's review and/or comments shall not be construed as limiting the County's authority nor enhancing the City's authority to approve subdivision plats in the extraterritorial jurisdiction under this agreement.
4. Any plat for a subdivision in the area of the extraterritorial jurisdiction of the City shall require only the approval of the County.
5. Upon approval of the plat by the County, the County shall accept for maintenance, in accordance with County rules and regulations, said public streets, drainage, and/or other infrastructure. Acceptance of any platted, dedicated public streets, drainage, and/or other infrastructure by the County is conditioned upon:
  - a. Said dedicated public streets, drainage, and/or other infrastructure meeting the requirements of the County as set forth in the Bell County Subdivision Regulations, and;
  - b. A separate action (from the approval of the plat) by the Bell County Commissioners Court accepting said public streets, drainage, and/or other infrastructure.
6. The authority provided by Chapter 212, Local Government Code, to the City under this agreement shall be amended as follows:
  - a. A plat shall be required for a division of property within the extraterritorial jurisdiction of the City wherein any of the proposed tracts are less than ten acres in size, as permitted under Chapter 232, Local Government Code, but the only exceptions to that requirement shall be those found in Chapter 212, Local Government Code.
7. This Agreement shall be automatically renewed annually on the anniversary of the date it was executed hereunder.
8. The City or the County may rescind this Agreement at any time with thirty days' written notice.
9. This Agreement may be amended at any time in writing with the mutual consent of the City and the County.

This Agreement is executed this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Bell County

City of Morgan's Point Resort

By: \_\_\_\_\_  
County Judge

By: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
County Clerk

Attest: \_\_\_\_\_  
City Secretary



STATE OF TEXAS §

INTERLOCAL GOVERNMENT AGREEMENT  
IN REGARD TO PLATTING IN THE  
EXTRATERRITORIAL JURISDICTION

COUNTY OF BELL §

**WHEREAS**, Section 242.001, Local Government Code, requires that a county and municipalities within the unincorporated areas of the county, specifically the area of extraterritorial jurisdiction of the cities, that county shall enter into a written agreement that identifies the governmental entity authorized to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction of each such municipality; and

**WHEREAS**, Section 242.001 authorizes a county and municipalities to establish a consolidated and consistent set of regulations related to plats and subdivisions of land as authorized by Chapters 212 and 232 of the Local Government Code, as well as other statutes applicable to both a county and municipalities, that will be enforced in the extraterritorial jurisdiction; and

**WHEREAS**, it is in the best interests of citizens of Bell County for the various governmental entities in this county to cooperate in the provision of more efficient and higher quality delivery of government services, which in this case can be more effectively provided by the County herein; and

**WHEREAS**, the parties herein have found it advisable to enter into a written agreement providing for regulation of subdivision platting in the unincorporated areas of the County and in the extraterritorial jurisdictions of the City of Morgan's Point Resort ("City") by Bell County ("County") and the City, as authorized by Section 242.001, Local Government Code.

**NOW, THEREFORE**, in consideration of the promises, covenants, and agreements contained herein, the parties hereto mutually agree as follows:

1. From and after the execution of this Agreement by all parties, the City, as a party to this agreement, shall be the entity authorized to regulate subdivision plats and approve related permits within the extraterritorial jurisdiction of the City, as that authority is found under Chapter 212, Local Government Code, except as otherwise herein provided, and the office established by the City for that purpose) shall be the exclusive office for acceptance of such

plat and permit applications and all other transactions involving the County, the City, and the developer in the planning process.

2. The City may charge appropriate fees as authorized by law related to the subdivision platting and permitting process and shall retain those fees.
3. The City shall require a developer to provide to the County a copy of all proposed subdivision plats in the City's extraterritorial jurisdiction. The County may review and may offer comments on any proposed subdivision plat located within the City's extraterritorial jurisdiction and such comments shall be given due consideration by the City. Notwithstanding, the County's review and/or comments shall not be construed as limiting the County's authority nor enhancing the City's authority to approve subdivision plats in the extraterritorial jurisdiction under this agreement.
4. Any plat for a subdivision in the area of the extraterritorial jurisdiction of the City shall require only the approval of the City.
5. Upon approval of the plat by the City, the City shall accept for maintenance, in accordance with City rules and regulations relating to the acceptance of public streets, drainage, and/or other infrastructure, said public streets, drainage, and/or other infrastructure.
6. The authority provided by Chapter 212, Local Government Code, to the City under this agreement shall be amended as follows:
  - a. A plat shall be required for a division of property within the extraterritorial jurisdiction of the City wherein any of the proposed tracts are less than ten acres in size, as permitted under Chapter 232, Local Government Code, but the only exceptions to that requirement shall be those found in Chapter 212, Local Government Code.
7. This Agreement shall be automatically renewed annually on the anniversary of the date it was executed hereunder.
8. The City or the County may rescind this Agreement at any time with thirty days' written notice.
9. This Agreement may be amended at any time in writing with the mutual consent of the City and the County.

This Agreement is executed this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Bell County

City of Morgan's Point Resort

By: \_\_\_\_\_  
County Judge

By: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
County Clerk

Attest: \_\_\_\_\_  
City Secretary

**RESOLUTION 25-008**

**WHEREAS**, the City of Morgan's Point Resort is a political subdivision of the State of Texas and is empowered to delegate public funds and to act as custodian of all transactions with City funds; and

**WHEREAS**, the financial institution Horizon Bank (*Temple, Texas*) is designated as a depository for funds of the City and has the goals of providing and maintaining complete safety of the funds of the City of Morgan's Point Resort;

**WHEREAS**, the City of Morgan's Point Resort does hereby request the following changes regarding individuals to act on behalf of the City;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

*That the following individuals, whose signatures appear below are officials, employees, or authorized representatives of the City and are each here authorized to transmit funds and are each further authorized to withdraw funds from time to time, issue letter of instruction, and to take other action deemed necessary or appropriate for local funds:*

Dennis M Baldwin, City Manager                      Signature: \_\_\_\_\_

Mary Tolman, Finance Director                      Signature: \_\_\_\_\_

Nayda Santana, Procurement Director\*                      Signature: \_\_\_\_\_

Katrice Jackson, Director Admin. Services\*                      Signature: \_\_\_\_\_

\*Alternate

*That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the City, and until the Financial Institution (Horizon Bank) receives copy of any such amendment or revocation. The financial institution is entitled to rely on this resolution until such time.*

**PASSED AND APPROVED** this the 11<sup>th</sup> day of March 2025 by \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) vote of the City Council of the City of Morgans Point Resort, Texas.

\_\_\_\_\_  
Dennis Green, Mayor  
City of Morgan's Point Resort, Texas

\_\_\_\_\_  
Camille Bowser, City Secretary  
City of Morgan's Point Resort, Texas

## Resolution 25-009

**A RESOLUTION OF THE CITY COUNCIL OF MORGAN'S POINT RESORT, BELL COUNTY, TEXAS, APPROVING THE APPLICATION FOR FUNDING OF A PORTABLE RADIO GRANT #5131601, IN THE AMOUNT OF \$14,025.00, UNDER THE FY-2025 CRIMINAL JUSTICE GRANT PROGRAM FOR THE CITY OF MORGAN'S POINT RESORT POLICE DEPARTMENT ("MPRPD")**

**WHEREAS**, the City of Morgan's Point Resort, Texas, finds it in the best interest of the citizens of the City of Morgan's Point Resort, Texas that the MPRPD is awarded funding for Portable Radio equipment for the fiscal year 2025; and

**WHEREAS**, the City of Morgan's Point Resort, Texas agrees to provide applicable matching funds for the purchase of said Portable Radio equipment by the Office of the Governor, Public Safety Office Criminal Justice Division Grant Program grant application; and

**WHEREAS**, the City of Morgan's Point Resort, Texas agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Morgan's Point Resort, Texas assures that the funds will be returned to the Office of the Governor in full.

**WHEREAS**, the City of Morgan's Point Resort, Texas designates City Manager, Dennis Baldwin, or designee, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Morgan's Point Resort, Texas approve the submission of the grant application for the MPRPD Portable Radio equipment to the Office of the Governor.

**OPEN MEETINGS:** This resolution was approved by the City Council at a regularly scheduled meeting duly posted in accordance with the Texas Open Meeting Act and at which a quorum was present and voting.

**SEVERABILITY:** In the event that one or more of the provisions contained in this Resolution shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability of this Resolution shall be construed as if such invalid, illegal or unenforceable provision has never been contained herein, but shall not affect the remaining provisions of this Resolution, which shall remain in full force and effect.

**PASSED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2025 by \_\_ (ayes) to \_\_ (nays) to \_\_ (abstentions) vote of the City Council of the City of Morgans Point Resort, Texas.

**THE CITY OF MORGANS POINT, TEXAS**

\_\_\_\_\_  
DENNIS GREEN, Mayor

ATTEST;

\_\_\_\_\_  
CAMILLE BOWSER, City Secretary

**From:** [REDACTED]  
**To:** [Camille Bowser](#); [Cary Erskine](#); ["Les Minor"](#); [Louis.guillaud\\_III@yahoo.com](mailto:Louis.guillaud_III@yahoo.com); [Thomas Westmoreland](#); ["Sam Agha"](#)  
**Subject:** Resignation  
**Date:** Thursday, February 20, 2025 2:41:27 PM

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**CAUTION:** 'This email originated from outside of the organization! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe!'

2/20/2025

Planning & Zoning Commission with the City of Morgan's Point Resort,

Please accept this as my formal resignation from Planning & Zoning Commission with the City of Morgan's Point Resort, effective 2/20/2025. I am grateful for the opportunity and deeply appreciate all the valuable experiences I have gained during my time here. Unfortunately, I have taken on a new position at my place of work and don't have the time to dedicate to P&Z. It has been a sincere pleasure working with everyone.

Thank you for everything.

Best wishes,

Justin Strawn

**CITY COUNCIL MEMORANDUM**

**AGENDA ITEM**                      **RS-25-010**    **CONSIDER A MEMORANDUM/RESOLUTION  
ACCEPTING THE RESIGNATION OF JUSTIN  
STRAWN FROM THE PLANNING AND ZONING  
COMMISSION AND DECLARING A VACANCY  
FOR THE POSITION**

**ORIGINATING DEPARTMENT**                      **CITY SECRETARY'S OFFICE**

**BACKGROUND INFORMATION**

On February 20, 2025, Justin Strawn submitted a letter of resignation from the Planning and Zoning Commission. The Council's acceptance of this resignation will create one (1) vacancy on the commission that will need to be filled. Once a vacancy occurs, staff will advertise the vacancy and begin accepting applications from residents wishing to serve on the commission and bring them before the Council for consideration.

**FISCAL IMPACT**

There is no fiscal impact related to this agenda item.

**RECOMMENDATION**

Staff recommend that the City Council accept the resignation of Justin Strawn from the Planning and Zoning Commission and declare a vacancy for the positions.

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Camille Bowser, City Secretary  
City of Morgan's Point Resort

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Dennis Green, Mayor  
City of Morgan's Point Resort



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2180 N MAIN ST, BELTON, TX 76513 | (254) 770-2200 | WWW.CTCOG.ORG

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**Date: March 4th, 2025**  
**Attn: Dennis Baldwin**  
**Address: 510 Bayridge Rd. Morgan's Point, TX 77571**

Dear Dennis Baldwin,

The Central Texas Council of Governments (CTCOG) currently administers the State's 9-1-1 Program for your city/county, as directed by legislation enacted in 1987. The CTCOG – Emergency Communications/9-1-1 program has more than met the legislative charge of providing emergency dispatch centers with the latest and best available equipment and technology and assuring that this equipment and technology are operating or backed up on a 24 hour/365-day basis.

I am writing this letter to you on behalf of the CTCOG Board of Directors, which is made up of elected and appointed officials from the entities which are served by the CTCOG 9-1-1 program. We believe there is a positive opportunity for the participants in the CTCOG program to have a real and larger impact on policy and fiscal matters than is now available through the state administrative program.

In a legislative session, the Health and Safety Code was amended to permit Councils of Governments/Regional Planning Commissions to establish Regional Emergency Communications Districts (ECD). We see a lot of potential advantages and opportunities that would be to our benefit by creating an ECD. I will attempt to lay out our reasoning in the following paragraphs.

Currently, our citizens and businesses are charged 50 cents on their phone bills to pay for 9-1-1 services. This money is remitted to and held by the state until the legislature appropriates all or part of the funds collected to the Texas Commission on State Emergency Communications (CSEC). CSEC then allocates these funds to councils of governments. The problem is that the Legislature does not always appropriate all the funds collected but rather retains some of the funds to show (on paper) a balanced state budget. If we were to create an Emergency Communication District (ECD), the monies collected through the maximum 50 cent fee would be remitted in their entirety to this district. The major benefit from this, aside from all the funds collected in our region coming back to it, is that a long-range strategic plan could be adopted outlining future capital improvements and replacements for our dispatch centers based on a known and reliable stream of revenue. Under the present situation, we have no certainty of the amount of funding that the region will receive during any given biennium. This results in inefficiencies because long-term planning for capital equipment is difficult to do.

The other major driver of this proposed change, to form our own district, is to ensure local control. Policy and budgetary matters would be decided by a Board of Directors consisting of local elected officials from entities served by the CTCOG 9-1-1 Program. The new law specifies that councils of governments, CTCOG in our case, will continue to staff the district. This ensures that there will be no disruption to the current services provided to our citizens and businesses. The new law requires that the governing body of each entity now served by a council of governments pass a resolution calling for the creation of an ECD. The CTCOG Board of Directors have already indicated an interest in doing so and have approved the resolution that is being presented.

As such, we are now reaching out to everyone to execute the resolution. Please let us know of your preference and/or if you would like to have a meeting to learn more about this matter and to get any questions answered. Also, enclosed is the approved sample resolution, which can be used to support the creation of an ECD. I would encourage you to contact Uryan Nelson, Director at 254.770.2373 with any additional questions. Please notify us as soon as you are ready to execute the resolution and/or if you would like us to come speak to the governing body of your entity to further discuss this resolution. I would also encourage you to call me at 254.654.1595 if you have any questions.

Sincerely,  
Jim Reed, AICP  
Executive Director  
Central Texas Council of Governments  
Cc: City Manager/ Secretary

## RESOLUTION 25-011

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS, AUTHORIZING THE CREATION OF THE CENTRAL TEXAS REGIONAL 9-1-1 EMERGENCY COMMUNICATIONS DISTRICT**

**WHEREAS**, Chapter 772, Subchapter H, of the Texas Health and Safety Code, cited as the Regional Emergency Communications District Act (the "act"), provides the creation of a Regional Emergency Communications District: and

**WHEREAS**, the act applies to a state planning region established under Chapter 391 of the Texas Local Government Code with a population of under 1.5 million, composed of counties and municipalities that operate a 9-1-1 system solely through a regional planning commission: and

**WHEREAS**, the Act requires that the governing bodies of each participating county and municipality in the region adopt a resolution approving the creation of the Regional Emergency Communications District (the "District"); and

**WHEREAS**, as of May 25, 1989, the City of Morgan's Point Resort exclusively receives 9-1-1 system services operated through the Central Texas Council of Governments, a regional planning commission.

### **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, TEXAS:**

1. That the matter and facts recited in the preamble hereof are found and determined to be true and correct.
2. To the extent of any conflict between the terms of this Resolution and any prior Resolution, this Resolution shall govern and control.
3. If any part of this Resolution is ever declared invalid or unenforceable for any reason, the remainder of this Resolution shall remain in full force and effect.
4. The City Manager is directed to implement the new rules of this Resolution in the most effective and efficient manner possible.
5. This resolution was approved by the City Council at a regularly scheduled meeting duly posted in accordance with the Texas Open Meeting Act and at which a quorum was present and voted.

**PASSED AND APPROVED this the 11<sup>th</sup> day of March 2025 by \_\_\_ (ayes) to \_\_\_ (nays) to \_\_\_ (abstentions) vote of the City Council of the City of Morgans Point Resort, Texas.**

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Dennis Green, Mayor

**ATTEST:**

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Camille Bowser, City Secretary

**AN ORDINANCE OF THE CITY COUNCIL OF MORGAN'S POINT RESORT, BELL COUNTY, TEXAS, TO AMEND CHAPTER 14 - ZONING ORDINANCE, SECTION 23 AND SECTION 24 IN THE CODE OF ORDINANCES OF THE CITY OF MORGAN'S POINT RESORT, TO MAKE REVISIONS TO THE TITLE ZONING COMMISSION AND OTHER TERMINOLOGY THROUGHOUT SECTION 23 AND SECTION 24.**

**WHEREAS**, Ordinance 2019-10 was adopted by City Council on May 31, 2019, to consolidate many separate ordinances and to provide a comprehensive zoning solution for the community, which included a clause to restrict City Council from modifying the Zoning Ordinance without first holding two public hearings on proposed changes, and

**THEREFORE**, the following Sections, 23 and 24 of Chapter 14 of the city code of Ordinances are amended to read as follows:

**1. Section 23 Commission.**

- 1) **23.1 Created; Membership.** There is hereby created a Commission in accordance with V.T.C.A., Local Government Code § 211.007, the Commission shall consist of Seven (7) members, each of whom shall be a resident of the City, who are at least eighteen years old and shall be selected for their unselfish interest in the City's affairs. Members shall be appointed by the City Council. Of the seven (7) members, four (4) shall serve a period of one (1) year from the date of initial appointment and three (3) shall serve for a period of two (2) years from the date of initial appointment. Thereafter, all seven (7) members shall serve for a period of two (2) years from the date of appointment. Vacancies shall be filled by appointments for unexpired terms only. For potential members to be considered for appointment, each must complete the City's application for employment as it exists at the time, and may attach a cover letter and resume, which shall be filed with the City Secretary for processing. Members may be removed from office at any time by a majority vote of the City Council for neglect of duty, malfeasance in office or for any action the City Council deems detrimental to the best interest of the City. All members shall serve without pay. Members shall be present for seventy-five percent (75%) of the scheduled meetings of their current, appointed term or shall be subject to removal from the Commission. In the event a Commission member fails to attend the required percentage of meetings, the Commission Chairperson shall notify the City Council of the failure to meet attendance requirements. The city-provided Secretary shall keep minutes of all meetings held by the Commission and full record of all recommendations to be made by the Commission to the City Council. A Chairperson and Vice-Chairperson shall be elected by the Commission from its membership.
- 2) **23.2 Quorum; Voting.** Four members of the Commission shall constitute a quorum, and all members, including the presiding Chairperson, shall have the right of one vote each, a quorum being present. All actions by the Commission shall be by a majority vote of those members present. If any member has a conflict of interest in review of any item on the Commission's agenda, he or she shall remove themselves from the room and refrain from voting only on the item for which a conflict exists.
- 3) **23.3 Meetings.** The Commission shall meet at such times in the City Hall as may be designated by the Chairperson or Vice-Chairperson in the absence of the Chairperson, and at such intervals as may be necessary to orderly and properly transact the business of the Commission.
- 4) **23.4 Duties and Zoning Responsibilities.** Duties and Zoning Responsibilities. As a minimum, the functions and responsibilities of the Commission should be as follows:
  1. Responsible for updating ordinances. where such updates impact the Comprehensive Plan, as determined by the Commission. Approval of the Commission must be obtained before submitting changes to the City Council for

- approval.
- 2. Responsible for updating the subdivision regulations as needed.
- 3. Verify all property owners and residents within 200 feet of the property for which change in zoning is proposed have been notified by City Staff.
- 4. Every five years, review all zoning ordinances and propose in coordination with the Commission to the City Council any needed changes resulting from the review.
- 5. Receive all requests for changes in zoning ordinances or variances from zoning regulations and make appropriate recommendations to the City Council.
- 6. Provide advice to City Staff and the public as needed to assist them in administration of the zoning ordinances or subdivision of property.
- 7. Be guided by the Comprehensive Plan in deliberation on proposals for change in zoning ordinances or subdivision regulations.
- 8. Review and propose action of City Council all proposals for subdividing property in the City and in the ETJ of the City.
- 5) **23.5 Procedure on Zoning Hearings.** . The procedure and process for zoning ordinances changes and/or amendments shall be in accordance with Section 24.

## **2. Section 24. Changes and Amendments to All Zoning Ordinances and Districts and Administrative Procedures.**

- 1) **24.1 Declaration of Policy.** The City declares the enactment of these regulations governing the use and development of land, buildings, and structures as a measure to the orderly development of the community. Therefore, no change shall be made in these regulations or in the boundaries of the zoning districts except:
  - 1. To correct any error in the regulation or map
  - 2. To recognize changed or changing conditions or circumstances in a particular locality
  - 3. To recognize changes in technology, the style of living, or manner of conducting business
- 2) **24.2 Authority to Amend Ordinance.**
  - A. The City Council may from time to time, after receiving a final report thereon by the Commission and after public hearings required by law, amend, supplement, or change the regulations herein provided or the boundaries of the zoning districts specified on the Zoning Map. Any ordinances, regulations or Zoning District boundary amendment may be considered for consideration by the City Council, be initiated by the Commission, or be requested by the owner of real property, or the authorized representative of an owner of real property. In no case shall the City Council act upon any zoning request prior to action by the Commission.
  - B. Consideration for a change in any district boundary line or special zoning regulation may be initiated only with written consent of the property owner, or by the Commission or City Council on its own motion when it finds that public benefit will be derived from consideration of such matter. In the event the ownership stated on an application and that shown on the City records are different, the applicant shall submit proof or [of] ownership.
  - C. Each application for zoning or for an amendment or change to the existing provisions of this Zoning Ordinance shall be made in writing on a form suitable to the Commission and shall be filed with the City and shall be accompanied by payment of the appropriate fees as established by the City of Morgan's Point Resort, Texas, and on file with the City Secretary.
- 3) **24.3 Public Hearing and Notice.** Prior to making its report to the City Council, the Commission shall hold at least one public hearing on each application. Written notice of all public hearings on proposed changes in district boundaries or other changes to district zoning regulations shall be sent to all owners of property or to the person rendering the same for the City taxes, affected by the application and within two hundred feet (200') of any property affected thereby, within not less than ten (10) days before such hearing is held. Such notice may be served by using the

last known address as listed in the latest approved tax roll and depositing the notice, postage paid, in the United States mail. Notices for the public hearing for changes to the ordinance before the City Council will also be sent to affected property owners at the same time notice of the Commission hearing is sent.

- 4) **24.4 Failure to Appear.** Failure of the applicant or his representative to appear before the Commission or City Council for more than one hearing within an approved delay may constitute sufficient grounds for the Commission to terminate or deny the application.
- 5) **24.5 Commission Consideration and Report.** The Commission, after the public hearing is closed, shall prepare its report and recommendations on the proposed change stating its findings, its evaluation of the request and of the relationship of the request to the Comprehensive Plan. The Commission may defer its report for not more than ninety (90) days from the time it is posted on the agenda until it has had the opportunity to consider other proposed changes which may have a direct bearing thereon. In making its determination, the Commission shall consider the following factors:
  - A. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole.
  - B. Whether the proposed change is in accord with any existing or proposed plans for providing streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings.
  - C. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.
  - D. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.
  - E. How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.
  - F. Any other factors which will substantially affect the health, safety, morals, or general welfare.
- 6) **24.6 City Council Consideration.**
  - A. Proposed [Proposal] Recommended for Approval by the Commission: Every proposal which is recommended favorable by the Commission shall be automatically forwarded to the City Council for setting and holding of public hearing thereon. No change, however, shall become effective until after the adoption of an ordinance for same and its publication as required by law.
  - B. Proposal Recommended for Denial by the Commission: When the Commission determines that a proposal should be denied, it shall so report and recommend to the City Council and notify the applicant. If the proposal is denied by the Commission, the request shall not be forwarded to the City Council unless the applicant requests an appeal to the City Council or the request is sent for review by the Commission by simple majority vote. When a proposed zoning request is heard by the City Council that has been denied by the Commission, a three-fourths (¾) majority vote by the City Council shall be required for approval. A request which has been denied by the Commission and/or City Council may be resubmitted at any time for reconsideration by the City, accompanied by a new filing fee. The City Council may deny any request with prejudice. If a request has been denied with prejudice, the same or similar request may not be resubmitted to the City for six (6) months from the original date of denial.
  - C. City Council Hearing and Notice: Notice of City Council hearing shall be given by publication at the same time notice is given for the Commission public hearing in

the official newspaper of the City, stating the time and place of such hearing, which shall be at least fifteen (15) days after the date of publication.

- D. Three-fourths Vote: A favorable vote of three-fourths ( $\frac{3}{4}$ ) of all members of the City Council shall be required to approve any change in zoning when written objections are received from twenty percent (20%) of the area of the adjacent landowners which comply with the provisions of the State laws commonly referred to as the "twenty percent (20%) rule." If a protest against such proposed amendments, supplement or change has been filed with the City Secretary, duly signed and acknowledged by the owners of twenty percent (20%) or more, either of the area of the lots included in such a proposed change or those immediately adjacent to the area thereof extending two hundred feet (200') therefrom or of those directly opposite thereto extending two hundred feet (200') from the street frontage of such opposite lots, such amendments shall not become effective except by a three-fourths ( $\frac{3}{4}$ ) vote of the City Council.
- E. Final Approval and Ordinance Adoption: Upon submittal of the zoning request to the City Council, the applicant shall submit a metes and bounds description to the City for the preparation of the amending ordinance. The amending ordinance shall be approved at the time the City Council makes a decision to approve the request as submitted or with certain conditions. The amending ordinance will not be approved until a correct description has been prepared for the amending ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MORGAN'S POINT RESORT, BELL COUNTY, TEXAS, THAT:**

1. That the matter and facts recited in the preamble hereof are found and determined to be true and correct.
2. To the extent of any conflict between the terms of this Ordinance and any prior Ordinance, this Ordinance shall govern and control.
3. If any part of this Ordinance, of whatever size, is ever declared invalid or unenforceable for any reason, the remainder of this Ordinance shall remain in full force and effect.
4. This Ordinance shall take full force and effect from and after its passage, approval and publication as required by applicable law.
5. The City Manager is directed to implement the new rules of this Ordinance in the most effective and efficient manner possible.
6. The City Secretary is directed to publish these changes on the City Website, with the help and guidance of Municode, as soon as possible.
7. This ordinance was approved by the City Council at a regularly scheduled meeting duly posted in accordance with the Texas Open Meeting Act and at which a quorum was present and voted.

**PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2025 by \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) vote of the City Council of the City of Morgan's Point Resort, Texas.**

\_\_\_\_\_  
Dennis Green, Mayor

Attest:

APPROVED AS TO FORM:

\_\_\_\_\_  
Camille Bowser, City Secretary

\_\_\_\_\_  
Neale Potts, City Attorney



## Section 23. Commission.

23.1 Created; Membership. There is hereby created a Commission in accordance with V.T.C.A., Local Government Code § 211.007, the Commission shall consist of Seven (7) members, each of whom shall be a resident of the City, who are at least eighteen years old and shall be selected for their unselfish interest in the City's affairs. Members shall be appointed by the City Council. Of the seven(7) members, four (4) shall serve a period of one (1) year from the date of initial appointment and three (3) shall serve for a period of two (2) years from the date of initial appointment. Thereafter, all seven (7) members shall serve for a period of two (2) years from the date of appointment. Vacancies shall be filled by appointments for unexpired terms only. For potential members to be considered for appointment, each must complete the City's application for employment as it exists at the time, and may attach a cover letter and resume, which shall be filed with the City Secretary for processing. Members may be removed from office at any time by a majority vote of the City Council for neglect of duty, malfeasance in office or for any action the City Council deems detrimental to the best interest of the City. All members shall serve without pay. Members shall be present for seventy-five percent (75%) of the scheduled meetings of their current, appointed term or shall be subject to removal from the Commission. In the event a Commission member fails to attend the required percentage of meetings, the Commission Chairperson shall notify the City Council of the failure to meet attendance requirements. The city-provided Secretary shall keep minutes of all meetings held by the Commission and full record of all recommendations to be made by the Commission to the City Council. A Chairperson and Vice-Chairperson shall be elected by the Commission from its membership.

23.2 Quorum; Voting. Four members of the Commission shall constitute a quorum, and all members, including the presiding Chairperson, shall have the right of one vote each, a quorum being present. All actions by the Commission shall be by a majority vote of those members present. If any member has a conflict of interest in review of any item on the Commission's agenda, he or she shall remove themselves from the room and refrain from voting only on the item for which a conflict exists.

23.3 Meetings. The Commission shall meet at such times in the City Hall as may be designated by the Chairperson or Vice-Chairperson in the absence of the Chairperson, and at such intervals as may be necessary to orderly and properly transact the business of the Commission.

23.4 Duties and Zoning Responsibilities. As a minimum, the functions and responsibilities of the Commission should be as follows:

1. Responsible for updating ordinances. where such updates impact the Comprehensive Plan, as determined by the Commission. Approval of the Commission must be obtained before submitting changes to the City Council for approval.
2. Responsible for updating the subdivision regulations as needed.
3. Verify all property owners and residents within 200 feet of the property for which change in zoning is proposed have been notified by City Staff.
4. Every five years, review all zoning ordinances and propose in coordination with the Commission to the City Council any needed changes resulting from the review.
5. Receive all requests for changes in zoning ordinances or variances from zoning regulations and make appropriate recommendations to the City Council.
6. Provide advice to City Staff and the public as needed to assist them in administration of the zoning ordinances or subdivision of property.
7. Be guided by the Comprehensive Plan in deliberation on proposals for change in zoning ordinances or subdivision regulations.

8. Review and propose action of City Council all proposals for subdividing property in the City and in the ETJ of the City.

23.5 Procedure on Zoning Hearings. The procedure and process for zoning ordinances changes and/or amendments shall be in accordance with Section 24.

(Ord. No. 2019-10, § 5, 8-20-19)

State law reference(s)—Authority of municipality to establish Commission, V.T.C.A., Local Government Code § 211.007.

## **Section 24. Changes and Amendments to All Zoning Ordinances and Districts and Administrative Procedures.**

24.1 Declaration of Policy. The City declares the enactment of these regulations governing the use and development of land, buildings, and structures as a measure to the orderly development of the community. Therefore, no change shall be made in these regulations or in the boundaries of the zoning districts except:

1. To correct any error in the regulation or map
2. To recognize changed or changing conditions or circumstances in a particular locality
3. To recognize changes in technology, the style of living, or manner of conducting business

### **24.2 Authority to Amend Ordinance.**

- A. The City Council may from time to time, after receiving a final report thereon by the Commission and after public hearings required by law, amend, supplement, or change the regulations herein provided or the boundaries of the zoning districts specified on the Zoning Map. Any ordinances, regulations or Zoning District boundary amendment may be considered for consideration by the City Council, be initiated by the Commission, or be requested by the owner of real property, or the authorized representative of an owner of real property. In no case shall the City Council act upon any zoning request prior to action by the Commission.
- B. Consideration for a change in any district boundary line or special zoning regulation may be initiated only with written consent of the property owner, or by the Commission or City Council on its own motion when it finds that public benefit will be derived from consideration of such matter. In the event the ownership stated on an application and that shown on the City records are different, the applicant shall submit proof or [of] ownership.
- C. Each application for zoning or for an amendment or change to the existing provisions of this Zoning Ordinance shall be made in writing on a form suitable to the Commission and shall be filed with the City and shall be accompanied by payment of the appropriate fees as established by the City of Morgan's Point Resort, Texas, and on file with the City Secretary.

24.3 Public Hearing and Notice. Prior to making its report to the City Council, the Commission shall hold at least one public hearing on each application. Written notice of all public hearings on proposed changes in district boundaries or other changes to district zoning regulations shall be sent to all owners of property or to the person rendering the same for the City taxes, affected by the application and within two hundred feet (200') of any property affected thereby, within not less than ten (10) days before such hearing is held. Such notice may be served by using the last known address as listed in the latest approved tax roll and depositing the notice, postage paid, in the United States mail. Notices for the public hearing for changes to the ordinance before the City Council will also be sent to affected property owners at the same time notice of the Commission hearing is sent.

24.4 Failure to Appear. Failure of the applicant or his representative to appear before the Commission or City Council for more than one hearing within an approved delay may constitute sufficient grounds for the Commission to terminate or deny the application.

24.5 Commission Consideration and Report. The Commission, after the public hearing is closed, shall prepare its report and recommendations on the proposed change stating its findings, its evaluation of the request and of the relationship of the request to the Comprehensive Plan. The Commission may defer its report for not more than ninety (90) days from the time it is posted on the agenda until it has had the opportunity to consider other proposed changes which may have a direct bearing thereon. In making its determination, the Commission shall consider the following factors:

- A. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole.
- B. Whether the proposed change is in accord with any existing or proposed plans for providing streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings.
- C. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.
- D. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.
- E. How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.
- F. Any other factors which will substantially affect the health, safety, morals, or general welfare.

#### 24.6 City Council Consideration.

- A. Proposed [Proposal] Recommended for Approval by the Commission: Every proposal which is recommended favorable by the Commission shall be automatically forwarded to the City Council for setting and holding of public hearing thereon. No change, however, shall become effective until after the adoption of an ordinance for same and its publication as required by law.
- B. Proposal Recommended for Denial by the Commission: When the Commission determines that a proposal should be denied, it shall so report and recommend to the City Council and notify the applicant. If the proposal is denied by the Commission, the request shall not be forwarded to the City Council unless the applicant requests an appeal to the City Council or the request is sent for review by the Commission by simple majority vote. When a proposed zoning request is heard by the City Council that has been denied by the Commission, a three-fourths ( $\frac{3}{4}$ ) majority vote by the City Council shall be required for approval. A request which has been denied by the Commission and/or City Council may be resubmitted at any time for reconsideration by the City, accompanied by a new filing fee. The City Council may deny any request with prejudice. If a request has been denied with prejudice, the same or similar request may not be resubmitted to the City for six (6) months from the original date of denial.
- C. City Council Hearing and Notice: Notice of City Council hearing shall be given by publication at the same time notice is given for the Commission public hearing in the official newspaper of the City, stating the time and place of such hearing, which shall be at least fifteen (15) days after the date of publication.
- D. Three-fourths Vote: A favorable vote of three-fourths ( $\frac{3}{4}$ ) of all members of the City Council shall be required to approve any change in zoning when written objections are received from twenty percent (20%) of the area of the adjacent landowners which comply with the provisions of the State laws commonly referred to as the "twenty percent (20%) rule." If a protest against such proposed amendments, supplement or change has been filed with the City Secretary, duly signed and

acknowledged by the owners of twenty percent (20%) or more, either of the area of the lots included in such a proposed change or those immediately adjacent to the area thereof extending two hundred feet (200') therefrom or of those directly opposite thereto extending two hundred feet (200') from the street frontage of such opposite lots, such amendments shall not become effective except by a three-fourths ( $\frac{3}{4}$ ) vote of the City Council.

- E. Final Approval and Ordinance Adoption: Upon submittal of the zoning request to the City Council, the applicant shall submit a metes and bounds description to the City for the preparation of the amending ordinance. The amending ordinance shall be approved at the time the City Council makes a decision to approve the request as submitted or with certain conditions. The amending ordinance will not be approved until a correct description has been prepared for the amending ordinance.