

ORDINANCE NO. 10921-2020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, CONFIRMING AND APPROVING AN INTERLOCAL COOPERATION AGREEMENT RELEASING EXTRATERRITORIAL JURISDICTION WITH THE CITY OF VENUS, TEXAS, ADJUSTING EXTRATERRITORIAL JURISDICTION OF THE CITIES AND PROVIDING FOR RELATED OBLIGATIONS OF THE CITIES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, The City of Grand Prairie ("Grand Prairie") and the City of Venus ("Venus") (collectively referred to as the "Cities") are adjacent and neighboring municipalities that currently share common extraterritorial jurisdiction ("ETJ") boundaries, and are empowered by State law and the Constitution to establish their respective corporate boundaries and ETJ; and

WHEREAS, Grand Prairie has agreed to release certain portions of its extraterritorial jurisdiction to Venus (hereinafter "Grand Prairie Release Area"); and

WHEREAS, the Cities seek to avoid conflicts and uncertainty relative to the extent and location of their respective corporate limits and ETJ; and

WHEREAS, the Cities each desire to approve by ordinance an Interlocal Cooperation Agreement Releasing Extraterritorial Jurisdiction, attached and incorporated herein by reference as Exhibit 1 (hereinafter "ETJ Release Agreement") which confirms and adjusts their respective ETJ; and

WHEREAS, each of the Cities has reviewed their respective corporate boundaries and ETJ based upon their respective populations, Chapter 42 of the Texas Local Government Code, and the location of the Grand Prairie Release Area and has determined that such tracts would be better served by the municipal services of the City of Venus as reflected in the attached ETJ Release Agreement; and

WHEREAS, the Cities find and determine it necessary for the health, safety and welfare of their residents to confirm boundaries and make certain agreements and adjustments regarding their respective ETJ; and

WHEREAS, the ETJ Release Agreement is made under the authority granted by and pursuant to Texas Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, as amended, providing for the cooperation between local governmental bodies, for beneficial governmental purposes; and

WHEREAS, the Cities have each agreed to submit to their respective governing bodies an ordinance approving the ETJ Release Agreement which confirms and adjusts their respective ETJ boundaries, as set forth in the ETJ Release Agreement which includes a map depicting the ETJ released by Grand Prairie to Venus (Exhibit A thereto) and a metes and bounds description of the ETJ released by Grand Prairie to Venus (Exhibit B thereto); and

WHEREAS, the respective meeting(s) at which this Ordinance is considered are open to the public as required by law, and the public notice of the time, place and purpose of said meeting(s) was given as required by Chapter 551, Texas Government Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS THAT:

Section 1. The City Council of the City of Grand Prairie finds that the above and foregoing recitals are true and accurate and are hereby incorporated for all purposes as official findings of the City Council of the City of Grand Prairie.

Section 2. The terms and conditions of the ETJ Release Agreement, attached as Exhibit 1, are hereby approved, authorized, and accepted, which confirm and adjust the respective ETJ of the Cities, specifically releasing from Grand Prairie's ETJ to Venus's ETJ the area depicted in Exhibit A of the ETJ Release Agreement and as specifically described by metes and bounds in Exhibit B of the ETJ Release Agreement. The Mayor is hereby authorized and directed to execute this Ordinance and execute and deliver the ETJ Release Agreement to the City of Venus for consideration and execution.

Section 3. The City Council of the City of Grand Prairie shall take all appropriate action necessary to effectuate the terms of this Ordinance and the ETJ Release Agreement approved hereby and through the adoption of an official map ("Official Map") showing the respective boundaries and ETJ as required by Section 41.001 of the Texas Local Government Code. The Official Map of the City of Grand Prairie shall be filed with the Dallas, Tarrant and Ellis County Clerks within thirty (30) days of the adoption of the City's Official Map, and a copy of this Ordinance, adopting and authorizing the execution of the ETJ Release Agreement shall be filed by the City within thirty (30) days after the effective date of the ETJ Release Agreement, in the deed records of the Dallas, Tarrant and Ellis County Clerks.

Section 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or unlawful, such holding shall not affect the validity of the remaining provisions of this Ordinance.

Section 5. This Ordinance approving the ETJ Release Agreement shall only become effective upon the adoption by ordinance of the ETJ Release Agreement by the City of Venus.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 13TH DAY OF OCTOBER 2020.

APPROVED:



Ron Jensen, Mayor

ATTEST:

APPROVED AS TO FORM:

City Secretary

City Attorney