

RESOLUTION NO. 2003-01

**A RESOLUTION OF THE VILLAGE OF WEBBERVILLE,
TEXAS, OPPOSING HOUSE BILL 2212 AND ITS
COMPANION, SENATE BILL 1569, AND URGING THE
TEXAS LEGISLATURE NOT TO ENACT THIS
LEGISLATION OR TO AMEND IT SO TO BE
PROSPECTIVE IN APPLICATION**

WHEREAS, on February 1, 2003, the registered voters of the community known as Webberville elected to incorporate as a municipality bearing the name “the Village of Webberville”; and

WHEREAS, the Village is a historic settlement dating back over one hundred and fifty years, and features one of the oldest consistently utilized churches in the State, prime agricultural land, scenic vistas, recreational spots near the Lower Colorado River, and many residential developments; and

WHEREAS, the Village is at-risk of being completely surrounded and dissected by polluting industries such as gravel mines, sludge farms, and landfills, all of which are incompatible with the Village’s residential and rural character; and

WHEREAS, on March 11 and 14, 2003, two state legislators from outside the region filed companion bills that, if enacted, will make it virtually impossible for the Village to conduct comprehensive planning and zoning, and thus thwart the main impetus for Webberville’s incorporation; and

WHEREAS, House Bill 2212 (by Mowery) and Senate Bill 1569 (by Madla) were drafted by Austin lawyer Kinnan Goleman, a lobbyist for Texas Industries, a gravel mining company operating in Webberville with plans to expand into sensitive areas; and

WHEREAS, the gravel mining companies located in Webberville have thus far failed to attend a single Village Commission meeting to discuss or negotiate the matter of land use planning or comprehensive zoning, but rather, turned to the Texas Legislature to address what is fundamentally a local issue to be settled by local officials; and

WHEREAS, HB 2212 and SB 1569 are opposed by the Village of Webberville’s distinguished legislators, the Honorable Senator Gonzalo Barrientos and the Honorable Representative Dawnna Dukes, both of whom have pledged to defeat this onerous legislation; and

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE VILLAGE COMMISSION OF THE VILLAGE OF WEBBERVILLE, TEXAS, THAT:

- (1) As the duly elected governing body of the Village of Webberville, the Village Commission is opposed to HB 2212 and SB 1569.
- (2) The Village Commission urges the Texas Legislature to postpone any further consideration and refuse to enact of this legislation.
- (3) If in its wisdom the Texas Legislature deems the issue of the continuation of land use in newly-incorporated municipalities to be worthy of state regulation, that the restrictions imposed by HB 2212 and SB 1569 apply only to municipalities incorporated after the effective date of the legislation, and thus not be unfairly and unconstitutionally retroactive to January 1, 2003.
- (4) This Resolution shall take effect immediately from and after the date of passage.
- (5) A quorum of the Village Commission was present at the meeting at which this Resolution was adopted. The meeting was open to the public and public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED this, the 30th day of April 2003, by a vote of _____ (ayes) to _____ (nays) to _____ (abstentions) of the Village Commission of the Village of Webberville, Texas.

VILLAGE OF WEBBERVILLE

by: _____
Hector Gonzales, Mayor

ATTEST:

Carol Goodrich, Village Clerk

APPROVED AS TO FORM:

Alan J. Bojorquez, Village Attorney