

RESOLUTION NO. 2024-047

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANDERA, TEXAS DESIGNATING AN OFFICIAL NEWSPAPER FOR THE STATUTORY PUBLICATION REQUIREMENTS ESTABLISHED BY STATE LAW; ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Texas Local Government Code Section 52.004 provides that as soon as practicable after the beginning of each municipal year, the governing body of the municipality shall contract, as determined by ordinance or resolution, with a public newspaper of the municipality to be the municipality's official newspaper until another newspaper is selected; and,

WHEREAS, the governing body shall publish in the municipality's official newspaper each ordinance, notice, or other matter required by law or ordinance to be published; and,

WHEREAS, Texas Government Code Section 2051.044 provides that a newspaper used to convey official notices must as a general matter devote not less than 25 percent of its total column lineage to general interest items, be published at least once each week, be entered as second-class postal matter in the county where published, and have been published regularly and continuously for at least 12 months before the governmental entity or representative publishes notice; and,

WHEREAS, Texas Government Code Section 2051.048 provides that a notice published by a city must, as a general matter, be published in a newspaper that is published in the city, and that will publish the notice at or below the legal rate; and,

WHEREAS, the attorney general has opined that a newspaper of general circulation is one that has more than a de minimis number of subscribers within a specific geographic region, has a diverse readership, and publishes some items of general interest to the community. Tex. Att'y Gen. Op. No. JC-0223 (2000).

WHEREAS, the City Council of the City of Bandera, Texas hereby find that it is in the best interest of the citizens of Bandera to designate an official newspaper meeting the statutory requirements as required by law.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BANDERA TEXAS;

Section 1. The City Council, by majority vote, hereby designates the Bandera Bulletin as the official newspaper for all statutory publication requirements.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

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Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 10th day of December, 2024.

Mayor Pro Tem, Tony Battle

ATTEST:

Jill Shelton, City Secretary