

THE STATE OF TEXAS §

COUNTY OF WALLER §

**AN ORDER OF WALLER COUNTY, TEXAS, ADOPTING LOCAL GOVERNMENT CODE CHAPTER 320, AND ESTABLISHING THE COMMISSIONERS COURT AS THE BOARD OF PARK COMMISSIONERS.**

**WHEREAS**, a commissioners court may adopt Chapter 320 of Texas Local Government Code for the purpose of acquiring, improving, equipping, maintaining, financing, and operating one or more public parks;

**WHEREAS**, the Waller County Commissioners Court (“Commissioners Court”) desires to create parks and green spaces for public enjoyment and the conservation of Waller County’s native resources;

**WHEREAS**, the Commissioners Court desires to adopt Chapter 320 of Texas Local Government Code to accomplish that goal;

**WHEREAS**, the Commissioners Court elects to exercise and perform the powers and duties provided by Chapter 320 of Texas Local Government Code;

**NOW, THEREFORE, BE IT ORDERED**, by the Commissioners Court of Waller County, Texas:

1. **Findings of Fact:** The foregoing recitals are incorporated into this Order by reference as findings of fact as if set forth herein at length.
2. **Adoption of Texas Local Government Code Chapter 320:** The Commissioners Court hereby adopts Texas Local Government Code Chapter 320 (“Chapter 320”) for the purpose of acquiring, improving, equipping, maintaining, financing, and operating public parks in Waller County, Texas.
3. **Commissioners Court as Board of Park Commissioners:** Pursuant to Section 320.003, Texas Local Government Code, the Commissioners Court shall exercise and perform the powers and duties provided to a board of park commissioners by Chapter 320. Pursuant to Section 320.004(a), Texas Local Government Code, any reference in Chapter 320 to a board of park commissioners shall be considered a reference to the Commissioners Court.
4. **Application:** This order shall apply to all parks owned, operated, or maintained by Waller County, Texas.
5. **Financial Statement:** Pursuant to Section 320.047 of Texas Local Government Code, on or immediately after January 1 of each year, the Commissioners Court shall prepare and file in its official records a complete financial statement showing the financial status of its activities pursuant to Chapter 320, and the properties, funds, and indebtedness under its administration pursuant to Chapter 320. The financial statement must show separately all information concerning:
  - a. revenue bonds,

- b. gross revenues from properties or facilities the net revenues of which are pledged to the payment of the revenue bonds and the expenditures from those gross revenues, and
- c. money appropriated by the county for operation and maintenance expenses.

At the same time the financial statement is filed in the Commissioners Court's official records, the Commissioners Court must also file with the County Auditor: 1) a copy of the financial statement, and 2) a proposed budget for the Commissioners Courts needs under Chapter 320 for the current calendar year.

- 6. **Severability:** If any word, article, phrase, paragraph, sentence, clause, or provision of this Order shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Order which can be given effect without the invalid provision, and to this end the provision of this Order is declared to be severable.
- 7. **Effective Date:** This Order shall take effect immediately from and after the date of this Order.
- 8. **Proper Notice and Open Meeting:** It is hereby officially found and determined that the meeting at which this Order was passed was open to the public as required and the 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.

**ADOPTED**, this 10<sup>th</sup> day of June, 2026, by the vote of the Commissioners Court of Waller County, Texas.

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Carbett "Trey" J. Duhon III  
County Judge

ATTEST:

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Debbie Hollan  
County Clerk

