City Council
Agenda Memo

CITY OF ABILENE

City Council
Meeting Date: Mar 27, 2014

TO: **Larry D. Gilley, City Manager**

FROM: **Rodney Taylor, Assistant Director of Water Utilities**

SUBJECT: **Oral Resolution authorizing a Water Supply Agreement between Abilene Landfill TX, LP. and the City of Abilene.**

GENERAL INFORMATION

The City of Abilene Water Department is requesting that by oral resolution the City Council authorize the Water Department to establish a Water Supply Agreement (Agreement) between Abilene Landfill TX, LP (Abilene Landfill) and the City of Abilene. The Agreement will allow the Abilene Landfill to continue to take raw water for use at its facility. The resolution authorizes the City Manager or his designee to execute the Agreement with Abilene Landfill.

The take point for Abilene Landfill is a connection to Abilene's raw water pipeline located near the Northeast Water Treatment Plant. Following is the history of the contracts leading up to the current Agreement.

- Aug. 9, 1973, Original Water Supply Contract with Pride Refining for raw water and wastewater disposal, 20yr term.
- Oct. 28, 1993, Raw Water Supply and Wastewater Disposal Contract with Pride Refining, expired Dec. 31, 2013.
- Jul. 30, 1991, Amendment No. 1, Pride assigns raw water facilities to BFI, Pride retains wastewater disposal.
- Dec. 2, 2013, Abilene informs Delek Marketing Inc. (current owners of Pride Refinery facilities) that the Wastewater Disposal Agreement will not be renewed.
- Dec. 31, 2013, letter of extension of Raw Water Agreement with Abilene Landfill, expires on March 31, 2014.

The Water Supply Agreement with Abilene Landfill has a three year term. Abilene Landfill agrees that it is subject to and will at all times comply with the City's Water Conservation and Drought Contingency Plan, as now in effect and as same may be amended. The Agreement could be extended subject to the City having available Water upon expiration of the Agreement and the City's determination that it is in the best interest of the City to continue to provide water to Abilene Landfill.

STAFF RECOMMENDATION

It is recommended that the City Council authorize, by oral resolution, the execution of a Water Supply Agreement with Abilene Landfill TX, LP, as described above, and to authorize the City Manager or his designee to execute all necessary documents related to the Agreement.

ATTACHMENTS

N/A

Prepared by:		Disposition by City Council
Name Rodney Taylor		❑ Approved Ord/Res# _____ ❑ Denied ❑ Other
Title Asst. Water Director	Item No.___6.10_____	_____ City Secretary