

RESOLUTION NO. 24-2008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO PROFESSIONAL SERVICES AGREEMENTS NECESSARY FOR THE FILING AND PROSECUTION OF STATE AND FEDERAL PERMIT APPLICATIONS FOR THE CEDAR RIDGE RESERVOIR PROJECT.

WHEREAS, the City of Abilene, Texas (the "City") serves as a major water supplier for its citizens and for surrounding communities in and near Taylor and Jones Counties, Texas; and,

WHEREAS, the City projects that its water supply demands and that of this region of the state will continue to grow and may exceed available supplies in the near future; and,

WHEREAS, the City desires to ensure that it has adequate water supplies to meet future demands and attract new business development to this region of the state; and,

WHEREAS, the Cedar Ridge Reservoir (the "Reservoir") is identified in the 2006 Region G Regional Water Plan and the 2007 State Water Plan as a recommended water management strategy for the City and this region of the state; and,

WHEREAS, the City has evaluated the economic feasibility of the Reservoir and determined that the Reservoir, if constructed, will provide a cost-effective supply of water for the City and its customers; and,

WHEREAS, in order to pursue construction of the Reservoir it is necessary for the City to apply to the Texas Commission on Environmental Quality ("TCEQ") for a water right permit, other authorizations as necessary, and water quality certification, and to apply to the U.S. Army Corps of Engineers (the "Corps") for a Clean Water Act § 404 permit, and to secure such permits, authorizations, and certifications;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: The City Council hereby finds it is in the best interest of the City to pursue securing the permits, certifications, and authorizations necessary for the development of the Reservoir; and


PART 2: The City Manager or his designee is hereby authorized to negotiate Professional Service Agreements with the consultants involved in the work associated with the Reservoir for the preparation of the applications for the necessary water rights permit, water quality certification, and the Section 404 Permit, and any other work

associated with securing the appropriate permits from TCEQ and the Corps for the Reservoir.

PART 3: The City Manager or his designee shall periodically provide updates to the City Council regarding the status of the permits, certifications and authorizations, as well as any subsequent consultant reports or studies, challenges or disputes arising out of such application processes, or other matters related to the permitting process that may require City Council authorization.

ADOPTED this 26 day of June, 2008.

ATTEST:



Danette Dunlap, City Secretary



Norman Archibald, Mayor

APPROVED:



City Attorney