

RESOLUTION NO. 05-2015

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE 2005 INTERLOCAL AGREEMENT BETWEEN THE CITY OF ABILENE, THE BRAZOS RIVER AUTHORITY, AND THE WEST CENTRAL TEXAS MUNICIPAL WATER DISTRICT.**

**WHEREAS**, On March 10, 2005 the City of Abilene (City) along with the West Central Texas Municipal Water District (District) entered into an Interlocal Agreement with the Brazos River Authority (BRA) to resolve existing and potential conflicts between each entities respective water rights and each entities pending or proposed water right applications including the City's proposed Cedar Ridge Reservoir; and

**WHEREAS**, processing and obtaining final action on the BRA's System Operation permit has taken significantly longer than was anticipated and Possum Kingdom Lake has experienced record low inflow levels since 2001 that may result in reduced yield from the lake; and

**WHEREAS**, because of the processing delay and potential for reduced yields, the City and District cannot determine the quantity of the option held by the entities under the 2005 agreement; and

**WHEREAS**, the parties have agreed to amend the 2005 Interlocal Agreement to extend dates related to the Cedar Ridge project; clarify the City's and District's option under the 2005 agreement will be based on final action on the BRA System Operation Permit; agree there will be no payment for the option until one year after final action on the System Operation Permit and notification water is available under the option; and the ability to return all or part of the water with no penalty.

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

The Mayor is hereby authorized to execute an amendment to the 2005 Interlocal Agreement between the City of Abilene, the Brazos River Authority, and the West Central Texas Municipal Water District as outlined above.

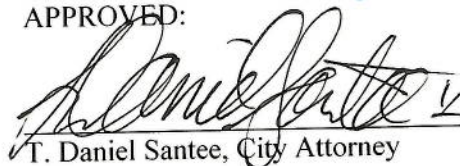
**ADOPTED this 12<sup>th</sup> day of February, 2015.**

ATTEST:

  
Danette Dunlap, City Secretary

  
Norman Archibald, Mayor

APPROVED:

  
T. Daniel Santee, City Attorney