

RESOLUTION NO. 04-2016

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AUTHORIZING A NEW WATER SUPPLY CONTRACT BETWEEN THE CITY OF
ABILENE AND THE CITY OF BUFFALO GAP**

WHEREAS, The City of Abilene (City) is currently a regional supplier of potable water to area cities and rural water supply corporations including the Steamboat Mountain Water Supply Corporation, which has a contract to supply potable water to the City of Buffalo Gap, Texas (Buffalo Gap); and

WHEREAS, Buffalo Gap owns and operates a potable water distribution system serving its customers existing within Buffalo Gap, and Buffalo Gap also provides potable water on an emergency basis to the adjacent Gap Water public water supply which serves an unincorporated area east of Buffalo Gap; and

WHEREAS, Buffalo Gap desires to connect directly to the City of Abilene Public Water Supply and purchase potable water directly from City in sufficient quantities to meet the water demands of Buffalo Gap and to additionally meet the water demands of Gap Water; and

WHEREAS, Buffalo Gap contracted with a Professional Engineer to evaluate the Buffalo Gap public water supply, and the Engineer determined that it is feasible for Buffalo Gap to connect to the City's public water supply and for Buffalo Gap to build storage, pump, and pipeline facilities to transport the water from City to Buffalo Gap; and

WHEREAS, Buffalo Gap has submitted a formal request for a wholesale Water Supply Contract with City having a Base Contract Amount of 50 million gallons per year and a Maximum Take Rate of 500 gallons per minute; and

WHEREAS, City staff did evaluate the Purchaser's request for a new water supply contract having a Base Contract Amount of 50 million gallons per year and has determined that City has a sufficient water supply to meet the new demands of Purchaser; and

WHEREAS, City staff recommends that the water supply contract be drafted so that the Base Contract Amount is 25 million gallons per year to serve Buffalo Gap only, and an increase in the Base Contract Amount to 50 million gallons per year upon an executed deed or water supply contract between Buffalo Gap and Gap Water, as approved by the Abilene City Manager; and

WHEREAS, it is required that the Abilene City Council and the Buffalo Gap City Council must each approve of a new Water Supply Contract.

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

Part 1: That the City of Abilene City Manager is hereby authorized to execute a new Water Supply Contract between the City of Abilene and the City of Buffalo Gap having a Base Contract Amount of 25 million gallons per year, with an increase to 50 million gallons per year as described in Part 2 below, and a Maximum Take Rate of 500 gallons per minute.

Part 2: That the new Water Supply Contract between City of Abilene and City of Buffalo Gap shall stipulate that the City of Buffalo Gap shall either establish ownership of the Gap Water service area or execute a water supply contract with Gap Water, approved by the Abilene City Manager, before Buffalo Gap can supply up to 50 million gallons per year to Buffalo Gap and Gap Water.

ADOPTED this 14 day of January, 2016.


APPROVED:


MAYOR

ATTEST:


City Secretary

APPROVED :


City Attorney