

RESOLUTION NO. 180-2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE SECOND AMENDMENT TO WATER SUPPLY AGREEMENT BETWEEN THE CITY OF ABILENE, TEXAS AND THE CITY OF BALLINGER, TEXAS, AND THE SECOND AMENDMENT TO CITY OF ABILENE-CITY OF BALLINGER INFRASTRUCTURE AND IMPROVEMENTS CONTRACT.

WHEREAS, on October 26, 2017 the Abilene City Council approved the Water Supply Agreement Between the City of Abilene, Texas and the City of Ballinger, Texas (Water Supply Agreement) and the interrelated City of Abilene – City of Ballinger Infrastructure and Improvements Contract (Infrastructure Contract) providing for Ballinger’s purchase of raw water from Abilene’s Ivie water supplies, and/or Abilene’s Lake Fort Phantom Hill water supplies if supplies of Ivie Water are insufficient; and

WHEREAS, on June 26th, 2018 the Abilene City Council approved the Amended Water Supply Agreement and the Amended Infrastructure Contract that primarily reduced the initial contract quantity to 280 acre feet per year and set the take or pay quantity at 140 acre feet per year; and

WHEREAS, there is a need for a Second Amendment to both the Water Supply Agreement and the Infrastructure Contract in order to delete Article III, Section 3.01(b) requiring written approval of the Colorado River Municipal Water District (CRMWD) and of the Millersview-Doole Water Supply Corporation (M-D WSC) of the amendment to the existing water supply contract between M-D WSC and the City of Ballinger; and

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

That the City Manager of the City of Abilene is authorized to execute each of the Second Amendment to Water Supply Agreement Between the City of Abilene, Texas and the City of Ballinger, Texas and the Second Amendment to City of Abilene – City of Ballinger Infrastructure and Improvements Contract.

ADOPTED this 1st day of November 2018.

ATTEST:



Rosa Rios, City Secretary



Anthony Williams, Mayor

APPROVED:



Stanley E. Smith, City Attorney

