

**RESOLUTION NO. 76-2022**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AMENDING RESOLUTION NO. 05-2021, AND CREATING AN ARTICLE VII – UTILITY POLICIES FOR THE GOVERNING PRINCIPLES, RULES OF PROCEDURE AND COUNCIL POLICIES OF THE CITY OF ABILENE.**

**WHEREAS**, the City Council adopted Resolution No. 05-2021 setting forth among other things, Council Policies to guide City Administration in the management of the City; and

**WHEREAS**, the City Council desires to provide further guidance to City Administration; and

**WHEREAS**, the Governing Policies, Rules of Procedure and Council Policies document is divided articles for ease of reference and administration; and

**WHEREAS**, the City Council desires to create a new Article VII – Utility Policies as part of the City’s Governing Principles, Rules of Procedure and Council Policies; and,

**WHEREAS**, the City Council further desires to confirm and express their intention for City Administration to follow Resolution No. 72-1982; and,

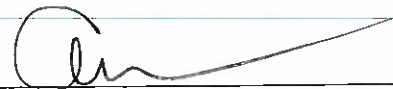
**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

- PART 1:** That the City Council amends the Governing Principles, Rules of Procedure and Council Policies document by adding an Article VII – Utility Policies as written in “Exhibit A” attached hereto and incorporated herein.
- PART 2:** The City Council, reaffirms their desire for City Administration to follow the guidance adopted by Resolution No. 72-1982.
- PART 3:** That this Resolution takes effect immediately upon its adoption.

**ADOPTED this 12<sup>th</sup> day of May, 2022.**

ATTEST:

  
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Shawna Atkinson, City Secretary

  
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Anthony Williams, Mayor

APPROVED:

  
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Stanley Smith, City Attorney

## EXHIBIT A

### Article VII – Utility Policies

7.1 The City Manager is hereby directed to create a Utility Services Administration and Procedures Manual for the City and to see that it is properly administered.

7.2 Annexation Required for Requests for Service in Unincorporated Areas.

#### 7.2.1 Purpose

The purpose of this policy is to promote and encourage the expansion of the City's water, wastewater, and solid waste utility systems in conjunction with the city's corporate limits to the greatest extent possible. Furthermore, the purpose of this policy to reaffirm Resolution 72-1982 wherein the extension of utilities to areas outside the corporate boundaries of the City of Abilene is limited to the greatest extent allowed by law.

#### 7.2.2 Policy and Procedure

(a) It is the policy of the City of Abilene to extend or provide water, wastewater, or solid waste utility services to unincorporated areas of the City's extraterritorial jurisdiction only after the service area is fully annexed into the city limits of the City of Abilene through voluntary or involuntary annexation.

(b) It is the express intent of the City Council that the term, "service area" used above means the entirety of the tract and adjoining tracts under ownership by the requestor.

(c) In the event the service area is not contiguous or adjacent to the city limits, and cannot be made so, the City Manager may negotiate alternative contractual arrangements to provide utilities to the service area, and recommend any such negotiated contractual arrangement to the City Council for consideration of approval.

(d) Except as may otherwise be required by law, the City of Abilene is under no obligation to provide public utility services to an area outside of the City's current Certificate of Convenience and Necessity (CCN).