

RESOLUTION NO. 20-R-101

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SCHERTZ, TEXAS AND THE CIBOLO CREEK MUNICIPAL AUTHORITY FOR THE DECOMMISSIONING OF THE WATERFORD LIFT STATION AND OTHER MATTER IN CONNECTION THEREWITH.

WHEREAS, the City staff of the City of Schertz (the “City”) recommended that the City enter into an Interlocal Agreement with Cibolo Creek Municipal Authority (CCMA) for the decommissioning of the Waterford Lift Station; and

WHEREAS, Chapter 791 of Texas Government Code, as amended, titled Interlocal Cooperation Contracts, authorizes contracts between political subdivisions for the performance of governmental functions and services; and

WHEREAS, CCMA owns and operates a regional wastewater system in the Cibolo Creek watershed and is specifically identified as the regional wastewater provider for the area of the Cibolo Creek watershed pursuant to Subchapter F of Chapter 351 of Title 30 of the Texas Administrative Code; and

WHEREAS, the staff of the City of Schertz has met with CCMA and negotiated the terms of the Interlocal Agreement; and

WHEREAS, the staff of the City of Schertz recommends pursuing the decommissioning of the Waterford Lift Station; and

WHEREAS, the City Council has determined that it is in the best interest of the City to amend the Interlocal Agreement with CCMA for the decommissioning of the Waterford Lift Station attached hereto as Exhibit A (the “Agreement”).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby authorizes the City Manager to execute and deliver the interlocal agreement with CCMA.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 8th day of September, 2020

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)