

RESOLUTION NO. 20-R-131

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CIBOLO CREEK MUNICIPAL AUTHORITY FOR THE LEASE OF REAL PROPERTY FOR THE OPERATIONS AND MAINTENANCE OF A WASTEWATER LIFTSTATION FACILITY

WHEREAS, the City of Schertz is a home rule municipality incorporated in Guadalupe County pursuant to the Statutes of the State of Texas, and as such is authorized to buy, sell, and lease property; and

WHEREAS, the Cibolo Creek Municipal Authority is a municipal utility district authorized to enter into contracts related to real property; and

WHEREAS, the City of Schertz owns real property along Bubbling Springs road; and

WHEREAS, the Cibolo Creek Municipal Authority has continuously operated a Regional Wastewater liftstation facility on real property owned by the City of Schertz; and

WHEREAS, the City of Schertz and Cibolo Creek Municipal Authority desire to enter into an agreement to continue a lease agreement between one another; and

WHEREAS, the City of Schertz finds that leasing the real property would not interfere or impede its operation; and

WHEREAS, the City Council has determined that it is in the best interest of the City to enter into this lease agreement with Cibolo Creek Municipal Authority; therefore,

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 enter into a lease agreement with Cibolo Creek Municipal Authority, for the lease of real property owned by the City of Schertz per the attached agreement.

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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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 10th day of November, 2020.

CITY OF SCHERTZ, TEXAS

Mayor, Ralph Gutierrez

ATTEST:

City Secretary, Brenda Dennis