

RESOLUTION 22-R-121

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING AN AGREEMENT WITH THE DEVELOPER OF THE CARMEL RANCH SUBDIVISION PROJECT FOR SEWER PUMP AND HAUL.

WHEREAS, there not sewer service in the vicinity to serve an area of southern Schertz.

WHEREAS, another developer has submitted plans to construct a sewer lift station with capacity to serve Carmel Ranch,

WHEREAS, the Developer of the Carmel Ranch Subdivision agrees to provide pump and haul services for sewer until connection to sewer services,

WHEREAS, there is a benefit in not having two developers constructing lift station in this area,

WHEREAS, the City Council finds that it is in the best interest of the City to enter into the Agreement with Developer for Pump and Haul services for Carmel Ranch.

WHEREAS the Unified Development Code of the City of Schertz provides for developers to enter into agreements to defer the construction of required improvements until after the plat is filed.

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 the agreement for Pump and Haul Services for Carmel Ranch with Meritage Homes of Texas, LLC. generally in the form attached as Exhibit "A", subject to changes approved by the City Manager and City Attorney.

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resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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

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 25th day of October 2022.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, Deputy City Secretary

(CITY SEAL)

Exhibit "A"