

STATE OF TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS APPROVING AN AMENDMENT TO WATER SERVICE AREA TRANSFER AGREEMENT WITH SPRINGS HILL WATER SUPPLY CORPORATION TO, AMONG OTHER THINGS, MAKE REVISIONS TO MAPS OF THE SERVICE AREA TO BE TRANSFERRED TO REFLECT DECERTIFICATIONS OCCURRING WITHIN THE ORIGINAL PROPOSED AREA, CLARIFY THE RIGHT OF THE CITY TO PROVIDE RETAIL WATER SERVICE TO DECERTIFIED AREAS ALONG LINK ROAD, AND TO ENABLE ADJUSTMENTS TO MAPS PROVIDED TO THE PUBLIC UTILITY COMMISSION IN CONNECTION WITH APPLICATIONS RELATED TO THE WATER SERVICE AREA TRANSFER TO THE CITY; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT ON BEHALF OF THE CITY; AND DECLARING AN EFFECTIVE DATE

WHEREAS, Seguin and Springs Hill are parties to a Water Service Area Transfer Agreement executed on October 25, 2022 (the “Agreement”), contemplating the sale and transfer of an approximately 9,477-acre portion of Springs Hill’s water Certificate of Convenience and Necessity (“CCN”) No. 10666 and Transfer Infrastructure, as defined in the Agreement, to Seguin’s water CCN No. 10698; and

WHEREAS, the 9,477 acres to be transferred is comprised of the CCN Transfer Area and the Active CCN Transfer Area, as defined in the Agreement; and

WHEREAS, portions of Springs Hill’s water CCN No. 10666 have been decertified by landowners under Texas Water Code § 13.2541 since the Agreement was executed; and

WHEREAS, Seguin and Springs Hill desire to amend the Agreement to revise the CCN Transfer Area, Active CCN Transfer Area, and total acreage to be transferred to reflect the decertifications, clarify the City’s authority to serve the area around Link Road, and authorize non-substantive mapping changes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Seguin, Texas as follows:

PART ONE: The City Council hereby approves the attached Amendment to Water Service Area Transfer Agreement with Springs Hill Water Supply Corporation.

PART TWO: The City Manager is hereby authorized to execute said amendment on behalf of the City.

PART THREE: This resolution shall be effective upon adoption.

PASSED AND APPROVED on March 21, 2023.

Donna Dodgen, Mayor

ATTEST:

Naomi Manski, City Secretary