

CITY OF SEGUIN

RESOLUTION NO:

STATE OF TEXAS

RESOLUTION OF THE CITY COUNCIL OF SEGUIN, TEXAS AUTHORIZING CITY STAFF TO FILE AN APPLICATION WITH THE TEXAS COMMISSION OF ENVIRONMENTAL QUALITY TO EXPAND THE CITY'S WASTEWATER CERTIFICATE OF CONVENIENCE AND NECESSITY TO COVER THE ENTIRE EXTRATERRITORIAL JURISDICTION OF THE CITY; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO COMPLETE THE CERTIFICATION PROCESS; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

WHEREAS, the City has two operating wastewater treatment plants that currently have capacity to serve the City and can be upgraded to serve the entire built-out extra territorial jurisdiction ("ETJ"); and

WHEREAS, during the annexation process the City took into consideration both the topography of the annexed land and the City's ability to provide sewer service to those areas and to the concurrently expanding ETJ; and

WHEREAS, the City, along with other entities, such as the Guadalupe Blanco River Authority, have undertaken environmental studies related to the Guadalupe River and its contributing streams and tributaries that flow through Guadalupe County and Seguin, including its ETJ; and

WHEREAS, the studies indicated that the runoff from surrounding lands impaired the water quality of the Guadalupe River and its contributing sources; and

WHEREAS, elimination of septic systems, one of the contributing factors to the aforementioned water pollution, and the provision of sewer service serves to protect the river and its contributing sources by elimination one of the major sources of water pollution; and

WHEREAS, the City has expended funds to expand its current sewer system to serve the limits of the territory covered by its current certificate of convenience and necessity ("CCN"); and

WHEREAS, in its future capital improvement projects the City has current plans to expand its sewer system into part of its ETJ to provide new development with sewer service; and

WHEREAS, if sewer service is not provided to new development the developers will resort to the use of septic systems and package plants, both of which would add to the runoff pollution level that decreases water quality in the Guadalupe River and its contributing sources; and

WHEREAS, for many years the City of Seguin has proven its ability to run a wastewater treatment system, including the operation of two wastewater treatment plants; and

WHEREAS, the City has worked to eliminate septic systems through the expansion of its sewer system; and

WHEREAS, the City has a proven ability to provide cost effective service to its Citizens while maintaining service to the growing area; and

WHEREAS, expansion of the City's CCN will allow the City to continue expanding its sewer system to the benefit of both the citizens of the area and the environment.

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

PART 1. The City Council hereby finds that all of the above recitals are true and correct.

PART 2. The City Council hereby adopts the above Recitals as part of this Resolution.

PART 3. The City Council directs that City staff take the steps necessary to apply for an expansion of the City's current Wastewater Certificate of Convenience and Necessity to cover the entirety of the City's current extraterritorial jurisdiction.

PART 4. The city manager, Douglas G. Faseler, is hereby authorized to execute all documents necessary to complete the application, including all procedural processes, for the expansion of the wastewater CCN.

PART 5. This Resolution is effective from and after the date of its passage.

SIGNED AND ENTERED this 18th day of April 2017.

DON KEIL, MAYOR

Naomi Manski, City Secretary