

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, OFFERING TO AID CITY OF COLLEGE STATION IN REMOVING LIFT STATIONS FROM OPERATION THEREBY ENHANCING THE RELIABILITY OF ITS WASTEWATER SYSTEM, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bryan, Texas (“City”) is a home rule municipality which is duly incorporated and chartered under the constitution and laws of Texas and authorized by Texas Government Code, Chapter 791, also known as the Interlocal Cooperation Act, to contract with other local governments and with agencies of the state, to perform functions or services each party to the contract is authorized to perform individually; and

WHEREAS, the cities of Bryan and College Station share a common boundary and enjoy the benefits of their physical proximity and history of cooperation and assistance to each other; and

WHEREAS, both cities, especially due to their proximity, benefit in terms of economy, health/safety concerns and quality of life, from each having safe and efficient wastewater service systems; and

WHEREAS, both cities desire their utility ratepayers to timely receive reliable, quality services at a reasonable cost; and

WHEREAS, the cities have previously made adjustments and exchanges to their services areas within each city’s boundaries and extraterritorial jurisdictions in order to maximize the benefit to both; and

WHEREAS, due to the timing, scope and pattern of development, modifications of the areas of responsibility may more efficiently serve citizens of both cities at the present time.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:

SECTION 1.

City of Bryan offers City of College Station the following:

- 1. Valley Park Lift Station:** This College Station lift station can be taken off-line once College Station infrastructure connects the existing wastewater line to the Valley Park lift station into the City of Bryan wastewater service line. City of Bryan may participate in the amount not to exceed \$200,000.00 to this City of College Station project. This option may require amending certain current agreements between the two cities.
- 2. West Side:** With the exception of the transfer of service stated in the immediately preceding paragraph, the Interlocal Cooperation and Joint Development Agreement (a.k.a. the Biocorridor ILA) dated December 15, 2011, and amended on December 18, 2012, and again on January 17, 2020, shall remain unchanged and continue to govern wastewater service in this area.

3. **East Side:** Upon the completion of the City of Bryan's new east side wastewater treatment plant, City of Bryan is willing to provide service to City of College Station's two east side lift stations serving areas north of Highway 30 roughly between Elmo Weedon Road and Cole Lane (the "Area"). The City of Bryan also is willing to accept responsibility for providing complete wastewater treatment in the Area, in Bryan's city limits and Bryan's extraterritorial jurisdiction (ETJ), if the City of College Station wants to transfer the Certificates of Convenience and Necessity (CCN) along with related infrastructure. Otherwise, the City of Bryan will treat wastewater flow from the two aforementioned lift stations for an agreed upon price, once the City of College Station connects to the City of Bryan's service.

SECTION 2.

If the College Station City Council accepts this offer, City of Bryan staff are authorized to work with City of College Station staff to seek any necessary permits or other State authorization to accomplish the actions set out in Section 1 herein; and if certain aspects of this proposal necessitate specific agreement(s) or modification of existing agreement(s), City of Bryan staff are authorized to negotiate with City of College Station staff to draft agreements for each Council's consideration.

SECTION 3.

This document was passed and approved at a public meeting in compliance with the Texas Open Meetings Act.

SECTION 4.

This resolution shall take effect immediately upon its passage.

APPROVED AND ADOPTED by the City Council of the City of Bryan at a regular meeting on this 13th day of February, 2024.

ATTEST

CITY OF BRYAN

Mary Lynne Stratta, City Secretary

Bobby Gutierrez, Mayor

APPROVED AS TO FORM:

Thomas A. Leeper, City Attorney