



RIVERBEND RESOLUTION NO. 20171024-04

AUTHORIZING THE APPROVAL OF AN AMENDMENT TO THE CONTRACT WITH TEXAMERICAS CENTER FOR CURRENT AND FUTURE WATER SUPPLY

WHEREAS, Riverbend Water Resources District is a conservation and reclamation district created under and essential to accomplish the purposes of Section 59 Article XVI, Texas Constitution, existing pursuant to and having the powers set forth in Chapter 9601 of the Special District Local Laws code of the State of Texas; and

WHEREAS, TexAmericas Center is a political subdivision of the State of Texas with the powers and authorities specified in Chapter 3503 of the Special District Local Laws Code of the State of Texas; and

WHEREAS, Riverbend Water Resources District authorized the negotiation and execution of an agreement with Susan Roth consulting for the completion of a Regional Water Master Plan on May 11, 2016; entered into an agreement with and acquired the wet utilities from TexAmericas Center and with the acquisition assumed the role of project coordinator, manager and general supervisor for a variety of ongoing and immediately forthcoming projects; and

WHEREAS, Susan Roth Consulting and subcontractors have made substantial progress in the review of the region's current water supply and infrastructure, as well as the region's population and water demand projections for both municipal and non-municipal uses; and

WHEREAS, Riverbend Water Resources District has recently determined through its Regional Water Master Plan that the Northeast Texas region and Riverbend's member entities have an additional need for both municipal and non-municipal water that is above the need listed in the current and 2017 State Water Plan and intends to better substantiate and update the State Water Plan with the correct population projections and water demand projections at the completion of the Regional Water Master Plan study; and

WHEREAS, TexAmericas Center, the largest contiguous industrial footprint in the State of Texas, has provided information that potential for development on the footprint and the prospect client list is in need of over 80,000 acre-feet of water to meet the industrial, non-municipal needs; and



WHEREAS, TexAmericas Center and Riverbend entered into a Purchase and Sale of Assets Agreement on May 26, 2015 detailing the transfer of the wet utilities, and further set forth a time frame for the future delivery of industrial raw water to meet the needs of TexAmericas Center and/or future TexAmericas tenants/grantees and assigns; and

WHEREAS, TexAmericas Center and Riverbend Water Resources District desire to amend this portion of the agreement in order to update the amount of water supply requested by contract for the industrial, non-municipal needs.

NOW, THEREFORE, BE IT RESOLVED that the Executive Director/CEO is hereby authorized to execute an amendment to the Purchase and Sale of Assets Agreement with TexAmericas Center dated May 26, 2015 section 23.13 regarding the time frame for adding of raw water supply for additional water to the TexAmericas footprint and the benefit of providing service to TexAmericas Center and or Future TexAmericas Center tenants/grantees and assigns.

PASSED and APPROVED this 24th day of October 2017



Marshall Wood, President

ATTEST:



Sean Rommel, Secretary