



RIVERBEND RESOLUTION NO. 20180228-03

AUTHORIZING THE EXECUTIVE DIRECTOR/CEO, ELIZABETH FAZIO HALE, TO FORMALLY REQUEST AND ENTER INTO NEGOTIATIONS FOR THE ACQUISITION OF LAND ON THE TEXAMERCIAS CENTER EAST LOCATION NEAR THE RON COLLINS WASTE TREATMENT FACILITY FOR THE PURPOSE OF LOCATING A WATER TREATMENT FACILITY, AS WELL AS RIVERBEND OFFICES, MAINTENANCE SHOPS, AND ANY AND ALL OTHER WATER AND WASTEWATER TREATMENT OPERATIONS IN CONNECTION WITH THE DEVELOPMENT OF A RAW WATER LINE TO THE TAC EAST FOOTPRINT.

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, Riverbend Water Resources District and TexAmericas Center entered into an *Agreement for Purchase and Sale* of all assets associated with the wet utilities of TexAmericas Center ("TAC") on or about May 26, 2015, which in pertinent part required the Riverbend provide 6 mgd of raw water to the TAC footprint within 10 years of the acquisition of the wet utilities and another 19 mgd thereafter; and

WHEREAS, Riverbend Water Resources District acquired the wet utilities of TexAmericas Center on or about May 1, 2016;

WHEREAS, Riverbend Water Resources District and TexAmericas Center entered into an Amendment to the *Agreement for Purchase and Sale* on or about January 24, 2018, which increased the amount of required raw water to the TAC footprint to 30 mgd by 2026 with an additional 60 mgd thereafter; and

WHEREAS, Riverbend Water Resources District, as part of *Agreement for Purchase and Sale* understood that TAC would set-aside for acquisition at a later date enough land to build a new water treatment facility and other facilities necessary to the operation of regional water and wastewater treatment; and



WHEREAS, Riverbend Water Resources District wishes to streamline the development of the raw water intake and transmission line to meet both regional industrial needs and municipal demands; and

WHEREAS, Riverbend Water Resources District is ready to proceed with the preliminary design work to develop and implement a new raw water intake at Wright Patman Lake, as well as a transmission line to the TAC East footprint; and

WHEREAS, Riverbend Water Resources District believes that it is critical to the overall timeline of the development of the new raw water intake and transmission line to acquire designated lands at the TAC East footprint;

NOW, THEREFORE, BE IT RESOLVED that the Executive Director/CEO, Elizabeth Fazio Hale, shall be and is hereby authorized to formally request and enter negotiations for the acquisition of land on the TAC East location near the Ron Collins Waste Treatment Facility for the purpose of locating a water treatment facility, as well as Riverbend offices, maintenance shops, and any and all other water and wastewater treatment operations in connection with the development of a raw water line to the TAC East footprint.

PASSED and APPROVED this 28th day of February, 2018

A handwritten signature in blue ink, appearing to read "Marshall Wood", is written above a horizontal line.

Marshall Wood, President

ATTEST:

A handwritten signature in blue ink, appearing to read "Sean Rommel", is written above a horizontal line.

Sean Rommel, Secretary