



RIVERBEND RESOLUTION NO. 20250226-06

AUTHORIZING THE EXECUTIVE DIRECTOR/CEO SIGNATURE AUTHORITY TO EXECUTE AN AMENDMENT TO THE WATER SUPPLY CONTRACTS WITH MEMBER ENTITIES OF RIVERBEND WATER RESOURCES DISTRICT

WHEREAS, Riverbend Water Resources District (“Riverbend”), created in 2009, is a conservation and reclamation district created under and essential to accomplish the purpose of Section 59, Article XVI, Texas Constitution, as set forth in Title 6, Special District Local Laws Code, Subtitle L, Municipal Water Districts, Chapter 9601, and is comprised of member entities (collectively referred to as “the Member Entities”); and

WHEREAS, Riverbend and the Member Entities have executed a Water Distribution and Supply Contract that will provide for long-term regional water service to the region; and

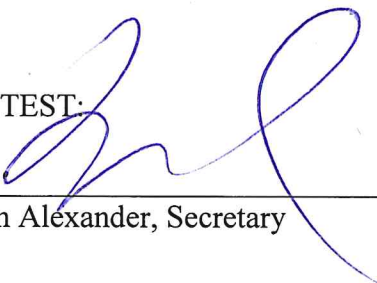
WHEREAS, the Executive Director/CEO was granted signature authority to execute the Water Distribution and Supply Contracts with each Member Entity on June 24, 2020; and

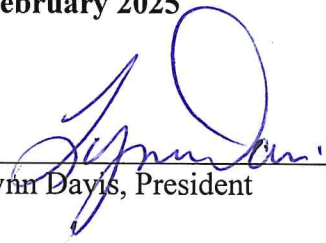
WHEREAS, there is a need to amend the Water Distribution and Supply Contracts with each Member Entity to include language to further define ownership and responsibility for all facilities and pipes beyond the point of delivery.

NOW, THEREFORE, BE IT RESOLVED that the Executive Director/CEO shall be and is immediately granted signature authority to amend the Water Distribution and Supply Contract with each Member Entity in respect to the title and responsibility for all infrastructure on Member’s Entity’s side of the meter past the Point of Delivery.

PASSED and APPROVED this 26th day of February 2025

ATTEST:


for Van Alexander, Secretary


Lynn Davis, President

Attached: Water Distribution & Supply Contract Amendment Language



FIRST AMENDMENT TO WATER DISTRIBUTION AND SUPPLY CONTRACT

This FIRST AMENDMENT TO WATER DISTRIBUTION AND SUPPLY CONTRACT (“First Amendment”) is made and entered into by and between the Riverbend Water Resources District (“Riverbend”) and the _____ (“Member Entity”).

Recitals

WHEREAS, Riverbend and Member Entity previously entered into that Water Distribution and Supply Contract dated _____, 2020 (“Contract”); and

WHEREAS, Riverbend and Member Entity desire to amend the Contract to add language to Section 2(f) of the Contract regarding Member Entity’s title and responsibility for all facilities on Member’s Entity’s side of the meter from the Point of Delivery.

NOW, THEREFORE, Riverbend and Member Entity, for and in consideration of the recitals set forth above and terms and conditions below, agree as follows:

1. Title and Responsibility for Facilities. Section 2(f) of the Contract shall be amended to add the following:

Member Entity has title to and is solely responsible for the maintenance and operation of all facilities and infrastructure on Member Entity’s side of the meter from the Point of Delivery, including but not limited to all pipelines, storage tanks, and distribution and treatment facilities used by Member Entity to provide water service to its customers.

2. General Terms and Conditions.

- (a) The recitals above are true and correct and incorporated herein for all purposes.
- (b) In the event of any inconsistencies between the Contract and this First Amendment, the terms of this First Amendment shall control.
- (c) All capitalized terms used but not defined herein shall have the same meanings as defined in the Contract.
- (d) Except as expressly set forth in this First Amendment, the Contract otherwise is unmodified and remains in full force and effect. Each reference in the Contract to itself shall be deemed also to refer to this First Amendment.
- (e) This First Amendment may be executed in duplicate counterparts, each of which will be deemed an original.
- (f) Each of the Parties represents and warrants that it has the right, power, legal capacity, and authority to enter into and perform its respective obligations under this First Amendment.
- (g) This First Amendment shall become effective upon the last date of execution by the Parties hereto.

IN WITNESS WHEREOF, the Parties hereto, acting under authority of their respective governing bodies, have caused this First Amendment to be duly executed as follows:

RIVERBEND WATER RESOURCES DISTRICT

By: _____

Printed Name: Kyle Dooley, P.E.

Title: Executive Director/CEO

Date:

ATTEST:

By: _____

Printed Name: _____

Title: _____

Date: _____

ATTEST:
