

RESOLUTION NO. 2024 - 21

OF THE BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT #10 ("DISTRICT") BOARD OF DIRECTORS ("BOARD") AUTHORIZING AND APPROVING A SECOND AMENDMENT OF THE INTERLOCAL COOPERATION CONTRACT BY AND BETWEEN THE DISTRICT AND THE CITY OF WINDCREST, TEXAS ("CITY") DATED JULY 16, 2012 ("INTERLOCAL COOPERATION CONTRACT") TO MODIFY APPENDIX 1 OF THE INTERLOCAL COOPERATION CONTRACT ENTITLED "LOCATION OF SERVICES PROVIDED TO CITY" TO ADD WATER ACCOUNT NO. W07300 UNDER COLUMN A (IRRIGATION) IN ORDER TO PROVIDE WATER SERVICE TO THE CITY FOR THE BENEFIT OF THE CITY'S DOG PARK AT 9309 JIM SEAL DRIVE IN THE CITY OF WINDCREST, TEXAS; AUTHORIZING AND DIRECTING THE DISTRICT'S GENERAL MANAGER TO FINALIZE AND EXECUTE A SECOND AMENDMENT TO THE INTERLOCAL COOPERATION CONTRACT TO MODIFY APPENDIX 1 OF THE INTERLOCAL COOPERATION CONTRACT ENTITLED "LOCATION OF SERVICES PROVIDED TO CITY" TO ADD WATER ACCOUNT NO. W07300 UNDER COLUMN A (IRRIGATION) IN ORDER TO PROVIDE WATER SERVICE TO THE CITY FOR THE BENEFIT OF THE CITY'S DOG PARK AT 9309 JIM SEAL DRIVE IN THE CITY OF WINDCREST, TEXAS; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, pursuant to Section 49.213 of the Texas Water Code and Section 791.011 of the Texas Government Code, the Bexar County Water Control and Improvement District #10 ("District") has the right to enter in an interlocal cooperation contract with other governmental entities such as municipalities; and

WHEREAS, pursuant to Section 791.011 of the Texas Government Code, the City of Windcrest, Texas ("City") has the right to enter in an interlocal cooperation contract with other governmental entities such as political subdivisions of the state that include water control and improvement districts;

WHEREAS, on July 16, 2012, the District and the City entered into an Interlocal Cooperation Contract addressing numerous matters of common interest to both the District and the City ("Interlocal Cooperation Contract"); and

WHEREAS, on March 21, 2019, the District's Board of Directors ("Board") approved the First Amendment to the Interlocal Cooperation Contract to modify Section I involving the Use and Sharing of Facilities and Equipment to add a 2.638 acre-tract of land for the use and benefit of the District to use as a staging area for equipment and materials to be used in and for its various capital improvement projects, and for any purpose consistent with the District's powers and duties under Texas law; and

WHEREAS, the City has requested the District to add a water meter in order to provide water service to the City for the benefit of the City's dog park located at 9309 Jim Seal Drive in the City of Windcrest, Texas; and

WHEREAS, the District has the ability to add a water meter and provide water service to the City for the benefit of the City's dog park located at 9309 Jim Seal Drive in the City of Windcrest, Texas; and

WHEREAS, the District and City will need to approve a Second Amendment to the Interlocal Cooperation Contract to modify Appendix 1 of the Interlocal Cooperation Contract entitled "Location of Services Provided to City" to add Water Account No. W07300 under Column A (Irrigation) in order to provide water service to the City for the benefit of the City's dog park at 9309 Jim Seal Drive in the City of Windcrest, Texas; and

WHEREAS, the District's Board desires to (i) approve a Second Amendment to the Interlocal Cooperation Contract to modify Appendix 1 of the Interlocal Cooperation Contract entitled "Location of Services Provided to City" to add Water Account No. W07300 under Column A (Irrigation) in order to provide water service to the City for the benefit of the City's dog park at 9309 Jim Seal Drive in the City of Windcrest, Texas; and (ii) authorize and direct the General Manager to finalize and execute a Second Amendment to the Interlocal Cooperation Contract to modify Appendix 1 of the Interlocal Cooperation Contract entitled "Location of Services Provided to City" to add Water Account No. W07300 under Column A (Irrigation) in order to provide water service to the City for the benefit of the City's dog park at 9309 Jim Seal Drive in the City of Windcrest, Texas; now, therefore:


BE IT RESOLVED BY THE DISTRICT'S BOARD OF DIRECTORS:

1. That a Second Amendment to the Interlocal Cooperation Contract to modify Appendix 1 of the Interlocal Cooperation Contract entitled "Location of Services Provided to City" to add Water Account No. W07300 under Column A (Irrigation) in order to provide water service to the City for the benefit of the City's dog park at 9309 Jim Seal Drive in the City of Windcrest, Texas is hereby authorized and approved.
2. That the General Manager is hereby authorized and directed to finalize and execute a Second Amendment to the Interlocal Cooperation Contract to modify Appendix 1 of the Interlocal Cooperation Contract entitled "Location of Services Provided to City" to add Water Account No. W07300 under Column A (Irrigation) in order to provide water service to the City for the benefit of the City's dog park at 9309 Jim Seal Drive in the City of Windcrest, Texas.
3. It is officially found, determined and declared that the meeting at which this Resolution is adopted was open to the public, and that public notice of the time, place, and subject matter of the public business to be conducted at such meeting, including this Resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.
4. If any part, section, paragraph, sentence, phrase, or word of this Resolution is for any reason held to be unconstitutional, illegal, inoperative, invalid or ineffective, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, inoperative, invalid or ineffective, the remainder of this Resolution shall nevertheless


stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, inoperative, invalid or ineffective.

5. This Resolution becomes effective immediately upon its passage.

Passed and approved this, the 15th day of May, 2024.


Bertie S. Alexander, President

ATTEST:


Ann Marie Arnicar, Secretary

APPENDIX 1

Location of Services Provided to City

A (IRRIGATION)	B BUILDINGS (WATER & SEWER)
W00010 Autumn Sunset – Middle Pond	W07195 8601 Midcrown (City Hall)
W00156 6100 Brook Falls – Duck Pond	W00615 421 Dalecrest (Fire Dep Dormitory)
W00307 Corto Circle Island	W00616 461 Golfcrest (Fire Dep Dormitory)
W00332 6000Crescent Falls Island	W07220 9315 Jim Seal Dr (Maint. Facility)
W00969 Hidden Hollow / Windrock Dr Island	
W01811 Windgarden Circle Island	
W02018 8300 Windway – Open Area	
W02087 Windy Hollow – Pond	
W05220 Fourwinds – Open Area	
W07182 Walzem / Midcrown (E Sign @ JCPC)	
W07183 Walzem / Midcrown (W Sign @ WMC)	
W07190 8601 Midcrown (Fire Station)	
W07196 8601 Midcrown (City Hall)	
W07300 9309 Jim Seal Dr (Dog Park) (05/15/24)	