

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF DENTON AND LAKE CITIES MUNICIPAL UTILITY AUTHORITY (LCMUA) FOR THE CONSTRUCTION OF AN EIGHT-INCH (8") POTABLE WATER LINE TO PROVIDE SERVICE TO THE CITY OF DENTON LAKE LEWISVILLE RAW WATER PUMP STATION.

WHEREAS, Denton desires to acquire potable water service and water supply, including for fire protection services ("Water Service") for its Lake Lewisville Raw Water Pump Station ("Pump Station"); and

WHEREAS, providing Water Service to the Pump Station requires the offsite construction and installation of an eight-inch (8") water-line ("Water Line") to connect to LCMUA's existing water distribution pipeline, and other infrastructure improvements within the public right-of-way (the "Project"); and

WHEREAS, the Pump Station is located in the Town of Hickory Creek, and LCMUA, a governmental entity created under Section 59, Art. XVI of the Texas Constitution, holds the certificate of convenience and necessity to provide water service in the territorial boundaries of the Town of Hickory Creek, and pursuant to Section 49.220 of the Texas Water Code, is given rights-of-way within, along, under, and across the Town of Hickory Creek's roads, highways, and rights-of-way; and

WHEREAS, Denton and LCMUA desire to enter into an agreement for the Project whereby Denton provides the necessary materials for the Water Line and agrees to pay LCMUA \$45,000 to cover LCMUA's labor, equipment use, and administrative costs associated with the Project; and

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, provides authorization for local governments to enter into joint contracts to perform governmental functions and services including administrative functions normally associated with the operation of government; and

WHEREAS the City Council of the City of Denton believes it to be in the best interest of the citizens of Denton to enter an Interlocal Agreement between the City of Denton and Lake Cities Municipal Utility Authority for the construction of the Water Line to provide Water Service to the Pump Station; NOW THEREFORE,

THE COUNCIL OF THE CITY DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this ordinance are incorporated by reference.

SECTION 2. The City Manager, or their designee, is hereby authorized to execute the Interlocal Cooperative Agreement with the Lake Cities Municipal Utility Authority pursuant to Section 791 of the Texas Government Code, a copy of said agreement being attached hereto and incorporated herein by reference (the “Agreement”).

SECTION 3. The City Manager, or their designee, is further authorized to carry out all duties and obligations to be performed by the City under the Agreement.

SECTION 4. The City Council of the City of Denton hereby expressly delegates the authority to take any actions that may be required or permitted to be performed by the City of Denton under this ordinance to the City Manager of the City of Denton, or their designee.

SECTION 5. This ordinance shall become effective immediately upon its passage and approval.

The motion to approve this ordinance was made by _____ and seconded by _____; the ordinance was passed and approved by the following vote [____ - ____]:

	Aye	Nay	Abstain	Absent
Gerard Hudspeth, Mayor:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Paul Meltzer, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Chris Watts, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the _____ day of _____, 2023.

GERARD HUDSPETH, MAYOR

ATTEST:
ROSA RIOS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____