

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS AUTHORIZING PAYMENT FOR THE DECERTIFICATION OF SORENTO PROPERTY AND ACKNOWLEDGING THIS DECERTIFICATION AS A GESTURE OF COOPERATION, CONCILIATION AND GOODWILL BY THE MANVILLE WATER SUPPLY CORPORATION**

WHEREAS, the City Council has found that it is in the best interest of both organizations for the City to acquire areas either currently served or designated for future service under multiple permits, Certificates of Convenience and Necessity (CCN's), issued by the Texas Commission on Environmental Quality (TCEQ) to the Manville Water Supply Corporation (Manville) to further the jointly held objectives of the organizations as rural areas develop into urban areas within the City and the ETJ; and

WHEREAS, at their regular meeting on March 12, 2013, the City Council adopted Resolution No. 1357-13-03-12-0131 declaring the City's intent to establish a cooperative water policy with Manville and directing and authorizing the City Manager to negotiate and collaborate with Manville to create a water policy to be jointly adopted by the parties; and

WHEREAS, Mayor Jeff Coleman, Councilmember Wayne Cooper and City Manager Brandon Wade held a meeting with Manville representatives on March 20, 2013 to initiate joint negotiations and planning; and

WHEREAS, in a gesture of cooperation, conciliation, and good will; and the furtherance of the City of Pflugerville's and Manville's joint efforts to collaborate in water planning, Manville has agreed to execute an agreement with Sorento Holdings 2012 LLC for the decertification of the Sorento Property from the Manville certified water service territory, as defined by CCN No. 11144;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

1. That the City Manager is hereby authorized to allocate funding and make payment in the amount of \$250,000 as necessary for the decertification of Sorento Property provided in the "Agreement Relating To Decertification of Property" between the Manville Water Supply Corporation and Sorento Holdings 2012 LLC; and
2. That the City of Pflugerville hereby acknowledges the decertification of the Sorento Property by the Manville Water Supply Corporation to be a gesture of cooperation, conciliation and good will toward Sorento and the City of Pflugerville and furtherance of joint efforts by Manville and the City of Pflugerville to collaborate in water planning in the general area; and that the decertification payment amount of \$250,000 is an arbitrary number, not supported by any particular methodology or calculation and not precedential to any future similar transaction.

APPROVED this 9<sup>th</sup> day of April, 2013.

CITY OF PFLUGERVILLE, TEXAS

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Jeff Coleman, Mayor

ATTEST:

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Karen Thompson, City Secretary