

## **RESOLUTION NO.**

**WHEREAS**, the Barton Springs Edwards Aquifer Conservation District (the District) is a groundwater conservation district established under Chapter 8802 of the Texas Special District Local Law Code for the purpose of providing for the conservation, preservation, protection, recharging, and prevention of waste in the Barton Springs Segment of the Edwards Aquifer and other aquifers; and

**WHEREAS**, under Chapter 8802 of the Texas Special District Local Law Code, the City of Austin is the primary source of funding for the District and the District may assess a fee to the City of Austin, based on groundwater withdrawals, in an amount not to exceed 60 percent of the total funding the District expects to receive for the next fiscal year; and

**WHEREAS**, on May 19, 1999, the City and the District executed an agreement (“1999 Agreement”) relating to the recalculation of the amount of water use fees that the District may charge the City; and

**WHEREAS**, the District is seeking State legislation that would add territory to its jurisdiction by authorizing the annexation of an area in Southwestern Travis County that includes portions of the Edwards Aquifer contributing zone; and

**WHEREAS**, the groundwater protections provided by the District would be beneficial to the area proposed for annexation and water from springs in the area will make it into the Colorado River, the City’s drinking water source; and

**WHEREAS**, there is currently no cap on the amount of fees that can be charged to the City; and

**WHEREAS**, in the proposed legislation expenditures are to be capped at total payments of \$900,000 annually to the District from the City; **NOW THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The Austin City Council supports legislation that would allow the Barton Springs Edwards Aquifer Conservation District to annex the area depicted in Exhibit A, provided that the legislation includes a cap of \$900,000 in annual Austin Water Utility payments to the District, including all payments derived from its current coverage area, the area to be annexed under the proposed legislation, and any area that is annexed or added in the future.

**ADOPTED:** \_\_\_\_\_, 2009

**ATTEST:** \_\_\_\_\_  
Shirley A. Gentry  
City Clerk