

RESOLUTION NO. 20090326-006

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: March 26, 2009

ATTEST:

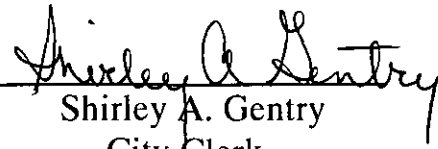
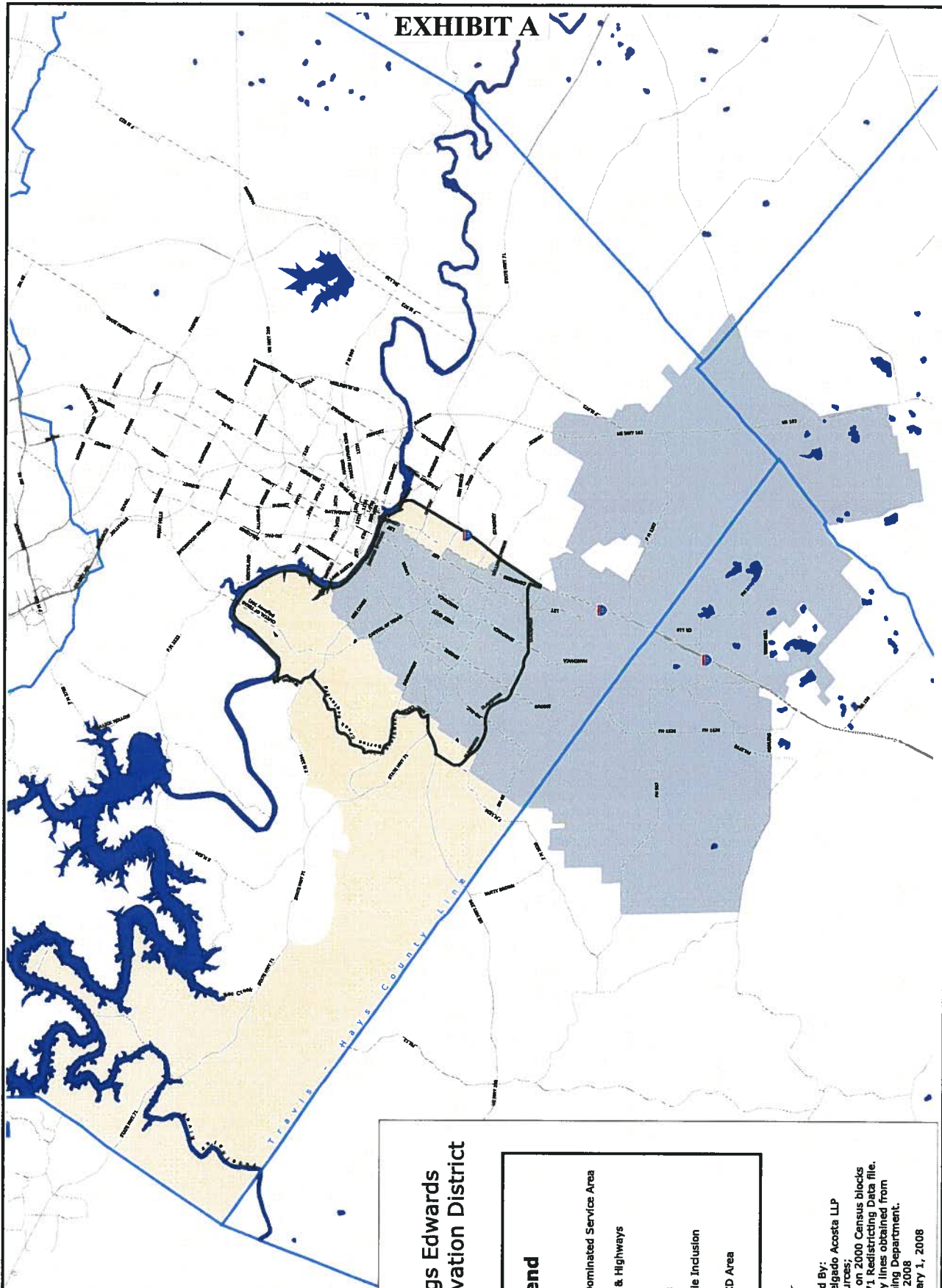

Shirley A. Gentry
City Clerk

EXHIBIT A



Barton Springs Edwards Aquifer Conservation District

Legend

- Surface Water Dominated Service Area
- Major Roads & Highways
- Water
- County Lines
- Area for Possible Inclusion Into BSEACD
- Existing BSEACD Area



Prepared By:
Blickstaff Heath Delgado Acosta LLP
Data Sources:
Directors' precincts drawn on 2000 Census blocks
using 2000 Census PL94-171 Redistricting Data file.
Roads, water and county lines obtained from
City of Austin Planning Department.
October 2008
Revised February 1, 2008