

RESOLUTION NO. 2024-08-_____ (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF MCKINNEY AND THE NORTH TEXAS MUNICIPAL WATER DISTRICT (NTMWD), FOR WILSON CREEK SEWER SYSTEM, WILSON CREEK RELIEF INTERCEPTOR, AND ROWLETT CREEK TRUNK EXTENSION

WHEREAS, the Interlocal Cooperation Act (the “Act”), codified as Chapter 791 of the Texas Government Code, authorizes any local government to contract with one or more local governments to perform governmental functions and services under the terms of the Act; and

WHEREAS, the governing bodies of each Party find that this project or undertaking is necessary for the benefit of the public and that each Party has the legal authority to provide the governmental function or service which is the subject matter of this Agreement; and

WHEREAS, the Parties, in paying for the performance of governmental functions or in performing such governmental functions, shall make payments therefore only from current revenues legally available to such Party; and

WHEREAS, McKinney became a “member city” of the District when NTMWD, McKinney and the City of Mesquite entered into that certain October 1, 1975, Trinity East Fork Regional Wastewater System Contract to establish and provide for the District’s operation and maintenance of a regional wastewater system serving McKinney and other communities (the “Regional Wastewater System”); and

WHEREAS, on October 26, 1995, NTMWD and McKinney executed a Wastewater Facilities Contract for construction, operation, and maintenance of the Rowlett Creek Trunk Sewer Extension (“Rowlett Creek Trunk Sewer Extension”) whereby McKinney paid for the costs of constructing, operating, and maintaining the Rowlett Creek Trunk Sewer Extension; and

WHEREAS, McKinney has requested, and NTMWD has agreed to accept the transfer ownership of the Rowlett Creek Trunk Sewer Extension shown in the plans and specifications entitled “Rowlett Creek Trunk Sewer Extension”, dated July 1995 that were prepared by Shimek Jacobs & Finklea, Consulting Engineers (which Rowlett Creek Trunk Sewer Extension is also described as Rowlett Creek Trunk Sewer, Contract No. IRS 95-6, Engineer signed and dated October 18, 1995), from McKinney to NTMWD and the inclusion of the Rowlett Creek Trunk Sewer Extension with the NTMWD Upper East Fork Interceptor System (“UEFIS”); and

WHEREAS, McKinney has requested, and NTMWD has agreed to compensate McKinney for the cost of raising the rim elevation of up to eighteen (18) manholes within the McKinney-owned Wilson Creek Sewer System (comprised of the Wilson Creek Interceptor Sewer Main, Wilson Creek Interceptor Sewer, and Wilson Creek Relief Interceptor); and

WHEREAS, McKinney has requested, and NTMWD has agreed to collaborate in good faith on a flow monitoring program to monitor the flows within the McKinney-owned Wilson Creek Sewer System; and

WHEREAS, McKinney has requested, and NTMWD has agreed, to accept the transfer of ownership of the downstream interceptor segment of the McKinney-owned Wilson Creek Sewer System (the “Wilson Creek Relief Interceptor”) to NTMWD for NTMWD’s incorporation into NTMWD’s UEFIS; and

WHEREAS, NTMWD has requested, and McKinney has agreed to granting NTMWD permission to install a temporary junction box in the McKinney-owned Wilson Creek Sewer System, specifically the Wilson Creek Relief Interceptor, for the NTMWD Sloan Creek Force Main connection.

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

Section 1. The City Council of the City of McKinney, Texas, hereby authorizes the City Manager to enter into an Interlocal Cooperation Agreement with the North Texas Municipal Water District (NTMWD) for Wilson Creek Sewer System, Wilson Creek Relief Interceptor, and Rowlett Creek Trunk Sewer Extension.

Section 2. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 6th DAY OF AUGUST, 2024.

CITY OF MCKINNEY, TEXAS:

GEORGE C. FULLER, Mayor
GERÉ FELTUS, Mayor Pro Tem

ATTEST:

EMPRESS DRANE, City Secretary
TENITRUS BETHEL, Deputy City Secretary