

ORDINANCE NO. 2024-O-011

AN ORDINANCE ADOPTING CERTAIN CONDITIONS TO ANY SALE,  
TRANSFER OR PLEDGE OF THE CITY'S OWNERSHIP INTEREST IN  
COMPONENTS OF THE CANYON LAKE SHORES PUBLIC WATER SYSTEM

WHEREAS, The Texas Water Company, Inc, a Texas corporation ("TWC") owns and operates the Canyon Lake Shores public water system registered with the Texas Commission on Environmental Quality under identification number 0460019 ("PWS");

WHEREAS, the City of Blanco ("City") owns an interest in certain water treatment and delivery facilities that are components of the PWS;

WHEREAS, the City and TWC have agreed to resolve, settle and compromise various disputes and controversies between them relating to, among other issues, their joint interests in the PWS components partially owned by the City, by adoption and execution of a certain Water Delivery and Treatment Agreement ("Agreement");

WHEREAS, under the Agreement, the City wishes to restrict by ordinance any further sale, transfer or pledge of the City's ownership interest in the components of the PWS;

WHEREAS, such agreement and related restrictions are in the best interests of the City and support public health and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLANCO:

SECTION 1. FINDINGS OF FACT

That the facts and matters set forth in the preamble of this Ordinance are true and correct.

SECTION 2. ADOPTION OF NEW SECTION 12.01.004, ENTITLED: "Referendum required for sale, transfer or pledge of the City's interest in certain water treatment and delivery facilities"; as follows:

- (a) The City currently is a party to a contract that secures water treatment and delivery to the City from the Canyon Lake Shores public water system for and on behalf of the citizens and ratepayers of the City, which are used in support of the city's water system.
- (b) The City owns an interest in certain facilities that are described in and made a part of the contract referenced herein.
- (c) Ownership of these facilities is a valuable property right and secures unto the citizens and ratepayers of the City alternative sources of water for use now and in the future.
- (d) The city council believes that for the good government, peace, and order of the City and for the protection of trade or commerce of the City, the sale, transfer or pledge of any such interest in treatment or delivery facilities secured by contract and owned by the City to a third party should only occur upon recommendation of the city council and subsequent approval by a majority of citizens then voting by referendum.
- (e) The City's interest in the water treatment or delivery facilities described in that certain Water Delivery and Treatment Agreement may not be sold, pledged as collateral, or otherwise

transferred unless the question of the sale, pledge or transfer is first approved by a majority of the qualified voters of the City who vote on the question at a referendum.

- (f) Any repeal of or material amendment to this ordinance is effective only if approved by a majority vote of the city council and by a majority of the qualified voters of the City who vote on the question at a referendum.

**SECTION 3. EFFECTIVE DATE; IMPLEMENTATION AND ENFORCEMENT DATE**

This ordinance is effective on the date of publication of notice of adoption on the City's website and the local newspaper of general circulation, each of which shall be made not later than ten (10) days after adoption.

**SECTION 4. SEVERABILITY & REPEALER**

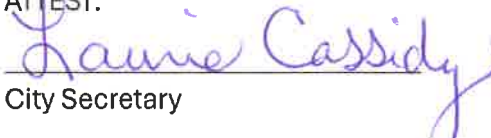
If any provision of this ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or in part, except if the part held or adjudged invalid or unconstitutional. Upon adoption, the provisions of this ordinance repeal any inconsistent existing provisions of other City ordinances.

ADOPTED BY CITY COUNCIL, CITY OF BLANCO, ON THE 12 DAY OF November, 2024.

CITY OF BLANCO

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Secretary

