

RESOLUTION NO. 2054

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS
APPROVING THE SECOND AMENDMENT TO THE UTILITIES
INSTALLMENT PURCHASE CONTRACT FOR THE PURCHASE BY THE CITY
OF TERRELL OF A PORTION OF THE LAWRENCE WATER SUPPLY
CORPORATION FACILITIES AND CERTIFICATE OF CONVENIENCE AND
NECESSITY AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City of Terrell and Lawrence Water Supply Corporation have together agreed to the acquisition by the City of that portion of Lawrence's Certificate of Convenience and Necessity (CCN) that lies within the City's corporate boundary; and

WHEREAS, pursuant to this agreed upon acquisition, the parties submitted to the Public Utilities Commission of Texas (PUCT) a Utilities Installment Purchase Contract (Exhibit A) for its inspection and approval, and said Purchase Contract was subsequently amended; and

WHEREAS, in response to comments from the PUCT, a First Amendment to the Utilities Purchase (Exhibit B) was submitted to clarify matters related to acquisition and lease costs; and

WHEREAS, the PUCT expressed concern over portions of the Purchase Contract and its subsequent First Amendment, pertaining to dual certification and the leaseback agreement; and

WHEREAS, the Terrell City Council desires to adopt a Resolution for the purpose of approving a Second Amendment to the Utilities Installment Purchase Contract (Exhibit C) which deletes dual certification and the leaseback provisions.

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

The City Council hereby approves the Second Amendment to the Utilities Installment Purchase Contract and the Mayor of the City of Terrell is hereby authorized to execute such Second Amendment.

This Resolution shall take effect immediately upon its passage and approval.

PASSED AND APPROVED by the City Council of the City of Terrell, Texas, on this 17th day of January, 2023.



E. RICK CARMONA, Mayor

ATTEST:



DAWN STEIL, City Secretary