

CITY OF WILLOW PARK

RESOLUTION NO. 04-12

A RESOLUTION PROVIDING AUTHORIZATION FOR THE NEGOTIATION AND EXECUTION OF A CONTACT BY AND BETWEEN THE CITY OF WILLOW PARK, TEXAS, AND TIM HALL, INC. FOR CERTAIN IMPROVEMENTS TO THE CITY MUNICIPAL WATER UTILITY SYSTEM, TO WIT: DRILLING, CONSTRUCTION, AND COMPLETION OF THREE WATER WELLS TO THE TWIN MOUNTAINS ACQUIFER; AND ALL ACTS OR SERVICES ANCILLARY AND NECESSARY THERETO AND, PROVIDING FOR CERTAIN FINDINGS AND AN EFFECTIVE DATE

WHEREAS, the City of Willow Park, Texas (City) is a general law municipality located in Parker County, created in accordance with the Laws of the State of Texas; and

WHEREAS, it is intent of the City of Willow Park to protect the health, safety and welfare and well being of its citizens; and

WHEREAS, the municipal offices of the City perform certain functions related to the preservation of health, safety and general welfare of its citizens; and

WHEREAS, the City has the authority to enter into a contract or agreement with another entity for certain governmental services; and

WHEREAS, the repair, replacement or improvement of municipal water supplies or resources are a delegated municipal function, pursuant to §552.001 TEX. LOCAL GOV'T CODE; and

WHEREAS, the Upper Trinity Groundwater Conservation District (UTGCD) did grant the City an exception to spacing requirements for each of the three water wells described herein subject to application, hearing, approval, and permitting by UTGCD; and

WHEREAS, the City did on January 9, 2012, apply for an exception to spacing requirements, to upper Trinity Groundwater Conservation District for water wells described in the application as:

- 1) Well Site No. 10;
- 2) El Chico Well Site;
- 3) Willow Springs Oaks Well Site (“collectively Water Wells”); and

WHEREAS, the advertisement for bids for the Water Wells was published in March 2012 with a

bid due date of April 12, 2012, and after evaluating the sealed bids received, the bid of Tim Hall, Inc. (“Contractor”) was accepted as the lowest bid for best value.

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK THAT:

SECTION 1. AUTHORIZATION.

The Mayor, or the Mayor’s designee, is hereby authorized and directed to implement the applicable provisions of this Resolution.

SECTION 2. CONSTRUCTION AGREEMENT.

The Mayor, or City Administrator, is hereby authorized to negotiate, enter into or execute a Construction Agreement, with advice of Biggs & Mathews, Inc. and counsel, with Tim Hall, Inc. for the drilling, construction, and completion of three water wells pursuant to a Contract not materially different from the bid Contract (Documents and Specifications sealed Feb 9, 2012), and the terms and pricing of the accepted bid from the Contractor.

SECTION 3. SEVERABILITY.

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Resolution shall be held invalid, it shall not affect any valid provisions of this or any other Resolution or Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 5. REPEALER.

To the extent any other ordinance or resolution is inconsistent with the provisions herein it

is hereby repealed and superseded by the provisions herein.

SECTION 6. RECITALS.

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Resolution.

SECTION 7. EFFECTIVE DATE.

This Resolution shall take effect from and after its adoption.

PASSED AND APPROVED this 8th day of May, 2012.

The Willow Park City Council in acting on Resolution No. 04-12, did on the 8th day of May, 2012 vote as follows:

/s/ Marvin Glasgow
Mayor

ATTEST:
/s/ Joe Hoffman
City Secretary/Clerk

APPROVED AS TO FORM:
/s/ [Signature]
City Attorney

	<u>FOR</u>	<u>AGAINST</u>
Marvin Glasgow, Mayor	_____	_____
Richard Neverdousky, Place 1	✓ _____	_____
Gene Martin, Place 2	✓ _____	_____
Amy Podany, Place 3	✓ _____	_____
Esta Austin, Place 4	✓ _____	_____
Hale Alderman, Place 5	✓ _____	_____