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**To: Mayor and Town Council**

**From: Wade Carroll, Town Manager**

**CC: Anita Otterson, Town Secretary**

**Re: Amendment to Interlocal Agreement for water and wastewater service from the MUD**  
**February 14, 2023**

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**Agenda Item:**

Consider and take appropriate action regarding an amendment to the current interlocal agreement with the Trophy Club Municipal Utility District #1 for water and wastewater service. (W. Carroll)

**Strategic Link:**

This item relates primarily to the following strategic priorities and goals of the Town's strategy map.

**Infrastructure and Development-** Develop a long-term evaluation and maintenance plan for all Town owned infrastructure

**Background and Explanation:**

During the development process for Falcon and Aspen Estates, (7H & 8H respectively) the Town is required to ensure that utilities are available for the development. When the Interlocal Agreement (ILA) with the Trophy Club Municipal Utility District #1 (MUD) for water and wastewater service was reviewed, it was observed that the current ILA only included properties whose water and wastewater infrastructure was financed through the PID. The attached amendment to the ILA has been expanded to include all properties within Town limits that are outside the boundaries of the MUD. The ILA ensures that water and wastewater service, maintenance of all infrastructure and asset management is performed by the MUD in exchange for annually agreed upon usage rates. It also requires that all service, maintenance and replacement conforms to American Water Works Association best practices and standards. The ILA will be presented to the MUD for consideration at their February 15, 2023 meeting.

**Financial Considerations:**

All costs associated with future service, maintenance and asset management within the ILA are paid for within the rate structure imposed by MUD and approved by this Council annually.

**Legal Review:**

This ILA was developed by our outside law firm, Fancher Legal PLLC and was sent to the MUD for their initial review on January 26, 2023.

**Board/Commission/ or Committee Recommendation:**

Not applicable

**Staff Recommendation:**

Staff recommends approval of the First Amendment to the Wholesale Water and Wastewater Services ILA between the Town of Trophy Club and the Trophy Club Municipal Utility District #1.

**Attachments:**

- Current ILA for Wholesale Water and Wastewater Services
- Proposed First Amendment to Wholesale Water and Wastewater Services ILA

**Town Council Approval:**

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**Mayor Alicia Fleury or designee**