

RESOLUTION 08 04 02

AUTHORIZING THE WATER RATES AND CHARGES BY AND BETWEEN THE CITY OF FORT MORGAN, COLORADO AND EXCEL CORPORATION dba CARGILL MEAT SOLUTIONS

WHEREAS, the parties originally entered into the **Agreement, Water Rates and Charges**, dated July 6, 1999 defining the O & M Expenses for C-BT water provided by the City to Excel; and,

WHEREAS, on November 1, 2002, the parties amended and restated the 1999 agreement under the **Amended Agreement Water Rates and Charges**; and,

WHEREAS, the **Amended Agreement** requires the City to provide a copy of the Formula for Rate Adjustment annually. The Formula for Rate Adjustment has been provided to Cargill, and the water rate for the upcoming year has been established at \$2.73 per thousand (1,000) gallons.

WHEREAS, this rate shall take effect and be billed beginning February 21, 2008 to March 24, 2008.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

SEC. 1: That pursuant to paragraph 6 of the Amended Agreement, Water Rates and Charges, the rate for C-BT water there under shall be adjusted from \$2.85 per thousand gallons to \$2.73 per thousand gallons for all charges for C-BT water billed to Cargill Meat Solutions on or after March 21, 2008, including the billing period February 21, 2008 to March 24, 2008 and all billing periods thereafter.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 1st day of April, 2008, the vote upon roll call being as follows:

Ayes: Mayor Darnell; Councilmembers Deal, McAlister, Powers, Schafer, Shaver and Simmons

Nays: None.

Absent /Abstain: None.

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

[SEAL]

BY: Jack Darnell
Mayor Jack Darnell

ATTEST:

Andrea Strand
Andrea Strand, City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN) ss.
CITY OF FORT MORGAN)

CERTIFICATE

I, Andrea Strand, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing **Resolution** is a true, perfect and complete copy of the **Resolution** adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 2nd day of April, 2008.

Andrea Strand
Andrea Strand, City Clerk