

RESOLUTION NO. 10-01-11

AUTHORIZING THE MAYOR TO EXECUTE THE FIFTH INTERIM AGREEMENT WITH NORTHERN COLORADO WATER CONSERVANCY DISTRICT, NORTHERN INTEGRATED SUPPLY PROJECT WATER ACTIVITY ENTERPRISE , FOR PARTICIPATION IN THE NORTHERN INTEGRATED SUPPLY PROJECT.

WHEREAS, the City of Fort Morgan, Colorado is a Participant in the Northern Integrated Supply Project (NISP); and,

WHEREAS, NISP is developing a water project (the "Project") for the purpose of developing a new reliable water supply for the beneficial use of the Participant and other entities; and,

WHEREAS, all costs of the Project will be divided among the participant and other entities that participate in the Project; and,

WHEREAS, in previous years the Project has consisted of Three Phases, which included preliminary studies, site evaluations, and consultation related to the design and permitting of this Project; and,

WHEREAS, the Project is now in Year 7 through 9 of the Third Phase (hereinafter referred to as "Phase 3A"), which will consist of further agency consultation, permitting with the U.S. Army Corps of Engineers and other agencies, compliance with the National Environmental Policy Act and other federal requirements related to the project; and,

WHEREAS, the continuation and completion of the Third Phase of the Project requires participants to provide continued funding for the completion of Phase 3A.

WHEREAS, the City wishes to continue pursuing the finalization of the Project by providing the funding necessary for its completion.

WHEREAS, the parties have set forth the terms of their agreement in the **FIFTH INTERIM AGREEMENT WITH THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT, NORTHERN INTEGRATED SUPPLY PROJECT WATER ACTIVITY ENTERPRISE, FOR PARTICIPATION IN THE NORTHERN INTEGRATED SUPPLY PROJECT** (a copy of which is attached hereto and incorporated herein by this reference).

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

SECTION 1: The City Council hereby authorizes the Mayor to execute the **FIFTH INTERIM AGREEMENT WITH THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT, NORTHERN INTEGRATED SUPPLY PROJECT WATER ACTIVITY ENTERPRISE, FOR PARTICIPATION IN THE NORTHERN INTEGRATED SUPPLY PROJECT.**

INTRODUCED, PASSED, APPROVED AND ADOPTED this 12th day of January 2010, the vote upon roll call being as follows:

Ayes: Mayor McAlister, Councilmembers Bryan, Deal, Forstedt, Nation, Powers and Shaver.

Nays: None.

Absent /Abstain: None.

[SEAL]

THE CITY COUNCIL OF THE CITY OF
FORT MORGAN, COLORADO

BY: *Terry L. McAlister*
Mayor

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 14th day of January, 2010.

Andrea Strand
Andrea Strand, City Clerk