

## **RESOLUTION No. 2018-01-07**

### **AUTHORIZING THE MAYOR TO EXECUTE THE SECOND INTERIM AGREEMENT WITH NORTHERN COLORADO WATER CONSERVANCY DISTRICT, SOUTHERN WATER SUPPLY PROJECT WATER ACTIVITY ENTERPRISE, FOR INCREASING THE CAPACITY OF THE SOUTHERN WATER SUPPLY PROJECT**

**WHEREAS**, the City of Fort Morgan, Colorado ("City") is a participant in the Southern Water Supply Project ("SWSP") to provide untreated water from Carter Lake Reservoir to entities located within the Northern Colorado Water Conservancy District and its Municipal Subdistrict; and,

**WHEREAS**, in 2001, the SWSP Enterprise began a project to add pumping plants to the Southern Water Supply Project pipeline, known as the Pump Project. The Pump Project is being constructed in two phases. The first phase is known as the West Longmont Phase, which has been completed. The second phase is known as the Eastern Phase and consists of the Eastern Pumping Plant; and,

**WHEREAS**, the SWSP Enterprise has determined that it is necessary to commence the design of the Eastern Phase pump station and the City has an obligation to pay its share of the cost of planning, designing, and constructing the Eastern Pumping Plant; and,

**WHEREAS**, pursuant to the Allotment Contract for Additional Capacity in the Southern Water Supply Project Pipeline, dated July 23, 2001 ("Allotment Contract"), the City holds an allotment of capacity in the Pump Project and costs for the completion of the Eastern Phase will be divided among the entities that participate in the Pump Project, according to their pro rata portion of the capacity in that Project; and,

**WHEREAS**, the City is required to pay the SWSP Enterprise \$286,742.43 as its portion of the estimated cost of the Pump Project, which is anticipated to total \$715,000; and,

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

**WHEREAS**, the parties have set forth the terms of their agreement in the **SECOND INTERIM AGREEMENT WITH THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT, SOUTHERN WATER SUPPLY PROJECT WATER ACTIVITY ENTERPRISE, FOR INCREASING THE CAPACITY OF THE SOUTHERN WATER 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 **SECOND INTERIM AGREEMENT WITH THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT, SOUTHERN WATER SUPPLY PROJECT WATER ACTIVITY ENTERPRISE, FOR INCREASING THE CAPACITY OF THE SOUTHERN WATER SUPPLY PROJECT.**

INTRODUCED, PASSED, APPROVED AND ADOPTED this 16<sup>th</sup> day of January 2018, the vote upon roll call being as follows:

Ayes: Mayor Shaver, Councilmembers Anderson, Howe, Lindell, Marler, Northrup and Schossow

Nays: None

Absent/Abstain: None



THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

BY:   
Ronald Shaver, Mayor

ATTEST:

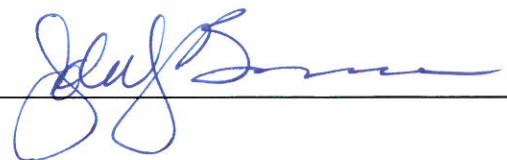
  
John Brennan, City Clerk

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

**CERTIFICATE**

I, John Brennan, 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 16<sup>th</sup> day of January, 2018.



John Brennan, City Clerk