

CITY OF GREELEY, COLORADO
RESOLUTION NO. 4, 2023

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO THE FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT FOR POTABLE WATER INTERCONNECT WITH NORTH WELD COUNTY WATER DISTRICT AND EAST LARIMER COUNTY WATER DISTRICT

WHEREAS, pursuant to C.R.S. § 29-1-203, governmental entities may cooperate or contract with one another to provide any function, service, or facility lawfully authorized to each of the following cooperating units of government; and

WHEREAS, in accordance with Greeley Municipal Code § 2-186, Greeley has the authority to enter into cooperative or joint activities with other governmental bodies by intergovernmental agreement; and

WHEREAS, Greeley and the Districts previously entered into that certain Intergovernmental Agreement for Potable Water Interconnect, dated October 14, 2019 (“2019 IGA”); and

WHEREAS, Greeley and Districts entered into the 2019 IGA to set forth the terms and conditions on which the Parties would cooperate on the design, construction, operation, repair, and maintenance of three interconnections, specifically: the Mason Interconnect, Mulberry Interconnect, and Lemay Interconnect; and

WHEREAS, after executing the 2019 IGA, Greeley and North Weld have determined that the development of an additional interconnect is desirable and wish to cooperate with one another in the design, construction, operation, repair, and maintenance of an additional shared interconnection under substantially the same terms and conditions as set forth in the 2019 IGA and as set forth more fully in the First Amendment to Intergovernmental Agreement for Potable Water Interconnect (“First Amendment”), attached hereto as Appendix A; and

WHEREAS, it is in the best interest of the citizens of Greeley for the parties to enter into the First Amendment.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREELEY, COLORADO:

Section 1. The City Council hereby approves the First Amendment, attached hereto and incorporated herein as Appendix A, and authorizes the appropriate City officials to execute the same.

Section 2. The City Council hereby delegates authority to City staff and legal counsel to make minor revisions to the First Amendment before execution, provided the material substance remains unchanged, and authorizes City staff to perform all terms and conditions contemplated by the First Amendment upon its final execution.

Section 3. The City Council hereby delegates authority to the Water and Sewer Board to approve all future amendments to the 2019 IGA and/or the First Amendment, provided the material substance remains unchanged.

Section 4. This resolution shall become effective immediately upon its passage and signature.

**PASSED AND ADOPTED, SIGNED AND APPROVED THIS ____ DAY OF
FEBRUARY, 2023.**

ATTEST:

**THE CITY OF GREELEY,
COLORADO**

By: _____
City Clerk

By: _____
Mayor