

## RESOLUTION NO. 32-22

### A RESOLUTION APPROVING AN INTER-GOVERNMENTAL COST-SHARING AGREEMENT TO FUND AN INTERLOCAL FUNDING AGREEMENT FOR COLORADO RIVER CONSERVATION PROJECT

WHEREAS, City and County of Denver, acting by and through its Board of Water Commissioners ("Denver Water"), the City of Aurora, Colorado, acting by and through its Utility Enterprise ("Aurora Water"), the City of Colorado Springs, acting on behalf of its enterprise, Colorado Springs Utilities ("Springs Utilities"), and the Board of Water Works of Pueblo, Colorado ("Pueblo Water") are members of the Front Range Water Counsel ("FRWC"); and

WHEREAS, the Colorado River Basin is experiencing the driest 22-year period in the historical record, which has caused significant decreases in annual water supply in the Colorado River system and depletions of Colorado River water storage; and

WHEREAS, the changes in climate and hydrology have culminated in the Colorado River's first "shortage" declaration, which the Secretary of the Department of the Interior announced on August 16, 2021, based on Lake Mead's projected water elevation; and

WHEREAS, Denver Water, Aurora Water, Springs Utilities, and Pueblo Water rely in part on Colorado basin water rights to meet the water supply demands of their customers; and

WHEREAS, Denver Water entered into a Conservation Master Agreement with the Central Arizona Water Conservation District, Southern Nevada Water Authority, Metropolitan Water District of Southern California, and the Central Utah Water Conservancy District whereby the Parties to the Master Agreement agreed to a process for proposing and funding the study of certain projects involving innovative technologies that have demonstrated the potential to conserve water throughout the Colorado River Basin and for which the Parties intend to determine whether such technologies can be deployed at scale; and

WHEREAS, the Parties to the Master Agreement entered into an Interlocal Funding Agreement, for the funding of a multi-season (October 2021 – September 2023) alfalfa pilot study utilizing N-drip technology; and

WHEREAS, Denver Water agreed to contribute an amount not to exceed \$60,000.00 to the funding of the alfalfa pilot study utilizing N-drip technology under the terms of the Interlocal Funding Agreement on behalf of itself and other members of the FRWC; and

WHEREAS, Aurora Water, Springs Utilities, and Pueblo Water desire to contribute to Denver Water's funding of the Interlocal Funding Agreement to help identify technologies that can be utilized to conserve Colorado River Basin water; and

WHEREAS, Denver Water, Aurora Water, Springs Utilities, and Pueblo Water have negotiated an Inter-Governmental Cost-Sharing Agreement to Fund an Interlocal Funding Agreement for Colorado River Conservation Projects pursuant to which Aurora Water, Springs Utilities, and Pueblo Water agree to provide financial support to Denver Water's funding of the Interlocal Funding Agreement ("Cost-Sharing Agreement"); and

WHEREAS, Springs Utilities will be obligated under the Cost-Sharing Agreement to contribute up to \$7,500.00 to Denver Water to support Denver Water's funding of the Interlocal Funding Agreement; and

WHEREAS, the City Council of the City of Colorado Springs ("City Council") has determined that it is in the best interests of the City and Utilities to contribute to Denver Water's funding of the Interlocal Funding Agreement in the manner set forth in the Cost-Sharing Agreement, attached hereto and incorporated herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:**

Section 1. The City Council finds Springs Utilities' entering into the Cost-Sharing Agreement attached hereto and incorporated herein is in the best interests of the citizens of the City of Colorado Springs and ratepayers of Springs Utilities and further approves the Cost-Sharing Agreement.

Section 2. The City Council hereby authorizes the Chief Executive Officer of Springs Utilities or his designee, on behalf of Springs Utilities, to execute the Cost-Sharing Agreement attached to this Resolution on behalf of the City of Colorado Springs and Springs Utilities.

Dated at Colorado Springs, Colorado, this 22<sup>nd</sup> day of March 2022.

ATTEST:

  
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Council President

  
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Sarah B. Johnson, City Clerk

