

RESOLUTION No. 12-05-2016

A RESOLUTION OF THE SANTAQUIN CITY COUNCIL APPROVING AN INTERLOCAL AGREEMENT WITH THE MT. NEBO WATER AGENCY

WHEREAS, Interlocal Cooperation Act, Utah Code Ann. §11-13-101 et seq. (1953, as amended) (the “Act”) allows public agencies to jointly exercise any power, privilege, or authority exercised or capable of exercise by a Utah public agency for the betterment of itself and its constituents; and

WHEREAS, The Act provides that the public agencies may create a legal entity to exercise such powers, privileges, or authority; and

WHEREAS, Santaquin City shares a common interest with the Mt. Nebo Water Agency and desires to become a member entity of said organization for the purpose of developing water resources, protection, and management to the end that the member entities may maximize the beneficial use of the available water supplies in satisfying the demands of agriculture and a growing municipal population in southern Utah County and the Utah Lake drainage area; and

WHEREAS, The member entities of the Mt. Nebo Water Agency (sometimes referred to herein as a “Party” and collectively as the “Parties”) recognize that the success of agriculture and economic growth in south Utah County depend on an affordable and sufficient supply of water and the Parties desire to exercise powers, privileges, and authority granted through the laws of the State of Utah to achieve this purpose; and

WHEREAS, Through factually and scientifically-based studies, the Parties desire to develop plans to address agriculture preservation; water conservation; infrastructure needs for development, conveyance, distribution, and treatment of water resources for Members and their respective residents and customers; and financial plans to show that the projects are practical and affordable; and

WHEREAS, The Parties have found that the securing additional supplies of water and protecting existing supplies can best be achieved by utilizing economies of scale, minimizing duplication of costs, reducing transmission losses, using aquifer recharge and recovery, and managing return flows; and

WHEREAS, The Parties have determined that joint and cooperative action of the Parties in operating through a separate legal entity established under authority of the Act will help implement the desired economies of scale; promote the objectives stated above as well as the health, safety, and welfare of their residents and customers; and provide other benefits; and

WHEREAS, Santaquin City desires to enter into an Interlocal Agreement with the Mt. Nebo Water Agency to accomplish the purposes set forth herein;

NOW THEREFORE, BE IT RESOLVED BY THE SANTAQUIN CITY COUNCIL THAT:

1. The Santaquin City Council approves and authorizes the Mayor to execute the FIRST AMENDED INTERLOCAL AGREEMENT FOR JOINT AND COOPERATIVE ACATION CREATING THE MT. NEBO WATER AGENCY between Santaquin City and the MT. NEBO WATER AGENCY, a copy of which is attached hereto as Exhibit A and incorporated herein.
2. This resolution shall take effect immediately upon its passage

PASS AND APPROVED this ____ day of _____, _____.

Kirk F. Hunsaker, Mayor

ATTEST:

Susan B. Farnsworth
Santaquin City Recorder