

RESOLUTION NO. 5438

AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF CHANDLER, PIMA UTILITY COMPANY, AN ARIZONA CORPORATION, AND SUN LAKES MARKETING PARTNERSHIP, LLP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP AND A CORPORATE AFFILIATE OF PIMA UTILITY COMPANY, FOR THE DELIVERY OF POTABLE WATER THROUGH INTERCONNECTIONS BETWEEN THEIR POTABLE WATER DISTRIBUTION SYSTEMS AND FOR THE ABANDONMENT OF INACTIVE WELLS LOCATED NEAR ALMA SCHOOL AND WILLIS ROAD, ALMA SCHOOL AND PECOS ROAD, AND ALMA SCHOOL AND QUEEN CREEK ROAD.

WHEREAS, City and Pima Utility Company ("Pima") own and operate separate and adjacent water systems that provide potable water within their respective service areas; and

WHEREAS, Pima desires to augment its water system in the event of certain unanticipated water shortages, such as those caused by structural or equipment failures; and

WHEREAS, Sun Lakes Marketing Limited Partnership ("Sun Lakes") owns four inactive irrigation wells within Pima's service area; and

WHEREAS, City desires to ensure that the inactive irrigation wells are properly abandoned in order to prevent the vertical movement of water between the upper and middle units of the regional aquifer near City's wells; and

WHEREAS, City and Pima have agreed that Pima will design and construct interties for the delivery of water from City's potable water system to Pima's potable water system that will allow City to furnish water to Pima under certain emergency conditions and pursuant to terms and conditions as set forth in a written agreement between City and Pima; and

WHEREAS, Pima has agreed to cause Sun Lakes to abandon the inactive irrigation wells.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler, Arizona, as follows:

Section 1. The City of Chandler is authorized to enter into a Potable Water Interconnect Agreement with Pima Utility Company and Sun Lakes Marketing Limited Partnership in the form attached hereto as Exhibit "A" (the "Agreement").

Section 2. The Mayor is authorized to sign this Resolution directing the Public Works and Utilities Director to execute the Agreement on behalf of the City of Chandler.

PASSED AND ADOPTED by the City Council of Chandler, Arizona, this ____ day of _____, 2021.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 5438 was duly passed and adopted by the Chandler City Council at a regular meeting held on the ____ day of _____, 2021, at which a quorum was present.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



Exhibit "A"

Potable Water Interconnect Agreement