

RESOLUTION NO. 5626

AUTHORIZING THE CITY OF CHANDLER TO ENTER INTO AN AGREEMENT FOR ACCOUNTING AND DELIVERY OF WATER MADE AVAILABLE IN THE MODIFIED ROOSEVELT DAM FLOOD CONTROL SPACE UNDER A TEMPORARY DEVIATION TO THE WATER CONTROL PLAN AMONG VARIOUS PARTICIPATING ENTITIES, THE SALT RIVER VALLEY WATER USERS' ASSOCIATION, AND SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT.

WHEREAS, the City of Chandler receives a portion of its water supply from the Roosevelt Dam reservoir on the Salt River; and

WHEREAS, the Salt River Valley Water Users' Association and Salt River Agricultural Improvement District (collectively, Salt River Project or "SRP") operate the Roosevelt Dam and reservoir under a Water Control Plan developed by the United States Bureau of Reclamation and the United States Army Corps of Engineers; and

WHEREAS, Chandler, along with the cities of Avondale, Glendale, Mesa, Peoria, Phoenix, Scottsdale, and Tempe, the Town of Gilbert, Roosevelt Water Conservation District, Buckeye Water Conservation and Drainage District, Salt River Pima-Maricopa Indian Community, Roosevelt Irrigation District, and Freeport Minerals Corporation (the "Participating Entities") entered into an "Agreement to Share Costs Associated with Seeking to Obtain Approval for the Operation of the Flood Control Space in Modified Roosevelt Dam Under a Temporary Deviation to the Water Control Plan Among Various Participating Entities and the Salt River Project Agricultural Improvement and Power District" dated October 12, 2021 ("Cost Share Agreement"); and

WHEREAS, SRP has sought and received or will shortly receive the approval of Reclamation and the Corps of Engineers to deviate from the Water Control Plan by retaining water within the first five feet of the Roosevelt Dam flood control space for a period of 120 days instead of the current maximum retention period of 20 days (the "Temporary Deviation Plan"); and

WHEREAS, as a Participant under the Cost Share Agreement, Chandler may receive up to 5,500 acre-feet of water in any given year under the Temporary Deviation Plan, which is sufficient to meet the demand of over 11,000 households; and

WHEREAS, the Agreement for Accounting and Delivery of Water Made Available in the Modified Roosevelt Dam Flood Control Space Under a Temporary Deviation to the Water Control Plan Among Various Participating Entities and SRP (the "Accounting and Delivery Agreement") describes how SRP will operate and deliver water to the Participating Entities under the Temporary Deviation Plan and the fees SRP will charge each Participating Entity; and

WHEREAS, the Accounting and Delivery Agreement provides that each Participating Entity shall pay a one-time initial fee of \$3,250 and thereafter shall pay an administrative fee of \$4,402 in any year during which SRP delivers water under the Temporary Deviation Plan, with such administrative fees to be adjusted annually for inflation according to the Department of Commerce Price Index for the Gross Domestic Product, using the third quarter of 2021 as the base.

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 the Agreement for Accounting and Delivery of Water Made Available in the Modified Roosevelt Dam Flood Control Space Under a Temporary Deviation to the Water Control Plan Among Various Participating Entities, the Salt River Valley Water Users' Association, and Salt River Agricultural Improvement District (the "Accounting and Delivery Agreement") in substantially the form attached hereto as Exhibit "A".

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

PASSED AND ADOPTED by the City Council of Chandler, Arizona, this ____ day of September, 2022.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 5626 was duly passed and adopted by the Chandler City Council at a regular meeting held on the ____ day of September, 2022, at which a quorum was present.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

A handwritten signature in blue ink, appearing to be 'gn', is written over a horizontal line.

Exhibit "A"

Agreement for Accounting and Delivery of Water Made Available in the Modified Roosevelt
Dam Flood Control Space Under a Temporary Deviation to the Water Control Plan Among
Various Participating Entities, Salt River Valley Water Users' Association,
and Salt River Agricultural Improvement and Power District