RESOLUTION NO. R2019.60


WHEREAS, Cities are legally entitled to Non-Indian Agricultural Priority (“NIA Priority”) water from the Central Arizona Project (“CAP”) through various contracts, subcontracts and agreements with the U.S. Bureau of Reclamation (“Reclamation”), CAWCD, and other parties.

WHEREAS, on April 16, 2019, the President of the United States signed Pub. L. No. 116-14, requiring the United States Department of the Interior to implement the Colorado River Drought Contingency Plans, and

WHEREAS, the State of Arizona (“Arizona”), acting through the Director of ADWR, is a party to the Lower Basin Drought Contingency Plan (LBDCP) Agreement, which is designed to address falling elevations in Lake Powell and Lake Mead, and

WHEREAS, the LBDCP Agreement requires reductions in Arizona Colorado River diversions at various Lake Mead elevations and the Central Arizona Water Conservation District agreed to implement certain of Arizona’s reductions under the LBDCP Agreement, which will result in net reductions to available CAP Project Water, and

WHEREAS, consistent with the DCP Framework Agreement, various Arizona parties are entering into agreements and arrangements that, taken together, are intended to partially “mitigate” the impacts of DCP Reductions on lower-priority CAP water users,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, THAT:

The NIA Mitigation Agreement is hereby approved, and

The Mayor is authorized to sign the Agreement for the City of Tempe.
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this ___ day of __________, 2019.

Mark W. Mitchell, Mayor

ATTEST:

Carla R. Reece, City Clerk

APPROVED AS TO FORM:

Judith R. Baumann, City Attorney