



REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:

May 6, 2020

DEPARTMENT:

Administration

DIVISION:

- ☒ Motion
☐ Resolution
☐ Ordinance - Introduction
☐ Ordinance - Adoption
☐ Public Hearing

TITLE:

Intergovernmental Agreement Amendment No. 6: Bureau of Reclamation - Colorado Water Delivery

SUMMARY RECOMMENDATION:

Authorize the City Administrator to execute Amendment No. 6 to the Colorado River Water Delivery Contract 14-06-W-106 with the United States Department of Interior--Bureau of Reclamation, which extends the current contract to October 1, 2027. (Administration) (Jay Simonton)

REPORT:

The United States Department of Interior – Bureau of Reclamation (BOR) and the City of Yuma (City) entered into Contract No. 14-06-W106, dated November 12, 1959, the (1959 Contract), which among other things, provided for the delivery of Colorado River water to the City at a point immediately below the downstream edge of the California Sluiceway at Imperial Dam. The 1959 Contract has been amended five times:

- Amendment No. 1: Amended on December 14, 1977 for a term of 25 years commencing on October 1, 1977, the City's Colorado River water entitlement would be delivered at a facility adjacent to the Main Street Water Treatment Plant.
- Amendment No. 2: Amended on August 4, 1997 and provided that the City receives return flow credits for the quantity of Colorado River water delivered to the City, which is returned to the Colorado River.
- Amendment No. 3: Amended January 8, 2008 to extend the term of Amendment No. 1 for 10 years, for an aggregate term of 35 years commencing October 1, 1977. Amendment No. 3 was executed with the understanding that the City and the United States intended to enter into a consolidated contract on or before October 1, 2012.
- Amendment No. 4: Amended July 19, 2012 to clarify and renew the authority of the City to enter into agreements for the diversion and use of Colorado River water by lessees at the Yuma Proving Ground.
- Amendment No. 5: Amended on August 16, 2016 extended the term of Amendment No. 3 for five years, such that the new aggregate term of Amendment No. 1 is 40 years, commencing October 1, 1977 and expiring October 1, 2017. The extended term will allow the parties more

time to develop a new long-term consolidated contract regarding the City's receipt of water from the Colorado River.

Amendment No. 6 is attached, in substantial final form, and extends the term of Amendment No. 5 of the 1959 Contract from 40 aggregate years to 50 aggregate years, which commences October 1, 1977 and ends on October 1, 2027.

Upon receipt of the Imperial Irrigation District's letter acknowledging Amendment No. 6, the United States Bureau of Reclamation will insert the date of the Imperial Irrigation District's letter in Section 2.7 of Amendment No. 6 and send the City a final copy for signature.

FISCAL REQUIREMENTS	CITY FUNDS:	\$0.00	BUDGETED:	\$0.00
	STATE FUNDS:	\$0.00	AVAILABLE TO TRANSFER:	\$0.00
	FEDERAL FUNDS:	\$0.00	IN CONTINGENCY:	\$0.00
	OTHER SOURCES:	\$0.00 \$0.00 \$0.00	FUNDING FOR THIS ITEM IS FOUND IN THE FOLLOWING ACCOUNT / FUND / CIP: \$0.00	
	TOTAL:	\$0.00		
	FISCAL IMPACT STATEMENT:			
ADDITIONAL INFORMATION	SUPPORTING INFORMATION NOT ATTACHED TO THE CITY COUNCIL ACTION FORM THAT IS ON FILE IN THE OFFICE OF THE CITY CLERK: 1. 2. 3. 4. 5.			
	IF CITY COUNCIL ACTION INCLUDES A CONTRACT, LEASE OR AGREEMENT, WHO WILL BE RESPONSIBLE FOR ROUTING THE DOCUMENT FOR SIGNATURE AFTER CITY COUNCIL APPROVAL? <input type="radio"/> Department <input checked="" type="radio"/> City Clerk's Office <input type="checkbox"/> Document to be recorded <input type="checkbox"/> Document to be codified			
SIGNATURES	CITY ADMINISTRATOR:		DATE:	
	Philip A. Rodriguez		4/28/2020	
	REVIEWED BY CITY ATTORNEY:		DATE:	
	Richard W. Files		4/28/2020	
SIGNATURES	RECOMMENDED BY (DEPT/DIV HEAD):		DATE:	
	Jay Simonton		4/10/2020	
SIGNATURES	WRITTEN/SUBMITTED BY:		DATE:	