

RESOLUTION NO. 2023-05

A RESOLUTION APPROVING THE AMENDMENT TO THE JOINT POWERS AGREEMENT BY AND BETWEEN GRANT COUNTY, THE TOWN OF SILVER CITY, THE TOWN OF HURLEY, THE VILLAGE OF SANTA CLARA AND THE CITY OF BAYARD (COLLECTIVELY, THE “MEMBERS”) CONCERNING THE PAST ESTABLISHMENT AND FUTURE OPERATION OF THE GRANT COUNTY WATER COMMISSION, AND AUTHORIZING THE EXECUTION OF THE AMENDED AGREEMENT AND THE TAKING OF ACTIONS TO ENSURE THE EFFICIENT AND CONTINUED OPERATION OF THE GRANT COUNTY WATER COMMISSION.

WHEREAS, the need for securing adequate public water supplies for the local populace in Grant County is a common goal for all local government entities of Grant County; and

WHEREAS, local governments of Grant County (“County”) have recognized the mutual advantage and benefit of working together for securing adequate water supplies for the citizens of the County; and

WHEREAS, in order to facilitate adequate public water supplies for the region of Grant County, the Town Council approved a Joint Powers Agreement (“Agreement”) in Resolution 2006-27 on August 8, 2006, that established the Grant County Water Commission (“GCWC”), and the Agreement was subsequently approved and executed by all Members of the GCWC, being Grant County, the Town of Silver City, The Town of Hurley, the Village of Santa Clara, and the City of Bayard; and

WHEREAS, the Agreement was approved by the Town Council pursuant to NMSA 1978, Sections 11-1-1 et seq., and Town Ordinance Section 16-72; and

WHEREAS, the Agreement was subsequently approved by the New Mexico Department of Finance and Administration; and

WHEREAS, the Members believe that the establishment of the GCWC provides the most efficient means to negotiate, purchase, lease and secure such water supplies as would be needed in the future for the citizens of the County; and

WHEREAS, the Members believe that the Agreement needs to be Amended (“Amended Agreement”), a copy of which is attached hereto and incorporated herein by reference, in order to provide a more efficient means to accomplish the goal of securing future public water supply for the citizens of the County; and

WHEREAS, the Town Council finds that the local government entities of Grant County are interdependent in regards to the public water needs of its citizens, and that cooperating in securing adequate public water supplies mutually benefits the citizens of Silver City and all Grant County; and

WHEREAS, the Town Council has considered the Amended Agreement and finds that is in the public interest to approve the Amended Agreement, and that it will benefit the health, safety and welfare of the citizens of Silver City; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF SILVER CITY, NEW MEXICO, THAT:

- 1) The Town Council does hereby approve the Amended Agreement; and
- 2) The Town Manager is authorized by the Town Council to execute the attached Amended Agreement and to carry out all acts necessary to accomplish the intent of this resolution.

PASSED, APPROVED AND ADOPTED by the Governing Body of the Town of Silver City, Grant County, New Mexico, at its regular meeting of the 14th day of February, 2023.

TOWN OF SILVER CITY

(Seal)

Ken Ladner, Mayor

Attest:

Alfred Sedillo,
Town Clerk