

**Town of Frisco  
County of Summit  
State of Colorado  
Resolution 24-20**

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH SUMMIT COUNTY, COLORADO, FOR WATER SERVICE AT NELLIE'S NEIGHBORHOOD.

**WHEREAS**, pursuant to title 29, article 1, part 2, Colorado Revised Statutes, as amended, and Article XIV, Section 18 of the State Constitution, governments may contract with one another to provide any function, service, or facility lawfully authorized to each of the contracting units and any such contract may provide for the joint exercise of the function, service, or facility; and

**WHEREAS**, Summit County has presented an application to the Town for the provision of water service for the land planned to be used for the Nellie's Neighborhood Workforce Housing Development; and

**WHEREAS**, the Town desires to provide water service to support the Nellie's Neighborhood project, but only in a manner that protects the health, safety and welfare of both the future residents of Nellie's Neighborhood, and the current and future residents of the Town, by meeting the terms and conditions of the Town's extra-territorial water requirements, the Intergovernmental Agreement entered on or about September 24, 2001 between Town and County, the First Amendment to the Intergovernmental Agreement entered on or about January 9, 2018, and the Second Amendment to the Intergovernmental Agreement entered on or about February 26, 2024.

**WHEREAS**, accordingly, the Town has agreed to sell treated water to the County for Nellie's Neighborhood, and the County has agreed to dedicate to the Town such water rights as are physically and legally sufficient for the Town's use in providing such water service, and to take such other actions and to provide such other improvements that are necessary to provide water service, all in accordance with the terms of the intergovernmental agreement that is attached hereto;

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO, COLORADO, THAT:

Section 1. The attached Intergovernmental Agreement for Water Service at Nellie's Neighborhood, by and between the Town of Frisco and Summit County, is hereby approved, and the Mayor and Town Clerk are authorized to execute and deliver the agreement, and any other agreements or documents as may be necessary or desirable to effectuate the terms and conditions of the agreement.

Section 2. This Resolution shall take effect immediately.

INTRODUCED, READ, AND ADOPTED this 9<sup>th</sup> day of April, 2024.

TOWN OF FRISCO:

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Hunter Mortensen, Mayor

ATTEST:

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Stacey Nell, Town Clerk