

RESOLUTION NO. 4040

A RESOLUTION APPROVING AN EXTENSION AGREEMENT BETWEEN THE CITY OF MILES CITY AND THE CUSTER COUNTY WATER AND SEWER DISTRICT NO. 2.

WHEREAS, the parties previously entered into an Interlocal Agreement for water and sewer services dated the 18th day of April, 2006, with a term running through June 30, 2011;

AND WHEREAS, the parties extended said Agreement for an additional five year period, with a term running through June 30, 2016;

AND WHEREAS, said agreement and extension call for a negotiations period to be complete by June 30, 2017, during which time said Agreement shall remain in full force and effect;


AND WHEREAS, the parties do not anticipate that negotiations will be complete by June 30, 2017, and wish to extend the underlying contract and negotiation period for an additional one-year period;

NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:

1. The "Extension Agreement" between the City of Miles City and the Custer County Water and Sewer District No. 2, attached hereto as Exhibit "A", and made a part hereof, is hereby approved and adopted by this Council.

2. The Mayor is hereby empowered and authorized to execute said Agreement on behalf of the City of Miles City, and bind the City of Miles City thereto.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT A REGULAR MEETING THIS 14th DAY OF MARCH, 2017.



John Hollowell, Mayor

ATTEST:



Lorrie Pearce, City Clerk

EXTENSION AGREEMENT

THIS AGREEMENT is made and entered into this 14th day of March, 2017, between the CITY OF MILES CITY, MONTANA, hereinafter "City," and the CUSTER COUNTY WATER AND SEWER DISTRICT NO. 2, of Miles City, Montana, hereinafter "District."

WHEREAS, the parties previously entered into an Interlocal Agreement for water and sewer services dated the 18th day of April, 2006, with a term running through June 30, 2011;

AND WHEREAS, the parties extended said Agreement for an additional five year period, with a term running through June 30, 2016;

AND WHEREAS, said agreement and extension call for a negotiations period to be complete by June 30, 2017, during which time said Agreement shall remain in full force and effect;

AND WHEREAS, the parties do not anticipate that negotiations will be complete by June 30, 2017, and wish to extend the underlying contract and negotiation period for an additional one-year period;

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Term. The term of the "City of Miles City – Custer County Water and Sewer District – Interlocal Agreement" dated the 18th day of April, 2006, is hereby extended until June 30, 2018, to provide additional time for the parties to negotiate and enter into a new agreement for the provision of water and sewer services from the City to the District.

CITY OF MILES CITY, MONTANA

CUSTER COUNTY WATER AND SEWER DISTRICT No. 2

By: 
John Hollowell, Mayor

By: 
President

Attest:

Clerk

Attest:

Secretary