

**CITY OF LANDER REGULAR COUNCIL MEETING AGENDA  
TUESDAY MARCH 28, 2023 , 6:00 p.m.  
CITY COUNCIL CHAMBERS, 240 LINCOLN STREET**

1. Pledge of Allegiance
2. Roll Call
3. Call to Order
4. Approval of Agenda
5. Communication from the Floor -Please approach the microphone and state your full name for the record. This meeting and comments are electronically recorded. All comments will be limited to three minutes.
  - A. Public Comment
6. Mayor and Council Updates
7. Staff Discussion Items
8. New Business
  - A. Authorize Mayor to sign Amendment Two to Project Agreement Lander Storage Tanks and Pump Station 2019 Project.
9. Adjournment

Work Session immediately following Adjournment of Regular Meeting.

Join Zoom Meeting

<https://us06web.zoom.us/j/86810251205?pwd=TTkycUM3VURhNUFhYVZxWDcvOWMxZz09>

Meeting ID: 868 1025 1205

Passcode: 137047

**Upcoming Council Meetings:**

**Regular Meetings:**

6:00 p.m. Tuesday April 11, 2023-Council Chambers

6:00 p.m. Tuesday May 9, 2023-Council Chambers

6:00 p.m. Tuesday June 13, 2023-Council Chambers

**Work Sessions:**

6:00 p.m. Tuesday April 25, 2023-Council Chambers

6:00 p.m. Tuesday May 23, 2023-Council Chambers

- All meetings are subject to cancellation or change.

**AMENDMENT TWO TO PROJECT AGREEMENT  
LANDER STORAGE TANKS AND PUMP STATION 2019 PROJECT**

1. **Parties.** This Amendment is made and entered into by and between the State of Wyoming, acting by and through the WYOMING WATER DEVELOPMENT COMMISSION (COMMISSION), whose address is: 6920 Yellowtail Road, Cheyenne, WY 82002 and the CITY OF LANDER, Fremont County, Wyoming, a duly organized municipality existing under the laws of that state (SPONSOR), whose address is: 240 Lincoln Street, Lander, WY 82520.
2. **Purpose of Amendment.** This Amendment shall constitute the second amendment to the Project Agreement between the COMMISSION and the SPONSOR. The purpose of this Amendment is to effectuate 2023 Wyo. Sess. Laws, modifying the PROJECT to increase the amount of the grant.

The original Project Agreement, dated April 16, 2019, was to implement the provisions of 2019 Wyo. Sess. Laws, Ch. 55, authorizing the design of tanks, transmission pipelines and pumping facilities.

Amendment One, dated March 23, 2020, was to alter the PROJECT description, and increase the amount of the grant.

3. **Term of the Amendment.** This Amendment shall commence upon the date the last required signature is affixed hereto (Effective Date), and shall remain in full force and effect through the term of this Project Agreement, as amended, unless terminated at an earlier date pursuant to the provisions of the Project Agreement, or pursuant to federal or state statute, rule or regulation.
4. **Amendments.**
  - A. **PROJECT Grant.** The PROJECT funding as set forth in Section 4.A. of the original Project Agreement is hereby amended to read as follows:

“4.A. A sum not to exceed SEVEN MILLION TWENTY-EIGHT THOUSAND THREE HUNDRED DOLLARS (\$7,028,300.00) which will be a grant to the SPONSOR of not more than SEVEN MILLION TWENTY-EIGHT THOUSAND THREE HUNDRED DOLLARS (\$7,028,300.00) or sixty-seven percent (67%) of the actual development costs, whichever is less shall be disbursed to the SPONSOR according to the terms of this Agreement. The SPONSOR is responsible for acquiring thirty-three percent (33%) of the PROJECT funds from other sources.”

5. **Special Provisions.**

- A. **Same Terms and Conditions.** With the exception of items explicitly delineated in this Amendment, all terms and conditions of the original Project Agreement between the COMMISSION and the SPONSOR, including but not limited to sovereign immunity, shall remain unchanged and in full force and effect.
- B. **Counterparts.** This Agreement may be executed in counterparts. Each counterpart, when executed and delivered, shall be deemed an original and all counterparts together shall constitute one and the same Agreement.
- C. **Return of Executed Amendment to Commission.** The SPONSOR shall not execute any agreements or incur any project costs that are covered under this Amendment until this Amendment is fully executed and returned to the COMMISSION.

6. **General Provisions.**


- A. **Entirety of Agreement.** The original Project Agreement, consisting of eight (8) pages; Amendment One consisting of three (3) pages; and this Amendment Two, consisting of three (3) pages, represent the entire and integrated agreement between the parties and supersede all prior and contemporaneous negotiations, representations and agreements, whether written or oral.

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7. **Signatures.** The parties to this Amendment, through their duly authorized representatives, have executed this Amendment on the dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this Amendment.

The Effective Date of this Amendment is the date of the signature last affixed to this page.

**WYOMING WATER DEVELOPMENT COMMISSION**

  
Chairman

3-15-23  
Date

  
Secretary


3-15-23  
Date

**CITY OF LANDER**

\_\_\_\_\_  
Monte Richardson, Mayor

\_\_\_\_\_  
Date

**ATTORNEY GENERAL'S OFFICE: APPROVAL AS TO FORM**

  
Megan Pope,  
Senior Assistant Attorney General

3/7/23  
Date