

**RESOLUTION NO. 2010-42**

**A RESOLUTION APPROVING AQUARIUS TECHNOLOGIES, INC., MSABP PROCESS PERFORMANCE GUARANTEE AGREEMENT.**

WHEREAS, the Wayne City Council is desirous of entering into a "Performance Guarantee Agreement" with Aquarius Technologies, Inc., regarding the performance, operation and production of the Aquarius Wastewater System; and

WHEREAS, a proposal has been requested and received from Aquarius Technologies, Inc.; and

WHEREAS, staff recommendation is to accept and approve said Performance Guarantee Agreement of Aquarius Technologies, Inc.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Wayne, Nebraska, that the MSABP Process Performance Guarantee Agreement between the City of Wayne and Aquarius Technologies, Inc., be accepted and that the City Administrator and/or Mayor is authorized and directed to execute said agreement on behalf of the City.

PASSED AND APPROVED this 6<sup>th</sup> day of July, 2010.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM AND CONTENT:

\_\_\_\_\_  
City Attorney