

RESOLUTION

Resolution to Solve Rio Verde Foothills Water Supply Issue

WHEREAS, certain parts of unincorporated Maricopa County—such as Rio Verde Foothills—rely on hauled water; AND

WHEREAS, the City of Scottsdale had provided water to residents of the Rio Verde Foothills for decades up until January 1, 2023; AND

WHEREAS, Scottsdale cutting off this service left many Rio Verde Foothills residents lacking a reliable and continuous source of water for their homes and properties; AND

WHEREAS, Maricopa County has precedent for working with private water providers to successfully address supply issues in other unincorporated parts of Maricopa County. For example, Maricopa County and City of Phoenix worked with water service provider, EPCOR, to keep water running in New River until a permanent solution could be reached; AND

WHEREAS, Maricopa County believes a similar approach can solve the Rio Verde Foothills water supply issue as follows:

- Since Maricopa County is not, and has never been, a water service provider, the best option is to have EPCOR provide water to Rio Verde Foothills.
- EPCOR has gone on the record stating that it will *pay Scottsdale* to use its existing infrastructure and will provide EPCOR-sourced water to Scottsdale to transport through its piping system.
- EPCOR would charge a knowable rate, under a standpipe tariff that's been approved by the Arizona Corporation Commission;
- EPCOR-sourced water will be treated to required standards, and then be made available to water haulers for *exclusive delivery* to Rio Verde Foothills residents, resulting in lower costs to residents, faster water delivery, and fewer layers of government involved; AND

WHEREAS, Maricopa County's primary goal is to get water to Rio Verde Foothills residents in the most expedient and cost-effective manner possible; AND

WHEREAS, the City of Scottsdale has recognized its role in finding a solution to this ongoing and urgent problem; AND

WHEREAS, the City of Scottsdale proposed an intergovernmental agreement with Maricopa County whereby the County would pay for a new source of water and manage the delivery of that water through one of Scottsdale's standpipes; AND

WHEREAS, this proposed intergovernmental agreement is overly bureaucratic and unworkable for the following reasons:

- Scottsdale has not identified a new source of water;
- Scottsdale limits water distribution to a certain amount of acre-feet per year for Rio Verde Foothills residents, but the City would purchase many more acre-feet

per year as part of the agreement that would not be available to Rio Verde Foothills residents;

- The acre-feet limit would likely create a rush to secure water in a haphazard and inefficient way;
- Scottsdale would significantly increase the rates that they are currently charging Rio Verde Foothills residents, without documentation or justification;
- Scottsdale would only allow Maricopa County to sell water to commercial water haulers, creating additional costs for residents who currently haul their own water, many of which serve large properties that operate ranches and must care for animals. To date, commercial haulers have not adequately served the needs of these water users for multiple reasons including capacity and delivery schedules;
- Scottsdale proposes to bar provision of water to any newly-constructed Rio Verde Foothills homes even though the County cannot implement a building moratorium under existing law and even if such water is available within the proposed acre foot limit;

THEREFORE, BE IT RESOLVED THAT:

Maricopa County rejects the City of Scottsdale's proposed intergovernmental agreement as impractical, inefficient, and overly burdensome for Rio Verde Foothills residents. Instead, Maricopa County urges the City of Scottsdale to immediately enter into negotiations with EPCOR for a short-term agreement that gets water to Rio Verde Foothills residents quickly, and at a knowable rate, and allows the City of Scottsdale to keep all of its water and get paid for the use of its standpipe.

ADOPTED by the Maricopa County Board of Supervisors, Maricopa County, Arizona, this 3rd day of March, 2023.



Clint Hickman, Chairman of the Board

Approved as to form:

Deputy County Attorney

ATTEST:

Juanita Garza, Clerk of the Board