

## RESOLUTION NO. 1820

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, FORMALLY APPROVING THE ALLOCATION OF COSTS OF DEVELOPING AND IMPLEMENTING THE BIG CHINO MONITORING PLAN AND THE BIG CHINO MODEL AS REQUIRED IN THE COMPREHENSIVE AGREEMENT NO. 1 BETWEEN AND AMONG THE CITY OF PRESCOTT, THE TOWN OF PRESCOTT VALLEY, THE SALT RIVER VALLEY WATER USERS' ASSOCIATION, AND THE SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT WITH REGARD TO THE BIG CHINO WATER RANCH PROJECT; AND PROVIDING THAT THIS RESOLUTION SHALL BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, the City of Prescott (“Prescott”), the Town of Prescott Valley (“Prescott Valley”), the Salt River Valley Water Users' Association, and the Salt River Project Agricultural Improvement and Power District (together “SRP”) entered into an Agreement-in-Principle (“AIP”) on February 11, 2010 to create a cooperative and productive framework to address and resolve issues pertaining to the Big Chino Sub-Basin, the Prescott Active Management Area (“PrAMA”) and other matters of mutual interest to the parties in an effort to address critical water issues faced by the communities while at the same time recognizing areas of joint and mutual benefit to all parties; and

WHEREAS, in accordance with the AIP Prescott, Prescott Valley and SRP have entered into a Comprehensive Agreement No. 1 (“Agreement No. 1”) which arranged for cooperative monitoring of water in the Big Chino Sub basin and surface flows in the Verde River, modeling of any impacts of withdrawals of that water on the current and future Verde River flows, and recognition and confirmation of certain of the parties’ rights to water arising from within the PrAMA; and

WHEREAS, Subsections 6.5 and 7.5 of Agreement No. 1 provide that, within sixty (60) days after the execution date of Agreement No. 1, the parties would obtain approval by formal resolution from their respective governing bodies to allocate all capital and ongoing operation and maintenance costs of developing and implementing the Big Chino Monitoring Plan and Model as follows: Prescott 36.066%; Prescott Valley 30.600%; SRP 33.333%; and

WHEREAS, ARS §§42-17101-17106 require Prescott Valley to make an annual estimate of expenditures and revenues within the applicable constitutional expenditure limitations set forth in Article IX, §20 of the Arizona Constitution, and it is the intent of the Prescott Valley Town Council to comply with said requirements in Prescott Valley’s performance of each obligation under Agreement No. 1;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, ARIZONA, AS FOLLOWS:

SECTION ONE. That, in accordance with Subsections 6.5 and 7.5 of Agreement No. 1, the Council hereby formally approves the allocation of all capital and ongoing operation and maintenance costs of developing and implementing the Big Chino Monitoring Plan and the Big Chino Model as follows: Prescott 36.066%; Prescott Valley 30.600%; SRP 33.333%.

SECTION TWO. That the Town Council shall, during the term of Agreement No. 1, take steps in accordance with Article IX, §20 of the Arizona Constitution and ARS §§42-17101-17106 to meet Prescott Valley’s obligations under Agreement No. 1.

SECTION THREE. That this Resolution shall be effective after its passage and approval according to law.

RESOLVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this 13<sup>th</sup> day of December, 2012.

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Harvey C. Skoog, Mayor

ATTEST:

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Diane Russell, Town Clerk

APPROVED AS TO FORM:

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Ivan Legler, Town Attorney