

**TOWN OF PRESCOTT VALLEY  
REQUEST FOR COUNCIL ACTION  
Date: August 25, 2011**

**SUBJECT:** Ratification Consultant Agreements - Big Chino Water Ranch Project

**SUBMITTING DEPARTMENT:** Town Attorney

**PREPARED BY:** Ivan Legler, Town Attorney

**AGENDA LOCATION:** Comments/Communications , Consent , Work/Study ,  
New Business, Public Hearing , Second Reading

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**ATTACHMENTS:** (a) Mar 1, 2011 Agreement w Osborn Maledon, and (b) Mar 4, 2011 Agreement w Rose+Moser+Allyn

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**SUMMARY/BACKGROUND:** On December 7, 2004, the Town of Prescott Valley entered into an Intergovernmental Agreement with the City of Prescott (IGA) to participate in the Big Chino Water Ranch Project (Project). As the Project moved forward, various administrative and legal objections were filed against it by a number of parties, including the Salt River Project (SRP). In response to those objections (and, in accordance with the IGA), the Town joined with the City of Prescott (Prescott) in a number of administrative and legal actions defending the Project. Eventually, SRP, the Town and Prescott entered into a mutual Agreement-in-Principle dated February 10, 2010 (AIP) which settled many of the SRP objections and was expected to lead to further negotiations.

The Town has previously entered into agreements for services from the law firm of Osborn Maledon and the public relations/affairs company of Rose+Moser+Allyn to assist it with regard to the IGA and the AIP. Based on his authority to enter into contracts where the total cost is less than \$16,000 (per Town Code §3-02-010(E)(11)), these agreements have previously been signed by the Town Manager. It is now requested that they be ratified by vote of the Council to authorize signature by the Mayor per Town Code §2-02-040(E).

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**OPTIONS ANALYSIS:** The Council may ratify either or both of these agreements, or decline to ratify either or both.

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**ACTION OPTION:** a) Motion to ratify the retainer agreement between the Town and Osborn Maledon dated Mar 1, 2011 for services related to the Big Chino Water Ranch Project. **VOTE.**

b) Motion to ratify the services agreement between the Town and Rose+Moser+Allyn dated Mar 4, 2011 for services related to the Big Chino Water Ranch Project. **VOTE.**

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**RECOMMENDATION:** Staff recommends ratification of both of these two service agreements.

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**FISCAL ANALYSIS:** Under the IGA with Prescott, the Town is obligated to pay 45.9% of certain costs related to the Project. In return, it receives an equivalent percentage of water developed by the Project for future use. The Town has long recognized the benefit of this Project for its long-term future. The AIP has promise to help move the Project forward. These agreements are expected to assist the Town in its participation in both the IGA and the AIP.

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**REVIEWED BY:**

Management Services Director \_\_\_\_\_ Town Clerk \_\_\_\_\_

Town Attorney \_\_\_\_\_

Town Manager \_\_\_\_\_

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**COUNCIL ACTION:**

Approved  Denied  Tabled/Deferred  Assigned to \_\_\_\_\_