



Maricopa County

Thomas Galvin
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February 21, 2023

SENT BY ELECTRONIC MAIL

Original sent by regular U.S. mail

Scottsdale Mayor Ortega and City Council
3939 N Drinkwater Blvd
Scottsdale AZ 85251

Re: Water service on an interim basis to Rio Verde Foothills via Scottsdale's standpipe

Dear Mayor Ortega and Scottsdale City Council Members:

I am appreciative of the recent efforts made by the City of Scottsdale, and I am confident the parties can work together in good faith to resolve how to get water delivered to Rio Verde Foothills, on an interim basis, for the next few years. However, nobody from Maricopa County was involved in drafting the terms of the "Exhibit A to proposed Resolution No. 12758" document. I have questions in order to learn more about this proposal. And, there is another option to consider, addressed below, which resolves your questions and concerns and helps us finalize this matter.

The Maricopa County Board of Supervisors has not yet had an opportunity to discuss the document drafted by the City of Scottsdale. I anticipate, however, that my colleagues will share my concerns and questions about the proposed agreement, which will need to be discussed, addressed, and rectified, as part of a negotiation process, if the proposal is to move forward. The important items for discussion include: the source of the water, the calculation of the cost for the water and whether it is just and reasonable, and what are appropriate limitations on how the water to be secured by the proposed agreement is transported to Rio Verde Foothills residents.

Attorney General Mayes wrote in Attorney General Opinion I23-001 (R23-003) that "the urgent need to address the loss of domestic water must be emphasized." I have long held that sentiment. Which is why, last year, I proposed a plan consisting of "wet water", from a private water company, that would be of financial benefit to Scottsdale and of no cost to Maricopa County. This plan makes sense because a private water utility company went on record, with a willingness and ability to be part of an interim solution to the water issue, before the City's imposed cut-off deadline of December 31, 2022. This proposed solution remains available.

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The Attorney General Opinion Stated, “Water is necessary for life and the loss of water is certainly an exigent circumstance.” As stated above, I am confident the parties can work together on this urgent matter. Thank you for your time and consideration.

Sincerely,

/s/ Thomas Galvin

Thomas Galvin

Maricopa County Board of Supervisors

cc: (via e-mail)

Arizona Attorney General Kris Mayes
Scottsdale City Manager Jim Thompson
Scottsdale City Attorney Sherry R. Scott