




PINAL COUNTY
WIDE OPEN OPPORTUNITY

MEMORANDUM

DATE: MARCH 2, 2020
TO: Board of Supervisors
FROM: Louis Andersen, County Manager 
RE: Rough Draft of Wastewater Legislature Change

Below is the draft amendment from Legislative Counsel. Please let me know your input. It is proposed in session law so all language you see is new.

1 Page __, between lines __ and __, insert:

2 "Sec. __ County operation of water, wastewater utility; fair
3 valuation; contract; repeal

4 A. A county with a population of more than three hundred thousand
5 persons and less than one million persons may operate, acquire or contract
6 for the operation of a water and wastewater system, including any related
7 water and wastewater treatment facilities, if the public service
8 corporation that owns the system is operated by an interim manager pursuant
9 to an order of the corporation commission.

10 B. The county may acquire the water and wastewater system by
11 agreement with the public service corporation or by eminent domain and
12 shall pay the public service corporation the fair valuation for the system.
13 The fair valuation of the water and wastewater system shall be the
14 equivalent of the compensation that would be paid pursuant to title 12,
15 chapter 8, article 2, Arizona Revised Statutes, and the amount shall be
16 determined by one of the following methods:

- 17 1. By agreement between the county and the public service
18 corporation.
19 2. By arbitrators chosen in a manner agreed upon at the time by the
20 county and the public service corporation.
21 3. By a court of competent jurisdiction determining the compensation
22 to be paid pursuant to title 12, chapter 8, article 2, Arizona Revised
23 Statutes.

_____ Amendments to .B. _____

1 C. The county and the public service corporation shall have the
2 right of appeal as provided by title 12, chapter 8, article 2, Arizona
3 Revised Statutes.

4 D. If the county acquires the water and wastewater system, the
5 county may contract with a private entity to operate the water and



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6 wastewater system. A contract for the operation of the water and
7 wastewater system is exempt from the county's procurement code except that
8 the county shall issue a public request for proposals for the services.
9 E. This section is repealed from and after December 31, 2025."

10 Amend title to conform