

TOWN OF CAREFREE, ARIZONA

RESOLUTION 2023-08

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA ("TOWN") AUTHORIZING THE TRANSFER OF ADVANCE IN AID OF CONSTRUCTION FUNDS TO THE TOWN OF CAREFREE, ARIZONA UTILITIES COMMUNITY FACILITIES DISTRICT ("DISTRICT") AND THE CAREFREE WATER COMPANY, INC. ("COMPANY") AND AUTHORIZING THE MAYOR TO EXECUTE ADDENDUM NO. 4 TO THE ADVANCE IN AID OF CONSTRUCTION WATER FACILITIES AGREEMENT DATED JUNE 7, 2006.

WHEREAS, on June 7, 2006, the Town of Carefree ("Town") and the District entered into an Advance In Aid of Construction Water Facilities Agreement ("Agreement") which was accepted and approved by the Company; and

WHEREAS, Exhibit "B" of the Agreement establishes a schedule of repayment by the District and Company for certain public infrastructure improvements provided by the Town; and

WHEREAS, Exhibit "B" was subsequently modified three times by agreement among the Town, District, and Company; and

WHEREAS, the District and Company in good faith began making payments in FY 18-19 in accordance with latest version of Exhibit "B" and are current with payments through the end of FY 22-23; and

WHEREAS, the District and Company have incurred significant additional bonding debt for the Carefree Water Consolidation Project which entered into repayment status in calendar year 2023; and

WHEREAS, the District and Company have requested an additional \$2,000,000.00 Advance in Aid of Construction in order to assist with the funding of public infrastructure improvements; and

WHEREAS, the Town included this \$2,000,000.00 Advance in Aid of Construction in its budget authorization for Fiscal Year 2023-2024 (FY 23-24); and

WHEREAS, the revised repayment schedule detailed in Exhibit "B" will fully repay the Town for the currently outstanding balance, the \$2,000,000.00 advance, and the funds expended by the Town for the Tom Darlington Water Storage Reservoir property in a manner which moderates the annual debt obligation of the District and the Company.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA AS FOLLOWS:

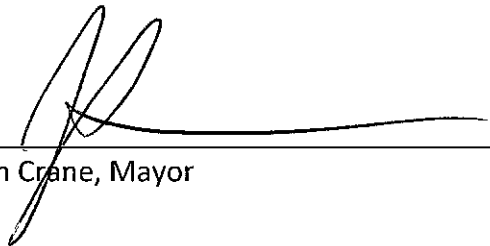
Section 1. Town staff are hereby authorized to transfer the sum of \$2,000,000.00 to the District/Company as an Advance in Aid of Construction; and

Section 2. The Mayor is hereby authorized to execute Addendum No. 4 to the Agreement, a copy of the Addendum being attached to this Resolution; and

Section 3. All resolutions and parts of resolutions in conflict with this Resolution are hereby repealed; and

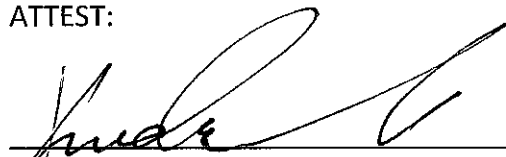
Section 4. This Resolution is effective immediately.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Carefree, Arizona this 5th day of September, 2023.



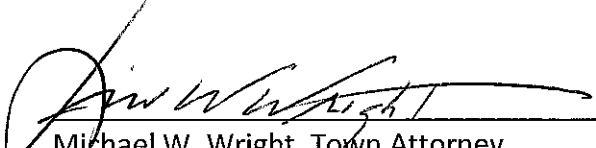
John Crane, Mayor

ATTEST:



Kandace French Contreras, Town Clerk

APPROVED AS TO FORM



Michael W. Wright, Town Attorney

CERTIFICATE

I hereby certify that the above and foregoing resolution was duly passed by Council of the Town of Carefree, Arizona at a regular meeting held on September 5, 2023, and that a quorum was present thereat and that the vote thereon was 6 ayes and 0 nays; 1 did not vote or were absent.



Kandace French Contreras, Town Clerk

Addendum No. 4 to the Advance in Aid of Construction Water Facilities Agreement

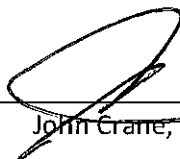
ADDENDUM NO. 4
to the
Advance in Aid of Construction
Water Facilities Agreement
Originally Dated June 7, 2006

The Town of Carefree ("Town"), the Town of Carefree, Arizona Utilities Community Facilities District ("District"), and the Carefree Water Company, Inc. ("Utility") hereby amend the Advance in Aid of Construction Water Facilities Agreement, originally dated June 7, 2006, as follows:

The attached Exhibit "B" Rev. 4 shall replace and supersede in its entirety Exhibit "B" – Schedule Lease Payments to Advance in Aid of Construction Water Facilities Agreement, originally dated June 7, 2006.

Dated: September 5, 2023

TOWN OF CAREFREE

By: 
John Crane, Mayor


Attest: 
Kandace French Contreras
Town Clerk

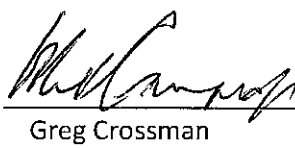
TOWN OF CAREFREE, ARIZONA UTILITIES COMMUNITY FACILITIES DISTRICT

By: 
John Crane, Chairman

Attest: 
Kandace French Contreras
District Clerk

CAREFREE WATER COMPANY, INC.

By: 
John Crane, President

Attest: 
Greg Crossman
General Manager