

**CITY OF BUCKEYE
Regular Council Meeting
COUNCIL ACTION REPORT**

MEETING DATE: 01/06/26	AGENDA ITEM: 4.L. WR- Pulte Development Agreement (Harquahala Water Resources Acquisition)
DATE PREPARED: 01/06/26	DISTRICT NO.:
STAFF LIAISON: Terry Lowe, Water Resources Director, tlowe@buckeyeaz.gov, (623) 349-6102	
DEPARTMENT: Water Resources	AGENDA ITEM TYPE: Consent Agenda Items / New Business

ACTION/MOTION: (This language identifies the formal motion to be made by the Council)
Council to take action on Resolution No. 08-26 approving the Development Agreement with Pulte Home Company, LLC, a Michigan limited liability company related to the acquisition of resources and provision of water services within the Festival Ranch Development; authorizing the Mayor to execute and deliver the Agreement; and, authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this Resolution.

SUMMARY

PROJECT DESCRIPTION:

Staff is requesting Council approval of this Development Agreement (DA) between the City and Pulte Home Company (Pulte) in order to support the assured water supply demands of the remaining Festival Ranch subdivisions.

Pursuant to the DA, Pulte agrees to pay the City's ADWR importation application costs and contribute its proportionate share of the Harquahala Infrastructure needed to enable the City to produce, treat, and physically import groundwater from the HVWP to the Central Arizona Project canal and ultimately receive delivery of the HVWP Water within the Festival Ranch development. Pulte will also be bound to pay to the City its proportionate share of the upfront costs and reasonable expenses of obtaining the CAP Segment Approvals and related. In addition to paying the proportionate share of the CAP Segment Approvals, Pulte also agrees to reimburse the City for reasonable outside attorney's fees incurred by the agreement and entitlement process.

Once the City has the legal and physical right and ability to import and transport the HVWP Water, and such portion of the HVWP Water has been committed by Pulte to City water services pursuant to a Certificate of Assured Water Supply, a recorded final subdivision plat served by the City pursuant to a City Designation of Assured Water Supply, or such other short or long-term uses as agreed upon in writing by Pulte and the City, then the obligations of the parties, including payment, will become as described in the Amendment No. 1 to the Wagner Wash Underground Storage Facility Agreement.

The City will accept ownership of Lot 3; obtain all agreements, permits, infrastructure and authorizations needed for the City to import and use the HVWP water in this agreement.

If approved, the Mayor, City Manager, City Attorney, and City Clerk will have authorization to execute any document needed to confirm the City's final acceptance of Lot 3, and all other actions necessary to the consummation of the transactions contemplated by Resolution No. 08-26 without further City Council approval.

BENEFITS:

Increased water resources for City of Buckeye residents.

FINANCIAL IMPACT STATEMENT:

N/A

CURRENT FISCAL YEAR TOTAL COST:

N/A

Items related to a project or facility location must include an attached vicinity map for Council Review.

ATTACHMENTS:

[City-Pulte Harquahala Water Agt Pulte Signature.pdf](#)

[Resolution No. 08-26 Pulte DA Harquahala.pdf](#)