

BOARD OF DIRECTORS  
METROPOLITAN DOMESTIC WATER IMPROVEMENT DISTRICT  
PIMA COUNTY, ARIZONA

May 12, 1995  
7235 North Paseo del Norte  
Tucson, Arizona 85704

**MINUTES**

Board Members Present:           Barbara Johnson, Chairman  
                                          Marty Cramer, Vice-Chairman  
                                          Jim Doyle, Member  
                                          Herb Johnson, Member  
                                          Pete Schlegel, Member

District Staff:                   Mark Stratton, General Manager  
                                         Mike Land, Chief Financial Officer  
                                         Michael McNulty, Legal Counsel

**I.     Call To Order and Roll Call**

- A.     The meeting was called to order at 10:07 a.m. by Ms. Barbara Johnson, Chairman of the Board of Directors of the Metropolitan Domestic Water Improvement District (District). Ms. Marty Cramer, Mr. Jim Doyle, Mr. Herb Johnson and Mr. Pete Schlegel were present. Four people were in the audience.
- B.     With no objection, the special meeting notice and agenda for May 12, 1995 was considered approved.

**II.    Executive Session**

Mr. Doyle moved that the Board of Directors goes into Executive Session. Ms. Cramer seconded the motion and it passed unanimously. The Board went into Executive Session at 10:09 a.m.

Executive Session pursuant to A.R.S. § 38-4331.03 (A)(3) (consultation for legal advice with the attorney or attorneys of the District) and/or executive session pursuant to A.R.S. § 38-431.03 (A)(4), (to consider the Board's position and instruct its attorneys in pending or contemplated negotiations or litigation) regarding the following:

- A.     Modification to the Asset Purchase Agreement with the City of Tucson and Establishment of a Negotiating Committee.
- B.     Acquisition, construction, reconstruction or repair of waterworks for the delivery of water for domestic purposes.

The Board returned from Executive Session at 11:47 a.m.

**III. Modification to the Asset Purchase Agreement with the City of Tucson and Establishment of a Negotiating Committee - Discussion and Possible Action**

Ms. Cramer made the motion that since the Dames & Moore study for CAP use is not completed and the Hayden-Udall Treatment Plant continues to not be operable, the General Manager is directed to retain governmental relations consultants to assess the current view of the City of Tucson Mayor and Council and to assist with the negotiations with Tucson Water in the modification of the Asset Purchase Agreement. Mr. Schlegel seconded the motion.

Mr. Schlegel said that the Board needs to know the current thought of the Council and others regarding the Asset Purchase Agreement.

Mr. Michael McNulty said that at a meeting earlier in the day, the area's automobile association stated that it had not decided to assist with the funding for the anti-CAP water initiative. Tucson Water admitted that the treatment plant not being operable has caused many problems, which they are trying to fix quickly. They promise not to use the plant until water quality problems were corrected, but they did not know when that might be. Regarding the Blue Ribbon Committee's recommendation for a Tucson Metropolitan Water Authority, Mr. McNulty said that at the meeting Don Shropshire gave a presentation about the need to join both water and wastewater utilities and that a water authority would be beneficial. The Southern Arizona Water Resources Association (SAWARA) has been asked to review the recommendation.

Ms. B. Johnson called for a vote for the motion regarding retaining consultants to ascertain Tucson's Mayor and Council's views regarding the Asset Purchase Agreement. The motion passed unanimously.

**IV. Acquisition, Construction, Reconstruction or Repair of Waterworks for the Delivery of Water for Domestic Purposes - Discussion and Possible Action**

Mr. Stratton said that regarding service area boundaries and the issue of trading customers, he recommended that legal counsel be directed to prompt the City of Tucson staff about regarding the Rancho Arboleda subdivision and help expedite the process in resolving the service area boundary issues.

Mr. Schlegel made the motion to accept staff's recommendation regarding the boundary issues. Ms. Cramer seconded the motion and it passed unanimously.

Mr. Stratton noted that the Board had received supporting documentation regarding the Cañada Hills Water Company and Hub Water Company. He recommended that staff and counsel be directed to continue negotiations regarding the acquisitions.

Ms. Cramer made the motion to accept staff's recommendation regarding acquisitions. Mr. Schlegel seconded the motion and it passed unanimously.

**V. Comments From The Public**

Mr. Schlegel noted that he had received a "thank you" note from a customer who had experienced a problem with pressure and appreciated the District's response. Mr. Stratton explained that the customer lived in an area that historically has a problem with high water pressure. The customer had a pressure reduction valve on her system leading to her home but not on her irrigation line, so the irrigation line was continually blown out. The issue was resolved.

Mr. Stratton reported that an occupant in the building adjoining the District's Oracle Road property would like to lease month-to-month the property as a parking area. The month-to-month lease will provide some income until the District obtains an access from the Northern Avenue right-of-way. Mr. Schlegel said the District should check any liability issue. Mr. Stratton said that the person will be asked to secure liability insurance. Obtaining the access from Northern Avenue will take some time.

**VI. Future Meeting Dates**

Staff will inform the Board when a special joint meeting with the Town of Oro Valley will be scheduled. The next regular Board meeting will be June 12, 1995.

**VI. Adjournment**

The meeting adjourned at 11:58 a.m.

  
Barbara L. Johnson, Chairman

ATTEST:

  
Clerk