

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

**August 14, 2000**

**\*\* Board Room\*\*  
Metropolitan Domestic Water Improvement District  
6265 N. La Cañada Drive  
Tucson, AZ 85704**

**MINUTES**

Board Members Present:       Pete Schlegel, Chair  
   Jim Doyle, Vice-Chair  
   Dennis Polley, Member  
   Sam Ray, Member

Board Member Not Present:     Marlene Wright, Member

District Staff:                   Mark R. Stratton, General Manager  
   Warren J. Tenney, Clerk of the Board  
   Phil Higdon, Legal Counsel

**I.     Call to Order and Roll Call**

Pete Schlegel, Chair of the Board of Directors of the Metropolitan Domestic Water Improvement District (District), called the Board Meeting to order at 5:01 p.m. Jim Doyle, Dennis Polley, Sam Ray and Pete Schlegel were present. Marlene Wright was not present.

**Executive Session**

Mr. Ray made a motion for the Board of Directors to move to Executive Session. Mr. Doyle seconded the motion and it passed unanimously. The Board went into Executive Session at 5:02 p.m.

Executive Session pursuant to A.R.S. §38-431.03(A)(3) (consultation for legal advice with the attorney or attorneys of the District) and/or pursuant to A.R.S. §38-431.03(A)(4) regarding the following:

- A.     Notice of Claim by NAC Construction on the Camino Del Fierro 24-inch Water Transmission Main Project.

## **Regular Session**

Pete Schlegel, Chair of the Board of Directors of the Metropolitan Domestic Water Improvement District (District), called the Board meeting to order at 6:00 p.m. Jim Doyle, Dennis Polley, Sam Ray and Pete Schlegel were present. Marlene Wright was not present.

## **II. General Comments from the Public**

Mr. Que Hales addressed the Board concerning his high water bill caused by inferior pipes. He stated that his home had been plumbed with the inferior piping material that is presently involved in a class action suit. He had experienced a leak that resulted in a \$600 water bill. He indicated that he felt the response of District staff was inadequate. He said District staff found no evidence of over 170,000 gallons leaving his property even though the meter was registering this use. Mr. Hales stated that he felt the \$100 adjustment authorized by staff was insufficient. He added that he checked with Tucson Water and Oro Valley water on their policies regarding adjustments to billings and found them to have more reasonable policies. Mr. Hales asked that the Board direct staff to reassess his situation and also reconsider the District's policy of adjustments.

Mr. Robert Turner expressed his concerns to the Board regarding the installation of an 8" main to three homesites he is building. He indicated it would be costly for him to dig up a roadway as well as being rough and dirty work. Mr. Turner stated he did not think he should pay for the entire infrastructure to his property and requested to be placed on the September Board of Director's Meeting agenda.

## **III. Consent Agenda**

- A. Approval of Minutes – July 10, 2000 Board Meeting.**
- B. Ratification of Billing Adjustments.**
- C. Ratification of Contract for Answering Service.**
- D. Approval of Water Service Agreement – Overton Ridge Estates, Lots 1-17.**

Mr. Polley made a motion to approve the consent agenda. Mr. Doyle seconded the motion and it passed unanimously.

## **IV. General Business – Items for Discussion and Possible Action**

### **A. Financial Issues.**

Mike Land, Chief Financial Officer, told the Board that the annual audit began on August 7, 2000. The District's accounting firm, Cotton Parker & Johnson merged with Clifton Gunderson on August 1, 2000, thereby increasing its size. One of the benefits to the District with this merger is that there were three auditors present for this exercise and the in-house investigation is almost complete.

Mr. Land stated that a description column has been added to the monthly check register portion of the financial report to describe various transactions for the Board's benefit.

Mr. Schlegel asked if the auditors had begun the special sub audit. Mr. Land indicated that they have begun to work on it and it should be completed in two to three months.

**B. Notice of Claims by NAC Construction on the Camino del Fierro 24-inch Water Transmission Main Project.**

The Board took no action on this item.

**C. Status of Cooperative Study between the District, the Arizona Department of Water Resources and the Town of Oro Valley to Complete Supplemental Vadose Zone Studies for Cañada Del Oro Recharge and Recovery Project.**

Denise Weiland, representative from Arizona Department of Water Resources, (ADWR), stated to the Board that she functioned as a coordinator of this study for the involved agencies. She reported that this project was finished almost on time and under budget. Ms. Weiland gave an overview of the project's parameters including the completion of a hydrological study on the Oasis Site and to begin a study for the Big Wash Site. They were also concerned with looking at fine-grained material to see if it would cause potential operational problems and it was discovered that was not the case. Another objective of this study was to investigate potential long-term recharge rates without performing a long-term pilot test and thereby using innovative alternative means. The consultant suggested further testing and modeling to help further in design of recharge projects. The results were overall extremely positive and indicates the area is a good recharge site. Ms. Weiland indicated that one area they were not successful was characterizing the Big Washbasin as they could not get a drill rig into the area. She said that this study was completed under budget and that the consultant contributed a lot of assistance on his own.

Mr. Schlegel asked if there were parallel studies for the Rillito. Ms. Weiland responded that studies are ongoing, some of the studies intentions overlap and some are completely different, but the bill for that project is close to \$1 million.

**D. Approval of Intergovernmental Agreement with the Heritage Hills Fire District for the Installation of Fire Hydrants.**

Mr. Doyle made a motion to approve the Intergovernmental Agreement with the Heritage Hills Fire District to cost share in the installation of new fire hydrants. Mr. Ray seconded the motion.

Mr. Polley asked what the costs would be. Mr. Stratton responded that the cost was approximately \$2,000 per hydrant and there are two dozen hydrants in question.

Mr. Ray asked what the internal costs would be. Steve Dean, Utilities Superintendent, replied that it would be about \$450 per hydrant. Mr. Ray asked how much water would be used for

flushing these hydrants and Mr. Dean responded that it would probably average 3,000 gallons of water per hydrant.

Mr. Schlegel called for a vote on the motion to approve the Intergovernmental Agreement with the Heritage Hills Fire District and it passed unanimously.

**E. Approval of Water Service Agreement – Tecolote de Oro, Lots 1-14.**

Mr. Doyle made a motion to approve the Water Service Agreement for the Tecolote de Oro, Lots 1-14 subdivision. Mr. Polley seconded the motion.

Mr. Ray asked if this agreement included any necessary connections to undeveloped property. Mr. Stratton responded that Chaparral Heights borders the Tecolote de Oro property and part of the Chaparral process provides that they continue installation of a 12" main to La Cholla Boulevard through their property to insure that there will be adequate water flow.

Mr. Schlegel called for a vote on the motion to approve the Water Service Agreement for the Tecolote de Oro, Lots 1-14 subdivision and it passed unanimously.

**F. Approval of Membership in the Water Conservation Alliance of Southern Arizona.**

Mr. Ray made a motion to approve the contract with the Water Conservation Alliance of Southern Arizona including a contribution of \$19,846 for Fiscal Year 2000-2001 and that the annual funding for Water CASA be brought before the Board each year for its approval. Mr. Polley seconded and it passed unanimously.

Val Little, Executive Director of Water CASA, thanked the Board for their continued support and thanked Warren Tenney, Assistant to the General Manager, for his service for the last three years as Chair of Water CASA. She also stated that the demonstration garden is looking good and in the long run as it matures, she felt the Board would be pleased with its appearance.

Mr. Schlegel expressed his thanks to Ms. Little and Mr. Tenney for all their work. Mr. Ray added his support and stated that Mr. Tenney and Water CASA were very outspoken in their attempts to help the District in its conservation efforts.

**G. Approval of Family Medical Leave Act Policy.**

Mr. Ray made a motion to approve the Family Medical Leave Act policy as presented to the Board. Mr. Polley seconded the motion.

Mr. Ray inquired as to the costs and what impact they would have on the budget. Mr. Schlegel felt that it would not have a significant impact on the budget. Mr. Polley added he understood that the program required use of existing annual or sick leave and it would be no cost or minimal cost to the District. Mr. Stratton responded that in reality it is the insurance cost that the District

would need to pay, which is already provided for in the budget. Any costs would be loss of productivity, but the District can hire temporary help should it be required.

Mr. Schlegel called for a vote on the motion to approve the Family Medical Leave Act policy and it passed unanimously.

## **V. General Manager's Report**

Mr. Stratton stated that the District has experienced a number of well outages that has kept staff rather busy over the last few weeks, specifically covering the Hardy Well area. He indicated that the Hardy Well is back in service and storage levels are almost at a comfortable level. No customers were negatively impacted. Mr. Stratton commended Steve Dean, Utility Superintendent, and the Utility Division for their hard work and diligent efforts to rectify the situations.

Mr. Stratton noted that CAP recharge contracts with water scheduling is to be completed by October 1, 2000 and informed the Board that contracts for Board approval on in-lieu projects and direct recharge will be presented on the September agenda.

Mr. Stratton stated that the District had commented on the pending Groundwater Rule and the Board members had received copies of that letter. He said that discussion is continuing on the Arsenic Rule and the debate is getting heated. Mr. Stratton stated that indications are that EPA is in a no-win situation, regardless of where the standards are set, either environmentalists or the industry will be filing lawsuits. He said there is issue with the credibility of the data used by EPA based on response curves, this would be linear curve or non-linear curve, they have different meanings with respect to the threshold carcinogenic reaction from arsenic. Mr. Stratton said that comments are due by September 20, 2000 and that Chris Hill and he would be working with WestCAS to develop and submit comments to the EPA.

Mr. Stratton said that the issuance of EPA's Radon Rule should be final this month. He believes it will not be issued until the end of the year and Mr. Hill is of the belief that it will be after the first of next year before the Radon Rule is finalized.

Mr. Stratton stated that he briefly discussed Northwest Fire District issues with the Board previously. He will be on vacation next week, but staff would be able to reach him and staff would be available to handle any questions the Board members may have.

Mr. Stratton said there were two Board of Director candidates who successfully completed their petitions and filed them with the Board of Elections, those being Dennis Polley and Dan Offret. Mitch Etter, Director of the Board of Elections, has informed staff that per the statutes, an election is not necessary, he will prepare a resolution for the Board of Supervisor's approval to appoint the two nominees to the Board. This would eliminate the need to hold an election, which will save the District about \$10,000.

**VI. Legal Counsel's Report**

Mr. Higdon stated he had nothing further to report.

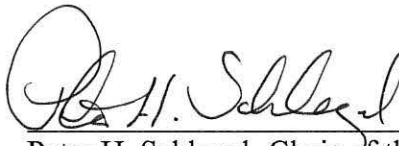
**VII. Future Meeting Dates; Future Agenda Items**

The next regular Board Meeting will be held Monday, September 11, 2000 at 6:00 p.m.

Mr. Schlegel asked that staff address Mr. Turner's situation as well as Mr. Hale's situation. Mr. Ray also asked that staff contact Mr. Zagorsky, who addressed the Board at the July 10, 2000 meeting, for information so that he could be heard on the next agenda.

**VIII. Adjournment**

The meeting adjourned at 6:45 p.m.



Peter H. Schlegel, Chair of the Board



Clerk of the Board