

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

December 8, 1997  
Wilson Room  
Tohono Chul Park  
7366 North Paseo del Norte  
Tucson, Arizona 85704

**MINUTES**

Board Members Present: Marty Cramer, Chair  
Jim Doyle, Vice-Chair  
Herb Johnson, Member  
Sam Ray, Member  
Jim Tripp, Member

District Staff: Mark R. Stratton, General Manager  
Warren Tenney, Clerk of the Board  
Lisa Chase, Legal Counsel

**Call To Order and Roll Call**

Ms. Cramer, Chair of the Board of Directors of the Metropolitan Domestic Water Improvement District (District), called the regular Board meeting to order at 5:11 p.m. Mr. Jim Doyle, Mr. Herb Johnson, Mr. Sam Ray, and Mr. Jim Tripp were present.

**Executive Session**

Mr. Tripp made the motion that the Board of Directors move to Executive Session. Mr. Ray seconded the motion and it passed unanimously. The Board went into Executive Session at 5:12 p.m.

Executive Session pursuant A.R.S. § 388-431.03 (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. **Litigation with the City of Tucson.**
- B. **Employment, Assignment or Appointment of Board Member.**

**Regular Session**

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

Ms. Cramer, Chair of the Board of Directors of the Metropolitan Domestic Water Improvement District (District), called the regular Board meeting to order at 6:03 p.m. Mr. Jim Doyle, Mr. Herb

Johnson, Mr. Sam Ray, and Mr. Jim Tripp were present.

## **II. Comments From the Public**

There were no comments from the public.

## **III. Consent Agenda**

- A. Approval of Minutes – November 10, 1997 Board Meeting.**
- B. Approval of Minutes - November 14, 1997 Special Board Meeting.**
- C. Approval of Minutes - November 21, 1997 Special Board Meeting.**
- D. Ratification of Billing Adjustments.**
- E. Approval of Bad Debt Write-offs.**
- F. Ratification of Internet Services Agreement.**
- G. Ratification of Janitorial Service Contract.**

Mr. Tripp noted that he had a conflict of interest regarding Item III.E.

Mr. Ray made the motion to approve the Consent Agenda. Mr. Johnson seconded the motion and it passed unanimously.

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

### **A. Litigation with the City of Tucson**

There was no discussion or action taken regarding the litigation with the City of Tucson.

### **B. Financial Report**

Mr. Mike Land, Chief Financial Officer, said that the line of credit with the Bank of America was being finalized.

### **C. Schedule of Regular Board Meetings in 1998**

Mr. Tripp made the motion to approve the schedule of regular Board meeting for 1998. Mr. Ray seconded the motion and it passed unanimously. The regular scheduled Board meetings remain the second Monday of the month.

### **D. Status of Water Conservation Alliance of Southern Arizona**

Ms. Val Little, Water Conservation Specialist for the Water Conservation Alliance of Southern Arizona (CASA), said that the District had exercised faith in supporting the formation of CASA. Ms.

Little explained that the Board of CASA, made up of its members, was scheduled to finalize a plan of work. CASA plans to focus on the following activities: A conservation assistance grant was received from the Arizona Department of Water Resources (ADWR) for studying exterior water conservation programs. Conservation devices and publications would be identified and ordered for its members at a lower price than if each member purchased them separately. Billing inserts would be developed to provide conservation information to its customers. Other projects targeted for development include welcome packets and self-audits for exterior water usage. CASA wants to develop a contest to have customers submit conservation ideas that are fun and innovative. Such a contest could generate some positive public relations for water conservation. CASA is working on two demonstration gardens and would like also to assist the District in developing one for its new office site.

**E. Contribution of Southern Arizona Water Resources Association.**

Mr. Stratton said that at the November 10, 1997 meeting, the Board had requested more information from the Southern Arizona Water Resources Association (SAWARA) before making a contribution. Ms. Lois Kulakowski, Assistant Director for the Tucson Regional Water Council (TRWC), explained that SAWARA contracts with TRWC. Two years ago, TRWC branched off SAWARA to be able to advocate positions regarding water. SAWARA remains an organization focused on education and is separate from TRWC in all aspects, including boards of directors and finances. SAWARA develops a publication, WaterWords, printed quarterly to provide an objective view on water issues. Additionally, SAWARA has developed a web site and a video through an ADWR conservation assistance grant. SAWARA operates on a \$16,000 budget.

Ms. Carol West, Director for TRWC, explained that TRWC strives to be a reasoned, rational voice on water issues in the region and encourage regional cooperation. TRWC does behind-the-scenes work to resolve different issues. Membership in SAWARA provides participation in TRWC. The District does receive increased representation in the region and is involved in TRWC's program committee and advisory council. TRWC selected increasing the use of effluent as one issue to focus on this year and is developing a regional effluent plan. Working with Representative Kolbe, TRWC was able to obtain \$250,000 in federal funding for developing the plan. Ms. West noted that she has appreciated working with District staff. Although the District has been a member of SAWARA, TRWC is also working on the District's behalf.

Mr. Tripp made the motion to approve a \$5,000 donation to the Southern Arizona Water Resources Association. Mr. Ray seconded the motion and it passed unanimously.

**F. Well Abandonment and Capping Policy.**

Mr. Tripp made the motion to approve the well abandonment and capping policy and adopt the "Capping and Well Abandonment Manual for Developers and Well Owners." Mr. Ray seconded the motion and it passed unanimously.

Mr. Ray commended staff for developing the policy. Mr. Stratton noted that Michael Block, District Hydrologist, had taken the initiative.

**G. Ratification of Contract with Water Management Consultants, Inc.**

Mr. Tripp made the motion to ratify the contract with Water Management Consultants, Inc. for a not-to-exceed amount of \$7,346.50 upon approval of Legal Counsel. Mr. Johnson seconded the motion.

Mr. Johnson said he was concerned that the language of the contract was quite wordy for the work that was to be done. Mr. Block and Mr. Myers, Consultant, explained that the contract is a three-party agreement among the District, Oro Valley and Water Management Consultants. The work is to be done on a task-by-task basis and it is possible that upon completion of the first task no further work will be necessary. The contract is to clarify some of the concerns ADWR expressed about funding a written proposal to monitor natural stream events in the Canada del Oro Wash and determine recharge limitations.

Mr. Johnson said that he was concerned that the language of the contract allowed for the data to be given to others besides the clients. Ms. Lisa Chase of Brown & Bain noted that the confidentiality clause and other wording did not allow for the details of the report to be used by others. Mr. Johnson said that the language should state that clearly. Additionally, the scope of work should be more clearly defined and specified in reference to Appendix A and the rest of the contract.

Mr. Tripp amended the motion to ratify the contract with Water Management Consultants, Inc. for a not-to-exceed amount of \$7,346.50 with a clear specification of the clients to receive information from the report, clarification of the scope of work referenced in Appendix A, and upon approval of Legal Counsel. Mr. Johnson seconded the amended motion and it passed unanimously.

**H. Consideration of Cost of Living Adjustment for District Staff.**

Mr. Tripp made the motion to approve a cost of living increase for all staff of three percent but no less than \$972 annually. Mr. Ray seconded the motion and it passed unanimously.

**V. General Manager's Report**

Mr. Doyle left the meeting at 6:42 p.m.

Mr. Stratton explained that the Town of Marana was interested in using the Stiller storage tank. District staff had planned to dismantle it. Marana was willing to develop an agreement to remove the storage tank. Mr. Johnson noted that such an agreement should include Marana's responsibility for proper drainage and cleaning of the site.

Mr. Stratton reported that the sale of the Northern Avenue property was moving forward. Mr. Ray

asked if rent was still being paid on that property and Mr. Stratton said it was.

Mr. Stratton, Mr. Land and Ms. Chase noted that legal documents and tax exempt status for the Municipal Property Corporation were continuing to move forward.

Mr. Stratton said the new office design had been submitted to Pima County. Additionally, staff is working with Pima County to secure a small well site on Shannon Road.

Mr. Stratton reported that the Avra Valley Recharge Project's pilot phase was completed. CAWCD was going to expand the site and obtain a permit for a full recharge project. The District plans to continue to recharge at that site in 1998. The District will continue to pursue other recharge options with Kai Farms and BKW Farms.

Mr. Stratton noted that the U.S. Bureau of Reclamation planned to meet with northwest entities to discuss terminal storage options for CAP water.

#### **VI. Legal Counsel's Report**

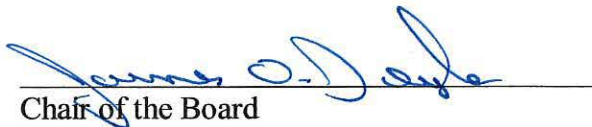
Ms. Chase reported that meetings had been held with several lobbyist to select one for the upcoming legislative session.

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

The next regular meeting of the Board of Directors is scheduled for January 12, 1998.

#### **VIII. Adjournment**

The meeting was adjourned at 6:50 p.m.

  
Chair of the Board

ATTEST:

  
Clerk of the Board