

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

July 13, 1992
1:20 P.M.
245 East Ina Road
Tucson, Arizona

MINUTES

ATTENDANCE: Members: Alex Jacome, Chairman
 Kate O'Rielly, Clerk
 Pete Schlegel
 -Jim Tripp
 Guests: David Furrey
 Paul Cella
 Alan Forrest
 Trish Williamson
 Chuck Huckelberry
 Ed Moore
 Michael McNulty
 Fred Rosenfeld

CALL TO ORDER AND ROLL CALL

1. The meeting was called to order at 1:20 pm by Alex Jacome, Acting Chairman.

Mr. Jacome turned the meeting over to Fred Rosenfeld.

2. Patti Rackley, Administrative Assistant of the Pima County Board of Supervisors' Clerk's Office administered the oaths of office to the District Board members.

Mr. Jacome noted that Herb Johnson, acting member of the Board, is out of town and will take the oath when he returns. *DONE 8-3-92*

3. Jim Tripp moved, Pete Schlegel seconded, that the filing of the open meeting law notice be ratified. The motion passed unanimously.
4. Fred Rosenfeld stated that information regarding the open meeting law would be forwarded to the Board members .

BOARD OF DIRECTORS MEETING MINUTES

Page 2

July 13, 1992

5. Mr. Rosenfeld stated that the terms of either 2 or 4 years need to be established for Board members. Three 2 year (second class) and two 4 year (first class) terms were agreed on. Ms. Rackley conducted the draw. The results are as follows:

Alex Jacome	2
Herb Johnson	4
Kate O'Rielly	2
Pete Schlegel	4
Jim Tripp	2

At the July 7, 1992 meeting of the Pima County Board of Supervisors, the next election of Board members for the District is scheduled for November, 1994.

6. Mr. Jacome was elected Chairman of the Board. Herb Johnson, Kate O'Rielly, Pete Schlegel and Jim Tripp were elected members. Richard Sanger and Bruce Greer will act as alternates in the event that a Board member is unable to serve. Kate O'Rielly was elected Clerk. Mr. Rosenfeld stated that the Board of Supervisors needs to take action to appoint a Deputy Clerk.
7. Mr. Rosenfeld conducted an orientation for Board members regarding the open meeting law.

A master meeting notice needs to be filed with the Clerk of the Board of Supervisors, describing how and where the notices will be posted, and where the meetings will be held. Any change in the meeting place requires a change to the notice.

The second required notice refers to specific meetings, and requires posting with the Clerk of the Board of Supervisors and at specific locations listed at least 24 hours in advance of the meeting. This notice may also be distributed to the media. Violations of this requirement invalidate all subsequent actions of the Board.

All meetings must have an agenda which should be published with the meeting notice. As an alternative, the agenda can be available at a site such as a permanent office.

Executive sessions are permitted under some circumstances. Minutes and discussions are secret. Minutes must be kept, but are available only to Board members, or those who appeared. No action can be taken. A vote is usually taken on items requiring action immediately after returning to the regular meeting.

BOARD OF DIRECTORS MEETING MINUTES

Page 3

July 13, 1992

Minutes must be kept on all regular sessions. Longhand or typed minutes should be available 3 days after the meeting. Taped minutes are also acceptable. For the present, Mr. Rosenfeld suggests the District file minutes with the Clerk of the Board of Supervisors.

Any committee or subcommittee appointed by this group must adhere to open meeting law requirements. Minutes are not required. A bond committee is an example. This can be a grassroots group, not appointed by the Board, which could disband as soon as it makes its report.

Violations of the open meeting law must be corrected within 30 days. Ratification requires 72 hour notice.

Mr. Rosenfeld suggested the Board discuss personal liability insurance at a future meeting. Funding will be needed for this, and for other administrative functions. Cash donations or loans would not be advisable. In-kind donations are acceptable.

8. Mr. Rosenfeld will forward the statute on conflict of interest to Board members.
9. Mr. Rosenfeld discussed the powers and procedures of improvement districts. Improvement districts are areas within Pima County. Most are administered by the Board of Supervisors. Domestic water improvement districts allow for a separate elected Board of Directors. The Board of Supervisors can revoke the rights of a domestic water improvement district. Mr. Rosenfeld recommends the District keep in frequent contact with the Board of Supervisors.

The improvement district form of special assessment district allows public improvements to be funded through special assessments by placing liens on property within the district. Assessments will probably be necessary to induce potential bond holders to purchase bonds.

Public improvements financed through bonds have a very specific process. A resolution of intention must be acted on, stating that the improvement district plans to buy Metropolitan Water Company. This takes place after the engineer's survey, and if filed with the Clerk of the Board of Supervisors. The engineer must include an estimate, stating the maximum amount of money which will be spent on the project. The estimate is jurisdictional.

The improvement district is responsible to post a notice of the resolution of intention as well as publishing in the newspaper. Property owners have 15 days to protest after completion of the notice requirements.

BOARD OF DIRECTORS MEETING MINUTES

Page 4

July 13, 1992

A resolution ordering the work follows. Options include purchase or condemnation. The engineer, working with bond counsel, determines the assessment. Bonds would be expected to be paid through revenues. Bond holders may insist on assessments. A process to do this includes the Pima County Assessor, the engineer, bond counsel and others. Property owners must be mailed notice of the public hearing. A public hearing must be held.

Interest due on bonds is collected by Pima County every 6 months. Rapidly accelerating penalties accrue for late payments. Banks and mortgage companies must be made aware of assessments.

10. Discussion: hiring of engineers, attorneys and financial consultants will take place at the next meeting.
11. No public comments were received.
12. Michael McNulty discussed the process for CAP allocation. Mr. McNulty will meet with representatives of the Department of Water Resources regarding this matter.
13. Chuck Huckelberry discussed the possibility of a cooperative project between Pima County Flood Control District, the Town of Oro Valley and Metropolitan Domestic Water Improvement District to recharge CAP water into the Canada del Oro Wash.
14. The next meeting will be Thursday, July 16, 1992 at 5:00 pm at Westward Look. The meeting was adjourned.

Chairman
Metropolitan Domestic Water Improvement District

ATTEST:

Clerk
Metropolitan Domestic Water Improvement District