

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

June 14, 1993  
5:00 P.M.  
7493 North Oracle Road, Suite 219  
Tucson, Arizona

MINUTES

ATTENDANCE:

Members:

Herb Johnson, Chairman  
Alex Jacome, Member  
Jim Tripp, Member  
Pete Schlegel, Member  
Kate O'Rielly, Member

Others Present:

Michael McNulty, Brown & Bain  
Ms. Schuette, MDWID Customer  
Eugene Klein, MDWID Customer  
Jane Jackson Signane, Rincon Water Co  
Steve De Vore, Gilbert Pump  
Sheila Lewis, MDWID Employee  
Mark Stratton, MDWID Employee  
Kathy Tanner, MDWID Employee  
Dave Tanner, MDWID Employee  
Frank Fotta, MDWID Employee  
Steve Shephard, MDWID Employee  
Richard Fahrmeier, MDWID Employee  
Neil Peters, MDWID Employee  
Ralph Garcia, MDWID Employee  
Marilyn Roberts, MDWID Employee  
Lucia Spohn, MDWID Employee (recording  
secretary)

A. CALL TO ORDER AND ROLL CALL

1. The meeting was called to order at 5:05 p.m. by Herb Johnson, Chairman of the Board of Directors. All members were present.
2. Jim Tripp moved that the Board approve the meeting notice and agenda for June 14, 1993. Kate O'Rielly seconded and the motion passed unanimously with members present.
3. Consideration for approval of the minutes of the May 10, May 21, and May 27, 1993 meetings; discussion for possible action.

Jim Tripp moved that the Minutes of May 10, 1993 (as revised on May 21, 1993) be approved. Alex Jacome

seconded and the motion passed unanimously.

Jim Tripp moved that the Minutes of May 21, 1993 be approved as presented. Kate O'Rielly seconded and the motion passed unanimously.

Jim Tripp made the motion that the Minutes of May 27, 1993 be approved as presented. Alex Jacome requested to rectify Jake Sturgell's last name to Jake "Strubel," which is the proper spelling. Mr. Jacome also requested that his name be documented in the Minutes if he votes against a motion.

Kate O'Rielly seconded the motion and it passed unanimously.

#### **B. COMMENTS FROM THE PUBLIC**

Introduction of Guests (Please refer to attendance list on page 1).

After the introduction of the guests, Herb Johnson, the Chairman of the Board advised the audience that according to the Arizona Revised Statutes (§38-431.02) the Board may not discuss or take any action on any item that is not on the agenda unless an emergency exists. In case of grievance or personnel matters employees are entitled to a private hearing with the Board of Directors at a scheduled time convenient for both parties. Employees will have the option to discuss matters privately or in public. Mr. Johnson then asked the audience if they wish to report anything not related to personnel matters. There was no response from the audience. The Chairman then called upon the audience if they wish to report on matters related to personnel. Neil Peters, MDWID employee requested a private meeting to discuss the resignation of the General Manager, Jack Conovaloff. Steve Shephard, Ralph Garcia and Frank Fotta joined up on the same request.

#### **OLD BUSINESS**

#### **C. ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

1. Discussion/action on Development of Backflow Prevention Program.

Mark Stratton circulated a draft of an Ordinance to institute the Backflow Prevention Program, and a summary of the Arizona State Regulations regarding Backflow Prevention asking the Board to review both documents thoroughly. He informed the Board that the program has to be in effect by July 1, 1994. That means all water

users that have potential for a cross connection and backflow into the system that could contaminate the public water supply, would be required to have a backflow prevention device of some type as outlined in the ordinance. The costs associated with the program are approximately \$1000.00 for each inch diameter of pipe. Options to carry the cost for the program are a) to impose them upon the water user, b) to create a loan program for the user, c) the district purchases the system since it protects the public water supply. Other municipalities with public water supply sources had burdened the water user with the cost. The State of Arizona requires that the public water supply is protected by a backflow prevention device and therefore the Board will need to decide how they wish to proceed.

Steve Shephard, a certified tester, is designated to overlook the day to day operation of the program. The State of Arizona requires semi-annual testing on backflow prevention devices to ensure they are working properly. The test results are to be documented and forwarded to the Department of Environmental Quality (DEQ). Installation of a backflow prevention system will require MDWID to establish an annual maintenance and testing program. Records of the ongoing project will be held on file in the office.

Mark Stratton recommended to burden the water users with the cost of the system. The backflow prevention device will be located on the customer's side of the meter. The recommended policy prepared by Jim Trippp demands that everything on the other side of the meter is not the water company's responsibility.

The District Engineer indicated that it is a state requirement and regulation for customers to install a backflow prevention device. The regulation entitles MDWID to shut off water if the device is not in place by July 1, 1994.

Alex Jacome made the motion to adopt the program of backflow prevention as recommended by staff. Kate O'Rielly seconded the motion to open it up for discussion.

Pete Schlegel discussed the options of dividing up the cost for the customer instead of having them pay for one large sum up front.

Mark Stratton will provide the Board a list of all the businesses in the Metropolitan Domestic Water Improvement

District requiring backflow devices and the cost involved for them at the next Board Meeting.

Mr. Stratton suggested to proceed with the project without adopting the ordinance. That will give the Board one more month to review the system.

Herb Johnson, Jim Tripp and Kate O'Rielly votes against the motion made by Alex Jacome. Mr. Jacome and Mr. Schlegel were in favor of the motion. The motion failed because of lack of majority.

Kate O'Rielly indicated that she would like to have more information on the financial aspect and how MDWID will proceed notifying the customers.

Mr. Johnson appointed a committee to work with the District Engineer on the backflow prevention program. The committee will be supported by Mr. Tripp and Mr. Schlegel.

2. Northeast Reservoir Site.

Mr. Stratton reported that he contacted the consulting firm that originally had recommended a reservoir in that area. This firm will examine their files for any documentation in support of the location of the reservoir. So far the firm has not responded to MDWID's request.

Mr. Tripp confirmed that the acquisition of the property will be handled as discussed in the Board Meeting on May 27, 1993.

3. Report on Northwest Water Alliance.

Mr. Johnson reported that the Northwest Water Alliance had met on June 10, 1993. The Alliance examined a proposal to the Santa Cruz Valley Water District. MDWID Board Members were furnished with a revised copy of the proposal after some revisions were made by the Town of Marana.

Jim Tripp made the motion to authorize Herb Johnson, the Chairman of the Board to sign the Proposal to the Board of Directors of the Santa Cruz Valley Water District presented by the Members of the Northwest Water Alliance, June 11, 1993. Kate O'Rielly seconded and the motion carried with 3 members voting in favor and Alex Jacome abstaining from the vote.

4. Discussion/action on:

a. MDWID "Policy Manual"

Jim Tripp moved to adopt the MDWID "Policy Manual" as presented in draft form, dated 9 June 1993. Mr. Jacome seconded and the motion carried unanimously with all members voting.

b. MDWID "Standard Operating Procedures"

Mr. Tripp asked the Board to approve some additions relating to the SOP in its present form. Since the council had not been involved in the review of the additions Alex Jacome suggested to continue the item to the next Board Meeting and have legal council review the additions. The current SOP had been adopted by the Board in its original form in a prior meeting. Since backflow prevention statistics will be included in the SOP, the committee presently working on the backflow prevention program will be responsible to include any procedures in the SOP.

**NEW BUSINESS**

D. ITEMS FOR DISCUSSION AND POSSIBLE ACTION

1. Discussion/action on Basic Functions of:

- the General Manager/District Engineer regarding Duties outside the Operation and Maintenance of the Water Utility
- the Staff
- Board of Directors

The Chair entertained a motion that the General Manager and District Engineer work in conjunction with MDWID's legal council to draft/establish job descriptions for operational and professional staff.

Alex Jacome moved the motion, Kate O'Rielly seconded and the motion passed unanimously.

2. Amendment of Budget for FY 1993/94

- for Purchase of Northeast Reservoir
- for Remodel and Relocation of Paseo Del Norte Office Facilities

Mr. Tripp objected to the request. Since the Budget Report is an estimate of what MDWID is going to spend it

is not binding to stay within those limits presented in the report. It was therefore decided by the Board to mention the spending and cause for the spending in form of a footnote in next years budget.

3. Update on Deposits, Checks, Warrants and Projected Expenditures.

Sheila Lewis referred to the list of deposits, checks and warrants. Ms. Lewis reported that due to time restrictions she had not been able to prepare a list of the projected expenditures for the month of June.

Jim Tripp moved to approve the Deposits, Checks and Warrants as presented by Ms. Lewis. Alex Jacome seconded and the motion carried unanimously.

4. Report on Audit Committee

Sheila Lewis reported that a preliminary audit has been prepared. Plans are being drawn up by Cotton, Parker & Johnson including verifying amounts and everything that is related to the audit. The Audit will be conducted on July 1, 1993.

Black and Veatch have completed their work.

5. Staff Report

I. CONSTRUCTIONS PROJECTS

A. La Cholla/Omar

In addition to what was documented in the Staff Report Mr. Stratton informed the Board that the contractor of the project presented 2 change orders on the job. Change Order # 1 was to extend the valve in the center of the Omar and La Cholla intersection up to the road surface so that the water can be turned off in case of an emergency. Change Order # 2 was due in part to the soil conditions in the area. A geological report was not prepared as part of the project. Because of the depth in the type of materials the slopes could not stand open. The width of the trench had to be extended and that included a revised traffic plan. They also had to obtain a larger backhoe prevention device.

In the breakdown of the cost the contractor stated only the direct cost. Profits were not included in the cost. The total cost of the project will be increased by roughly 50% based on the overrun.



Alex Jacome made the motion to accept change order #1 in terms of the valves and the valves extension. Mr. Jacome demanded a separate motion for the other aspects of change order #1. Kate O'Rielly seconded and the motion passed unanimously.

As to the second part of the change order #1 Alex Jacome felt that the blame should not be taken entirely by the District and made the motion to pay what the District Engineer felt would be a fair percentage of change order #1, excluding the valves and the valves extensions. Kate O'Rielly seconded the motion and it carried unanimously.

B. Calle Concordia

A geological report will be provided for this project.

II. METER REPLACEMENT PROGRAM

This item was accepted as presented in the staff report. In addition the Board was informed that the meter replacement for Foothills Mall will be starting the next day.

III. CONSULTANT PROPOSALS

This item was accepted as presented by Mark Stratton in the Staff Report.

IV. STATUS OF MDWID VEHICLE FLEET

Mr. Jacome advised staff to order the GMC Sonoma with an extended cab and without the seat arrangement in the back.

Alex Jacome moved to approve the purchase the GMC Jimmy and the GMC Sonoma as recommended by staff. Kate O'Rielly seconded and the motion passed unanimously.

V. STORAGE TANK STRUCTURAL SURVEY

This item was accepted as presented in the staff report. Mr. Jacome inquired if the electrical panel from the storage tank had been moved. Mr. Del Vore from Gilbert Pumps reported that they have not been removed.

Pete Schlegel asked about the status of the wells. Mr. Stratton referred to the original contract that had been established for 6 wells. All of these well projects have been completed except for Campo

Bello East, which needs to be refurbished.

VI. NORTHEAST RESERVOIR SUPPORT DOCUMENT.

This subject was covered under item C2, Old Business.

6. Breakdown of Staff Report

Herb Johnson directed Mark Stratton to place the items of the Staff Report on the agenda instead of having them separately listed in the staff report.

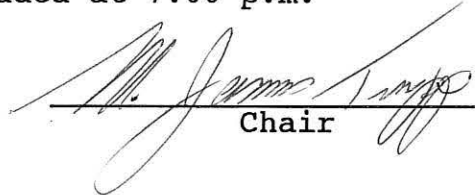
Pete Schlegel was informed that the District selected the Firm of Cella Barr & Associates as the engineering firm to be listed under MDWID's Annual Service Contract.

E. ADJOURNMENT

Mr. Tripp moved that the open session of the Board Meeting be adjourned, Kate O'Rielly seconded and the motion carried unanimously. As there was no further business to discuss before the Board, the open session of the meeting was adjourned at 6:20 p.m..

F. EXECUTIVE SESSION

The Board went into executive session at 6:30 p.m.. The Board accepted Mr. Conovaloff's resignation with regret. The executive session was concluded at 7:00 p.m.

  
Chair

ATTEST:

  
Clerk