



## **NOTICE OF PUBLIC MEETING & AGENDA**

# **UPPER VERDE RIVER WATERSHED PROTECTION COALITION BOARD WORKSHOP MEETING**

**Wednesday, November 26, 2008 – 1:30 p.m.  
City of Prescott Town Hall, Council Chambers  
201 South Cortez Street – Prescott, Arizona**

*Due to the format of this meeting consideration and discussion of general unscheduled comments from the public will occur at the end of the Coalition Board Workshop.*

**ITEM NO 1. Discussion – Recap by Program Manager**

- i. **Inter-Governmental Agreement**
- ii. **Progress of the Coalition**
- iii. **Goals**

**ITEM NO 2. Discussion – Coalition Project Concepts**

- i. **Recharge**
- ii. **Conservation**
- iii. **Monitoring**
- iv. **Watershed Management**
- v. **Other**

**ITEM NO 3. Discussion – Conclusions**

**ITEM NO 4. Call to Public**

*Those wishing to address the Coalition need not request permission in advance. Any such remarks shall be addressed to the Coalition as a whole and not to any member thereof. Such remarks shall be limited to three (3) minutes unless additional time is granted by the Chair.*

*At the conclusion of the unscheduled comments, individual members of the Coalition may respond to the item addressed at the discretion of the Chair, or they may ask Staff to review the matter or ask that the matter be placed on a future agenda.*



## **NOTICE OF PUBLIC MEETING & AGENDA**

# **UPPER VERDE RIVER WATERSHED PROTECTION COALITION BOARD MEETING**

**Wednesday, November 26, 2008 – 3:00 p.m.  
City of Prescott Town Hall, Council Chambers  
201 South Cortez Street – Prescott, Arizona**

**ITEM NO 1. Introductions, Awards, or Presentations**

**ITEM NO 2. Call to Public**

*Consideration and discussion of general unscheduled comments from the public: Those wishing to address the Coalition need not request permission in advance. Any such remarks shall be addressed to the Coalition as a whole and not to any member thereof. Such remarks shall be limited to three (3) minutes unless additional time is granted by the Chair.*

*At the conclusion of the unscheduled comments, individual members of the Coalition may respond to the item addressed at the discretion of the Chair, or they may ask Staff to review the matter or ask that the matter be placed on a future agenda.*

**ITEM NO 3. Action – Approval of Minutes for Previous Board Meeting**

**ITEM NO 4. Discussion – Program Manager's Report**

**ITEM NO 5. Discussion – TAC Meeting Summary – November 12, 2008**

**ITEM NO 6. Discussion & Possible Action – Final Recharge Mapping Report**

**ITEM NO 7. Discussion – Next Meeting Time / Location / Agenda Items**



### **AGENDA ITEM NO. 3**

#### **ACTION – APPROVAL OF MINUTES FOR PREVIOUS BOARD MEETING**

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The meeting minutes for the previous Board Meeting held on October 22, 2008, are attached.

### **AGENDA ITEM NO. 4**

#### **DISCUSSION – PROGRAM MANAGER’S REPORT**

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<b>Task 1 – Program Management</b>
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#### **Board Meeting Preparation & Facilitation**

- Facilitate October 22<sup>nd</sup> Board Meeting
- Review of minutes for October 22<sup>nd</sup> Board Meeting
- Preparation of agenda and attachments for November 17<sup>th</sup> Board Meeting

#### **TAC Meeting Preparation & Facilitation**

- Preparation of agenda and attachments for November 12<sup>th</sup> TAC Meeting
- Preparation of agenda and attachments for November 12<sup>th</sup> TAC Safe Yield Workgroup Meeting
- Facilitate November 12<sup>th</sup> TAC Meeting
- Preparation of summary for November 12<sup>th</sup> TAC Meeting

#### **Other**

- Conduct B&N project team conference calls



#### AGENDA ITEM NO. 4 (continued)

#### Task 2 – Website Management

- Posting of agenda and attachments for November 12<sup>th</sup> TAC Meeting
- Posting of agenda and attachments for November 22<sup>nd</sup> Board Meeting

#### Task 3 – Water Conservation Programs

- Obtained Water Smart Logo proposal
- Team conference calls to discuss water conservation task issues
- Pursuit of water conservation grants

#### Task 4 – Hydrologic Monitoring

- Task on hold

#### Task 5 – Recharge Mapping

- Prepared final mapping and memo

#### Financial Report

##### **Invoices Received**

- An invoice for \$12,097.19 was issued by Burgess & Niple, Inc. on October 27, 2008, for program management work and tasks performed through September 28, 2008.

##### **Current Balance**

- *Prior to contributions for FY 08/09*, the balance of the Upper Verde River Watershed Protection Coalition prior to the invoice dated October 27, 2008, is \$54,015.60.



**AGENDA ITEM NO. 5**

**DISCUSSION – TAC MEETING SUMMARY – NOVEMBER 12, 2008**

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A brief meeting summary for the TAC Meeting held on November 12, 2008, will be provided.

**AGENDA ITEM NO. 6**

**DISCUSSION & POSSIBLE ACTION – FINAL RECHARGE MAPPING REPORT**

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Discussion and possible action regarding the Final Recharge Mapping Report.



## AGENDA ITEM NO. 7

### DISCUSSION – NEXT MEETING TIME / LOCATION / AGENDA ITEMS

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#### **Board Meeting**

- The next regularly scheduled Board Meeting is on January 28<sup>th</sup>, 2009, at 2:00 p.m., at the City of Prescott Town Hall, Council Chambers, 201 South Cortez Street, Prescott, Arizona. Agenda items for the next Board Meeting have not been determined.

#### **TAC Meetings**

The next regularly scheduled TAC Meeting is on December 10<sup>th</sup>, 2008, at 1:00 p.m., at the Yavapai County Administrative Services Building, Gladys Garner Room, 1015 Fair Street, Prescott, Arizona. Agenda items for the next TAC Meeting have not been determined.

The next regularly scheduled TAC Safe Yield Workgroup Meeting is also on December 10<sup>th</sup>, 2008, at 2:30 p.m., at the Yavapai County Administrative Services Building, Gladys Garner Room, 1015 Fair Street, Prescott, Arizona. Agenda items proposed for the next TAC Meeting includes:

- Examples of other successes
- Define the scale of the problem



**UPPER VERDE RIVER WATERSHED PROTECTION COALITION  
PRESCOTT, ARIZONA  
October 22, 2008**

**MINUTES**

A MEETING OF THE UPPER VERDE RIVER WATERSHED PROTECTION COALITION WAS HELD ON OCTOBER 22, 2008 in the Prescott Municipal Building, 201 S. Cortez Street, Prescott, Arizona.

Chairman Fann called the meeting to order at 2:03 p.m.

**ITEM NO 1. Introductions, Awards, or Presentations**

**Members Present:**

Mayor Karen Fann, Town of Chino Valley, Chairman  
Councilman Mike Flannery, Town of Prescott Valley, Vice Chairman  
County Supervisor Carol Springer, Yavapai County  
Mayor Jack Wilson, City of Prescott

**Members Absent:**

Councilman Floyd Wright, Town of Dewey-Humboldt  
Chairman Ernie Jones Sr., Prescott-Yavapai Indian Tribe

**Staff Present:**

Ed Muccillo, Program Manager  
Rick Shroads, Assistant Program Manager  
Mark Holmes, Town of Chino Valley  
Jim Holt, City of Prescott  
John Munderloh, Town of Prescott Valley  
John Rasmussen, Yavapai County

**Guests Present:**

Ken Lain  
Harold Watters  
John Zambrano  
Thomas Slaback  
Charlie Hildebrant  
George Seaman  
Joanne Oellers  
Howard Mechanic

**ITEM NO 2. Call to Public**

**ITEM NO 3. Action – Approval of Minutes for Previous Board Meeting**

Mr. Muccillo said a correction needed to be made to page 4 of the September 22, 2008 minutes to correctly reflect that the Arizona Farm Bureau had not been contacted by Mr. Shroads as he had previously stated.

**MEMBER WILSON MOVED TO APPROVE THE SEPTEMBER 24, 2008 MINUTES WITH THE CORRECTION; SECONDED BY VICE CHAIRMAN FLANNERY; PASSED UNANIMOUSLY.**

**ITEM NO 4. Discussion – Program Manager’s Report**

Mr. Muccillo said everything in the Program Manager’s report is covered in this agenda except for Task 5 – Recharge Mapping. He said the final mapping has been prepared and Southwest Groundwater has submitted it to him but he has not had a chance to review it for presentation to the TAC but that will happen.

Member Springer asked what boundary the mapping encompassed.

Mr. Muccillo said the boundary by the scope was actually the AMA and the Big Chino but they went beyond that from a hydrological standpoint. He said they went quite a bit east of it and somewhat west of where the Big Chino boundary would be.

**ITEM NO 5. Discussion – TAC Meeting Summary – October 21, 2008**

Mr. Muccillo said due to scheduling problems they had the TAC Meeting yesterday so there is not a written summary and that will be provided in the November board meeting minutes. He said that all items discussed yesterday are covered by today’s agenda.

**ITEM NO 6. Discussion & Possible Action – Safe Yield Workgroup Agricultural Candidate**

Mr. Muccillo said they talked about appointing James Perey, Division Dean, Agribusiness & Science Technology at Yavapai College to fill the agricultural seat on the Safe Yield Workgroup. He said Mr. Perey was not present and since they had not actually contacted the Arizona Farm Bureau they want to do some more outreach to make sure they get the right candidate for the position. He said he recommends is to table this until next meeting to see if they come up with some other candidates.

Member Wilson asked what he meant by other candidates in terms of where they would be looking for other candidates. Mr. Muccillo said they would be talking to the Arizona Farm Bureau and the Yavapai County Arizona Cooperative Extension Office.

Chairman Fann suggested they look in the Chino Valley area for ranchers and farmers in the agricultural business. Chuck Gould of Northland Turf, Norm Freeman of Freeman Farms, and the Chino Valley Irrigation District were suggested as possible contacts.

**MEMBER WILSON MOVED TO TABLE THE CURRENT AGENDA ITEM; SECONDED BY VICE CHAIRMAN FLANNERY; PASSED UNANIMOUSLY.**

**ITEM NO 7. Discussion & Possible Action – Nursery/Landscape/Irrigation Position & Candidate**

Mr. Muccillo said this turned out to be the lengthiest discussion at the TAC meeting yesterday. He said he felt he had clear direction from the Board to create this position. He provided five points of the TAC’s discussion:

- The TAC indicated the nursery/landscape/irrigation group just got involved two months ago and if they stay involved then create a position.
- After Mr. Hildebrant’s presentation last month the Board gave direction to create this position.
- This position was not publicly advertised like the others although that is not a requirement and the Board can appoint someone at their discretion.
- Would it be more appropriate to create a water conservation workgroup and would that be more on target with what the nursery/landscape/irrigation group has to offer?
- There was not a quorum of the TAC yesterday so it was discussion only.

Member Springer said some of those comments were picky. She said she thinks the nursery group made a very good argument for their participation and she does not think they need to belabor the issue. She said they discussed it and it is entirely appropriate that they participate in this. Member Springer asked who better to educate the public than the people who work with them on a day to day basis.

**MEMBER SPRINGER MOVED TO CREATE A NURSERY/LANDSCAPE/IRRIGATION POSITION ON THE SAFE YIELD WORKGROUP; SECONDED BY VICE CHAIRMAN FLANNERY.**

Member Wilson asked what is the current composition of the workgroup. Mr. Muccillo said in addition to the TAC there are positions for citizens' water group, agricultural, environmental, exempt well owners, growth interests, private water companies, and ADWR is available if there is a pertinent topic.

Member Wilson asked which ones have been filled. Mr. Muccillo said all but agricultural.

Vice Chairman Flannery said he thought one of the desires here is to get input from stakeholders. He said he sees the nursery/landscape/irrigation group as a stakeholder in this. He said in talking with his mentor he was advised that this is not a perfect system. He said as Member Springer pointed out some of these arguments are nit picking. Vice Chairman Flannery said the purpose is to get counsel from those stakeholders and if this group is recognized as a stakeholder he recommends inviting them in.

Howard Mechanic, 309 Bloom Place, said there was no quorum at the TAC as was mentioned so no official recommendation could be made. He said he recommended that Charlie Hildebrant, who serves on the City of Prescott Water Conservation / Safe Yield Committee, be on that committee because of his knowledge of water conservation issues. Mr. Mechanic said Mr. Hildebrant asked why he was not included in the discussions about the landscape code being discussed by the TAC during his presentation last month. Mr. Mechanic said it may not have been clear but that is not something that is being discussed by the Safe Yield group. He said as previously mentioned there may be interest in the landscaping group to be involved in the development of the conservation ordinance that is being discussed in the TAC and he welcomes their participation in that effort. He said there was some confusion by the presentation being made because it was not on the agenda, in which case there cannot be direction to approve a position. He said he questions how the Board could have given direction to the TAC to act on something that was not on the agenda and something that was not open for discussion. Mr. Mechanic said he has a serious problem with how the procedure was handled. He said he wants to encourage their input in the conservation because that is where their expertise is and his only question is whether Mr. Hildebrant is willing to put in time on the conservation efforts and also come on a regular basis to the Safe Yield committee.

Member Springer said the motion on the floor has nothing to do with Mr. Hildebrant. She said this discussion is out of order and would be more appropriate for the next motion.

Mr. Mechanic said to address that point they do have an agricultural position open and one person recommended is a sod farmer who is also a part of the Yavapai Landscape and Nursery Association. He said maybe this group should be considered as an alternate for the agricultural position.

Chairman Fann said they are only discussing whether they should have a position on the Safe Yield Workgroup for nursery/landscape/irrigation.

Tom Slaback, 715 East Goodwin, suggested that if this position is created they need to differentiate between the nursery/landscape/irrigation and the agricultural positions.

Vice Chairman Flannery said he was not there last month but in reading the minutes Mr. Hildebrant asked the Board for a position on the Safe Yield Workgroup. He said as he understands it they either do not approve the position or that he be assigned to the other category or that he work on the conservation. He asked Mr. Hildebrant to add some clarity.

Mr. Hildebrant said regarding the procedure he believes they conformed to the rules as far as presenting something that was not on the agenda. He said their interest is in the Safe Yield Workgroup. He said it is not just him although he would be the individual who is possibly being considered for the position in the next agenda item. Mr. Hildebrant said when it comes to conservation they consider it may be a separate committee and up to the discretion of the Board. He said if it does they have many qualified candidates who could serve at that capacity and it does not have to be him. He said their reason for their interest in the Safe Yield Workgroup, particularly as a landscape/nursery representative is because they are a stakeholder. Mr. Hildebrant said they have a vast amount of knowledge about where the town has been. He said they are probably the one group that is able to make the fastest improvement in the conservation phase but the Safe Yield Workgroup has the responsibility of putting the ideas on the table.

Member Springer said regarding the agricultural appointee she thinks they have in mind a farmer, someone who generally makes a living through agricultural endeavors. She said she sees that as totally different from the landscape business because they are interacting with customers everyday and can teach them how to do detention ponds and rainwater harvesting and that both positions are valid.

Mr. Muccillo said another point that was brought up yesterday is that these members have their finger on the pulse of how outdoor water use is going in development.

Chairman Fann said it seems to her that not long ago there were water conservation groups and environmental groups that were very upset because they were not having the opportunity to be on committees to help work through a lot of these issues. She said over the last couple of years between the GUVAC Safe Yield and this Coalition and the Verde River Basin Partnership have now been welcomed and their expertise is very much appreciated. She said she supports this nursery/landscape/irrigation group because to not support them would be similar to what was done a couple of years ago.

Chairman Fann called for the vote.

**MOTION PASSED UNANIMOUSLY.**

**MEMBER SPRINGER MOVED TO HAVE CHARLES HILDEBRANT APPOINTED TO SERVE ON THE SAFE YIELD WORKGROUP TO REPRESENT THE NURSERY/LANDSCAPE/IRRIGATION POSITION; SECONDED BY MEMBER WILSON; PASSED UNANIMOUSLY.**

**ITEM NO 8. Discussion & Possible Action – Purchasing Rights to Water Smart Logo**

Mr. Muccillo said the proposal and the cover letter from Sage Consulting is included in today's packet. He said he asked Melody from Sage Consulting to be present to give a brief clarification. He said on page 21 of 21 under Compensation the full compensation is \$6,000 and Shaun Rydell from City of Prescott has already received approval from the Bureau of Land Management for her grant to pay half of this at \$3,000. He said this basically allows the political subdivision within Yavapai County rights to the Water Smart Logo.

Melody Reifsnnyder said the proposal is very straightforward with \$6,000 for the perpetual rights to use the logo by any political jurisdiction in Yavapai County. She said they would

charge for transferring logos with the cards and all of that copy. She said the Board will have the logo so if any of the jurisdictions want to do it themselves they can and Sage Consulting does not necessarily have to do the cards. She said they can buy the cards without the logo but it does not make a lot of sense as a group to do that.

Member Wilson asked to clarify if he is reading the proposal correctly that it is \$250 per card and there are 12 cards so it would be \$6,000 in addition to the \$3,000. Ms. Reifsnyder said that is correct if they wanted to use all of the cards but they may not want all of the cards. Member Wilson asked if they would be purchasing the text on the cards. Ms. Reifsnyder said that is what they really are paying for because they are copy written and when another jurisdiction other than the jurisdiction that paid for them wants to reprint it is basically a reprint fee.

Chairman Fann said she thinks it was the Boards understanding that they would pay a flat \$3,000 for the logo and then they can do whatever they want with it.

Mr. Muccillo said that is true and that anything they do they can use the logo for. He said this is an additional offer to potentially save work to the TAC and Coalition. He said with the 12 cards everything is done and ready to go. He said if the TAC evaluates how are they going to get the message out and they see that three of the cards are right on target with what they already want to do instead of spending effort creating cards they can pay \$750 for those three cards. Mr. Muccillo clarified that the cards have nothing to do with the logo rather it is just the content on the cards that have been created by Sage or Prescott.

Ms. Reifsnyder explained it is \$250 is to get the rights per card. She said the \$750 is if they want a card created that is separate from what has already been developed. She said when they were doing this whole thing Ms. Rydell suggested that they give the Board that option because there may be different issues in Chino Valley than in Prescott so they may want a card specific to their issue and that would be \$750. She said the \$250 is to move the logo if needed and then for the reprint rights. Ms. Reifsnyder said they can use the logo however they want once they buy the rights.

Member Springer said she is concerned about the language in the proposal. She said it states under services to be performed that the contractor will sell all rights for use of the WaterSmart logo to all of the jurisdictions. She said it was her understanding that it is the UVRWPC who is buying the logo and then authorizing its use to the other entities. She said by this language it would allow any of the entities to go out and use the logo with out coming through this organization for approval first.

Ms. Reifsnyder said that is only her proposal to the Board but that does not govern how they would like to do it. She said if they want to change the language to say that the Coalition will purchase the logo for use by members then she suggests they do that. She said this was designed to give the Board the most flexibility in how they use the logo and that can certainly be changed.

Member Springer said this allows any of the entities to use it independently and she does not think that is what the Board had in mind. It was determined the Board could change the language to say something to the effect that the contractor will sell the rights to the Coalition and it gives the Coalition the right to transfer rights to any political jurisdiction in Yavapai County.

Vice Chairman Flannery asked once the card has been set up for the Coalition member organization then they can reprint that as often as they want. Ms. Reifsnyder said that is correct. He said like Member Springer he was also concerned that the Coalition is purchasing this. Ms. Reifsnyder said Ms. Rydell said she has received permission from the Bureau of Reclamation to use \$3,000 of the grant money towards purchase of the logo.

Vice Chairman Flannery said he does not mind the Coalition going forward but he does not think it should be extended without permission. He said he thinks conservation is everybody's business and he would like to extend that but with some control over it.

Ms. Reifsnyder said if the Coalition buys the WaterSmart logo that is the smartest course as far as branding is concerned and then the Coalition can set up the guidelines.

Member Springer asked Member Wilson if he has any problems with it.

Member Wilson said no and that he just wanted the clarification.

Lou Bellesi, 1102 East Timber Ridge, asked what happens if the Coalition disappears or goes into some other organization who would be the authorizing entity at that time.

Ms. Reifsnyder said it would be the partners in the Coalition and when they design the agreement it does not have to be very complicated. She said they may want to have a dissolution clause.

Ken Lain, Yavapai Nursery and Landscape Association and 1815 Iron Springs Road Watters Garden Center, said they are working with Chino Valley to come up with an ordinance for conservation. He said it includes the town requiring the nurseries and landscape companies to provide the town water conservation information with every purchase of a water smart plan. He said he is going to have to print that at his own cost and asked how that will work with logo.

Ms. Reifsnyder said she thinks the ordinance is designed to get local businesses to educate customers about the best practices in conservation and it will include literature that is produced by the Town of Chino Valley or Yavapai County or some other political jurisdiction that has rights to use the logo.

Member Springer suggested having Chino Valley come to this Board saying this is a program Chino Valley is doing and they would like to use the logo this way.

Member Wilson said the cards are basically rack cards and after they get past a certain point it becomes very point it economical to print.

John Munderloh said regarding the contract they have not had a chance to take it past an attorney and they will make sure that it is done correctly. He said he does not believe the Coalition is a contracting entity, for instance the contract with Burgess & Niple is currently contracted through the Town of Prescott Valley as the fiscal entity and he believes they will probably set this up to be the same way. He said Prescott Valley would be the contract signer and responsible for the payment. He said another quick way to do it is to have Burgess & Niple be the contracting entity, subcontracting as they do right now with Civiltec.

Member Wilson said he thinks the language is proper to license everything to the coalition with the terms they already discussed modifying that. He said contracting is another issue.

Mr. Muccillo said even if this were to be done through Burgess & Niple he would not sign it as Burgess & Niple; he would sign it as the Program Manager of the Coalition and the invoice would pass through.

Ms. Reifsnyder said the Coalition can register trademark with the federal government they can put a little r with a circle and asked if the Coalition can do that or does it have to be registered by a political subdivision.

Mayor Fann said they should have John Munderloh take this to the Town of Prescott Valley Attorney, Ivan Legler and he can restructure the proposal to the best advantage of the Coalition and its members.

Mr. Munderloh asked if they should consider that this can move forward upon a vote of the Board and upon final approval of the Chairman. The consensus was yes, they can move forward with logo proposal and contract with the changes previously discussed.

Chairman Fann instructed Mr. Muccillo to send copies to each of the Board members before giving it to her for approval to make sure everyone is 100% comfortable with it.

A guest asked if these rights are being licensed to other people in other states and counties is there any litigation regarding these rights if somebody were to challenge the copyright. He asked if Prescott would lose the rights to this and would they have a responsibility to participate in the litigation. He also asked if there are any rights to any improvements if they come up with something fancier than what it is.

Ms. Reifsnnyder said as far as they know and they did the searches there will be no threat of copyright infringement. She said this has been in use now for almost two years by the City of Prescott and they would be the only ones possibly concerned with infringement. She said as far as improving the logo there is not much to do to it. She said she can sell it to another entity but that is not bad because what they want is the brand. She said the only concern is then they would not have any control over the type of literature and materials it is placed on.

Chairman Fann asked if the Coalition or the City of Prescott put a registered trademark on it can she sell it to anyone else. Ms. Reifsnnyder said no, she would not be able to sell. Chairman Fann said obviously they would want to have it registered. Ms. Reifsnnyder said she wants to make certain people protect and take care of resources.

Chairman Fann instructed Mr. Muccillo and John Munderloh to check into the registered trademark process. She said they also need to have the attorney possibly include something about infringement rights protecting their entities from any potential future infringement suits.

Mr. Mechanic said it may be good to put that in the contract, that the Coalition has rights to register the name.

Mr. Muccillo asked to clarify that at this point they are just doing the \$3,000 commitment and suggests that the other options will be shaken out later.

**MEMBER WILSON MOVED THAT THE COALITION AUTHORIZE AN EXPENDITURE OF \$3,000 TO PURCHASE BY THE COALITION OF THE WATERSMART LOGO SUBJECT TO THE REVIEW BY LEGAL OF ALL THE THINGS DISCUSSED HERE AND BY THE APPROVAL OF THE CHAIRMAN BEFORE THE EXPENDITURE IS MADE; SECONDED BY VICE CHAIRMAN FLANNERY;**

Vice Chairman Flannery asked in terms of the motion does that include the agreement they are looking at.

Member Wilson answered yes and that as they discussed previously under the legal revisions is all the verbiage that will allow sublicensing but control by the Coalition.

Vice Chairman Flannery said the wording has all of those in the proposal but they will be striking those as they work through the process, along with the addition of "and its successors."

Member Springer asked that the motion be clarified to indicate a price of \$6,000 with a \$3,000 match.

**MEMBER WILSON AMENDED THE MOTION TO SAY THE COALITION AUTHORIZES AN EXPENDITURE OF \$6,000 LESS THE BUREAU OF RECLAMATION CONTRIBUTION FROM THE CITY OF PRESCOTT OF \$3,000, MAKING THE NET EXPENDITURE \$3,000.**

**MOTION PASSED UNANIMOUSLY.**

**ITEM NO 9. Discussion & Possible Action – Final Water Conservation Report**

Mr. Muccillo said this was in response to the discussion of the final conservation report. He said they discussed taking it back to their respective councils and boards to solicit input but he thought they closed it where it was not necessary to approve or accept the report.

Member Wilson said he remembers that they were going to go back to their councils to present it to them and not necessarily get approval.

Chairman Fann said she made an issue out of this because she does not like to get ahead of her council and she wants to make sure they are brought up to speed when they have reports like this done.

Member Springer said the Coalition has the report and she does not think there is anything they need to do to officially adopt it. She recommended they ask their individual TAC members to relay it to their various board members for information only.

Vice Chairman Flannery said the concern he gathered from the minutes is that they have a grant that needs to be applied for by November and there were things the Coalition would be committing to under terms of the grant that were part of the report, so they needed to agree or not agree.

Mr. Muccillo said he knows Chino Valley already presented it to council. He said the report exists and the fact that the Coalition decided on \$100,000 expenditure whether they got a grant or not is really a whole separate action.

Mark Holmes said he presented it to the Chino Valley council members and they approved and were glad to hear what the Coalition is doing. He said there was a councilmember who was concerned in reference to the Coalition budget and the potential of other projects being put on hold. He said the council member would really like the Coalition and the TAC members to work diligently to look for other funding sources.

Harold Watters, 2375 West Twin Oaks, asked about something he did not see on the report, which he just read the day before, and that is the use of water on sports fields. He said he thinks it should be included in this report.

Mr. Muccillo said he does not think the report addressed that specifically but subsequently they have talked about the pending audits of each entity's properties and sports fields would boil to the top of the list. He said that while the report did not specifically address it he thinks the actions of the TAC by the Board's guidance are heading that direction. He asked are those facilities owned by the municipalities or are they owned by the school boards and is there a fine line there they need to deal with.

Chairman Fann said a majority of them are owned by school boards but municipalities own some also.

Member Wilson said the City of Prescott owns a whole bunch; they are the softball capital of the Arizona. He said the City of Prescott is actually looking at sports fields and there are two issues that they have. He said they would like to use effluent to water the fields but they cannot because they do not have effluent lines and they are very expensive to try to run that line from the sewer plant back to the sports field. He said they are aware of the issue that they need to walk the talk. Member Wilson said from a governmental standpoint as a member of the Coalition they are looking at what they can do. He said they do have some budgeted projects under way as part of the water conservation effort of the City of Prescott.

Mr. Watters asked if they could have a full report on the region that would include the total number of square feet involved in all the fields and what effort might be made to do what Mayor Wilson has mentioned. He said sports fields are probably the largest user of water outside of residential use and some commercial use. He said if they are concerned about how acre feet of water is used on a lawn of 1000 square feet as indicated in the report then they certainly need to look at the large areas of turf. Mr. Watters said typically they find throughout the country is that older sports fields were not put in right, they are high water use fields because of the lack of coverage of the irrigation system and the irrigation systems themselves are antiquated as well as far as controls.

Member Wilson said he thinks it will have to be a later date to add to the report because from the City of Prescott they have looked at their irrigation system for E.T. timers and stuff like that but the real issue is they cannot drag effluent lines out there because of the cost of doing that. He said the other problem is that there are certain times of the year they do not even have the effluent and those are the times of the year they really need to have the effluent and that is the middle of summer. He said it is a conundrum of how they reach a solution; it is not that they are not aware of the problem or are not working on the problem. He said some of the sports fields are owned by school districts who are not represented on this Board and so they have no control over them.

Member Flannery said in terms of golf courses one of the things Prescott Valley has done is that they use effluent on all of the golf courses and they have an ordinance for that. He said in terms of athletic fields one of things they have been doing over the years is they have been trying to work with the Humboldt Unified School District in combining municipal and school district use of those fields. He said there has been some limited success in that.

Chairman Fann asked Mr. Muccillo in response to Mr. Watters' questions and concerns how can they best address those in the future.

Mr. Muccillo said as a brief outline of the plans for the audits using the Yavapai County Assessor's Office and Yavapai County GIS Mapping they are going to compile a list of anything that is publicly owned by member entities. He said their assumption is that will be pretty exhaustive list and then at that point they will start sorting the list by identifying high water use according to large areas of turf, large acreages, and older buildings. He said looking at publicly owned parcels with a lot of turf he thinks those are going to boil pretty close to the top.

Chairman Fann said the Board had previously discussed a measurable amount of safe yield and conservation efforts and asked how they measure those. She asked would that become a part of that measurement table as to where they were with water usage on these large ball fields and where they are a year or two from now.

Mr. Muccillo said he thinks so and he thinks they can do it one of two ways. He said if the individual parcel is metered that will make it easy to do or they can look at how many hours per year it has run with each hour having so many gallons per minute so they can estimate what that savings may be.

Mr. Watters said he has been following this water issue for the last 25 years because he knew this day was coming. He said there was a drought in 1970's and Phoenix reservoirs were running low and he thought they better pick up on this because it could come home again and it has. He said he started following what was being done in other cities and municipalities and probably the oldest one is the Denver Water Board. Mr. Watters said one thing they have done in addition to all the things being done here is that they have added into the cities demonstration landscape gardens and they have found this to be one of the best tools that they have found.

Member Wilson said he has recently been approached by the county extension office and they want to set one up on the rodeo grounds so the City of Prescott is going to entertain doing that and they are open to that idea.

Member Springer said Yavapai County has a project at Pioneer Park as a demonstration project including storm water management for most of the park.

Member Wilson said Mic Fenech, Administrative Services Director for the City of Prescott, got turf removed in front of the club house at Antelope Hills Golf Course and they got everything donated by landscapers.

John Munderloh said the Town of Prescott Valley is looking at a xeriscape water harvesting demonstration garden for the new library.

Mark Holmes said Chino Valley has a local developer that they are looking at implementing every component of exterior xeriscape, rainwater harvesting and a number of similar tools. He said they are also looking at the interior using the highest efficiency fixtures and standards for water conservation. He said they are working to build three of those units and working with a number of agencies as well.

**ITEM NO 10. Discussion & Possible Action – Board Meeting Schedule**

Mr. Muccillo said the next two meetings fall the day before Thanksgiving and Christmas.

Chairman Fann asked if anyone has a conflict with the November 26, 2008 meeting. The consensus was that everyone would be available.

Chairman Fann asked if they have the November meeting would they be able to get all the business they need to get and forego the December meeting.

Mr. Muccillo said yes and he thinks that gives the TAC to have a couple of extra meetings. The consensus was to cancel the December 24, 2008 meeting.

**MEMBER WILSON MOVED TO CANCEL THE DECEMBER 24, 2008 MEETING; SECONDED BY VICE CHAIRMAN FLANNERY; PASSED UNANIMOUSLY.**

**ITEM NO 11. Discussion – Future Coalition Efforts (Time Permitting)**

Mr. Muccillo said since they did not have a quorum at yesterday's TAC meeting they may want to table this for the main topic of the November meeting. He said the thought he had is they have made some decisions on water conservation and how much money they are going to spend, about the budget and some issues they have there. He said from the original tasks and goals that were derived about 18 months ago he thought it is time to take another look at whether their focus is the same, has is changed because of budgets, or the economy being where it is at. He suggested a brief discussion on the format they would like the brainstorming done in and do they want to initiate it or do they want the TAC to initiate it.

Member Springer said the thought that occurs to her is that she thinks they need to go forward with a plan of action regardless of financing. She said they should be very clear about determining precisely what it is they want to accomplish. She said they have some very specific goals and their action plan needs to be clarified as to what they expect to achieve. She said she hopes at the next meeting they have some more information on the recharge map. Member Springer said WAC is working on the water use study to figure out how much water they have and how much they are using in roughly the same area. She said the point is that there should be some information coming out of that study that will help this group as well.

Member Wilson agrees with need to have action planning but it is also very valuable to step back once in awhile to look at the strategic direction of an organization. He said the City of Prescott Council does a retreat once a year to see if they need to reprioritize things. He said he thinks it would be valuable for this organization to do the same thing and possibly bringing in some of the entities discussed such as the WAC to aid in that discussion because the Coalition has made a lot of progress but there are probably other things they can consider at this time. Member Wilson said it is not just what they have done but what is also possible.

Mr. Muccillo said a retreat was mentioned yesterday at the TAC.

Chairman Fann thinks the Board needs to set aside some time for direction and they just need to decide how they want to go about it.

Mr. Muccillo said if the TAC offers some ideas then it is brought before the Board and then the Board sends it back to the TAC, which adds an extra step. He said he personally would like to see the Board involved in the direction.

Member Wilson said he actually favors the format of working as a team, the inclusiveness and bantering back and forth, to come up with a strategic direction of the organization. He said they may come out of that and say they doing exactly fine but he would be surprised if that happens.

Vice Chairman Flannery said the one problem is they have plenty of ideas and plenty of direction but what they do not have is funding. He said that is something they could sit down to work as a team and look for funding.

Mr. Muccillo said he thinks there is a stigma on the word retreat where it is far away and time intensive. He said they can work to not make it either of those things.

Chairman Fann said if their November session is not terribly full then they could devote an hour, either before the regular meeting or the first hour of the regular meeting, as a joint study session between the TAC members and the Board members. She suggested the City of Prescott put up a couple of tables there in Council Chambers where they can all sit at the table and for about an hour they can go through all the things they have been talking about. She said what she will require is the conversation be maintained strictly between the TAC and consultants and the Board, and then at the end of that hour then they will open it up for some public input.

Member Wilson said they call it a Council Workshop when the City of Prescott uses that format rather than a Public Workshop.

It was decided the November meeting will start at either 1:15 or 2:00 p.m. depending on the content of the agenda.

**ITEM NO 12. Discussion – Next Meeting Time / Location / Agenda Items**

Mr. Muccillo said the next agenda will include an update on water conservation grants; an update on their progress on the water audits on municipal properties; present the final recharge maps and memo; and then what they just talked about.

Chairman Fann said she also wanted to bring up her WaterSmart logo and that somebody needs to start working on a draft policy for the Board to consider.

Vice Chairman Flannery said in going to Ivan Legler they have a policy established for a logo the Board can look at.

Member Wilson said one item he has heard discussed a couple of times is the issue of money so one thing he would like to discuss in the workshop is the possibility of retraining someone as a grant writer.

Mr. Mechanic asked about something that has come up a couple of times and that is having a conservation committee established. He said the Coalition has obviously decided to go ahead with a good conservation program and it has decided to have a consultant to do the work. He said he thinks it would be of benefit to have the Coalition to involve volunteers in some of the auditing that is being talked about. He asked the Board if they think that is something the TAC should discuss and come back with any suggestions.

Member Wilson said the way he understood the description from Mr. Muccillo using the municipal based GIS systems and land maps he does not think they will gain a lot from volunteers at this point in time because all they are doing is the inventory at this point in time.

Mr. Muccillo said he disagrees that there has been a decision made to have the consultant do that. He said he thinks they have decided on a budget for water conservation and they have decided on the main topics but they have not decided about implementation and whether to use a consultant.

Chairman Fann said they should put this on their study session agenda to discuss this further.

**Meeting adjourned 3:33 p.m.**

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KAREN FANN, Chairman

ATTEST:

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LORRI CARLSON, Administrative Assistant



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TAC Meeting – 1:00 p.m.
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### Attendees:

TAC Members: Mark Holmes, Jim Holt, John Munderloh, John Rasmussen

Program Management Team: Ed Muccillo, Rick Shroads

Guests: William Greenslade, Norm Freeman, Howard Mechanic, John Zambrano, Louis Bellesi, Steve Conrad, Joanne Oellers, Shaun Rydell, Tim Crews, Ken Janecek, Charlie Hildebrant, John Olsen, Andrew Durham

### Discussion Notes:

- **Reviewed Previous Board Meeting Minutes.** Revise October 22, 2008 draft minutes to include Jim Holt, City of Prescott, as present at the meeting.
  
- **Safe Yield Workgroup – Agricultural Candidate.** After several months and two press releases the Safe Yield Workgroup still has a vacancy for the Agriculture / Ranching position.
  - The TAC reviewed the purpose and responsibilities of the Safe Yield Workgroup. The Workgroup meets once a month on the second Wednesday of the month, immediately following the TAC meetings. Workgroup members discuss and exchange ideas for the ultimate purpose of making recommendations to the Board as they work towards achieving safe yield in the Prescott AMA. Each member on the safe yield workgroup represents a specific interest group. The group is expected to be active for another two to three years.
  - Two candidates are interested in being part of the Safe Yield Workgroup, Norm Freeman and John Olsen.
  - Norm Freeman is the owner of Freeman Farms. He has an IGFR, is vested in agricultural water use, and has spent a lot of money developing a high efficiency farm.
  - John Olsen has many years of dealing with agriculture and the problems of adequate water supplies, specifically in the area of the Big Chino. He also has experience drilling his own wells in that area. Mr. Olsen's background is in the efficiency of production feed crops, increasing efficiency of water use from about 50% to 75%.



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- It was agreed upon to recommend one as the primary member and the other as the backup with the understanding that both are encouraged to participate in discussions with their respective areas of expertise. Mr. Freeman is specifically interested in balancing agriculture to provide locally grown food, protecting the flow of the Verde River, and to not let the wildlife habitat be diminished while trying to stop the water table from going down.
  - There was discussion about the future of agriculture in the Prescott AMA.
  - **Water Conservation Program – Water Audits.** A brief update will be provided to the Board to update current water audits planning efforts. Discussions, plans, and conclusions thus far include the following:
    - After reviewing the Yavapai County GIS data received by the TAC it was determined to change the approach. Mr. Shroads will be meeting with each of the facilities directors from the member entities and possibly school districts to utilize their expertise in identifying facilities with high water use. Specifically, facility location lists, maps and personal knowledge will be gathered from the facilities directors in order to target properties appropriate for water audits and subsequent reduction of water use.
  - **Final Draft Recharge Memorandum & Mapping.** Bill Greenslade, Southwest Ground-Water, provided a brief summary of the Final Draft Recharge Memorandum & Mapping followed by discussion.
    - Mr. Greenslade explained that the work is divided into two areas: natural recharge areas and artificial recharge areas. He said they have compiled all of the information available and included it in a GIS database that will be part of the report, along with recommendations for the Board.
    - The TAC suggested that the planning agencies should have this information to alert them if potential development is under consideration in the key recharge areas or the Coalition may want to be more proactive and designate certain locations as “watch areas.”
    - Development plans can include controls to minimize evaporation and maximize percolation.
    - Discussion of ordinances included suggestions to regulate permeability; to be general to the jurisdiction rather than specific to one of the delineated areas. Rather than requiring people to retain water in a permeable type basin it was suggested they could direct water toward a channel where it could infiltrate. It was pointed out that approach is a drainage law issue, which is referred to as basin diversion and is looked down upon by the courts.
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- Conservation easements are an area where private property can intersect with public recharge efforts.
  - TAC members suggested that recommendation included the incorporation of storm water / drainage master plans as in Chino Valley and other communities.
  - Concern was expressed about the potential to mislead efforts with regard to areas inside and outside of the lined designations. It was suggested that the mapping be more generalized to indicate the watch areas for planning agencies to consider without delineating specific areas as recharge areas and the implication that outside of the delineation are non-recharge areas. Several specific suggestions were made including using the black arrows on the map to indicate concepts or ideas rather than circle designations; including explanations interpreting the circles; use of a three colored map with one color representing high probability of natural recharge, a second color representing medium probability of natural recharge, and a third representing low probability of natural recharge.
  - It was suggested to label some of the washes on the maps. It was also suggested to identify what is new and unique about this mapping.
  - More information is still need such as the potential sources for artificial recharge.
  - **Coalition Workshop Preparation & Future Coalition Efforts.** The TAC discussed the preparation and format for the Coalition Workshop Meeting scheduled for November 26, 2008. Mr. Muccillo explained that the Board, TAC members and Program Managers will all be at the same table in Council Chambers at Prescott City Hall and public input will be at the end. The Workshop discussion will include the overall purpose and goals of the Coalition. The following categories were suggested for discussion at the Workshop:
    - Recharge – What is the overall role of the Coalition regarding recharge? The member entities all currently have recharge programs. Will the Coalition have adequate funding and/or grant money to do enough physical recharge to have a significant impact on safe yield? The Coalition could be the technology leaders in a pilot or demonstration project, for example utilizing Civiltec’s evapotranspiration interception idea to establish the effectiveness of technology and subsequently to be adopted by local ordinances.
      - The Coalition may be the catalyst for recharge efforts without doing the actual physical recharge projects and it may facilitate partnerships.
      - The Coalition may develop model ordinances.
      - The Coalition can move forward with the report from Southwest Groundwater.
      - Through regionalization, the Coalition can pursue grants for recharge efforts.
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- Conservation
  - Monitoring
  - Watershed Management
  - Other
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- **Next Meeting Time / Location / Agenda Items.**
    - The Board Workshop Meeting is scheduled for 1:30 p.m. and the Regular Board Meeting at 3:00 p.m. at Prescott City Hall in Council Chambers, 201 South Cortez Street.
    - The Board Workshop Agenda Items include:
      - Recap by Program Manager
      - Discussion of Coalition Project Concepts
    - The Regular Board Meeting Agenda Items include:
      - Final Recharge Mapping Report



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### Safe Yield Workgroup Meeting – 2:30 p.m.

#### Attendees:

Workgroup Members: Mark Holmes, John Munderloh, John Rasmussen, Steve Conrad, Dirk Stringham, Jabe Wills, Howard Mechanic, Joanne Oellers, Charlie Hildebrant,

Program Management Team: Ed Muccillo, Rick Shroads

Guests: John Zambrano, Louis Bellesi, Doug McMillan, John Olsen, Ken Janecek

#### Discussion Notes:

- **Division – Division of Natural Recharge.** The Safe Yield Workgroup heard a brief presentation by Howard Mechanic regarding the potential division of natural recharge as it relates to the Prescott Active Management Area (AMA) water budget. Mr. Mechanic presented both sides of the issue in a Power Point presentation.
  - Current groundwater pumping totals 22,657 with an approximate recharge of somewhere in the 8,000 range.
  - Responsibility by jurisdiction allows for differing approaches to reach their respective safe yield goals.
  - Prescott has made some progress moving toward achievable safe yield and can be used as an example of a local jurisdiction working towards a regional goal.
  - Need to consider who would be shareholders of the natural recharge: municipal pumpers, private water companies, present exempt wells, future exempt wells, and agriculture.
  - Reasons for not dividing include greater potential for help from the state with a regional approach from a unified agency as opposed to individual entities; avoiding dealing explicitly with the exempt well issue; state action may be needed to get private water companies to limit their pumping.
  - Division of safe yield groundwater needs to be decided ahead of some of the other things to be done by the Coalition.

The discussion that followed included these comments and ideas:

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- It is appropriate for each community to have a safe yield goal for planning rather than the Coalition having enough authority to limit a community to that number.
  - A safe yield plan needs to have some level of enforcement to prevent one entity from using everything a neighboring entity saves and spent millions of dollars to achieve that savings.
  - Until importation projects are completed safe yield cannot be achieved.
  - Support for an advisory planning number rather than a regulatory number.
  - Enforcement is not appropriate until the issues of exempt well owners and an over allocation of water rights from the state.
  - To limit pumping those with water rights will need to be paid for their water rights or restrictions with enforcements through agreement by the entities.
  - With or without exempt wells they can still move forward in achieving safe yield
  - Division can happen regardless of enforcement.
  - An alternate recommendation is the whole AMA district governance approach.
  - A regional approach lacks the impetus for conservation as compared to the local entity approach with the water fee structure that corresponds to water use.
  - It was suggested to look at other areas that have experience with regional recharge efforts in similar circumstances such as Washington State and the San Antonio Edwards Aquifer.
  - It was suggested that the Safe Yield Workgroup needs to act on the following:
    - Define the scale of the problem
    - Identify the natural recharge amount for a starting point
    - Contact Herb Guenther with ADWR for report early in 2009
    - Discuss accounting for natural outflows and how that relates to protecting the Upper Verde River
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- **Next Meeting Time / Location / Agenda Items.** The next regularly scheduled Safe Yield Workgroup Meeting is on December 10, 2008, at 2:30 p.m. at the Yavapai Count Administrative Services
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Building, Gladys Garner Room, 1015 Fair Street, Prescott, Arizona. Agenda items proposed for the next Safe Yield Workgroup Meeting include:

- Examples of other successes
- Define the scale of the problem