



COUNCIL SUBCOMMITTEE ON WATER ISSUES MEETING

REGULAR SUBCOMMITTEE MEETING MINUTES

TUESDAY, APRIL 5, 2022, 9:30 a.m.

201 S Cortez Street

Prescott, AZ 86303

Council Chambers

Cathey Rusing, Mayor Pro Tem - Chairperson

Brandon Montoya, Councilman – Member Steve Sischka, Councilman - Member

MINUTES OF THE REGULAR SUBCOMMITTEE MEETING OF THE PRESCOTT COUNCIL SUBCOMMITTEE ON WATER ISSUES HELD ON APRIL 5, 2022 IN THE 201 S CORTEZ STREET PRESCOTT, AZ 86303 COUNCIL CHAMBERS.

1. CALL TO ORDER

Chairperson Rusing called the meeting to order at 9:30 a.m.

2. ROLL CALL

Cathey Rusing	Chairperson
Brandon Montoya	Member
Steve Sischka	Member - Excused

3. PUBLIC COMMENT

Public comment will be accepted following each agenda item and are limited to three (3) minutes. Please complete a comment card and return it to the City Clerk, speakers will be called in the order received.

4. DISCUSSION & ACTION ITEMS

A. Approval of the March 1, 2022, Subcommittee on Water Issues Meeting Minutes

MOTION BY MEMBER MONTOYA TO APPROVE THE FEBRUARY 1, 2022 MEETING MINUTES; SECONDED BY CHAIRPERSON RUSING: PASSED [2 – 0].

- B. Water Service Application No. WSA21-024, Submitted by Cactus Mobile Ranch Home Community Association, LLC, Prescott. Location: APN 114-06-104H, Comprising 6.37 Acres, in Township 14 North, Range 02 West, Section 34, SE1/4, NE1/4, SE1/4.

Water Resource Project Manager Kay Sydow provided a presentation to the Subcommittee regarding WSA21-024. The mobile home park, located at 202 N. Cactus Dr., was constructed in 1968 and has one single family residence (SFR) for the manager that was constructed in 1943. The mobile home park has been on city sewer since December 1, 2017. The annexation request was brought to Planning and Zoning Commission on February 24, 2022 and passed unanimously. The mobile home park has a water demand analysis of 6.36 acre-feet (AF) per year.

Member Montoya asked for confirmation that the applicant is seeking water through annexation and if they are required to abandon their wells if approved.

Ms. Sydow confirmed, adding that the city will receive approximately 20 AF of water through the annexation.

Member Montoya asked about the zoning capacity.

Ms. Sydow responded that the zoning was changed at the February 24th Planning and Zoning Commission meeting.

Planning Manager George Worley added that the parcel was rezoned to multi-family high density as part of the request.

Member Montoya asked if the applicant would have to resubmit an application for water if they decided to add more housing or change the type of housing.

Mr. Worley stated that he believes that is correct, adding that they would also have to submit a revised site plan and go through the site plan process.

Chairperson Rusing commented that this appears to be an up zoning and asked why it was not zoned multi-family medium density.

Mr. Worley responded that when the city re-zones property it is bound by the general plan and the land development code. Had the property been brought in as it was zoned in the County, it would have been in non-conformance thus violating the land development code and the general plan's guidance. The land development code states that the first compatible use where they are allowed by right is multi-family high density. The limitation on the use of the property is still controlled by the zoning and the site plan review process and this applicant or any future applicant will have to follow the rules, including water allocation, site plan approval and rezoning rules.

Chairperson Rusing asked if the city has mobile home park zoning.

Mr. Worley responded that there is an overlay for mobile homes on individual lots but does not allow parks.

Chairperson Rusing asked for confirmation that, because of the re-zoning, the current owner could sell the property and that the new owner could put in an apartment complex that would require more water. Asked if the city would be legally obliged to provide the water.

Interim City Attorney, Matt Podracky, stated that the property has not been re-zoned yet, it still must go before Council. At that time, the rezoning can be tied to the site plan which will ease the concern about property flipping.

Mr. Worley restated that anyone wanting to put in anything other than a mobile home park would be required to re-submit a site plan, go through the process of a review by the Planning Commission and City Council, and submit a new request for water.

Member Montoya asked for clarification that a new owner would not be assured by right to be approved.

Mr. Worley confirmed.

Mr. Podracky added that the next purchaser would be bound by the site plan that exists.

Chairperson Rusing asked if this request needs a development agreement (DA).

Mr. Podracky responded that it does not as a DA is only necessary when the city is willing to do something for the applicant.

Member Montoya commented that from a water perspective, this represents a net positive for the city.

Mr. Worley added that it also provides an affordable type of housing that Prescott is short of and has a demand for.

Chairperson Rusing commented that she looks at this as a public health issue because the septic, which is uphill from Watson Lake, will drain into the lake. She also noted that water has to be hauled to this park which is also a public safety issue.

Mr. Worley responded that as part of safety and infrastructure requirements, fire hydrants will be installed as well as water infrastructure.

Chairperson Rusing stated that she sees this as a benefit to the city, however she would like the applicant to agree to tying it to a site plan.

Mr. Podracky responded that can happen when Council considers the rezoning on April 26th.

Applicant Murray Sharkey addressed the Subcommittee stating that there is substantial water usage data from the well records, each individually metered unit, and the pumps that take the wastewater back to the city which indicates that the 54-unit park uses approximately 5,400 gallons of water per day. He added that he has been working with city utilities on how to tie into a water line and that this park provides affordable housing for the working class.

Member Montoya asked if there is any indication that the company who owns the park will have reservations about tying into the site plan and asked if there is a water resource management model (WRMM) analysis for the mobile home park.

Mr. Sharky responded not at all.

Ms. Rowitsch responded that there is currently no WRMM data however there will be once it is on city services.

MOTION BY MEMBER MONTOYA TO FORWARD ITEM 4.B. TO COUNCIL FOR APPROVAL; SECONDED BY CHAIRPERSON RUSING: PASSED [2 – 0].

- C. Approval of Annual Payment to the Arizona Department of Water Resources (ADWR) for 2021 Withdrawal and Use Fee of \$9,198.48.

Ms. Sydow provided a presentation to the Subcommittee regarding the annual payment to the ADWR. State statute requires that an annual withdrawal and use report as well as supporting documents such as the recovery well reports, underground storage reports, conservation efforts and water quality lab results be sent to ADWR. These were sent by the city in mid-March and the total fee due is \$9,198.48.

Ms. Sydow provided an overview of the 2021 Annual Water Withdrawal and Use Report:

- Total water pumped was 7,305 AF, includes potable and non-potable supply, metered and non-metered
- Total water used by customers was 6,730 AF, residential use is the primary factor, commercial use is secondary
- Total water re-charged was 4,331 AF; 1,581 AF was surface water, 2,696 AF was effluent, additional permanent recharge (Prop 400) was 53.93 AF
- Total water recovered for use was 2,917 AF; 1,569.38 was surface water, 1,136.23 was reclaimed supplies (effluent)
- Reclaimed supplies not recovered were placed back into long-term storage account no. 70-421123.

Chairperson Rusing commented that 2,161 AF is all the city has for future and committed growth until the Decision and Order (D&O) comes out, adding that the number may be decreased by the D&O.

Ms. Rowitsch responded that the total water pumped is not only based on the groundwater allowance; there are other supplies the city relies on which gives the city over 16,000 AF.

Member Montoya commented that regarding total recovered use, there is a difference of 211 AF and asked if this is due to evaporation.

Ms. Sydow responded that there is no correlation between the total water recharged and the total water recovered for use.

Member Montoya asked if the amount of recharge is increasing annually.

Ms. Sydow responded that it varies with precipitation, adding that in 2020 there was much more precipitation than in 2021.

Member Montoya asked if the 2020 ground water per capita per day (GPCD) for populations numbers are an average. Wants to know how the city is doing relative to other communities as well as learn what practices the cities with a lower GPCD are utilizing.

Ms. Sydow stated that the City of Prescott is doing well at 112 GPCD, is the fourth lowest in comparison to other cities and communities and will reach out to those cities with a lower GPCD.

Chairperson Rusing referred to the groundwater pumping and population served graph and asked if the population includes Chino Valley, the Mountain Club, areas in the county, and apartments.

Ms. Rowitsch replied that the information refers to the population served within the city's water service area.

Chairperson Rusing asked if water usage for apartments is an estimation, and if non-residential use is included.

Ms. Rowitsch responded that staff uses zoning and densities under the Land Development Code to determine that number and population does not include non-residential uses.

Chairperson Rusing asked if there is a tiered water policy for non-residential users.

Ms. Rowitsch replied that there are tiered water rates for commercial uses and are included in the total water consumption.

MOTION BY MEMBER MONTOKA TO APPROVE ITEM 4.C.; SECONDED BY CHAIRPERSON RUSING: PASSED [2 – 0].

D. Infrastructure Topic – Static Water Level Measurements at City Water Production Wells.

Water Resource Project Manager Leslie Graser provided a presentation to the Subcommittee regarding water levels at city production wells and explained that a static water level is achieved once a well's pump has been halted for eight hours or more.

Chairperson Rusing asked how the measurements are taken.

Ms. Graser responded that the city predominantly uses a tape down to measure.

Chino Well Field:

- There are five (5) production wells in this portion of the subbasin
- Well depths range from 535' to 690'
- Pumping capacity ranges from 850 to 3,100 gallons per minute (GPM)
- Static water levels in 2020 range from 170' to 250' below land surface

Airport Well Field:

- There are three (3) production wells in this portion of the subbasin
- Well depths range from 895' to 950'
- Pumping capacity ranges from 640 to 1,600 GPM
- Static water levels in 2020 range from 430' to 480' below land surface

Chairperson Rusing asked if the Chino Valley wells are shallower than the Airport wells.

Ms. Graser responded that it is based on the geology of the area.

Member Montoya asked about Airport Well #6 in terms of supply.

Ms. Graser replied that it will be comparable to #5, but she will get more information.

Chairperson Rusing asked if the water treatment plant discharges Class "A" treated water into the wash to percolate.

Ms. Graser responded that nothing gets recharged into the wash and will show the pathways and how recharge works at another time.

Ms. Graser continued with a review of the ADWR Statewide Groundwater Level Changes in Arizona, focusing on the Little Chino and Agua Fria subbasins. ADWR will be conducting a basin sweep, measuring every well they can and requesting that the wells are taken offline so that they can take a static level water measurement.

Chairperson Rusing asked for confirmation that Prescott Valley pumps from the Little Chino and recharges into the Agua Fria.

Ms. Graser confirmed.

This item was for discussion only, no formal action was taken.

E. Discussion Regarding the Second Draft of the 2022 Water Management Policy.

Ms. Rowitsch provided a review of the second draft of the 2022 Water Management Policy, focusing on the high points and what to expect to see at the Council Voting meeting on April 26th.

Draft 2 – Water Management Policy

- Site Plan or Plat shall accompany all new water requests over 1 AF that are not in an existing contract
- Administrative approvals required for:
 - multi-family residential (MFR) with up to 8 dwelling units
 - single family residential (SFR) with up to 4 dwelling units that have not triggered a subdivision requirement
 - any commercial project that is less than 1 AF/year
- Water use estimates will be updated annually in January for SFR, MFR and Landscape
- Using WRMM for new development water use estimates, then demand analysis
- Redevelopment tracked administratively if uses less water
- Existing contracts tracked administratively, reviewed bi-annually (January and July)
- New development must connect to sewer and return 75% of water sold as wastewater
- Water budgets set bi-annually (December and June) for commercial and residential
- Requests cannot exceed 50% of budget or file an appeal
- Existing contracts cannot increase existing lots or the volume of water

Member Montoya asked if the appeals process has been determined and how it would work.

Ms. Rowitsch responded that staff would require a written request which will be evaluated. Staff would discuss the budget period with the applicant and determine if the applicant prefers to wait until the next budget period or seek an appeal.

Chairperson Rusing asked about policies twelve and thirteen, wondering why the 25 AF/year for residential were not included.

Ms. Rowitsch responded that after the policy is adopted, there will be a second motion to set the water budget amounts for the current six-month period. Staff is tracking all water requests that have come in since January and will report how much water has been allocated at the April 26th Voting Meeting.

Member Montoya asked if 25 AF is a reasonable mark for residential and commercial use based on what has been tracked.

Ms. Rowitsch confirmed adding that Pre-Application conferences will assist in setting budgets for future fiscal years.

Chairperson Rusing asked if the 25 AF/year could be included in the policy.

Ms. Rowitsch replied that it can be placed in the staff memo, however the policy would have to be amended if placed in it.

Member Montoya asked about the order of operations in Policy 11 and wonders if the informative part should come before the allocation or adjustment part of the budget, it seems out of sequence.

Ms. Rowitsch stated that would be difficult given staff will not know how much water is given until the end of the period, but staff will review his question.

Draft 2 – Water Management Policy - continued

- Contracts outside city limits must contain performance criteria and are limited to city code 2-1-8 with two exceptions
 - Federal, state, county, local government, schools, and fire districts
 - SFR that abuts to a water main, connects to sewer, and if there a well it is abandoned back to the city

Member Montoya asked if the SFR can connect to sewer if it abuts a water main and has a well to abandon but are not connected to sewer, and if this exception would satisfy most requests for water outside of the city limits.

Ms. Rowitsch replied that to fall under the exception they would have to connect to sewer and based on the requests received from the permit center she believes the exception would satisfy most requests for water outside of the city limits.

Chairperson Rusing added that it might help get fire hydrants to the underserved areas for public safety.

- New development shall use water sense fixtures and low water plants
- Existing wells shall be abandoned in order to receive water service
- The city may accept extinguishment credits if they are needed to meet water demands

Member Montoya asked staff if the water policy as presented is an improvement to the existing water policy.

Ms. Rowitsch replied that it provides better clarity to the staff and citizens.

Chairperson Rusing commented that the maps provided are hard to read and have some incorrect information. She would like the maps of the water service area to include section 33 and Stringfield Ranch. Would also like to see subdivisions and the airport included on the maps, a larger font, and future annexations removed.

Ms. Rowitsch stated that future annexations change quickly and over time, so those maps can be updated annually, adding that it is important to know where future annexations areas might be because most of them lie within the water service area.

Member of the public, Leslie Hoy addressed the Subcommittee stating that she believes that this is a great water policy and asked about Policy 10 which states new non-residential development projects shall return no less than 75% of the water. She wonders why residential is not included and why it states that 75% is sold as wastewater.

Ms. Rowitsch responded that residential was removed because the current building code states that they must use water sense fixtures and low water plants. Staff is confident that new residential construction meets the 75% return of water for potable water use within the dwelling unit and that

the language most clearly indicates that the city is seeking a 75% return of wastewater from the water sold.

Member Montoya asked if there is information in the WRMM that shows commercial users that do not return 75% of the water and asked Community Development Director, Bryn Stotler, if she feels the building code addresses the issue.

Ms. Rowitsch responded she does not have that information.

Ms. Stotler confirmed that the building code addresses residential.

Ms. Rowitsch commented that the changes to City Code 2-1-8 and the second draft of the water policy are on the city website and that comments can be submitted through April 12th on both documents. The tentative plan is to take the policy to Council for adoption on April 26th.

This item was for discussion only, no formal action was taken.

5. General Announcements from Staff

Ms. Sydow addressed the Subcommittee with the following general announcements:

- April is water awareness month
- There is a rainwater harvesting exhibit at the library for the entire month of April
- Granite Creek cleanup, hosted by Prescott Creeks, is scheduled for April 23rd
- Earth Day, sponsored by Greater Prescott Outdoors is scheduled for April 23rd
- Highland Centers Spring Grow native online plant sale begins April 5th through May 5th
- Highland Centers is also having a water awareness festival on April 30th from 9 a.m. to 12 p.m.
- The Yavapai County Contractors Association will have its Home and Garden Show on April 29th, 30th and May 1st
- Water Smart decals have been placed on all water and wastewater operations trucks and there is a contest on Facebook for those who spot them
- AZDWR's website new.azwater.gov is where you can find activities including classes to participate in

Ms. Rowitsch introduced the new Public Works Director, Ashley Couch.

6. ADJOURNMENT

There being no further business to discuss, Chairperson Rusing adjourned the meeting at 11:22 a.m.


Cathey Rusing, Chairperson

ATTEST:



Jennifer Wiita, Deputy City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Subcommittee Meeting of the Council Subcommittee on Water Issues of the City of Prescott, Arizona held on April 5, 2022. I further certify the meeting was duly called and held and that a quorum was present.

Dated this 7th day of June, 2022.

AFFIX
CITY
SEAL





Jennifer Wiita, Deputy City Clerk