



City of Prescott

City Council - Study Session

February 13, 2024 | 1:00 PM
201 N Montezuma Street
City Council Chambers, 3rd Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

Mayor Goode called the meeting to order at 1:00 p.m.

2. ROLL CALL

Phil Goode - Mayor
Connie Cantelme - Mayor Pro Tem
Lois Fruhwirth - Councilwoman
Ted Gambogi - Councilman
Brandon Montoya - Councilman
Eric Moore - Councilman (Excused)
Cathey Rusing - Councilmember

3. DISCUSSION

- A. Continued Item - Presentation & Discussion Regarding the 2024 Water Management Policy Proposals.

Water Resource & Environmental Services Manager Brian Ruiz provided a presentation to the Council regarding recommendations from the Mayor's Commission for Water Policy Review & Monitoring related to the proposed 2024 Water Management Policy. The Commission was established in May 2022 to review and monitor the city's updated water policy. Their recommendation is to continue with the 2022 policy as it is more effective than the 2019 policy for managing water supplies. However, there are some items that should be revised, the city should begin the process of developing a long-term water management plan, and the city should develop its procedures for the use of the WRMM.

Updated Strategy: The Bridging Document

- * Utilize the Commission's recommendations within context of the current policy
- * Consider staff recommendations to improve permitting and tracking efforts
- * Study Commission's recommendations outside current policy
- * Incorporate into next Policy & Code update with - D&O modification, General Plan and long-term water management plan

Highlighted Policy Changes:

- * Table of Contents Added
- * General changes to text to update status of water portfolio and regulatory language
- * Update to maps, charts and figures
- * Update to weblinks

- * More in depth discussion of WRMM
- * Updated conservation section
- * Information on Governor's Water Policy Council
- * City Code reference section added
- * Update to definitions
- * Update to water application guidelines 1-22

Water Application Guideline Changes:

- * Reduced from 22 to 19 guidelines/policies
- * Policy #1 - added "Water Service Agreement (WSA) to be reviewed by either the Planning & Zoning Commission (P&Z) or Board of Adjustment (BOA). In the event that the project scope does not require such planning application per Land Development Code (LDC) then the WSA submittal package shall include a basic site plan if exterior improvements are included in the project scope, or basic floor plan to be reviewed by city staff (Attachment 5 WSA Application)"

Councilman Gambogi asked how staff determines if a project needs to go before P&Z or BOA.

Community Development Director Chelsea Walton commented that the determination of the board that reviews the application depends on the scope of the project. For example last year there was a project that was only interior but triggered a site-plan that could be reviewed just by staff. These are all tied to LDC.

Mayor Goode commented that there should be consistent terminology in the Policy to be residential and non-residential.

- * Policy #2 - updated to 1.5 acre feet per year (AFY) threshold for administrative approval from 1 AFY, and adds reference to the Prescott City Code Section 9.1.10
- * Policy #3 - added "The WRMM water use estimates are available when there is sixty-months or more customer data available. Water estimates as projected in the WRMM in AFY shall be adjusted annually after the WRMM is updated in January of each year. The city will provide an annual assessment to Water Issues Subcommittee & City Council within two-months after the WRMM is updated, to evaluate water usage for budgeting purposes. An annual report on water resource activities associated with this policy (e.g. WRMM, D&O and impacts to the water portfolio) will be provided to Council"

Councilwoman Fruhwirth asked when staff would anticipate providing the WRMM data on an annual basis to the Council.

Mr. Ruiz responded that he would anticipate that would be in April or May.

Councilman Montoya asked about demand analysis information that was presented at Water Issues Subcommittee which didn't always align with what the actual estimated usage would be and whether the WRMM data would alleviate that issue.

Mr. Ruiz responded that it would not necessarily solve this issue, the goal is to make the process and estimates much more reasonable and uniform. There isn't anything in the policy that would prohibit the applicant from submitting their own data.

- * Policy #4 - No change

- * Policy #5 - added "any project at the applicant's expense. However, cost benefit analysis will provide the most useful information for large project that exceeds the total water budget for any budget period and for projects with many users/uses or large industrial or commercial use"

- * Policy #6 - added "1-year after the application was submitted if the project described in the application is not considered by the Water Issues Subcommittee. Administrative or Council approved WSA applications will expire 1-year after the approval date if the project is not actively moving through the permitting process...If a project's building permit(s) is voided, withdrawn or expires before start of construction then the water allocation shall expire. The applicant will need to re-apply for water pursuant to the current Water Management Policy and Water Budget"

Mayor Pro Tem Cantelme thanked staff for addressing the language in this policy as it was something that was concerning to some builders.

- * Policy #7 - No changes

- * Policy #8 - added "will not require an application" for projects in redevelopment

Councilwoman Fruhwirth commented that she would be concerned about the removal of administrative review and tracking in Policy 8 if a project would have the potential to use more water than anticipated. She wants to ensure the city is constantly learning and improving.

Mr. Ruiz responded that they will still have to go through normal permitting process but a WSA process would not also be required. Permitting staff would determine if they are going to be using more water and then if so, require a WSA application.

Councilmember Rusing asked if the word "may" could be changed to "shall" or "must".

Staff can update this language.

Mayor Pro Tem Cantelme asked about historic water use in buildings and if that is tied to projects.

Public Works Director Gwen Rowitsch addressed the Council and stated that when new projects come in staff looks at what the water has previously been usage wise not the type of business or use.

- * Policy #9 - no changes

- * Policy #10 - removed "new non-residential development projects shall return no less than 75% of the water sold as wastewater to the city water reclamation

facility."

- * Policy #11 - added "remaining residential and non-residential budgets from the previous six-month period may be rolled into the following six-month budget; however, each must stay in their original classification. A roll-over of budget from the previous six-month period may occur for the four budget periods (2 years) from the time of policy adoption"

Councilwoman Fruhwirth commented that "unallocated" budgets would be better than "remaining" in this Policy.

Councilman Montoya asked what the considerations were in determining why it would cap out after four budget periods. He would hate to see a situation in which there are no applications and everything rolls over into the next period which would then theoretically lead to a very large budget eliminating the need for an appeal process.

Mr. Ruiz stated that if roll-over continued without end it could very likely get out of hand and would defeat the purpose of a water budget in the first place. The suggestion of a hard cap is understandable and Council can approve based on it being worded either way.

Councilwoman Fruhwirth commented that she is fine with this revision, in her opinion if there is a lull it would be beneficial to have as few people as possible go through the appeal process.

- * Policy #12 - no changes

- * Policy #13 - updated to 1.5 AFY from 1 AFY threshold to be consistent with Policy #2

Councilwoman Fruhwirth asked staff to provide what would not have had to come through the Water Issues Subcommittee with the 1 AFY to 1.5 AFY change.

Staff will review this information and provide it to the Council.

- * Policy #14 - added "if City Council grants an appeal, the amount of water granted in the appeal would be included in the annual water assessment to City Council"

- * Policy #15 - beginning here the order of the policies has been changed. This policy remains the same, but has been moved to Policy #17 under "Existing Contracts"; Policy #22 was moved to fifteen

- * Policy #16 - 2022 verbiage was eliminated in the new policy and added "single family residential... **see slides**

Councilmember Rusing asked if several single-family lots were joined together into one large lot would they have to go through the steps.

Mr. Ruiz commented that this guideline is only for one single-family lot, something as she has described would have to go through remapping and a variety of other steps including water.

- * Policy #17 - now original Policy #15 with no changes; former Policy #17 was moved to Policy #18
- * Policy #18 - original Policy plus the information added from 2022 Policy #17
- * Policy #19 - removed entirely
- * Policy #20 - removed entirely
- * Policy #21 - removed entirely

Councilmember Rusing asked if there is any requirement to connect to sewer when a well is abandoned.

Ms. Rowitsch responded that when the policy was adopted the city also adopted a city code that required anyone adjacent to sewer main had to connect before receiving water, but when that is not available to them they are not required to do so.

- * Policy #22 - moved to Policy #15 with no changes

Additional Recommendations:

- * City begin the process of developing a long-term water management plan, Commission requested a date for this recommendation and proposed a plan outline by July 31, 2024
- * City develop procedures for the use of WRMM
- * City investigate the requirements to adequately monitor landscape water use and wastewater return flow in order to determine compliance with 75% return flow requirements within the water policy and code; staff assessed related work items and proposed to report by August 31, 2024

Councilmember Rusing commented that the General Plan process is underway and hopes that the long-term water management plan will be included in that process as well as a general statement about the importance of the City's water policy. She added that there is a balance between low water use plants and over landscaping, she would like to see some improvements there and pointed specifically to the Wendy's on the corner of Fair and Willow Creek.

Mr. Ruiz responded that there will be a water element in the general plan.

Mayor Pro Tem Cantelme asked about whether landscape could be used in other locations of the policy. Is there a credit on low water landscaping.

Ms. Walton responded that there is a designated plan pallet with minimal requirements in the LDC related to buffering, don't look at things from an aesthetic perspective, just look at requirements. There is a final inspection from P&Z where they review things like landscaping and lighting to ensure it is consistent with what was approved.

Mr. Ruiz added that the landscape estimate is based on ADWR recommendations and there is not a credit given for xeriscaping.

Mayor Goode said the utilization of the WRMM is inadequate and asked if there are penalties for overuse in a five-year plan because he feels that is just too long.

Also wants to consider making this Committee permanent.

Member of the public Ralph Hess addressed the Council regarding Policy #6 and asked what constitutes a "start" of construction and how long can a contractor suspend construction before losing the water allocation.

Mr. Ruiz commented that staff can define the "start" of construction and what that trigger is, he will get together with Community Development staff to come up with a definition for that.

Mayor Pro Tem Cantelme stated that perhaps having the word "building construction" in that section could address that issue.

Member of the public Anthony Hamer addressed the Council regarding the strategic nut and long-range water plan in order to get to a 100-year water plan. He did express his concern that water is not discussed in probabilistic approaches when there is so much unknown related to it.

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

4. ADJOURNMENT

There being no further business to discuss, Mayor Goode adjourned the meeting at 2:35 p.m.



PHILIP R. GOODE, Mayor

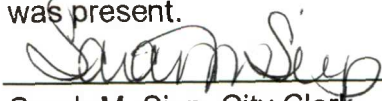
ATTEST:



SARAH M. SIEP, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Voting Meeting of the City Council Voting Meeting of the City of Prescott, Arizona held on February 13, 2024. I further certify the meeting was duly called and held and that a quorum was present.



Sarah M. Siep, City Clerk

