

# AGENDA

**CITY COUNCIL SUBCOMMITTEE FOR WATER ISSUES  
NOTICE OF PUBLIC MEETING  
Tuesday, April 3, 2018  
9:00 a.m.**

**Prescott City Hall  
Lower Level Conference Room  
201 South Cortez St., Prescott, AZ  
(928) 777-1100**

The following Agenda will be considered by the City Council Subcommittee for Water Issues at its meeting on **Tuesday, April 3, 2018, at 9:00 a.m.** in the Lower Level Conference Room, 201 South Cortez Street, Prescott, Arizona. One or more members of the Subcommittee may be attending this meeting through the use of a technological device.

A. Call to Order

B. Roll Call

**SUBCOMMITTEE MEMBERS:**

Chairman Jim Lamerson  
Member Steve Blair  
Member Steve Sischka

C. Approval of Minutes of February 6, 2018

D. 2018 Alternative Water Budget Update

E. Requests for Water Service Agreements

1. WSA 18-001 (Wagner)
2. WSA 18-002 (Garage City, LLC/Willow Lake RV Condos)
3. WSA 18-003 (Aspen Valley Properties, LLC/Las Palomas)
4. WSA 18-004 (Wright)
5. WSA 18-005 (Bullwhacker Associates/Winfield)
6. WSA 18-006 (Stella)

F. Proposed Annexation (Askari Hojat, MD)

G. Proposed Annexation (3<sup>rd</sup> Generation Enterprises, LLC)

H. Calendar Year 2018 Water Policy: correction and proposed minor amendment

I. Long-term Water Management Plan Update

J. Calendar for Water Awareness Month

K. Adjournment

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on \_\_\_\_\_  
at \_\_\_\_\_m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

\_\_\_\_\_  
Maureen Scott, City Clerk

CITY COUNCIL SUBCOMMITTEE  
FOR WATER ISSUES  
REGULAR MEETING  
TUESDAY, FEBRUARY 6, 2018  
PRESCOTT, ARIZONA

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL SUBCOMMITTEE FOR WATER ISSUES HELD ON FEBRUARY 6, 2018, in the LOWER LEVEL CONFERENCE ROOM, located at CITY HALL, 201 SOUTH CORTEZ STREET, Prescott, Arizona.

A. Call to Order.

Councilman Lamerson called the meeting to order at 9:05 a.m.

B. Roll Call.

CITY COUNCIL SUBCOMMITTEE FOR WATER ISSUES MEMBERS:

Present:

Member Jim Lamerson  
Member Steve Blair (arrived 9:10 a.m.)  
Member Steve Sischka

Excused

Staff Present:

Michael Lamar, City Manager  
Clyde Halstead, Assistant City Attorney  
Craig McConnell, Regional Programs Director  
Leslie Graser, Water Resource Manager

C. Selection of Subcommittee Chairman

**COUNCILMAN SISCHKA NOMINATED COUNCILMAN LAMERSON AS CHAIR OF THE SUBCOMMITTEE. SECONDED BY COUNCILMAN LAMERSON; PASSED (2-0). (COUNCILMAN BLAIR NOT PRESENT FOR THE VOTE)**

D. Subcommittee Meeting Schedule

**COUNCILMAN SISCHKA MOVED TO HAVE THE CITY COUNCIL SUBCOMMITTEE FOR WATER ISSUES MEET ON THE FIRST TUESDAY OF EACH MONTH IN CALENDAR YEAR 2018. SECONDED BY COUNCILMAN LAMERSON; PASSED (2-0) (COUNCILMAN BLAIR NOT PRESENT FOR THE VOTE)**

- E. Notes from former Ad Hoc Council Water Issues Committee Meeting of December 5, 2017 (for information only)
- F. 2018 Alternative Water Portfolio Budget Update

Leslie Graser reviewed the 2018 Water Allocation Policy Budget. The single-family category was budgeted at 20 AF and 20 AF remained. The multi-family category was budgeted at 10 AF and due to actions in December 2017, 8.3 AF remained. The Subcommittee considered two projects: Cortez Circle, LLC for a possible recommendation; and Ausherman for informational purposes.

Councilman Sischka noted that if Cortez Circle Apartments was recommended, the balance of multi-family water available for the rest of the year would be small. Leslie Graser noted the substantial volume of water already in contract for both multi-family and single-family projects, which is why the 2018 Water Allocation Policy budgeted lower amounts for these categories.

Councilman Sischka asked how many projects have water service agreements that may expire. Leslie Graser noted that the Policy allows for one-time, one-year extensions and applicants had been pursuing this action. Craig McConnell noted the information was available in a table provided to Council in late 2017, and it could be updated and provided to the Subcommittee.

**WATER ISSUES SUBCOMMITTEE REQUESTED A LIST OF PROJECTS FOR WHICH PERFORMANCE CRITERIA MAY CAUSE AN EXISTING CONTRACTS TO EXPIRE. COUNCILMAN BLAIR REQUESTED THAT APPLICANTS BE CONTACTED TO INFORM THEM OF THE POTENTIAL EXPIRATIONS.**

- G. Requests for Water Service Agreements

Item G.1 was for Cortez Circle Apartments, a thirty (30) unit apartment complex. This project had a previous WSA that expired. The Calendar Year 2018 Policy encourage projects of three (3) units multi-family units or less. An allocation of 3.6 AF/year would be required to complete the subject project.

**THE WATER ISSUES SUBCOMMITTEE RECOMMENDED THAT WSA NO. 17-029 BE MOVED TO COUNCIL FOR CONSIDERATION.**

Item G.2 was for Ausherman, a single-family residence previously recognized in the Vacant, Residentially-Zoned Tract Reservation. The item was for informational purposes only, and has been administratively approved.

- H. Annexation Request and Water Allocation for APN 106-26-007A

Don Carter initiated discussion of water service for APN 106-26-007A. The property is outside of City limits, and a previous WSA expired. Prescott City Code 2-1-8 provides that water service outside of City limits will not be provided unless one of three conditions exist (IGA, valid historic contract, or requested water before 2005). Recently, Carter attempted to drill a well and water was not found. Councilman Sischka confirmed with Clyde Halstead that service was requested before 2005, but the contract expired hence the 2005 prior request condition no longer applies. Chairman Lamerson noted that serving water outside the City limits would set a precedent for others.

Mr. Carter has initiated an Annexation application. If the parcel is annexed into the City, it will still be subject to the current water allocation policy, which requires connection to City sewer. The nearest sewer line is about 700 feet away.

The Subcommittee agreed that if the parcel was annexed into the City the property owner would have more options, but due to City Code, water cannot be supplied while the parcel is outside City limits.

J. Adjournment

#### CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the City Council Subcommittee for Water Issues held on the 6th day of February, 2018. I further certify the meeting was duly called and held, and a quorum was present.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Leslie Graser, Water Resource Manager

**CITY COUNCIL SUBCOMMITTEE FOR WATER ISSUES AGENDA MEMO**  
**April 3, 2018**

**DEPARTMENT:** City Manager (Water Resource Management)

**AGENDA ITEM:** Alternative Water Portfolio Update

**Approved By:**

**Date:**

**Water Resource Manager:** Leslie Graser

**Regional Programs Director:** Craig McConnell

### Summary

For Calendar Year 2018 (January 1, 2018, through December 31, 2018), alternative water for new development was made available ("budgeted") by Council in the categories below; the remaining unallocated balances are as indicated:

	<u>Budget</u>	<u>Amount of Budget Remaining</u>
1. Single Family	20 acre-feet	18.75 acre-feet
2. Multi-Family	10 acre-feet	4.4 acre-feet

No single project is eligible for allocation of more than 50% of the applicable preceding quantity (residential or commercial), or of the remaining balance during the calendar year.

The opening balance of alternative water available for 2018 was set by the 2018 Water Management Policy, approved by Council at their December 12, 2017, Voting Meeting.

### Water Service Agreement (WSA) Requests on this Agenda

<u>Application No.</u>	<u>Applicant</u>	<u>Development</u>	<u>Total Project Qty Required</u>	<u>GW<sup>1</sup></u>	<u>Alternative Water</u>	
					<u>Reserved<sup>2</sup></u>	<u>Not Reserved<sup>3</sup></u>
18-001	Wagner	1 SFR	0.25 AF			0.25 AF
18-002	Garage City	COM	1.80 AF	1.80 AF		
18-003	Aspen Valley	26 APTS	3.90 AF		3.90 AF	
18-004	Wright	1 SFR	0.25 AF			0.25 AF
18-005	Bullwhacker	100 APTS	15.0 AF		15.0 AF	
18-006	Stella	1 SFR	0.25 AF			0.25 AF

SFR = single-family residential    MFR = multi-family    APT = apartment units    COM = commercial

<sup>1</sup> GW = eligibility from current & committed groundwater, well abandonment, or extinguished IGFRs

<sup>2</sup> Alternative water reservation applies (e.g., residential tract, CVID)

<sup>3</sup> Requires allocation from the remaining balance of the calendar year alternative water budget

**Recommended Action:** For Subcommittee information.

**CITY COUNCIL SUBCOMMITTEE FOR WATER ISSUES AGENDA MEMO**  
**April 3, 2018**

**DEPARTMENT:** City Manager (Water Resource Management)

**AGENDA ITEM:** Water Service Agreement Application No. WSA18-001 by Lance Wagner for a storage unit facility with one (1) single-family residence at 3000 Centerpointe East Drive (APN 103-01-578A)

<b>Approved By:</b>	<b>Date:</b>
<b>Water Resource Manager:</b> Leslie Graser	
<b>Regional Programs Director:</b> Craig McConnell	

**Summary**

Water Service Agreement Application No.18-001 was filed by Lance Wagner, owner and operator of Price Wise Self Storage, on February 1, 2018. The lot is currently vacant and will be converted into seven (7) storage unit buildings and one (1) single-family caretaker's residence.

The project is located within the City limits, and the property has been replatted to combine Lots 15, 16A, and 16B of the Centerpointe East Commerce Park. Allocation of 0.25 acre-foot of alternative water from the Calendar Year 2018 Alternative Water Budget is necessary to provide service, which would be consistent with the Calendar Year 2018 Water Management Policy.

Per policy, this request may be approved administratively by the City Manager.

**Attachments**

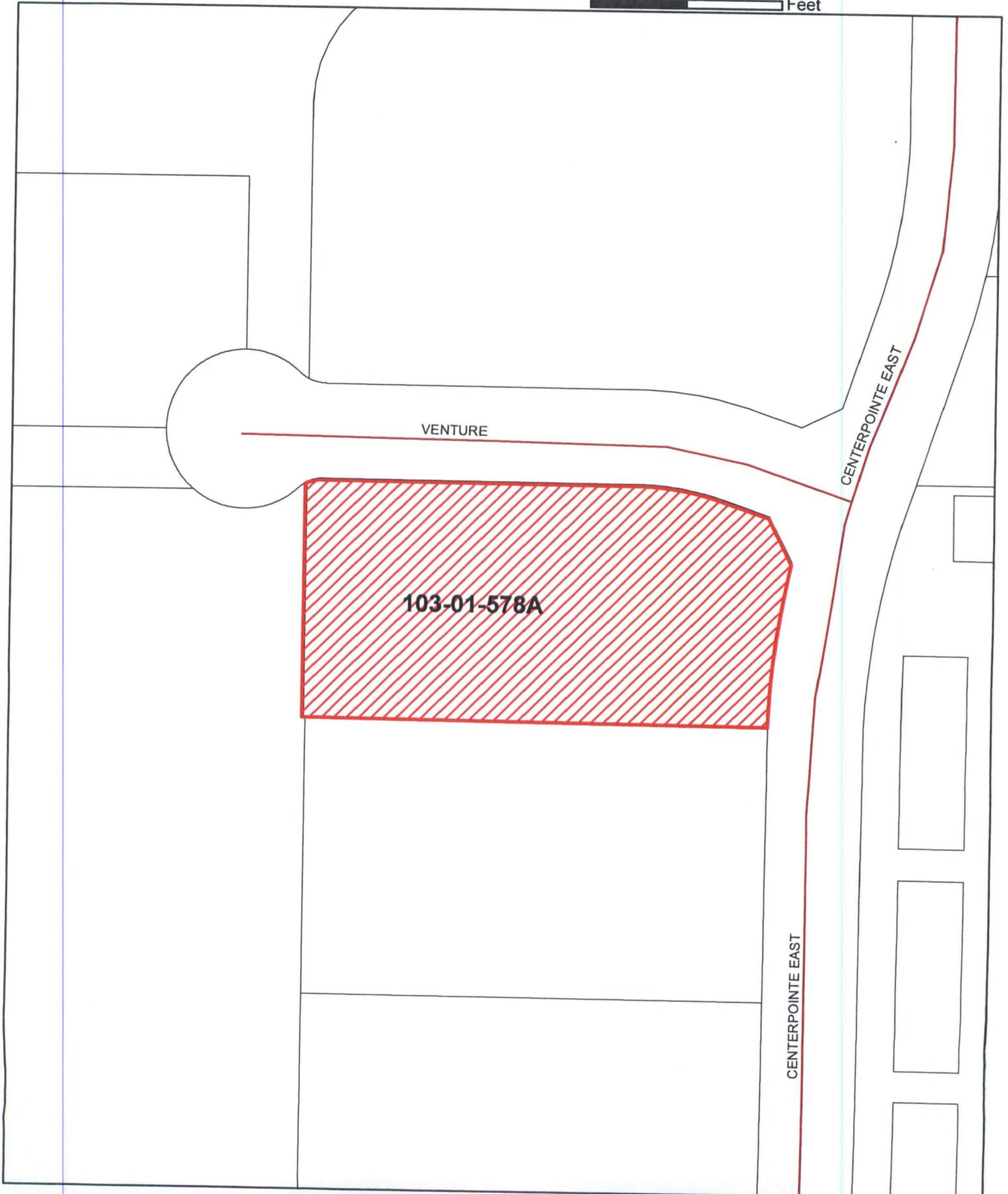
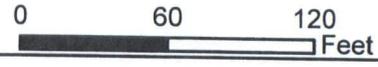
- 1) Location Map
- 2) Water Service Agreement Application No. WSA18-001

**Recommended Action:** For Subcommittee information.

# Exhibit B WSA 18-001



Legal Description





### WATER SERVICE AGREEMENT APPLICATION

Water Resources: Annikki Chamberlain  
 201 S. Cortez St., Prescott, AZ 86303  
 (P) 928.777.1645 (F) 928.777.1255

Please complete the form and submit a legible legal description on a separate sheet of paper as well as a site plan of the subject property with proposed improvements. Submit all documents and the filing fee directly to the Community Development Department at 201 S. Cortez St, Prescott, AZ 86302.

#### APPLICANT INFORMATION

Applicant: **Lance Wagner** Contact Person: \_\_\_\_\_  
 Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_

#### PROPERTY OWNER INFORMATION

Owner: **Lance Wagner** Contact Person: \_\_\_\_\_  
 Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_

#### PROJECT SITE

Address: **3000 Centerpointe Drive**  
 Current Zoning: **Light** Proposed Zoning: **N/A**  
 Assessor's Parcel Number(s) of Existing Property  
**103 01 578A**  
 Existing Water Service (Y/N): **No** Existing Sewer Service (Y/N): **Yes**  
 Existing Well (Y/N): **No** If Yes, Well Registry No.: \_\_\_\_\_

#### PROJECT DESCRIPTION

Is the project Residential or Commercial? **Commercial**  
 Please provide brief description: **Mini storage complex**

# of Proposed Units: **350** # of Proposed Lots: **One**  
 Has a Water Demand Analysis been completed (commercial)? **Yes**  
 Has a building permit application been submitted? **Yes**  
 Has a Planning and Zoning Recommendation been made? **No**

#### FEES: Fees are subject to change.

Single Family Residence	Multi-Family/Apartments	Residential Subdivision	Commercial Subdivision or Individual Commercial Project
<input checked="" type="checkbox"/> \$150 <b>152.40 LG</b>	2-5 units <input type="checkbox"/> \$150 6-10 units <input type="checkbox"/> \$200	6-25 lots <input type="checkbox"/> \$300 26-100 lots <input type="checkbox"/> \$500	<2 acre feet <input type="checkbox"/> \$150 2-4.9 acre feet <input checked="" type="checkbox"/> <del>\$200</del> <b>LG</b>
Existing Connection	11-50 units <input type="checkbox"/> \$300 51-99 units <input type="checkbox"/> \$400	100+ lots <input type="checkbox"/> \$700	5-10 acre feet <input type="checkbox"/> \$250 >10 acre feet <input type="checkbox"/> \$300
<input type="checkbox"/> \$150	100+ units <input type="checkbox"/> \$500		100+ units <input type="checkbox"/> \$500

Applicant Signature: \_\_\_\_\_

Date: **2-1-18**

**CITY COUNCIL SUBCOMMITTEE FOR WATER ISSUES AGENDA MEMO**

**April 3, 2018**

**DEPARTMENT:** City Manager (Water Resource Management)

**AGENDA ITEM:** Water Service Agreement Application No. WSA18-002 by Ruth Mayday representing Garage City, LLC, on APNs 106-16-003D, 106-16-004C and 106-16-012E, for a fifty-nine (59) unit RV storage condominium at 2100 Willow Lake Road

**Approved By:**

**Date:**

**Water Resource Manager:** Leslie Graser

**Regional Programs Director:** Craig McConnell

**Summary**

Water Service Agreement Application No.18-002 was filed by Ruth Mayday, representing the owner of Garage City, LLC, on December 13, 2017. The lot is currently vacant and will be converted into fifty-nine (59) RV storage condominium units; the project plans to offer each RV garage owner an optional water closet (hand sink and toilet) within each unit.

The project is located within the City limits, and a portion of the property was once lots within the Willow Lake Subdivision. The former residential lots, a total of five (5), were in existence in 1999, eligible for "Current and Committed" groundwater as the Willow Lake Subdivision was identified in the City's modification of its Designation of Assured Water Supplies in 2007. As such, a total of 1.8 AF (0.36 AF x 5) of grandfathered groundwater is available for this project. Note that the remainder is not served by the City, but by the Granite Dell Water Company. A 1997 Development Agreement (City Contract No. 1997-183) identified the need for the water service for the 5 lots to be removed from the private water company's service area right. The available ADWR records are under review to determine if this was completed.

A March 6, 2018, Water Report submitted for the project estimated the demand to be 0.06 gals/min per unit, or 5.9 AF per year (0.1 AF/year x 59 RV storage condos). For reference, the City's 2018 Water Management Policy allocates water to multi-family for water efficient, individually metered dwelling units in the amount of 0.12 AF/year. Water Resource Management has determined that a lesser volume will be needed based on if each condo unit is used as described (one hand sink and one toilet). As a commercial subdivision, an Assured Water Supply is required. To meet this requirement, 1.8 AF of grandfathered groundwater are proposed to be allocated to the project. No alternative water will be needed.

An amended development agreement, preliminary plat, and water service agreement for this project has been scheduled for the April 10, 2018, Council Voting Session.

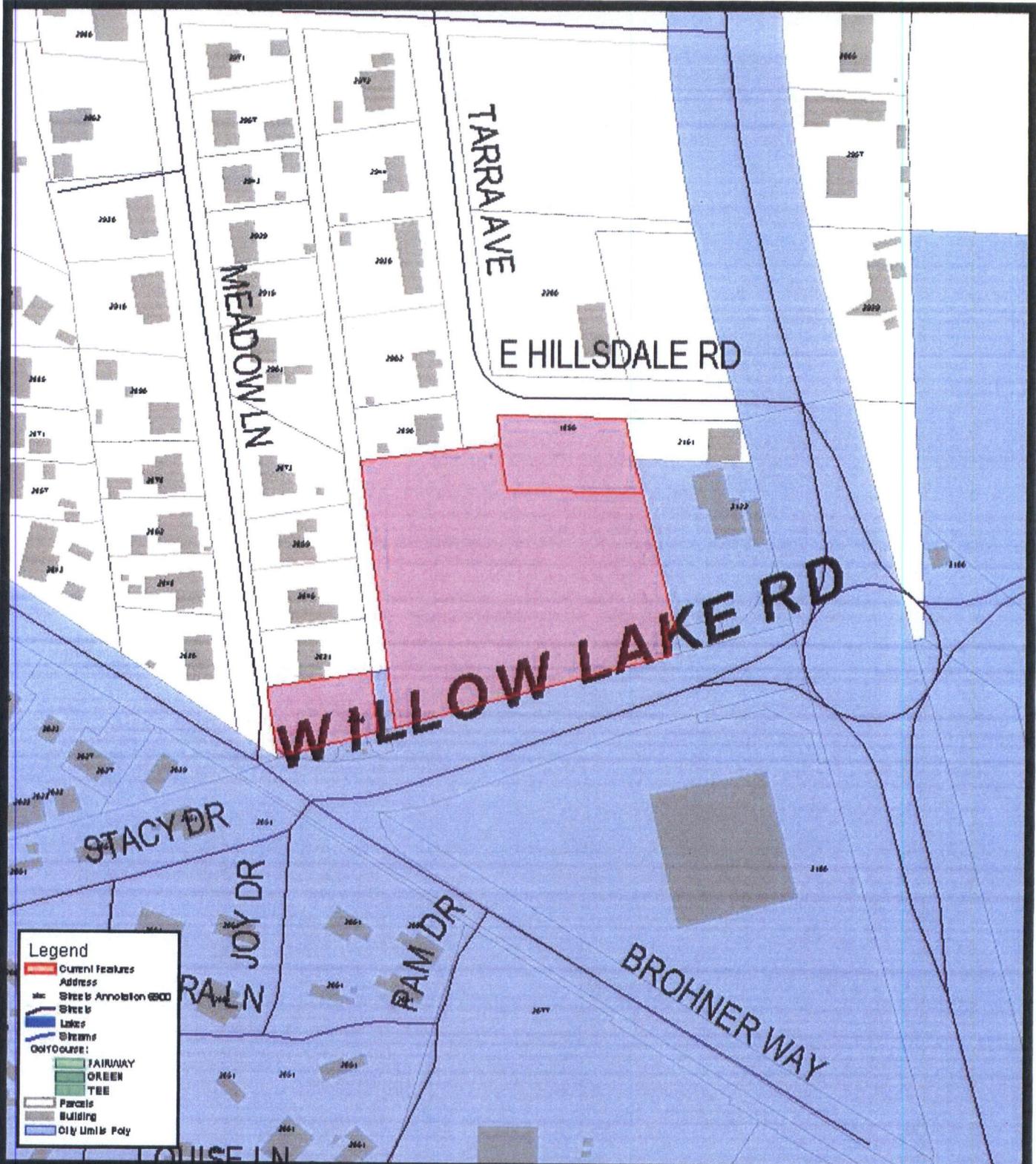
**Attachments**

- 1) Location Map
- 2) Water Service Agreement Application No. WSA18-002

**Agenda Item:** Water Service Agreement Application No. WSA18-002 by Ruth Mayday representing Garage City, LLC, on APNs 106-16-003D, 106-16-004C and 106-16-012E, for a fifty-nine (59) unit RV storage condominium at 2100 Willow Lake Road

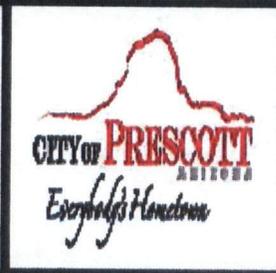
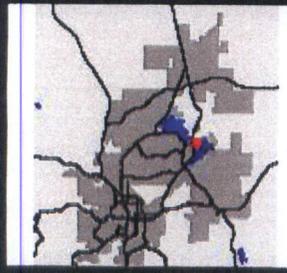
3) Water Service Agreement, City Contract No. 2018-199

**Recommended Action:** For Subcommittee information. It is anticipated the Water Service Agreement will be placed on a future Council Agenda for consideration.



**Legend**

- Current Features
- Address
- Street Annotation (BDD)
- Street
- Lakes
- Streams
- Golf Course:
- FAIRWAY
- GREEN
- TREE
- Parcels
- Building
- City Limits Poly



This map is a product of  
The City of Prescott


Item E.2  
Attach 2

WSA 18 - 00002



**WATER SERVICE AGREEMENT APPLICATION**

Water Resources  
201 S. Cortez St., Prescott, AZ 86303  
(P) 928.777.1645 (F) 928.777.1255

Please complete the form and submit a legible legal description on a separate sheet of paper as well as a site plan of the subject property with proposed improvements. Submit all documents and the filing fee directly to the Community Development Department at 201 S. Cortez St, Prescott, AZ 86302.

**APPLICANT INFORMATION**

Applicant: Mayday Consulting Contact Person: Ruth Mayday  
Address: [Redacted] City/State/Zip: [Redacted]  
Phone: [Redacted] Email: [Redacted]

**PROPERTY OWNER INFORMATION**

Owner: Garage City, LLC Contact Person: \_\_\_\_\_  
Address: [Redacted] City/State/Zip: [Redacted]  
Phone: [Redacted] Email: [Redacted]

**PROJECT SITE**

Address: 2100 Willow Lake Rd.  
Current Zoning: BG - Business General Proposed Zoning: No change proposed  
Assessor's Parcel Number(s) of Existing Property  
106 - 16 - 003D 106 - 16 - 004C 106 - 16 - 012E  
Existing Water Service (Y/N): N Existing Sewer Service (Y/N): No  
Existing Well (Y/N): Yes If Yes, Well Registry No.: \_\_\_\_\_

**PROJECT DESCRIPTION**

Is the project Residential or Commercial? Commercial  
Please provide brief description: 59-unit RV garage condominiums. No dump station or vehicle washing on site.

# of Proposed Units: 59 # of Proposed Lots: 59

Has a Water Demand Analysis been completed (commercial)? No  
Has a building permit application been submitted? No  
Has a Planning and Zoning Recommendation been made? CUP Approved.

**FEES: Fees are subject to change.**

Single Family Residence	Multi-Family/Apartments	Residential Subdivision	Commercial Subdivision or Individual Commercial Project	
<input type="checkbox"/> \$150	2-5 units <input type="checkbox"/> \$150 6-10 units <input type="checkbox"/> \$200	6-25 lots <input type="checkbox"/> \$300 26-100 lots <input type="checkbox"/> \$500	<2 acre feet	<input checked="" type="checkbox"/> \$150
Existing Connection Change of Use	11-50 units <input type="checkbox"/> \$300 51-99 units <input type="checkbox"/> \$400	100+ lots <input type="checkbox"/> \$700	2-4.9 acre feet	<input type="checkbox"/> \$200
	100+ units <input type="checkbox"/> \$500		5-10 acre feet	<input type="checkbox"/> \$250
<input type="checkbox"/> \$150			>10 acre feet	<input type="checkbox"/> \$300
			100+ units	<input type="checkbox"/> \$500

Applicant Signature: [Redacted] Date: Dec. 13, 2017

Item E. 2  
Attachment 3

**AGREEMENT FOR POTABLE WATER  
GARAGE CITY, LLC (WSA 18-002)  
City Contract No. 2018-199**

WHEREAS, Garage City, LLC (hereinafter referred to as "Applicant"), is the owner of certain real property described herein (the "Property") located within the City of Prescott (the "City"); and

WHEREAS, the Property is a portion of a subdivision platted prior to 1998, and hence eligible for water service for five (5) single-family dwelling units totaling 1.80 acre-feet (AF) per year from grandfathered groundwater recognized by the Arizona Department of Water Resources; and

WHEREAS, the Applicant desires to develop a fifty-nine (59) unit RV storage condominium on the Property (the "Project"); and

WHEREAS, the Applicant wishes to secure provision of potable water for the Project from the City; and

WHEREAS, PCC Section 2-1-12(H) requires that an agreement be reached between the City and the Applicant in order to provide potable water; and

WHEREAS the City Council finds that compliance with this Agreement by the Applicant shall result in:

1. The project or development being consistent with and conforming to, furthering the implementation of, and not being contrary to, the adopted Water Management Policy of the City; and
2. The project or development being consistent with and conforming to, furthering the implementation of, and is not contrary to the adopted General Plan; and
3. The project or development being consistent with and conforming to, furthering the implementation of, and is not contrary to any applicable adopted plans, including but not limited to Zoning, Specific Area Plans, Circulation Plans, Capital Improvement Plans, Open Space and Trail Plans, Neighborhood Plans, Local Historic District Plans, growth planning or growth management plans, and redevelopment plans; and
4. The project being in accord with the duly adopted Prescott Water Budget.

NOW, THEREFORE, in consideration of the covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by each party to the other, it is hereby agreed as follows:

1. That this Agreement shall relate to that property identified as Yavapai County Assessor Parcel Nos. 106-16-003D, 106-16-004C, and 106-16-012E, more particularly described by the attached Exhibit "A" and depicted by Exhibit "B".

2. The City will set aside 1.8 acre-feet annually of potable grandfather groundwater to serve the Project, subject to the following:

A. As a condition of water service, the Applicant shall connect the Project to the City's Sanitary Sewer System, and shall be responsible for any and all costs associated therewith.

B. Any change in use of the Property exceeding or other than a total of fifty-nine (59) RV storage condominium units shall result in the termination of this Agreement.

C. The installation of any new well on the Property, or the use of water on the Property from any other exempt well (less than 35 gpm), shall result in the termination of this Agreement.

D. The Property shall not be split.

E. If the services provided in the operation of the facility are expanded or otherwise changed to require an amount of water use in excess of the 1.8 AF allocated, then prior to such expansion or change this agreement must be amended and any such amendment will be contingent upon the availability of additional water from the City.

3. This Agreement shall run with the land, and shall be binding upon the Applicants successors in interest and assigns.

4. Pursuant to A.R.S. Section 38-511, the City of Prescott may cancel this Agreement, without penalty or further obligation, if any person significantly involved in initiating, negotiating, securing, drafting or creating this Agreement on behalf of the City is, at any time while the Agreement or any extension of the Agreement is in effect, an employee or agent of any other party to the Agreement in any capacity or a consultant to any other party of the Agreement with respect to the subject matter of the Agreement. In the event of the foregoing, the City of Prescott further elects to recoup any fee or commission paid or due to any person significantly involved in initiating, negotiating, securing, drafting or creating this Agreement on behalf of the City of Prescott from any other party to the Agreement arising as a result of this Agreement.

5. That the Applicant hereby agrees to indemnify and hold harmless the City, its departments and divisions, its employees and agents, from any and all claims, liabilities, expenses or lawsuits as a result of this Agreement arising from the Applicant, its agents, and/or employees.

6. This Agreement is the result of negotiations by and between the parties. Although it has been drafted by the Prescott City Attorney, it is the result of the negotiations between the parties. Therefore, any ambiguity in this Agreement is not to be construed against either party.

7. Time is of the essence in this Agreement. The failure of either party to require strict performance of any provision of this Agreement shall not be deemed a waiver of the right of said party thereafter to require strict performance of that or any other provision of this Agreement in accordance with the terms hereof, and without notice.

8. The parties hereto expressly covenant and agree that in the event of a dispute arising from this Agreement, each of the parties hereto waives any right to a trial by jury. In the event of litigation, the parties hereby agree to submit to a trial before the Court.

9. The parties hereto expressly covenant and agree that in the event of litigation arising from this Agreement, neither party shall be entitled to an award of attorneys fees, either pursuant to the Agreement, pursuant to ARS Section 12-341.01(A) and (B), or pursuant to any other state or federal statute.

**APPLICANT:**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

By: \_\_\_\_\_  
DAVID EVERSON, GARAGE CITY, LLC

STATE OF ARIZONA                    )  
  )ss.

COUNTY OF YAVAPAI                )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by \_\_\_\_\_, personally known to me or proven to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed it.

\_\_\_\_\_  
[Seal]

\_\_\_\_\_  
Notary Public

**CITY OF PRESCOTT:**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
GREG L. MENGARELLI  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
MAUREEN SCOTT  
City Clerk

\_\_\_\_\_  
JON PALADINI  
City Attorney

STATE OF ARIZONA                    )  
  ) ss.  
COUNTY OF YAVAPAI                )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by Greg L. Mengarelli, Mayor, personally known to me or proven to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed it.

\_\_\_\_\_  
[Seal]

\_\_\_\_\_  
Notary Public

Exhibit A

THE LAND REFERRED TO HERIN BELOW IS SITUATED IN THE COUNTY OF YAVAPAI, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

**Parcel I:**

All that portion of Block "B" and Block "C" of WILLOW LAKE SUBDIVISION, as recorded in Book 5 of Maps, Page 55 and as shown on the record of survey recorded in Book 39 of Land Surveys, Page 11, both on file in the Yavapai County Recorder's Office, Yavapai County, Arizona, located in the West half of Section 13, Township 14 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

COMMENCING at a point on the West line of Lot 7 in said Block "C", which is 90.01 feet North of the Southwest corner of Lot 8 in said Block "C" of WILLOW LAKE SUBDIVISION, said point being the POINT OF BEGINNING;

THENCE North 81° 07 ' 03 " East, a distance of 186.74 feet;

THENCE North 08° 52 ' 55 " West, a distance of 38.16 feet;

THENCE South 89° 41 ' 04 " East, a distance of 175.36 feet;

THENCE South 14° 37 ' 17 " East, a distance of 110.00 feet;

THENCE South 10° 39 ' 39 " East, a distance of 212.67 feet;

THENCE South 74° 01 ' 07 " West, a distance of 380.44 feet;

THENCE North 08° 51 ' 58 " West, a distance of 358.90 feet to the POINT OF BEGINNING;

**Parcel II:**

Lot 12, Block "C" of WILLOW LAKE SUBDIVISION, as recorded in Book 5 of Maps, Page 55 on file in the Yavapai County Recorder's Office.

AND

All that portion of Lot 13, Block "C" of WILLOW LAKE SUBDIVISION, as recorded in Book 5 of Maps, Page 55 on file in the Yavapai County Recorder's Office, South of the following line which begins at a point 5 feet North of the Southwest corner and runs in an Easterly direction to a point 5 feet North of the Southeast corner, according to the official plat map thereof on file in the office of the Yavapai County Recorder, Arizona.

EXPECTING THEREFROM:

A parcel of land in Section 13, Township 14 North, Range 2 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

BEGINNING at the Southwest corner of Lot 12 of WILLOW LAKE SUBDIVISION, as recorded in Book 5 of Maps, Page 55 on file in the Yavapai County Recorder's Office;

THENCE North 74°35'38" East, 11.88 feet along the South line of said Lot 12;

THENCE North 57°10'39" West, 15.72 feet along the new right of way line of Willow Creek Road to a point on the West line of Lot 12 and on the East line of Meadow Lane (50 feet wide) as shown on said plat;

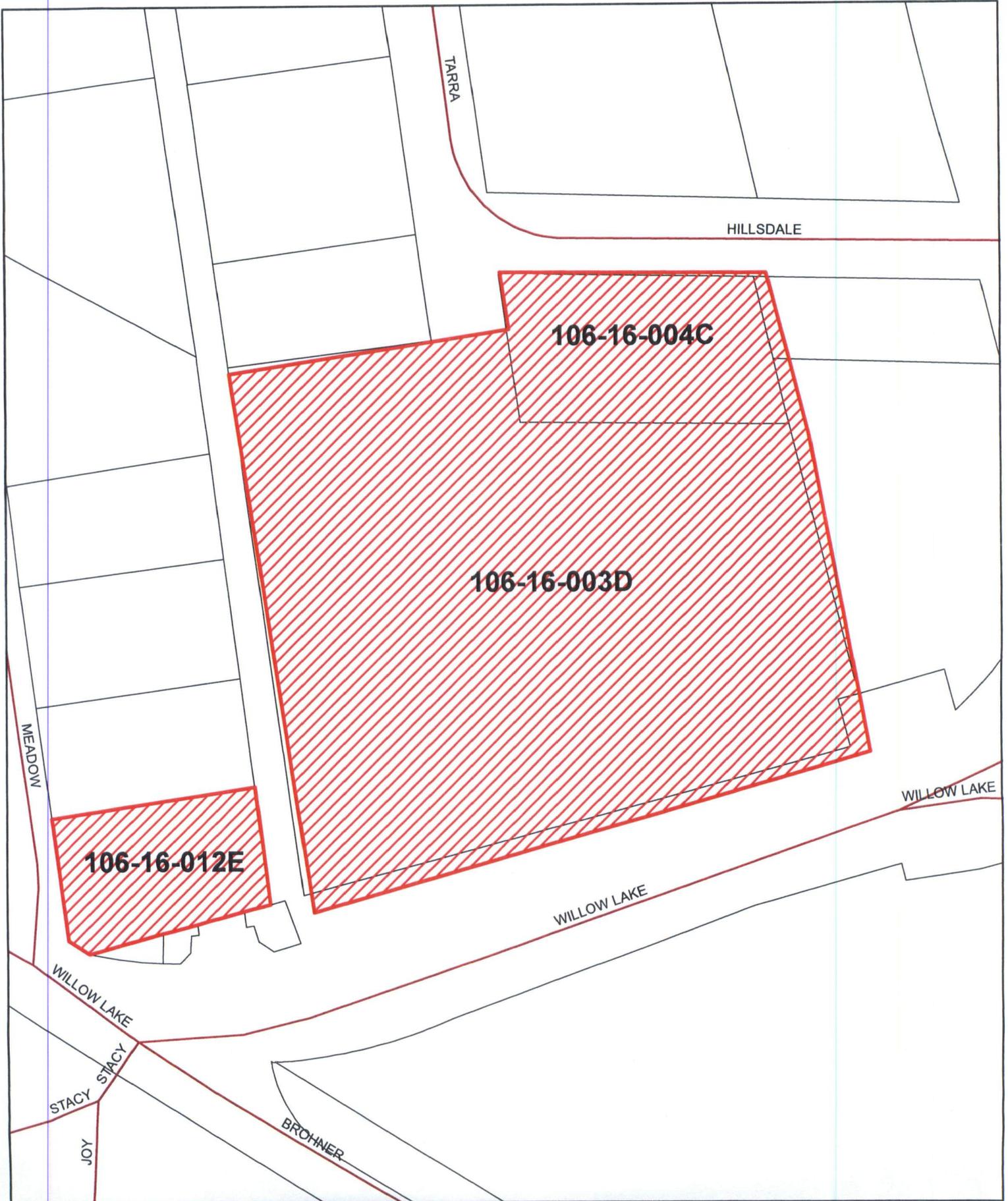
THENCE South 08°31'30" East, 11.81 feet along said West line of Lot 12 and said East line of Meadow Lane to the TRUE POINT OF BEGINNING.

# Exhibit B WSA 18-002



Legal Description

0 80 160 Feet



Item E.3

**CITY COUNCIL SUBCOMMITTEE FOR WATER ISSUES AGENDA MEMO**  
**April 3, 2018**

**DEPARTMENT:** City Manager (Water Resource Management)

**AGENDA ITEM:** Water Service Agreement Application No. WSA18-003 by Las Palomas Properties, LLC, for a twenty-six (26) unit apartment complex located at 1668 Iron Springs Road (APN 115-06-112J)

<b>Approved By:</b>	<b>Date:</b>
<b>Water Resource Manager:</b> Leslie Graser	
<b>Regional Programs Director:</b> Craig McConnell	

**Summary**

Water Service Agreement Application No. WSA18-003 was filed by Marc Vanwormer, manager of Las Palomas Properties, LLC, on February 26, 2018. The applicant is seeking an alternative water allocation for a twenty-six (26) unit apartment complex on land within the City limits included in the reservation for vacant, residentially zoned tracts.

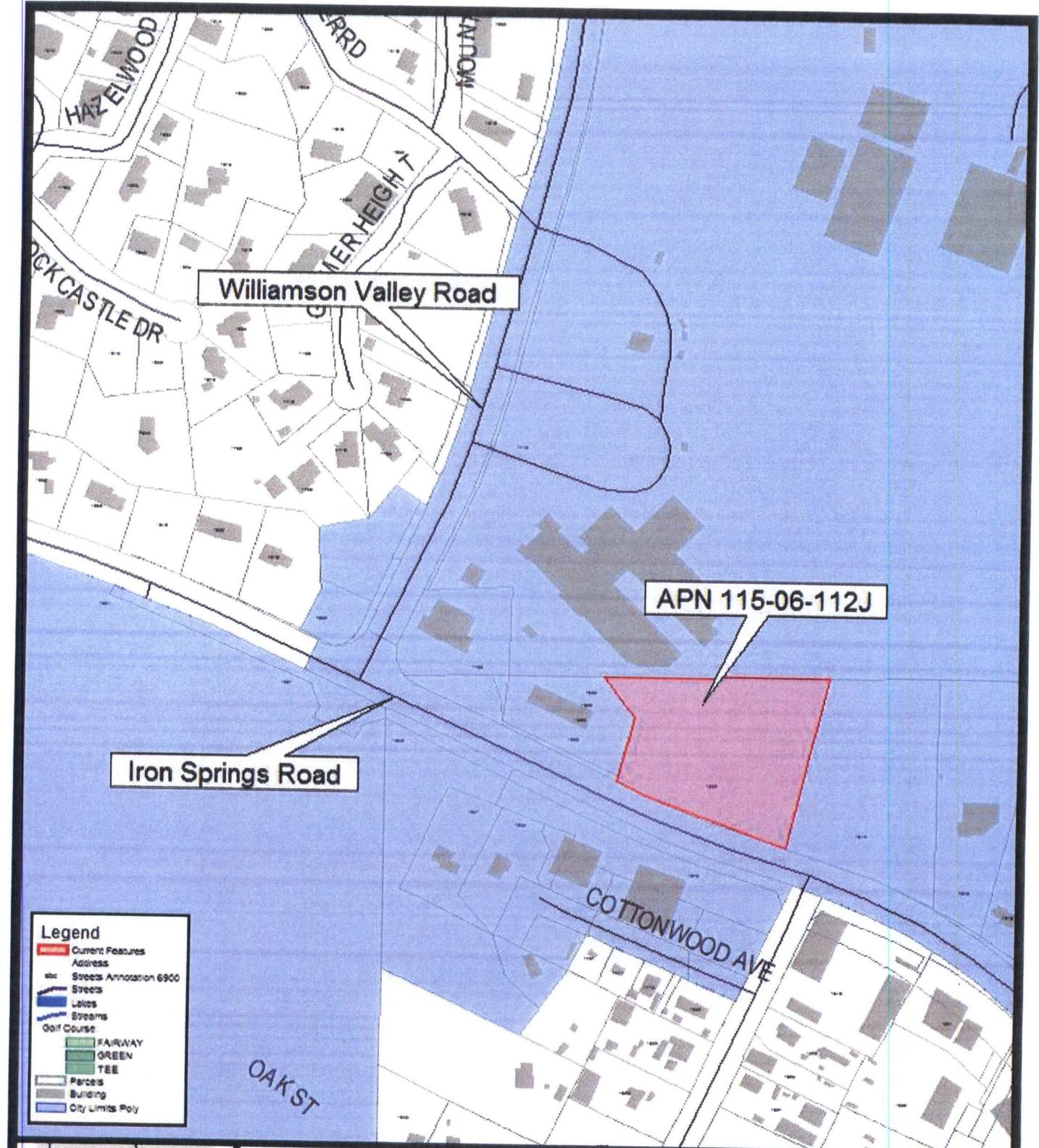
**Background**

Per the Water Management and Calendar Year 2018 Alternative Water Allocation Policy, as amended, the applicant has submitted Site Plan (PLN18-00006) and Water Service Agreement (WSA18-003) applications. According to the Policy, an alternative water allocation of 3.9 acre-feet annually from the reservation for vacant, residentially-zoned tracts is required. The current reservation balance is 282.00 AF.

**Attachments**

- 1) Location Map
- 2) Water Service Agreement Application No. WSA18-003

**Recommended Action:** Move the application to Council for consideration.

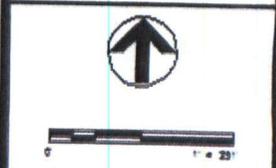


**Legend**

- Current Features
- Address
- Streets Annotation 6900
- Streets
- Lakes
- Streams
- Golf Course
  - FAIRWAY
  - GREEN
  - TEE
- Parcels
- Building
- City Limits Poly



This map is a product of  
The City of Prescott



Item E.3.  
Attachment 2  
Per18-00006

304.80

PA. 2/26/18

CITY OF PRESCOTT ARIZONA

**WATER SERVICE AGREEMENT APPLICATION**

Water Resource Management Division  
201 S. Cortez St., Prescott, AZ 86303  
(P) 928.777.1645 (F) 928.777.1255

WSA18-00003

Please complete the form and submit a legible legal description on a separate sheet of paper as well as a site plan of the subject property with proposed improvements. Submit all documents and the filing fee directly to the Community Development Department at 201 S. Cortez St, Prescott, AZ 86302.

**APPLICANT INFORMATION**

Applicant: LAS PALOMAS PROPERTIES LLC  
Address: [REDACTED]  
Phone: [REDACTED]  
Contact Person: MARC VANWORMER  
City/State/Zip: [REDACTED]  
Email: [REDACTED]

Property Owner: LAS PALOMAS PROPERTIES LLC  
Address: [REDACTED]  
Phone: [REDACTED]  
Contact Person: MARC VANWORMER  
City/State/Zip: [REDACTED]  
Email: [REDACTED]

**PROJECT SITE**

Address: 1668 IRON SPRINGS RD  
Current Zoning: MF-M Proposed Zoning: MF-M  
Assessor's Parcel Number(s) of Existing Property:  
115 \_06 \_112J  
Existing Water Service (Y/N): YES  
Existing Sewer Service (Y/N): YES  
Existing Well (Y/N): NO  
If Yes, Well Registry No.: \_\_\_\_\_

**PROJECT DESCRIPTION**

Is the project Residential or Commercial? MULTI FAMILY  
Please provide brief description: 26 UNIT COMPLEX IN 4 BUILDINGS WITH A BLEND OF 1 AND 2 BEDROOM UNITS

# of Proposed Units: 4 BUILDING W/ 26 UNITS # of Proposed Lots: 1  
Has a Water Demand Analysis been completed (commercial)? NO  
Has a building permit application been submitted? NO  
Has a Planning and Zoning Recommendation been made? YES

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

OFFICE USE ONLY				
DATE: 2/26/18	PERMIT #: WSA18-00003	FEE PAID: [REDACTED]	ACCELA:	Legal Attached:
SITE PLAN: [REDACTED]	BUILDING PERMIT:	PRELIMINARY PLAT:		

PER18-00006

**CITY COUNCIL SUBCOMMITTEE FOR WATER ISSUES AGENDA MEMO**  
**April 3, 2018**

**DEPARTMENT:** City Manager (Water Resource Management)

**AGENDA ITEM:** Water Service Agreement Application No. WSA18-004 by Duane and Kerrie Wright for one (1) new single-family residence on APN 108-11-019C, located at 1024 Middlebrook Road

**Approved By:**

**Date:**

**Water Resource Manager:** Leslie Graser

**Regional Programs Director:** Craig McConnell

**Summary**

Water Service Agreement Application No. 18-004 was filed by Duane and Kerrie Wright, owners of APN 108-11-019C, on March 19, 2018, seeking an alternative water allocation for a single-family residence on land within the City limits.

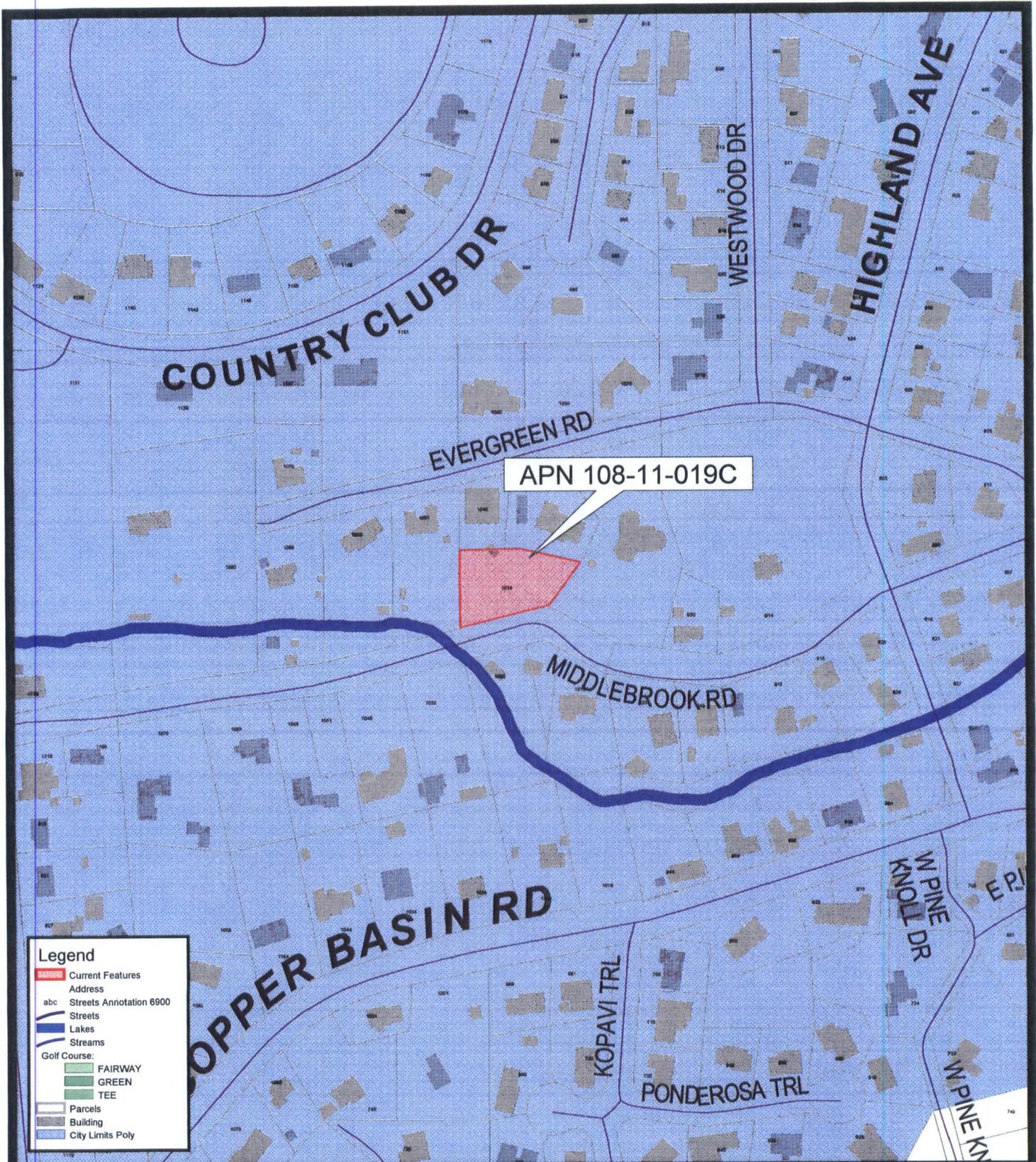
**Background**

Per the City's Calendar Year 2018 Water Management Policy, as amended, the applicant submitted Building Permit (B1801-046) and Water Service Agreement (WSA18-004) applications. According to the 2018 Policy, an alternative water allocation of 0.25 acre-foot is required from the Calendar Year 2018 Alternative Water Budget, and can be administratively approved by the City Manager.

**Attachments**

- 1) Location Map
- 2) Water Service Agreement Application No. WSA18-004

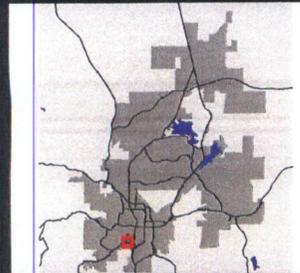
**Recommended Action:** For Subcommittee information.



APN 108-11-019C

**Legend**

- Current Features
- Address
- abc Streets Annotation 6900
- Streets
- Lakes
- Streams
- Golf Course:
  - FAIRWAY
  - GREEN
  - TEE
- Parcels
- Building
- City Limits Poly



This map is a product of  
The City of Prescott

Item E.4  
Attachment 2

WSA 18 - 00004



### WATER SERVICE AGREEMENT APPLICATION

Water Resources  
201 S. Cortez St., Prescott, AZ 86303  
(P) 928.777.1645 (F) 928.777.1255

Please complete the form and submit a legible legal description on a separate sheet of paper as well as a site plan of the subject property with proposed improvements. Submit all documents and the filing fee directly to the Community Development Department at 201 S. Cortez St, Prescott, AZ 86302.

#### APPLICANT INFORMATION

Applicant: Monte Vista Communities Contact Person: Kelly Fennell  
Address: [Redacted] City/State/Zip: [Redacted]  
Phone: [Redacted] Email: [Redacted]

#### PROPERTY OWNER INFORMATION

Owner: Diane Wright Contact Person: Diane Wright  
Address: [Redacted] City/State/Zip: [Redacted]  
Phone: [Redacted] Email: [Redacted]

#### PROJECT SITE

Address: 1024 Middle Brook Prescott AZ 86303  
Current Zoning: Residential Proposed Zoning: \_\_\_\_\_  
Assessor's Parcel Number(s) of Existing Property  
108-11-019C \_\_\_\_\_  
Existing Water Service (Y/N): \_\_\_\_\_ Existing Sewer Service (Y/N): \_\_\_\_\_  
Existing Well (Y/N): \_\_\_\_\_ If Yes, Well Registry No.: \_\_\_\_\_

#### PROJECT DESCRIPTION

Is the project Residential or Commercial? Residential  
Please provide brief description:  
SFR

# of Proposed Units: 1 # of Proposed Lots: 1

Has a Water Demand Analysis been completed (commercial)? \_\_\_\_\_  
Has a building permit application been submitted? YES B1801-046  
Has a Planning and Zoning Recommendation been made? \_\_\_\_\_

#### FEES: Fees are subject to change.

Single Family Residence	Multi-Family/Apartments	Residential Subdivision	Commercial Subdivision or Individual Commercial Project
<input checked="" type="checkbox"/> \$150	2-5 units <input type="checkbox"/> \$150 6-10 units <input type="checkbox"/> \$200	6-25 lots <input type="checkbox"/> \$300 26-100 lots <input type="checkbox"/> \$500	<2 acre feet <input type="checkbox"/> \$150 2-4.9 acre feet <input type="checkbox"/> \$200
Existing Connection	11-50 units <input type="checkbox"/> \$300 51-99 units <input type="checkbox"/> \$400	100+ lots <input type="checkbox"/> \$700	5-10 acre feet <input type="checkbox"/> \$250 >10 acre feet <input type="checkbox"/> \$300
<input type="checkbox"/> \$150	100+ units <input type="checkbox"/> \$500		100+ units <input type="checkbox"/> \$500

Applicant Signature: [Redacted] Date: 3-1-18

No payment attached.

<b>CITY COUNCIL SUBCOMMITTEE FOR WATER ISSUES AGENDA MEMO</b> <b>April 3, 2018</b>
<b>DEPARTMENT:</b> City Manager (Water Resource Management)
<b>AGENDA ITEM:</b> Water Service Agreement Application No. WSA18-005 by Bullwhacker Associates for a one hundred (100) unit apartment complex on APNs 103-47-002, 003, 004, and 005, located on Lee Circle

<b>Approved By:</b>	<b>Date:</b>
<b>Water Resource Manager:</b> Leslie Graser	
<b>Regional Programs Director:</b> Craig McConnell	

**Summary**

Water Service Agreement Application No. 18-005 was submitted by Bullwhacker Associates, owner of APNs 103-47-002, 003, 004, and 005, on March 23, 2018, seeking alternative water presently set aside in the Calendar Year 2018 Water Management Policy, Attachment 4, Reservation 5.

**Background**

Per the Calendar Year 2018 Water Management Policy, as amended, the applicant submitted Building Permit Application No. B1802-081 and Water Service Agreement Application No. WSA18-005. According to the 2018 Policy, an alternative water allocation for the 100 apartment units will be required for the subject project.

A quantity of water was set originally aside in the 2016 water policy, see the excerpt below, "Contractual Obligation", and has been carried forward. The set aside pertains to a 1974 Grant of Easement and Agreement to Furnish Water, and stipulated final judgment in 1998. The 1974 agreement authorized the City to place a water line across a portion of the Bullwhacker Ranch in order to serve the Yavapai Hill Subdivision, in return for water unquantified at that time (only gpm and psi references, not a certain volume). This was before the 1980 Groundwater Management Act and 1998 Assured Water Supply rules went into effect.

The Winfield at the Ranch project is currently under review by various City departments. Depending upon the project design, the total water demand for the residential component will range from 12-15 AF.

**Agenda Item:** Water Service Agreement Application No. WSA18-005 by Bullwhacker Associates for a one hundred (100) unit apartment complex on APNs 103-47-002, 003, 004, and 005, located on Lee Circle

**Category 2: Exhibit A Projects**

Category 2 is intended for projects identified on Resolution No. 4310-1519, Exhibit A. Projects are also subject to the Category 1 requirements.

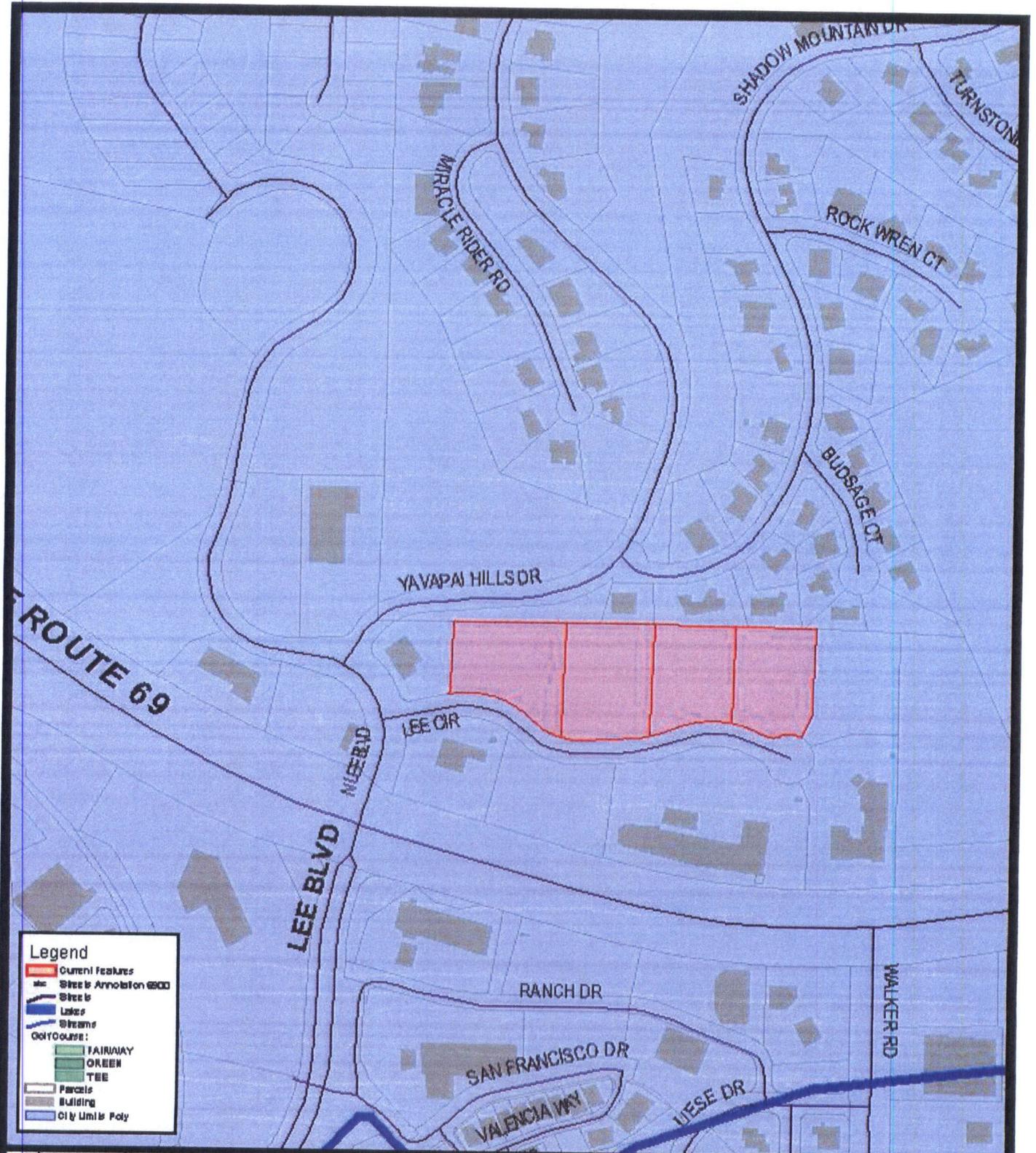
<b>General Pool Balance = 479 acre-feet (AF)</b>	
<b>Set Asides</b>	
<b>Contractual Obligation</b>	100 AF for use on lands identified by Bk 2099 Pg 666 and Bk 869 Pg 751 (Bullwhacker Ranch Inc). The water will be set aside for three (3) years initially, after which the volume remaining will be reviewed.
<b>Institutional Development</b>	55 AF to support ERAU campus. The water will be set aside for a period of five (5) years, after which the volume remaining will be reviewed.
<b>Remaining General Pool = 324 AF</b>	

**Attachments**

- 1) Location Map
- 2) Water Service Agreement Application No. WSA18-005

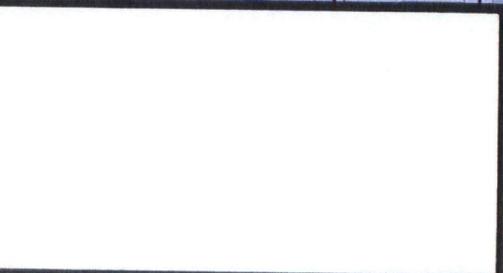
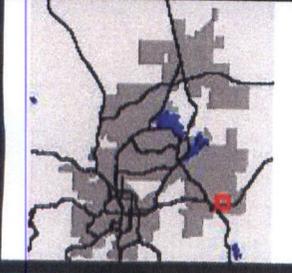
**Recommended Action:** For Subcommittee information. As the project scope is refined it is anticipated a Water Service Agreement will appear on a Council Agenda for consideration.

Item E.5  
Attachment 1



**Legend**

- Current Features
- Sites & Annotations 6900
- Sites 6
- Lakes
- Streams
- City Course:**
  - FAIRWAY
  - GREEN
  - TREE
- Parcels
- Building
- City Limits Poly



This map is a product of  
The City of Prescott

Item E.5.  
Attachment 2



### WATER SERVICE AGREEMENT APPLICATION

Water Resource Management Division  
201 S. Cortez St., Prescott, AZ 86303  
(P) 928.777.1645 (F) 928.777.1255

WSA18-00005

Please complete the form and submit a legible legal description on a separate sheet of paper as well as a site plan of the subject property with proposed improvements. Submit all documents and the filing fee directly to the Community Development Department at 201 S. Cortez St, Prescott, AZ 86302.

#### APPLICANT INFORMATION

Applicant: CW BUILDERS LLC Contact Person: JERE CLARK  
Address: [Redacted] City/State/Zip: [Redacted]  
Phone: [Redacted] Email: [Redacted]

Property Owner: BULLWHACKER ASSOC. LP Contact Person: SCOT LEE  
Address: [Redacted] City/State/Zip: [Redacted]  
Phone: [Redacted] Email: [Redacted]

#### PROJECT SITE

Address: 3470, 3512, 3556 & 3598 Lee Circle Prescott, AZ. 86301  
Current Zoning: BG Proposed Zoning: \_\_\_\_\_

Assessor's Parcel Number(s) of Existing Property:  
103-47-002 103-47-003 103-47-004 103-47-005

Existing Water Service (Y/N): Y Existing Sewer Service (Y/N): Y  
Existing Well (Y/N): N If Yes, Well Registry No.: \_\_\_\_\_

#### PROJECT DESCRIPTION

Is the project Residential or Commercial? \_\_\_\_\_  
Please provide brief description: APARTMENT DEVELOPMENT  
52 TWO BEDROOM 2 BATH  
48 ONE BEDROOM 1 BATH

# of Proposed Units: 100 # of Proposed Lots: ONE

Has a Water Demand Analysis been completed (commercial)? YES  
Has a building permit application been submitted? YES B 1802-081  
Has a Planning and Zoning Recommendation been made? YES

Applicant Signature: [Redacted] Date: 3-21-18

#### OFFICE USE ONLY

DATE:	PERMIT #: WSA18-_____	FEE PAID:	ACCELA:	Legal Attached:
SITE PLAN:	BUILDING PERMIT:	PRELIMINARY PLAT:		

\$508.00



CITY OF PRESCOTT  
OFFICE OF THE CITY ATTORNEY  
CIVIL DIVISION  
221 S. Cortez Street  
Prescott, Arizona 86303

Tele: (928) 777-1274  
Fax: (928) 777-1325

February 19, 2016

Scot Lee  
P.O. Box 471  
Prescott, AZ 86302

Re: Water Service

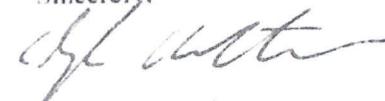
Dear Mr. Lee,

Pursuant to your request, the City of Prescott reviewed the properties you submitted for potential water service. It is our understanding that parcel 103-44-120B is dedicated open space. That parcel will not be reviewed, as it will not require water service.

After reviewing the remaining parcels, the City has determined that parcels 112-02-215D, 112-02-230D, 103-54-054A, 112-02-228D, and 103-44-157 through 103-44-161 were included in the City's 1999 current and committed groundwater and will be provided water upon request based on platting in effect at the time of the ADWR 1999 Decision and Order. Parcels 103-20-570N, 103-49-001E, 103-49-002B, 103-49-006B, 103-47-010A, 103-47-013, 103-47-016, 103-47-002, 103-47-003, 103-47-004, 103-47-005, 103-20-597C, 103-20-598B, and 103-20-611A are part of what were Bullwhacker Ranch lands when the City entered into an agreement for an easement and water service dated May 21, 1974. As a result, when water service is requested for those parcels, they will receive priority in the City's process. Please note that parcels 103-20-597C, 103-20-598B, and 103-20-611A have been reviewed by City Community Development and been determined to be not developable due to lot configuration, limited use for utilities or roads. Finally, parcels 103-20-596K and 103-44-126B were not part of the Bullwhacker Ranch at the time the easement and water service agreement was formed and will not be provided water based on that agreement. However, those parcels are within City limits and will be provided water service in accordance with all City codes and policies.

If you have any questions or would like to discuss this or another matter, please do not hesitate to contact me.

Sincerely,



Clyde Halstead  
Assistant City Attorney

CPH/aw

<b>CITY COUNCIL SUBCOMMITTEE FOR WATER ISSUES AGENDA MEMO</b> <b>April 3, 2018</b>
<b>DEPARTMENT:</b> City Manager (Water Resource Management)
<b>AGENDA ITEM:</b> Water Service Agreement Application No. WSA18-006 by David P. Stella for one (1) new single-family residence on APN 109-07-108F, located at 817 Crest Drive

<b>Approved By:</b>	<b>Date:</b>
<b>Water Resource Manager:</b> Leslie Graser	
<b>Regional Programs Director:</b> Craig McConnell	

**Summary**

Water Service Agreement Application No. 18-006 was filed by David P. Stella, owner of APN 109-07-108F, on March 23, 2018, seeking an alternative water allocation for a single-family residence on land within the City limits.

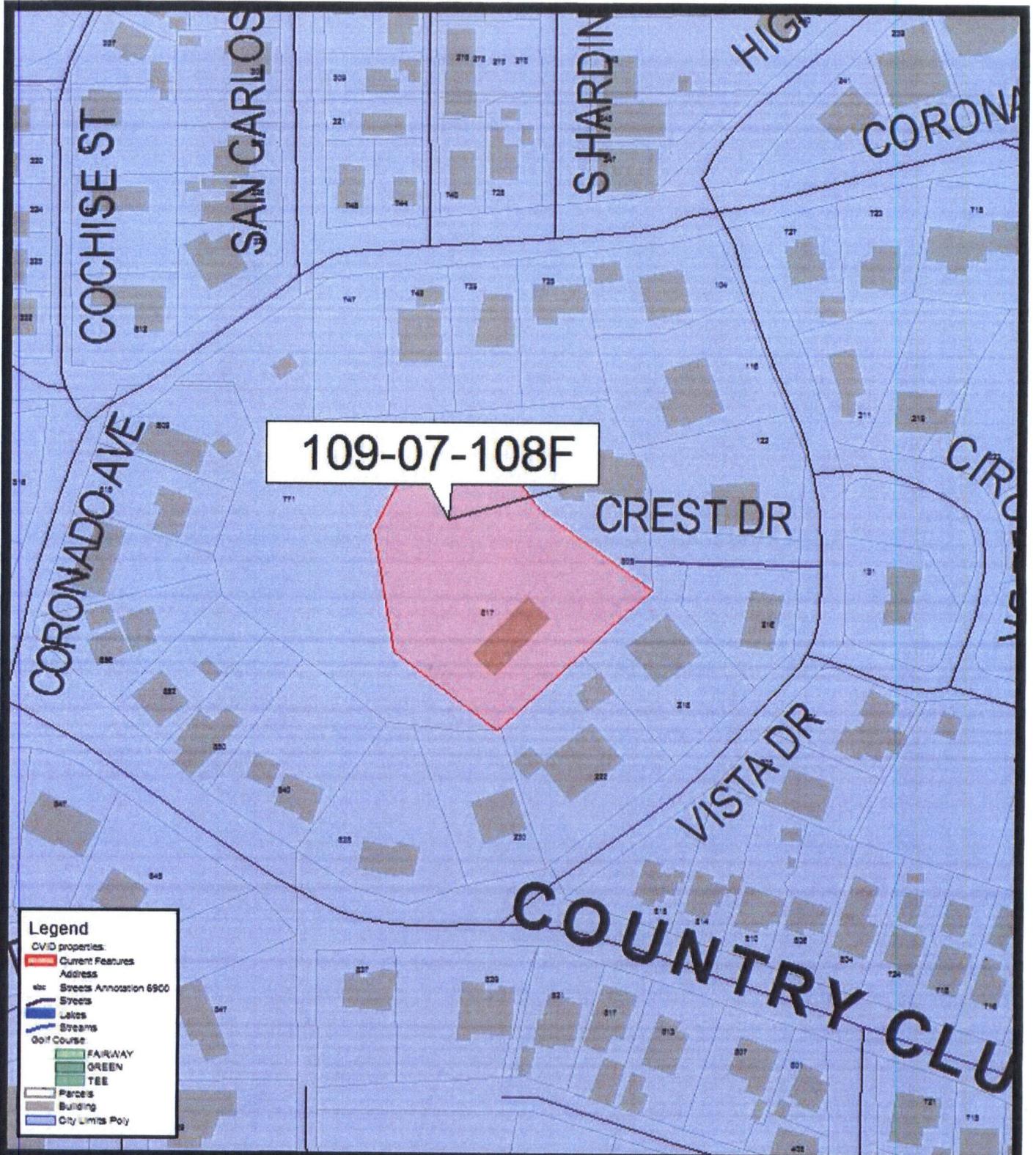
**Background**

Per the Water Management and Calendar Year 2018 Alternative Water Allocation Policy, as amended, the applicant submitted Building Permit (B1712-164) and Water Service Agreement (WSA18-006) applications. According to the 2018 Policy, an alternative water allocation of 0.25 acre-foot is required, and can be administratively approved by the City Manager.

**Attachments**

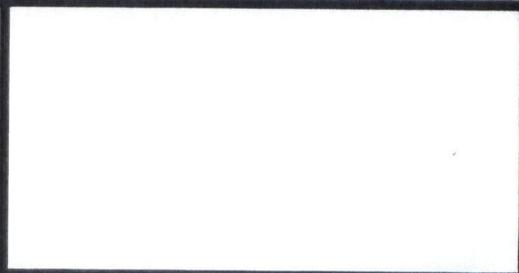
- 1) Location Map
- 2) Water Service Agreement Application No. WSA18-006

<b>Recommended Action:</b> For Subcommittee information.
--



**Legend**

- CV/D properties
- Current Features
- Address
- Streez Annotation 6900
- Streets
- Lakes
- Streams
- Golf Course
  - FAIRWAY
  - GREEN
  - TEE
- Parcels
- Building
- City Limits Poly



This map is a product of  
The City of Prescott

0 100'

Item E.6  
Attachment 2

WSA RECEIVED



**WATER SERVICE AGREEMENT APPLICATION**

Water Resources  
201 S. Cortez St., Prescott, AZ 86303  
(P) 928.777.1645 (F) 928.777.1255

MAR 23 2018

Please complete the form and submit a legible legal description on a separate sheet of paper as well as a site plan of the subject property with proposed improvements. Submit all documents and the filing fee directly to the Community Development Department at 201 S. Cortez St, Prescott, AZ 86302.

**APPLICANT INFORMATION**

Applicant: ASPEN VALLEY HOMES  
Address: [REDACTED]  
Phone: [REDACTED]  
Contact Person: MARC VANWORMER  
City/State/Zip: [REDACTED]  
Email: [REDACTED]

**PROPERTY OWNER INFORMATION**

Owner: DAVID STELLA  
Address: [REDACTED]  
Phone: [REDACTED]  
Contact Person: DAVID STELLA  
City/State/Zip: [REDACTED]  
Email: [REDACTED]

**PROJECT SITE**

Address: #17 CREST DR  
Current Zoning: SF-9 Proposed Zoning: SF-9  
Assessor's Parcel Number(s) of Existing Property: 109 07 108F  
Existing Water Service (Y/N): NO Existing Sewer Service (Y/N): NO  
Existing Well (Y/N): NO If Yes, Well Registry No.: \_\_\_\_\_

**PROJECT DESCRIPTION**

Is the project Residential or Commercial? SINGLE FAMILY HOME  
Please provide brief description: 2,661 SQUARE FOOT SINGLE FAMILY HOME

# of Proposed Units: 1 # of Proposed Lots: \_\_\_\_\_

Has a Water Demand Analysis been completed (commercial)?  
Has a building permit application been submitted? YES  
Has a Planning and Zoning Recommendation been made? NO CHANGE

**FEES: Fees are subject to change.**

Single Family Residence	Multi-Family/Apartments	Residential Subdivision	Commercial Subdivision or Individual Commercial Project
<input type="checkbox"/> \$150 <u>\$152.40</u>	2-5 units <input type="checkbox"/> \$150 6-10 units <input type="checkbox"/> \$200	6-25 lots <input type="checkbox"/> \$300 26-100 lots <input type="checkbox"/> \$500	<2 acre feet <input type="checkbox"/> \$150 2-4.9 acre feet <input type="checkbox"/> \$200
<b>Existing Connection</b>	11-50 units <input type="checkbox"/> \$300	100+ lots <input type="checkbox"/> \$700	5-10 acre feet <input type="checkbox"/> \$250
<b>Change of Use</b>	51-99 units <input type="checkbox"/> \$400		>10 acre feet <input type="checkbox"/> \$300
<input type="checkbox"/> \$150	100+ units <input type="checkbox"/> \$500		100+ units <input type="checkbox"/> \$500

Applicant Signature: [REDACTED]

Date: 2/23/18

B1801-037

Item F.

**CITY COUNCIL SUBCOMMITTEE FOR WATER ISSUES AGENDA MEMO**  
**April 3, 2018**

**DEPARTMENT:** City Manager (Water Resource Management)

**AGENDA ITEM:** Whispering Rock Annexation and Development Agreement for APNs 106-02-009G, 106-02-003G, 106-02-004A, and 106-02-003M, a proposed subdivision located on the east side of Willow Creek Road in proximity to Embry-Riddle Aeronautical University.

**Approved By:**

**Date:**

**Water Resource Manager:** Leslie Graser

**Regional Programs Director:** Craig McConnell

**Summary**

On December 12, 2017, an Annexation Application (ANX17-00003) was filed for Whispering Rock Medical Complex (Attachments 1 and 2). A Preliminary Plat (PLN18-00005) and Rezone (PLN17-00002) were also submitted in December 2017. Water Resource Management requested a water demand analysis and initiated review of the City's water portfolio to determine potential supply sources.

**Background**

The Arizona Departments of Water Resources and Real Estate will require the subdivision to have an assured water supply. On January 28, 2018, the applicant submitted the Whispering Rock Preliminary Water Report prepared by Michael Jermaine and Rob Bryant. For the proposed land uses in Table 3-1 (below), the demand use estimated at 68 AF/year.

Parcel	Anticipated Use	Area (acres)
A	Medical Plaza	3.05
B	Physical Rehabilitation	2.37
C	Resort	18.18
D	Food Court	2.40
E	Diner	1.50
F	Commercial / Retail	2.80
G	Independent Living	6.85
H	Assisted Living	4.43
I	Open Space	17.97
<b>Total:</b>		<b>59.55</b>

**Agenda Item:** Whispering Rock Annexation and Development Agreement for APNs 106-02-009G, 106-02-003G, 106-02-004A, and 106-02-003M, a proposed subdivision located on the east side of Willow Creek Road in proximity to Embry-Riddle Aeronautical University.

Remaining alternative water balances in the City's Water Portfolio are summarized in Tables 1 and 2.

**Table 1: Calendar Year 2018 Alternative Water Budget**

Category	Remaining Volume (AF)	Comments
Single-Family	18.75	75 units with standard allocation; 93 units with water efficient allocation
Multi-Family	4.4	29 units with standard allocation; 36 units with water efficient allocation
Commercial	100	

**Table 2: Other Remaining Alternative Water (grey denotes the water supply is not available)**

Category	Remaining Volume (AF)	Comments
Deep Well Ranch 1	151.4	In a contract, not available
Deep Well Ranch 2	500	In a contract, not available
Deep Well Ranch 3	900	In a contract, not available
Vacant, residentially-zoned tracts	282.0	Initially created for use within the city limits for lands that had not yet developed. In Calendar Year 2016, 200 AF was transferred to the General Pool and each subsequent year 50 AF has been transferred. For Calendar Year 2019, another 50 AF will be transferred leaving 232 AF. Quantities in qualifying water service agreements approved in 2018 or subsequent years must be deducted from this 232 AF.
Chino Valley Irrigation District	501.2	In an IGA, not available
General Pool	291.2	The unreserved, unbudgeted balance.

The Whispering Rock project is one of several seeking water supplies. Table 3 summarizes the projects that are presently known.

**Table 3: Projects Seeking Alternative Water**

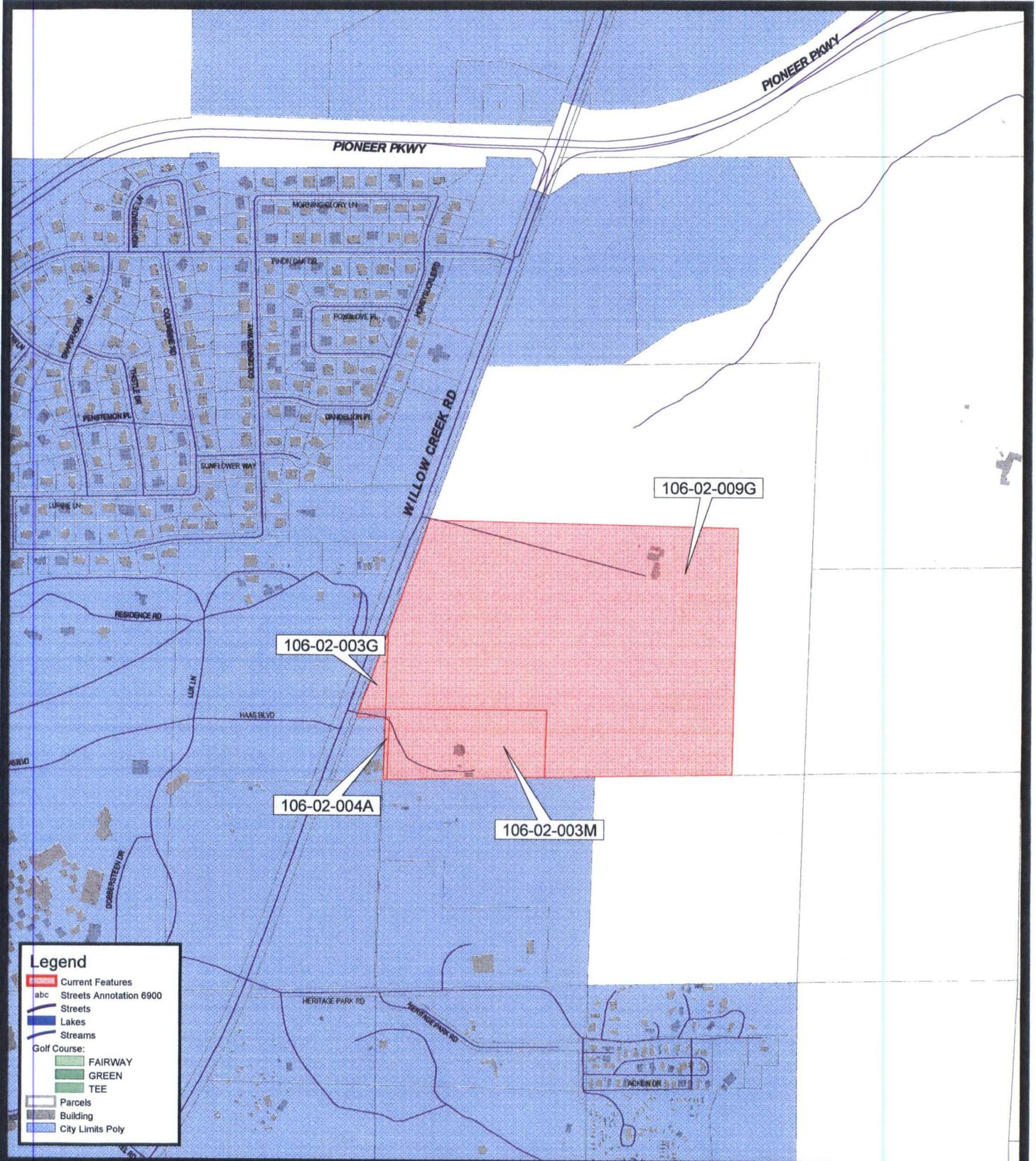
Project	Inside or Outside City Limits	Approx. Requested Volume (AF)
Whispering Rock	Outside	60
New Fann Industrial Facility	Outside	5-10
AZ Eco	Outside	300
ERAU (20 year plan)	Inside	50-60
YRMC – West (10 year plan)	Inside	5-10
Lakeview Commercial Subdivision	Inside	TBD
Prescott Lakes Master plan	Inside	TBD

**Agenda Item:** Whispering Rock Annexation and Development Agreement for APNs 106-02-009G, 106-02-003G, 106-02-004A, and 106-02-003M, a proposed subdivision located on the east side of Willow Creek Road in proximity to Embry-Riddle Aeronautical University.

### **Attachments**

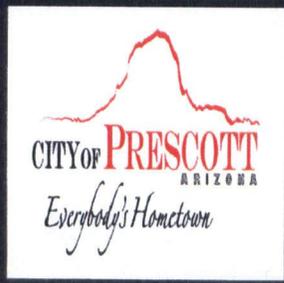
- 1) Location Map
- 2) Preliminary Plat

**Recommended Action:** For Subcommittee Information. It is anticipated that an annexation request and commercial plat, or a Pre-Annexation Development Agreement, including an allocation of alternative water, will be presented to the Council for consideration.



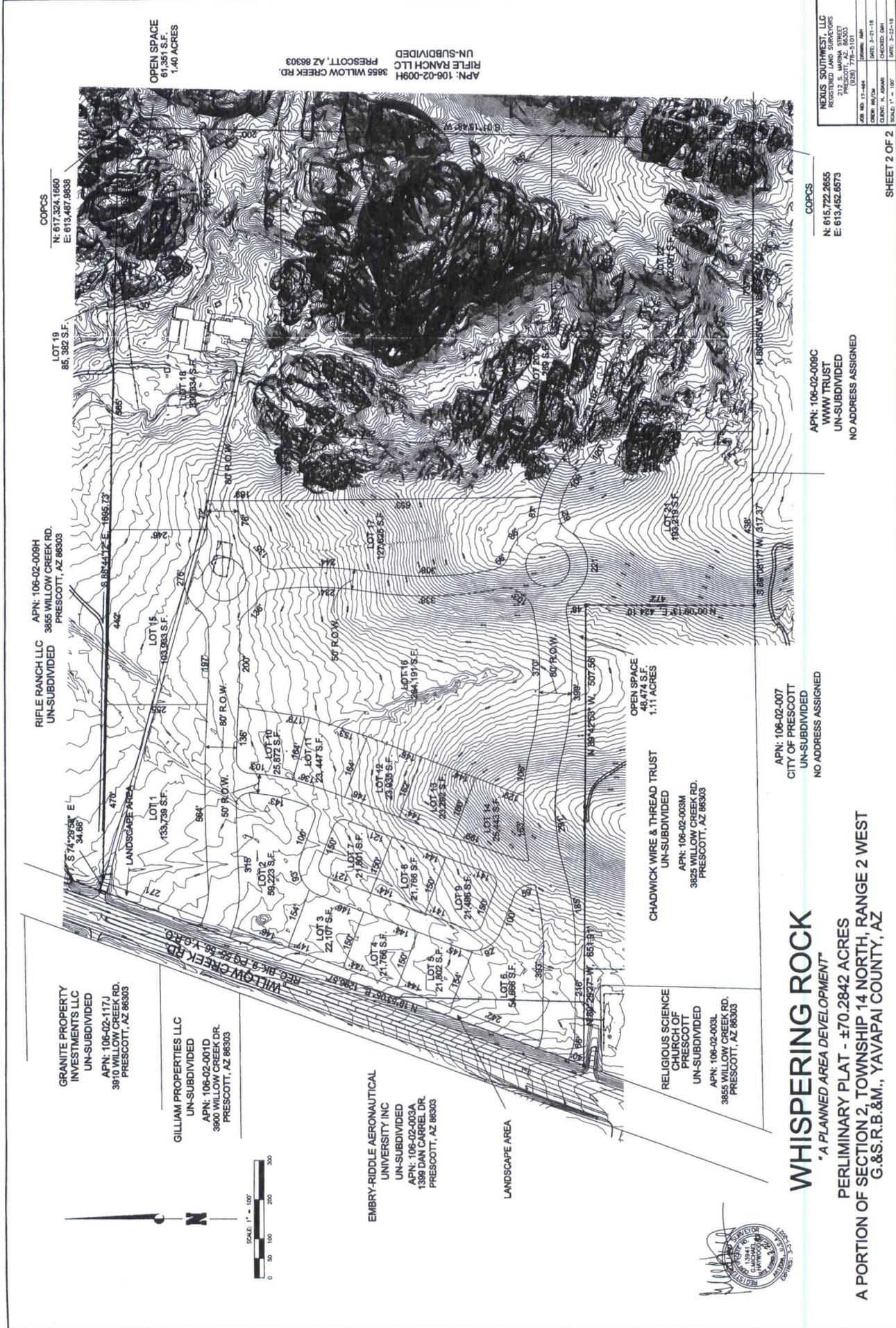
**Legend**

- Current Features
- abc Streets Annotation 6900
- Streets
- Lakes
- Streams
- Golf Course:
  - FAIRWAY
  - GREEN
  - TEE
- Parcels
- Building
- City Limits Poly



This map is a product of  
The City of Prescott

Item F.  
Attachment 2



GRANITE PROPERTY INVESTMENTS LLC  
UN-SUBDIVIDED  
APN: 106-02-1171  
3860 WILLOW CREEK RD.  
PRESCOTT, AZ 86303

GILLIAM PROPERTIES LLC  
UN-SUBDIVIDED  
APN: 106-02-001D  
3900 WILLOW CREEK DR.  
PRESCOTT, AZ 86303

EMBRY-RIDDLE AERONAUTICAL UNIVERSITY INC  
UN-SUBDIVIDED  
APN: 106-02-003A  
1398 DAN CARREL DR.  
PRESCOTT, AZ 86303

RELIGIOUS SCIENCE CHURCH OF PRESCOTT  
UN-SUBDIVIDED  
APN: 106-02-003L  
3855 WILLOW CREEK RD.  
PRESCOTT, AZ 86303

CHADWICK WIRE & THREAD TRUST  
UN-SUBDIVIDED  
APN: 106-02-003M  
3825 WILLOW CREEK RD.  
PRESCOTT, AZ 86303

OPEN SPACE  
48,474 S.F.  
1.11 ACRES

APN: 106-02-009H  
3855 WILLOW CREEK RD.  
PRESCOTT, AZ 86303

APN: 106-02-009H  
3855 WILLOW CREEK RD.  
PRESCOTT, AZ 86303

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PRESCOTT, AZ 86303

APN: 106-02-009H  
3855 WILLOW CREEK RD.  
PRESCOTT, AZ 86303



**WHISPERING ROCK**  
"A PLANNED AREA DEVELOPMENT"  
PRELIMINARY PLAT - ±70.2842 ACRES  
A PORTION OF SECTION 2, TOWNSHIP 14 NORTH, RANGE 2 WEST  
G.S.S.R.B.&M., YAVAPAI COUNTY, AZ

APN: 106-02-007  
CITY OF PRESCOTT  
UN-SUBDIVIDED  
NO ADDRESS ASSIGNED

APN: 106-02-009C  
WWW TRUST  
UN-SUBDIVIDED  
NO ADDRESS ASSIGNED

APN: 106-02-009C  
WWW TRUST  
UN-SUBDIVIDED  
NO ADDRESS ASSIGNED

NEOLUS SOUTHWEST, LLC REGISTERED LAND SURVEYORS 212 S. MARONA STREET PHOENIX, AZ 85004 (602) 778-5101
JOB NO. 17-484
DRAWN: JMM
CHECKED: R. KIMM
DATE: 3-21-18
CHECKED: GMI
DATE: 3-22-18

<b>CITY COUNCIL SUBCOMMITTEE FOR WATER ISSUES AGENDA MEMO</b> <b>April 3, 2018</b>
<b>DEPARTMENT:</b> City Manager (Water Resource Management)
<b>AGENDA ITEM:</b> Proposed Annexation of APN 103-028C owned by 3 <sup>rd</sup> Generation Enterprises, Inc. (Fann), and adjacent City-owned property APN 103-01-028A adjacent to the Airport Water Reclamation Facility (AWRF).

<b>Approved By:</b>	<b>Date:</b>
<b>Water Resource Manager:</b> Leslie Graser	
<b>Regional Programs Director:</b> Craig McConnell	

**Summary**

On March 22, 2018, representatives of the owner of APN 103-01-028C notified the City in a Pre-Application Conference (PAC) of their interest in concurrent accomplishment of an annexation and commercial preliminary plat approval. The notification followed dialogue with various departments regarding relocation of the Fann Sundog Facility to the new site near the airport, and annexation of adjacent City-owned property associated with the AWRF that is located outside the City limits.

**Background**

The following documented the preliminary discussion and guidance:

1. The City is interested in a jointly sponsored, concurrent annexation of both of the identified parcels, APNs 103-01-028A and -028C. As co-sponsors, each party would jointly sign the annexation petition, and pay its pro-rata share of the annexation expenses and fee(s) on the basis of -028C (66.71 acres, 73.7%) and -028A (23.82 acres, 26.3%). The Community Development Department is the City contact point for the joint annexation.
2. 3<sup>rd</sup> Generation would have the necessary petition, parcel maps, and legal descriptions prepared.
3. The annexation of both parcels will not be subject to Proposition 400 since their combined area (90.53 acres) does not exceed 250 acres, and no previous annexation of any portion of the parent parcel (APN 103-01-028) has occurred.
4. Neither a pre-annexation agreement nor development agreement is necessary, unless there are infrastructure, timing, or other matters (e.g., sale of a portion of -028A) that would necessitate or make one or both agreement(s) desirable. You may wish to consult with the Public Works Department regarding such matters.
5. The City is amenable to selling a portion of -028A (south of -025C, the City Water Reclamation Facility, and west of Granite Creek). Unless there is a

**Agenda Item:** Proposed Annexation of APN 103-028C owned by 3<sup>rd</sup> Generation Enterprises, Inc. (Fann), and adjacent City-owned property APN 103-01-028A adjacent to the Airport Water Reclamation Facility (AWRF).

specific provision of State law pertaining to economic development projects that would indicate otherwise, sale of City property would have to be done through a public bid process.

6. Water usage at your present Sundog location on APN 105-07-002U has averaged 2.01 AF/year between the two water meters there. In 2017, Fann Contracting also used approximately 5.71 AF from standpipes. These levels of usage are reasonable, and no problem is foreseen providing a new water service agreement to supply comparable quantities of alternative water to the new industrial facility.
7. The annexation, sale of City property, and water service agreement, will all require approval by the City Council.

### **Alternative Water Availability**

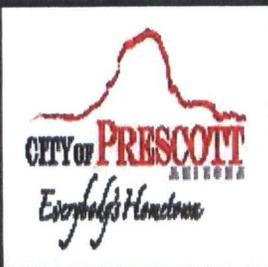
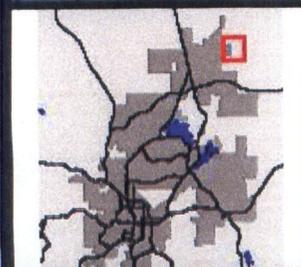
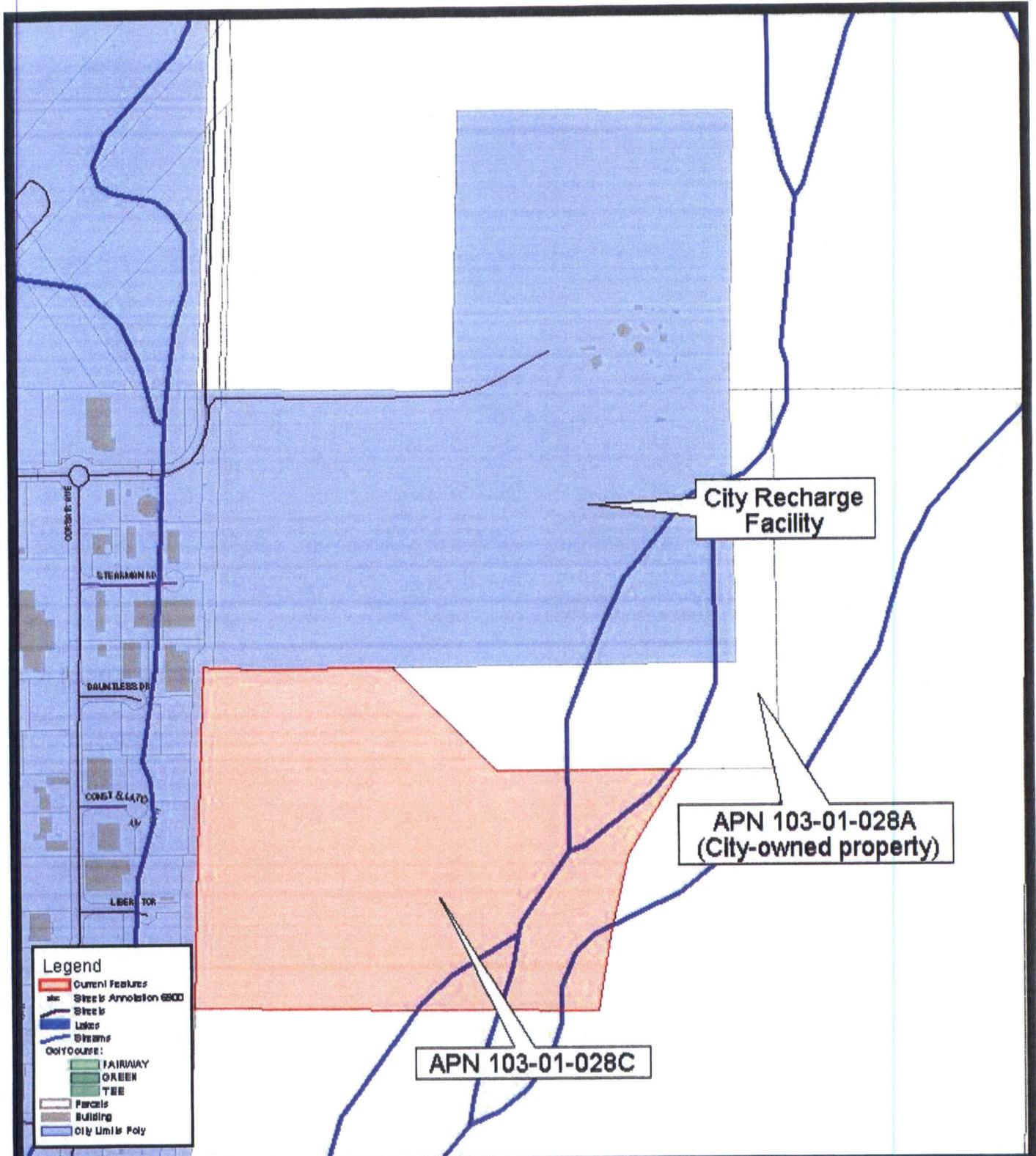
Water allocation for this project will require a second review, as it is now proposed to be a commercial subdivision (per state statutes, residential and commercial subdivision must have an Assured Water Supply). The property owner will need to provide a demand calculation addressing both the current metered volumes and possible uses on the other lots to be created.

The City's 2018 Water Management Policy identified a commercial allocation quantity of 100 AF. Subject to annexation of the property, the associated demand could be satisfied from this source.

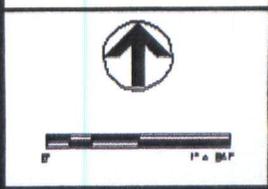
### **Attachments**

- 1) Location Map

**Recommended Action:** For Subcommittee information. It is anticipated an annexation request and commercial plat, or a Pre-Annexation Development Agreement, including an allocation of alternative water supplies, will be presented to the Council for consideration.



This map is a product of  
The City of Prescott



This document is a graphic representation only of land available to the public. The City of Prescott assumes no responsibility for any errors.

<b>CITY COUNCIL SUBCOMMITTEE FOR WATER ISSUES AGENDA MEMO</b> <b>April 3, 2018</b>
<b>DEPARTMENT:</b> City Manager (Water Resource Management)
<b>AGENDA ITEM:</b> Calendar Year 2018 Water Management Policy correction and proposed minor amendment

<b>Approved By:</b>	<b>Date:</b>
<b>Water Resource Manager:</b> Leslie Graser	
<b>Regional Programs Director:</b> Craig McConnell	

**Summary**

On December 12, 2017, the Calendar Year 2018 Water Management Policy was approved by Council. The Council Agenda Memo identified an alternative water budget for Calendar Year 2018 of 30 AF total with 20 AF for single-family and 10 AF for multi-family categories. However, the table on page 14 of the policy document needs to be corrected, as explained below.

Water Resource Management is also proposing a minor change provide the flexibility for Council to "move" alternative water between the two residential categories during the year. This would enable the City Council Subcommittee for Water Issues to recommend that either residential category be considered for allocation.

**Background**

The Council Agenda Memo had the correct volumes for the Calendar Year 2018 Water Budget, but the table in the policy document did not. The multi-family volume should have read 10 AF verses the 20 AF.

Council Agenda Memo

<b>2018 Alternative Water Budget Available for Placement into New Contracts = 30 AF</b>	
Residential	
Single-Family Projects	Multi-Family Projects
Quantity: 20 AF	Quantity: 10 AF
Note: The Calendar Year 2018 Alternative Water Budget quantities above are available for projects other than those already entitled to water by an existing contract or reservation.	
Commercial, Industrial, Institutional – See Policies 18 and 19.	

**Agenda Item:** Calendar Year 2018 policy correction and proposed amendment

Adopted Calendar Year 2018 Water Management Policy Document

<b>2018 Alternative Water Budget Available for Placement into New Contracts = 30 AF</b>	
Residential	
Single-Family Projects	Single-Family Projects
Quantity: 20 AF	Quantity: 20 AF
Note: The Calendar Year 2018 Alternative Water Budget quantities above are available for projects other than those already entitled to water by an existing contract or reservation.	
Commercial, Industrial, Institutional	
See Policies 18 and 19 above.	

**Minor Amendment**

As of April 2018, the 2018 volumes of alternative water budgeted and remaining volumes are as follows:

Single-Family	Multi-Family
Budgeted: 20 AF	Budgeted: 10 AF
Remaining: 18.75 AF	Remaining: 4.4 AF

Pending the type of project, standard or WaterSense water-efficient, the Single-Family budget would support 76 and 95 units, and Multi-Family 29 to 36 units. The Policy provides that no one project can take more than 50% of the remaining volume, to ensure that small projects have access to water for more of the calendar year.

Water Resource Management is proposing that while the policy is before the Council to correct the inconsistency explained above, the 2018 Policy also be amended to provide Council with the flexibility to "move" alternative water, that it may also want to provide language to move water from one residential category to another in the event a project that meets General Plan objectives may proceed with an allocation from the remaining combined quantities remaining in both residential categories.

**Recommended Action:** Recommend that the Calendar Year 2018 Water Management Policy correction and minor amendment be forwarded to Council for consideration.

Item I.

**CITY COUNCIL SUBCOMMITTEE FOR WATER ISSUES AGENDA MEMO**  
**April 3, 2018**

**DEPARTMENT:** City Manager (Water Resource Management)

**AGENDA ITEM:** Long-Term Water Management Plan Update

**Approved By:**

**Date:**

**Water Resource Manager:** Leslie Graser

**Regional Programs Director:** Craig McConnell

**Summary**

The City entered into a Professional Services Agreement (City Contract No. 2015-008) with Herb Dishlip Consulting to provide specialized technical services related to existing and future supplies (Attachment 1). A Long-Term Water Management Model in draft form has been constructed to enable analysis of long-term water needs, supplies, and contributions to aquifer safe-yield. A brief presentation will be provided on the draft model and its use.

**Attachment**

- 1) Contract No. 2015-008, Exhibit A

**Recommended Action:** For Subcommittee information.

**Exhibit "A"**

**Water Resources Management Services  
City Contract No. 2015-008**

**Scope of Work**

**Herb Dishlip Consulting**

Upon request of the City Manager or designee, Herb Dishlip Consulting (hereinafter "Contractor") shall accomplish highly specialized analysis and associated services needed by the City for the development of water management plans, strategies, and policies, to include importation of water into the Prescott Active Management Area, and more specifically the City of Prescott's water service area. The Contractor shall also perform work pertaining to resources in the City's water portfolio, the formal recognition by the State of Arizona, and management thereof. Specific tasks of the Contractor shall include, but not be limited to:

1. Big Chino Water Ranch Groundwater Importation Planning – Assist the City's Water Resource Management Section in planning and decision making for the development, transportation, and importation of groundwater, assessing and determining the role of imported water in the long-term water management of the City. Planning activities shall include consultation regarding the Agreement in Principle and Comprehensive Agreement No. 1 among the City of Prescott, Town of Prescott Valley, and Salt River Project.

2. Assured Water Supply – Assist the City with review, analysis, and modification, as may be necessary, of Prescott's Decision and Order of Assured Water Supply issued by the Arizona Department of Water Resources, to recognize and acknowledge the sources, quantities, and roles of renewable resources, Little Chino, and imported Big Chino water in the City's supply.

3. Long Range Water Planning – With the City's Water Resource Management Section, facilitate development of a long-range water management plan, water allocation policy, and accounting methodologies, including preparation of water supply and demand projections with and without resource from the Big Chino Project, consideration of conservation and water harvesting, definition and analysis of alternative scenarios, integration of safe yield contribution means, and compliance with Proposition 400; and consideration of other potential long-term future sources as identified in the Central Yavapai Highlands Water Resource Management Study.

4. Chino Valley Irrigation District – Provide continuing assistance associated with implementation of the City's complex agreement with the Chino Valley Irrigation District.

5. Underground Storage and Recovery – Assist with the licensing, permitting, analysis and review of the City’s underground water storage and recovery program.

6. Legislative and Agency Rulemaking Analysis – Analyze and provide advice to the City with respect to pending or proposed legislation and state agency rule making that might affect the City.

7. Other Activities – Initiate, attend, and coordinate with the Water Resource Management Section meetings with Big Chino Sub-basin property owners and other stakeholders, agencies and departments including the U.S. Bureau of Reclamation, U.S. Fish and Wildlife, U.S. Geological Survey, AZ Game & Fish, AZ State Land Department, AZ Department of Water Resources, Salt River Project, Prescott area municipalities, Verde Valley area municipalities, Yavapai County, City technical contractors, attorneys, and others as needed.

Compensation. The Contractor shall be compensated at the rate of \$150.00 per hour for services authorized by the City and performed by the Contractor. No minimum amount of compensation shall be guaranteed, and the total amount of compensation shall not exceed \$50,000.00 without prior approval by the City. Billing for services rendered and associated expenses shall itemized, accompanied by receipts for all actual reimbursable expenses, and submitted monthly.

Reimbursable Expenses. The Contractor shall be reimbursed for direct expenses incurred during the course of performing services in support of this Scope of Work. Reimbursable expenses shall include postage, reproduction and copying costs, reasonable expenses related to City-approved travel including meals, lodging and mileage. Expenses shall be reimbursed at actual cost without mark-up with the exception of mileage which shall be reimbursed at the IRS Standard rate per mile in effect at the time of such travel (\$0.56 per mile for 2014).

Contract Term. Services performed pursuant to this Agreement shall be on an open-ended, as-needed basis when authorized by the Prescott City Manager or his designee.

7-23-14

Item J.

**CITY COUNCIL SUBCOMMITTEE FOR WATER ISSUES AGENDA MEMO**

**April 3, 2018**

**DEPARTMENT:** City Manager (Water Resource Management)

**AGENDA ITEM:** Calendar for Water Awareness Month

**Approved By:**

**Date:**

**Water Resource Manager:** Leslie Graser

**Regional Programs Director:** Craig McConnell

**Summary**

Each year the City has been committed to providing heightened water resource and conservation outreach through local events in April and May. City Sponsorship to events such as Earth Day and Highlands Center for Natural History's Native Plant Sale has been provided for Calendar Year 2018.

**Attachments**

- 1) April and May 2018 Event Schedule

**Recommended Action:** For Subcommittee information.

## April and May 2018 Event Schedule

### April 1 -30, 2018

- Library Viewerie -Prescott Water Supply History display in conjunction with Sharlot Hall

### April 14, 2018

- Librarypalooza - WRM will be hosting Barnabus Kane to teach about rainwater harvesting from 3PM-4:30PM
- This is a special workshop arranged as an extension of the WaterSmart: Drop by Drop monthly series

### April 18, 2018

- WaterSmart: Drop by Drop - Founders Suite from 12-1, topic will be Prescott's Water History

### April 21, 2018

- Prescott Creeks Cleanup - Usually from 9AM – Noon, Matt Killeen will look into if they are still doing an event this year due to the loss of their building to a fire.
- Earth Day
  - 9AM – 3PM on Cortez Street
  - WRM will be attending with other City departments such as Solid Waste
- SciTech Fest
  - 10AM-4PM at ERAU
  - WRM will be attending with Stacy DeVeau from the Cooperative Extension and running the Urban Water Cycle game.

### May 4, 2018

- Members Only Native Plant Sale - Highland Center 8AM – 2PM

### May 5, 2018

- Native Plant Sale - Highland Center 8AM – 2PM

### May 6, 2018

- Native Plant Sale - Highland Center 10AM – 1PM

### May 16, 2018

- WaterSmart: Drop by Drop - Founders Suite from 12-1pm, topic will be Conservation

### May 18, 2018

- YCCA Home Show Day 1 - Prescott Valley Events Center 9AM – 5PM

### May 19, 2018

- YCCA Home Show Day 2 - Prescott Valley Events Center 9AM – 5PM

### May 20, 2018

- YCCA Home Show Day 3 - Prescott Valley Events Center 9AM – 3PM

### Continuous

WaterSmart: Drop by Drop, the third Wednesday of each month at the Prescott Public Library at noon.