



COUNCIL SUBCOMMITTEE ON WATER ISSUES MEETING

REGULAR SUBCOMMITTEE MEETING AGENDA

TUESDAY, FEBRUARY 2, 2021, 9:30 AM

201 S Cortez Street
Prescott, AZ 86303
Council Chambers

Councilman Steve Blair - Chairman

Councilman Phil Goode - Member

Councilman Steve Sischka - Member

The following Agenda will be considered by the Prescott Council Subcommittee on Water Issues at Regular Subcommittee Meeting pursuant to the Prescott City Charter, Article II, Section 13. Notice of the meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02. One or more members of the Council may be attending the meeting through the use of a technological device.

Viewing & Participation

This meeting may be viewed on Channel 64, Facebook Live or on the City's Website: [Live City of Prescott Videos](#)

Or via Zoom by registering in advance: [Zoom Registration Link](#)

Comments from the public may be submitted through the City website: [Speaker Request Form](#)

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

Public comment will be accepted following each agenda item and is 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 January 12, 2021 Meeting Minutes.

Recommended Action: MOVE to approve the January 12, 2021 minutes as presented.

B. Focus Topic – Decision and Order No.86-401501.0001 Modification Presentation

Recommended Action: This item is for discussion only. No formal action will be taken.

C. Approval of a Revision to Prescott City Code 3-10-8: Water Conservation Code, Incentive Program, to Add an Additional Rebate Tier for Toilets with 1.28 Gallons per Single Flush.

Recommended Action: MOVE to approve recommendation that approval of City Code 3-10-8 revisions be forward to Council for adoption (including retroactive approval of denied applications).

5. ADJOURNMENT

EXECUTIVE SESSION

Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (3) Discussion or consultation for legal advice with the city’s attorneys (A.R.S. §38-431.03(A)(3));
- (4) Discussion or consultation with the city’s attorneys regarding the city’s position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid litigation (A.R.S. § 38-431.03(A)(4));
- (5) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5));
- (6) Discussion, consultation or consideration for negotiations by the city or its designated representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6));
- (7) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(A)(7)).

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. With 72 hours advanced notice, special assistance can be provided for sight and/or hearing-impaired persons at this meeting. Reasonable accommodations will be made upon request for persons with disabilities or non-English speaking residents. Please call the City Clerk (928) 777-1272 to request an accommodation to participate in this public meeting. Prescott TDD number is (928) 445-6811. Additionally, free public relay service is available from Arizona Relay Service at 1-800-367-8939 and more information at www.azrelay.org

Confidentiality

Arizona statute precludes any person receiving executive session information from disclosing that information except as allowed by law. A.R.S. §38-431.03(F). Each violation of this statute is subject to a civil penalty not to exceed \$500, plus court costs and attorneys’ fees. This penalty is assessed against the person who violates this statute or who knowingly aids, agrees to aid or attempts to aid another person in violating this article. The city is precluded from expending any public monies to employ or retain legal counsel to provide legal services or representation to the public body or any of its officers in any legal action commenced for violation of the statute unless City Council takes a legal action at a properly noticed open meeting to approve of such expenditures prior to incurring any such obligation or indebtedness. A.R.S. §38-431.07(A)(B).

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on

01/28/21 at 4:00 p.m. in accordance with the statement filed by the Prescott City Council with the City Clerk

Sarah M. Siep

Sarah M. Siep, City Clerk

**COUNCIL AGENDA MEMO**

MEETING TYPE/DATE: **REGULAR SUBCOMMITTEE MEETING** **02- 2-21**

DEPARTMENT: **City Clerk**

AGENDA ITEM: Approval of the January 12, 2021 Meeting Minutes.

ITEM SUMMARY

Attached for approval are the Council Subcommittee on Water Issues minutes for the January 12, 2021 meeting.

BACKGROUND

None.

FINANCIAL IMPACT

None.

Recommended Action: MOVE to approve the January 12, 2021 minutes as presented.

ATTACHMENTS

1. [January 12, 2021 Meeting Minutes.docx](#)



COUNCIL SUBCOMMITTEE ON WATER ISSUES MEETING

REGULAR SUBCOMMITTEE MEETING MINUTES

TUESDAY, JANUARY 12, 2021, 9:30 AM

201 S Cortez Street
Prescott, AZ 86303
Council Chambers

MINUTES OF THE REGULAR SUBCOMMITTEE MEETING OF THE PRESCOTT COUNCIL SUBCOMMITTEE ON WATER ISSUES HELD ON JANUARY 12, 2021, IN THE 201 S CORTEZ STREET PRESCOTT, AZ 86303 COUNCIL CHAMBERS.

Steve Blair, Councilman - Chairman

Billie Orr, Councilwoman - Member

Steve Sischa, Councilman - Member

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- 1. CALL TO ORDER**
- 2. ROLL CALL**

Chairman Steve Blair

(Present)

Member Billie Orr

(Excused)

Member Steve Sischa

(Present)

3. PUBLIC COMMENT

Public Comment will be accepted following each agenda item and 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 December 1, 2020 Meeting Minutes.

MOTION BY MEMBER SISCHKA TO APPROVE ITEM 4.A.; SECONDED BY CHAIRMAN BLAIR: PASSED [2-0].

B. Infrastructure Topic - Pumping vs. Recharge Update, Calendar Year 2020

Water Resources Project Manager Leslie Graser provided a presentation to the Subcommittee regarding pumping vs recharge for calendar year 2020. In 2020, 7,486 acre feet were pumped, deliveries to recharge facility were just over 5,000 acre feet. There were three months where recharge was more than pumping, but this does vary depending on the month and amount of precipitation received. There was only 6.7 inches of precipitation for the whole of 2020.

Member Sischka asked if we have consistent well information from the Chino wells and added that he would like to see the information.

Ms. Graser stated that is available and is reported to the state regularly.

Public Works Director Craig Dotseth added that of the six wells, five are used for production.

Chairman Blair commented that he would like a monthly report from staff. He also asked for confirmation that less is being pumped than in previous years.

Mr. Dotseth confirmed that less is being pumped than in the early 2000s, and said that staff can work on putting the information into graph form so it is easier to view. These numbers are preliminary and still need to be reviewed by staff which will be done over the next month and a half.

Ms. Graser added that staff will have provisional numbers in March for annual report filing and they can be presented to the Subcommittee and Council.

Member of the Public Leslie Hoy addressed the Subcommittee and asked how pumping in 2020

compared to 2019.

Ms. Graser responded that in 2019 reported pumping was 6,855 acre feet and provisional numbers for 2020 are approximately 7,000 acre feet.

Mr. Dotseth responded that due to a lack of moisture there are months that are much lower.

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

C. Focus Topic – ADWR 2019 GPCD Notification

Water Resources Project Manager Leslie Graser provided a presentation to the Subcommittee regarding the annual review of gallons per capital per day (GPCD). In 2019, the city was at 107 GPCD. The state's target for 2019 was 157 GPCD which is a community wide number. A home typically uses approximately 42 GCPD.

Member Sischka asked how the city's numbers compare to the state's requirements.

Ms. Graser responded that the state's requirement is 157 GPCD and Prescott is doing 107 GCPD so we are well within and it has not been a challenge for the city to meet the annual requirement. The state will be looking at reformulating how they look at this and we should continue to strive to do better. Our tiered rate water structure has helped tremendously, as have the rebate programs and the trend shows that the GCPD has been dropping. She added that everyone plays a part and the city must lead.

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

D. Focus Topic - ADWR Drought Dashboard Overview and Forecast

Water Resource Project Manager Kay Sydow provided a presentation to the Subcommittee regarding ADWR's drought dashboard which shows the last 20 years of data related to water in the area. 2020 was exceptionally dry and it is predicted that 2021 will be as well. This information is available to the public to review.

Member Sischka asked if they do forecasts.

Ms. Sydow responded that they do and continued the presentation with an overview of the 2020 year in review done by the Flagstaff National Weather. Wet month of March which was 200-400% above normal but by April-December we had the three warmest temps on record in Arizona and in Prescott we had 6th warmest temp - reaching 102 degrees - and 3rd driest year in history. There were only 30 days of measurable precipitation in 2020.

Member of the public Peter Kroopnick commented that with these numbers we don't have any surface water to recharge and that is a problem.

Ms. Sydow continued the presentation with information provided by state climatologist at ASU looking at water 2019-2020 and 2021 outlook. 2019 had much more precipitation than 2020 particularly in the later part of the year. We are currently in a La Nina weather pattern with abnormally cold water and continued drought. These are predictions and we don't know how long it will go on or what the impacts will be necessarily.

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

E. Conservation Topic - Mid Fiscal Year Update on Water Rebate Program

Water Resources Project Manager Kay Sydow provided a presentation to the Subcommittee regarding the nearly \$15,000 in rebates issued during the current fiscal year which accounts for 37% of the funds allocated and reviewed the dollar amounts for each savings.

Member Sischka asked for staff to clarify some of the issues that have come up regarding toilet rebates and qualifying products not being available locally. He feels it would be good to make clear to the public what the standard is for the rebate.

Public Works Director Craig Dotseth commented that there has indeed been confusion and staff is looking into the issues. They will be brining forward something for Council to address this and clarify it all in the future.

Chairman Blair asked why we aren't having the stores conform to what is included in our conservation program.

Mr. Dotseth commented that staff has spoken with the local stores about this but they have not been receptive to stocking based on that. They are also looking into modifying the type of toilets that would qualify for the rebate and added that the October and November spike in conservation savings which they believe is a result of the postcard mailer.

Chairman Blair asked if there is follow up with the customers that are denied the toilet rebate to help direct them in the correct way.

Ms. Sydow commented that from the time the program began in 2006 there has been a great deal of savings in water and rebates given and 2009 was the highest with 19 million gallons.

Member Sischka commented that if people do not have availability to get the materials we are including in the rebates we are remiss if that isn't fixed, and when that is fixed the denied applications need to be re-examined.

Mr. Dotseth responded that this is exactly why staff is looking at the current program and bringing it back to Council.

Member of the Public Gary Beverly asked how the water savings is calculated for each device and if a document could be made available to the public, he also commented that the refusals are a problem and indicates to him that the city needs to work more closely with the retailers to make the information available to the public for what is acceptable and what is not.

Member of the Public Leslie Hoy asked if other municipalities that are offering the same rebates have stores locally providing the necessary products and commented that it might be beneficial if the Council members speak with the store managers to get that taken care of or if CWAG could write a letter to the stores to encourage them.

Ms. Sydow responded that local retailers in other communities do carry the models for the rebates, and added that she has contacted the retailers here and has not received positive responses from them.

Member Sischka added that it is important to be as customer friendly as possible and do whatever we can for our customers.

Chairman Blair stated that the bottom line is retailers are myopic in what they think and so we need to ensure they are meeting our standards.

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

5. ADJOURNMENT

There being no further business to discuss, Chairman Blair adjourned the meeting at 10:46 a.m.

STEVE BLAIR, Chairman

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

Regular Subcommittee Meeting of the Council Subcommittee on Water Issues of the City of Prescott, Arizona held on January 12, 2021. I further certify the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2020.

AFFIX
CITY
SEAL

Sarah M. Siep, City Clerk

**COUNCIL AGENDA MEMO**

MEETING TYPE/DATE: **REGULAR SUBCOMMITTEE MEETING** **02- 2-21**

DEPARTMENT: **Public Works**

AGENDA ITEM: Focus Topic – Decision and Order No.86-401501.0001 Modification Presentation

ITEM SUMMARY

The City of Prescott's Decision and Order of Assured Water Supply is due for renewal. This process is known as a modification.

BACKGROUND

A brief presentation will be provided to explain why the modification is needed, and how the project will be completed with the submittal of a required application, due no later than December 31, 2021.


FINANCIAL IMPACT

There will be consulting and application fees associated with this project. A portion of those funds are currently available in the FY21 budget; the remainder will be sought during the FY22 budget process.

Recommended Action: This item is for discussion only. No formal action will be taken.

ATTACHMENTS

1. [Presentation on Decision and Order Modification](#)



CITY OF PRESCOTT
ARIZONA


**Modification to Decision and Order of
Assured Water Supply
No. 86-401501.0001**

Pursuant to A.R.S § 45-576, *et seq.*, and A.A.C. R12-15-701, *et seq.*

Why is the City seeking a modification to its AWS?

The City's current Decision and Order No. 86-401501.0001 states:

If Prescott does not submit to the Department on or before December 31, 2019, evidence that ADEQ has issued an AOC [Approval of Construction] for the pipeline [infrastructure to deliver water supplies from the Big Chino Subbasin], Prescott shall submit an application to modify this decision and order designating Prescott as having an assured water supply when the sum of Prescott's current demand, committed demand, and two-year projected demand exceeds 16,397 acre-feet per year, or by December 31, 2021, whichever is earlier. "



CITY OF PRESCOTT
ARIZONA

2

City of Prescott Big Chino Water Ranch

The construction date with AOC by 12/31/2019 has passed.

Next steps initiated after the approval of the 2009 D&O.

- Agreement in Principle (2/11/2010)
- Comprehensive Agreement No. 1 (10/5/2012), \$5.6M and 8 year cooperative scientific work plan for improved data sets and a groundwater flow model to determine necessary mitigation, if any, related to the City's future importation of water supplies.



3

State of Arizona's Assured Water Supply Program

The Program operates within Arizona's five Active Management Areas (AMAs). It is designed to sustain the state's economic health by preserving groundwater resources and promoting long-term water supply planning. AMAs are those areas of the state where significant groundwater depletion has occurred historically and include portions of Maricopa, Pinal, Pima, Santa Cruz and Yavapai counties.

4

History of the City's Assured Water Supply (AWS)

First Designation of AWS – November 24, 1999

First Modification of AWS – September 16, 2005

Second Modification of AWS – December 30, 2009

Third Modification of AWS – current topic



Consulting Team

Mr. Herb Dishlip, P.E. (Herb Dishlip Consulting) – Overall leadership to coordinate the application completion and submission. Developer of the City's Long-term Water Management Model.

Mr. Michael Pearce, J.D. (Gammage & Burnham, P.L.C) – Legal services

Mr. Bill Greenslade, P.E., R.G. (Matrix New World Engineering) – Hydrogeologic services



Modification requirements and work teams

Application Requirement	Work team
Demand Estimates	Dishlip and PW
Physically Availability of Source Water	Greenslade, Dishlip, and PW
Continuous and Legal Availability of Source Water	Pearce, Dishlip, and PW
Consistency with Management Plans	Dishlip and PW
Financial Capability	Dishlip and Finance
Consistency with Management Goal	Dishlip and PW
Water Quality	Dishlip and PW

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Schedule

Monthly meetings will be held on the fourth Wednesday of each month, invites will be sent to those who need to participate.

Topic specific meetings will be arranged with various team members as needed.

General timeline:

- Project Kickoff - January 27, 2021
- Monthly meetings - February through July 2021
- ADWR Pre-Application Meeting - August 2021
- Submit Application - November 2021 (or earlier)



8



COUNCIL AGENDA MEMO

MEETING TYPE/DATE: **REGULAR SUBCOMMITTEE MEETING** **02- 2-21**

DEPARTMENT: **Public Works**

AGENDA ITEM: Approval of a Revision to Prescott City Code 3-10-8: Water Conservation Code, Incentive Program, to Add an Additional Rebate Tier for Toilets with 1.28 Gallons per Single Flush.

ITEM SUMMARY

This item is for consideration of a revision to Prescott City Code 3-10-8: Water Conservation Code, Incentive Program, to add an additional rebate tier for toilets with 1.28 gallons per single flush and includes a recommendation to retroactively approve any denied applications in FY21 for 1.28 gallon per single flush toilets.

BACKGROUND

In July 2019, the City amended PCC 3-10-8, Water Conservation, Incentive Program, to reduce the gallons per flush for a toilet rebate, from 1.6 to 1.0 gallon per flush. A second revision followed in November 2019, which amended the Code further to add a 1.28 dual flush toilet to the rebate list, in addition to the 1.0 gallon flush. This revision was added due to the difficulty expressed by participants of the program with availability of the 1.0 gallon flush toilets locally.

As of January, for FY21, the City has received 32 rebate applications for toilets. Of these, 18 customers were denied rebates because of the installation of a 1.28 gallons per single flush toilet. Customers expressed their confusion with the language in the code and the lack of available fixtures for purchase within the local area. City staff spoke to local retailers about the incentive program and lack of available inventory to meet City requirements for a rebate, but have seen little to no change in most retail locations.

The goal of the incentive program is to encourage residents and businesses to conserve water, not to discourage their participation. Customers who installed a 1.28 single flush toilet made a good faith effort to replace their toilets with a lower water use option and they do use less water than a standard 1.6 gallon per flush toilet. Research shows that the average water savings of 1.28 gallons per flush

toilet over a 1.6 gallon per flush toilet is 1,524 gallons per year, or approximately 15,240 to 22,860 gallons over the life of the fixture. Also, water savings rebates found in other municipalities within Arizona is generally \$75 for replacement of a 1.6 gallon per flush toilet.

Staff is recommending that PCC 3-10-8 be amended to create a tiered rebate for toilets as shown on Attachment 1. A 1.28 single flush toilet would receive a \$75 rebate and a 1.0 gallon flush or 1.28 dual flush would receive \$100. Additionally, toilets replaced that are on septic systems would receive an additional \$50. Staff is also recommending that the 18 applications that were denied for the 1.28 gallon per single flush be retroactively rebated.

FINANCIAL IMPACT

Funding for the conservation incentive program is available in the FY21 budget. To date approximately \$26,000 of the \$40,000 budgeted has been expended.

Recommended Action: MOVE to approve recommendation that approval of City Code 3-10-8 revisions be forward to Council for adoption (including retroactive approval of denied applications).

ATTACHMENTS

1.[PCC 3-10-8 \(F\)\(1-27-21\)_2.docx](#)

3-10: WATER CONSERVATION CODE

3-10-8 INCENTIVE PROGRAM:

(F) Incentives shall be administered by Water Resource Management staff, in accordance with the following incentive awards list:

Incentive awards list and qualifying criteria:

INCENTIVE AWARDS LIST	
Water Efficiency Improvement Incentive	Incentive Award Amount
Rainwater cistern (active rainwater harvesting) ¹	\$0.50 per gallon of storage \$500.00 maximum award
Rain garden (passive) ²	\$3.00 per square foot \$500.00 maximum award
Turf removal on site and in adjacent public right-of-way ³	\$0.50 per square foot
Toilet: 1.0 gallon per single flush or 1.28 gallons per dual flush	\$100.00
Toilet: 1.28 gallons per single flush	\$75.00
Toilet: An additional toilet replacement incentive shall be provided for City water customers on a septic system when an existing toilet of 1.6 gallons per flush or higher is replaced with a 1.0 gallon per single flush, 1.28 gallons per dual flush or 1.28 gallons per single flush toilet	\$50.00
Commercial urinals (replacement alternative flushless design, flush once at a specified interval, or 1 quart/flush)	\$50.00
WaterSense-labeled smart irrigation timer ⁴	\$75.00
Clothes washing machine replacement ⁵	\$200.00
Water customer on septic system, additional washing machine replacement incentive	\$50.00