



Public Notice Pursuant to A.R.S. § 38-431.02

ARIZONA MUNICIPAL WATER USERS ASSOCIATION MANAGEMENT BOARD

MEETING NOTICE AND AGENDA

Tuesday, December 12, 2023 – 10:00 a.m.

**This meeting will be held as a Hybrid meeting.
Attendance in person is welcomed; Others may join via Zoom.**

Access this [Link](#) to join via Zoom. Meeting ID: 897 8179 7375
(Option to join by phone: 602-753-0140, same Meeting ID as above)

A. Call to Order

B. General Business—Items for Discussion and Possible Action

1. Approval of the Minutes from the November 8, 2023, Meeting
2. Next Meeting Date: January 10, 2024, 10:00 a.m.
3. Update on the Governor’s Water Policy Council
4. Analysis of the Role of Service Areas in Providing Water
5. Messaging about Current Collective Conservation Efforts
6. Recommendation for 2024 AMWUA Management Board Chair and Vice-Chair

C. Member Reports

D. Executive Director’s Report

E. Future Agenda Items

F. Adjournment

*The order of the agenda may be altered or changed by the AMWUA Management Board. Members of the AMWUA Management Board may attend in person or by internet conferencing.

More information about AMWUA public meetings is available online at www.amwua.org/what-we-do/public-meetings, or by request.

Arizona Municipal Water Users Association

MANAGEMENT BOARD

MEETING MINUTES

November 8, 2023

HYBRID MEETING

MEMBERS PRESENT

Chris Hassert, Mesa, Chair
Brian Biesemeyer, Scottsdale, Vice Chair
Kirk Beaty, Avondale
Barbara Chappell, Goodyear
Brett Fleck for David Burks, Peoria
Tara Ford, Tempe
Brandy Kelso, for Troy Hayes, Phoenix
John Knudson, Chandler
Jessica Marlow, Gilbert
Ron Serio, Glendale

OTHERS PRESENT

Jeannie Aguilar, ASLD	Kathy Ferris, AMWUA	Drew Swieczkowski, Glendale
Anthony Beckham, CAP	Sherry Garcia, AMWUA	Tina Sleeper, Tempe
Paul Bergelin, AMWUA	Jake Golden, Phoenix	Ginger Spencer, Phoenix
Trevor Baggione, ADEQ	Lauren Hixson, Town of Gilbert	Martin Stiles, CAP
Silvana Burgos, City of Goodyear	Simone Kjolsrud, Chandler	Warren Tenney, AMWUA
Craig Caggiano, City of Tempe	Meagan Johnson, Phoenix	Sheri Trapp, AMWUA
Harry Cooper, AMWUA	Jacob Perez Laurent, AMWUA	Stefan Walston, Gilbert
Ray Diaz, Goodyear	Karen Peters, ADEQ	

A. Call to Order

Mr. Hassert called the meeting to order at 10:03 a.m.

B. General Business – Items for Discussion and Possible Action

1. Approval of the Minutes from the October 11, 2023, Meeting

Upon a motion made by Ms. Marlow and a second by Mr. Beaty, the AMWUA Management Board unanimously approved of the October 11, 2023, meeting minutes.

2. Next Meeting Date: Tuesday, December 12, 2023, at 10:00 a.m.

3. Conversation with Karen Peters about ADEQ Roadmap for Advanced Water Purification

Karen Peters and Trevor Baggiore of the Arizona Department of Environmental Quality (ADEQ) addressed the Management Board about ADEQ's recently released Roadmap for Advanced Water Purification. Ms. Peters explained that the Roadmap was a product of much input since October of last year. She explained that the Roadmap is not the final rule and that ADEQ intended to have a very interactive rule making process and wants to engage with the AMWUA cities, who will be the main consumers of this rule in terms of your operations. The Roadmap is a scientific starting point and it doesn't take into account a lot of practical issues that we need to deal with. ADEQ is very open and wants to engage with you on those issues. It's very important for public acceptance of Advanced Water Purification and establishing a foundation that is based on the science of the treatment process so that consumers have the confidence that we want them to have. We have really good success with the Arizona Republic, and they speak very well of the Roadmap. ADEQ has reached out to the media to explain about the safety of Advanced Water Purification. Ms. Peters said that she has a copy of the letter that many of the Management Board members signed and sent to ADEQ in September in response to the Technical Advisory Group report and that the letter was very much considered in preparing the Roadmap.

Trevor Baggiore added that this Roadmap is a state-wide program. The Roadmap process is not the rule and the conversation is not closed. He further added that the Roadmap is to let you know the direction we are heading and we want your input.

Ms. Peters added that there are too many public water systems that have trouble complying with safe drinking water. This is an enormous concern. ADEQ wants to ensure that the new rules can be complied with by all water systems. The timeline is to draft the rules throughout the spring and notice of proposed rulemaking in the summer. The process took longer than anticipated because we were received much input to take into consideration. We are hopeful that will be the timeline going forward and we want this process to be a robust-collaborative effort.

Mr. Hassert asked what the remaining Roadmap process looks like and are you considering additional input? Ms. Peters said that we have an informal comment period through December 2, but that will not be the end of the input. We are hopeful that communities and residents at large give us some first reaction. As we go through the rule writing process, we will be reaching out and talking with the cities. It is not our intention to spring a draft rule on you but to work with you through the process. Mr. Hassert asked how is ADEQ receiving comments from the public? Mr. Baggiore responded ADEQ is receiving comments through its website and email. Mr. Baggiore asked Mr. Hassert, if he would be notifying his customers that the comment period is open? Mr. Hassert responded that they had not made a decision about that yet.

Mr. Biesemeyer said thank you for your comments and we appreciate you acknowledging the letter. Regarding the proposed Project Advisory Committee, there is no utility member. Regarding enhanced source control, the executive summary implies that all commercial customers will be inventoried but there is lack of understanding of who our commercial customers are. This is problematic because our systems are set up we take wastewater from each other. For example, if Phoenix wants to set up their AWP process and one of us decides not to be part of that process how is Phoenix going to mandate source control. Another example is Scottsdale has a contract with Black Mountain Sewer Company, and we take wastewater that comes out of Carefree. To think about how we would get legal authority to look at commercial customers in Carefree would be complex.

Mr. Biesemeyer also raised questions about the Operation Certifications in the Roadmap, which only allows for drinking water certified to get the advanced certification and there is no avenue

for Grade 4 wastewater operators. He also noted the absence of discussing Arizona's long history with wastewater including direct potable reuse.

Mr. Baggiore responded that the Project Advisory Committee is an optional function for ADEQ. The goal is when we have technical concerns to address as part of the permit application, that we can go to an independent third party to get a better understanding. It was not our intention to leave utility managers off. Mr. Biesemeyer said it would be great to have a utility perspective included. Mr. Baggiore responded regarding Enhanced Source Control; we attached it to commercial because we don't have a better understanding of how else to do it. We do recognize that commercial is too broad. The intent may not be clear enough, but it will be pre-treatment as you already apply to industrial. Please give us your suggestions on how to narrow this. Regarding Operator Certification, Mr. Baggiore said our goal is to make sure there are qualified people running these facilities. The reason we went with drinking water is because that is what the finished product is but ADEQ does not want to create a shortage of operators. Mr. Biesemeyer said flexibility is needed so operators have a way to get the additional certification. Ms. Peters added that there is a shortage crisis of operators enormously amplified outside the metro areas and we are concerned about this and would appreciate hearing thoughts about how to address that. Mr. Biesemeyer said that as proposed, getting operators available and through another training program would take at least 2 years or longer.

Mr. Hassert added regarding the Source Control, as another example, if Mesa was not participating in the treatment or distribution of the Advanced Water Purification water but the wastewater is passing through us, does that put burden on the city? Mr. Baggiore said you know the challenges better than we do, help us understand. Mr. Hassert added that City of Mesa also has an industrial pretreatment program like the other cities, and this is another layer.

Mr. Serio asked if it would be better to identify the concern and work backwards instead of picking certain industries? Ms. Peters said that the objective is to give communities assurance that we are doing all of this the safest way possible. If there's other ways to reach that objective, we are willing to discuss.

Mr. Tenney added that the challenge is public acceptance and helping the public understand that water utilities are constantly making sure quality water is being delivered and exceed that. Reporters and public like to use terminology to describe Advanced Water Purification in a way that minimizes what technology can do. Singapore is a great example where they have used advanced water purified for decades successfully and have public acceptance. The challenge is, how do we make sure the public understands that we have one water – there is not multiple water – it is the same water we had since the world was created. How do we keep stretching it, how do we use it wisely, especially here in the desert. As we go down this Roadmap into the rules, we need to keep emphasizing one water in meeting safe drinking water standard. During the rulemaking process we need to make sure we are setting it up another category of water, but rather this is one water, and all water has to meet the Safe Drinking Water Act.

Mr. Hassert thanked Ms. Peters and Mr. Baggiore for the dialogue today and the exchanging of thoughts. Ms. Peters said she appreciated being at the meeting and forward to further dialogues.

4. [Governor's Water Policy Council](#)

Mr. Bergelin shared that the Rural Groundwater Committee has largely been focused on developing a groundwater management framework for rural communities in managing local groundwater resources, protecting water users, and managing the aquifers. The Committee has been working on developing consensus on basic components for this framework. Two council members have resigned in protest of the Committee's direction. Rural groundwater management framework will require legislation.

The Council recommended that the Alternative Path to Designation proposal should be further developed in a stakeholder and rulemaking process led by ADWR. The Council also agreed to recommend the requirement that build-to-rent properties be included in the Assured Water Supply Program. The Assured Water Supply Committee is still working on a recommendation to address wildcat developments.

The Council will meet one more time this year. The Assured Water Supply Committee still needs to consider other concepts submitted, including to address groundwater pumping by industrial users outside of designated service areas. AMWUA will be more engaged in the ADAWS stakeholder and rulemaking process as the proposal moves forward.

Mr. Hassert asked, when recommendations are submitted to the Governor, will the Governor select one, two, or more of the recommendations and will that be final, or will they be sent back to the Council? Mr. Bergelin a recommendation could be sent back to the Council if there are substantial changes requested. Mr. Hassert asked if there is a public comment period? Mr. Tenney added that the Council will advance the recommendation to the Governor, then the Governor may proceed with a rulemaking process or develop the legislature depending on the proposal. Whether it goes to legislature or rulemaking there would be plenty of opportunities for public comment and we would still be engaged in the rule making process as well as anything in the legislature.

Mr. Fleck asked how we go about submitting concepts for future consideration. He noted an issue about how physical availability of groundwater associated with member lands is calculated when a water provider acquires the water system serving those member lands. Mr. Tenney responded that there should be an opportunity to address that in the rulemaking process for the Alternative Path to Designation or future meetings of the Assured Water Supply Committee.

5. [Fiscal Year 2024 Quarterly Financial Statements – First Quarter](#)

Mr. Tenney reported that as of September 30, 2023, AMWUA's expenses are under the year-to-date budget by \$2,123.

Upon a motion made by Ms. Chappell and a second from Mr. Serio, the AMWUA Management Board approved to recommend the AMWUA 2024 Quarterly Financial Statements – 1st Quarter to the AMWUA Board of Directors for acceptance.

6. [AMWUA Annual Financial Audit Report for Fiscal Year 2023](#)

Mr. Tenney reported that Heinfeld, Meech & Co., an independent accounting firm, conducted the Fiscal Year 2023 audit and concluded there are no significant findings in their audit, which means AMWUA's finances are in good standing.

Mr. Fleck asked if AMWUA is required to change the audit firm every so often? Mr. Tenney responded that it is not required, but when we did enter into the current contract, Board members had suggested that we consider some type of rotation in the future.

Upon a motion made by Ms. Ford and a second from Mr. Knudson, the AMWUA Management Board approved to recommend the AMWUA Annual Financial Audit Report for Fiscal Year 2023 to the AMWUA Board of Directors for acceptance.

7. [Nominating Committee for AMWUA Management Board Chair & Vice Chair for 2024](#)

Mr. Hassert explained that the AMWUA Management Board to elect a Chair and Vice-Chair by its December meeting. Mr. Hassert reported that Ms. Marlow, Ms. Chappell and he will serve as the nominating committee. Mr. Tenney explained that the AMWUA Bylaws for qualifying as an officer.

C. Member Reports

Mr. Biesemeyer shared that since 2019 the City of Scottsdale had been hosting the Canal Convergence Festival / One Water Brewing Showcase. Several microbreweries are using Scottsdale's recycled / purified water. This year was our most successful festival. We had an educational tent set up and provided drinking water samples. Six hundred samples were allocated for this event, and we ran through 600 samples by the end of Saturday evening. We were very pleased on how well it was received. The City of Scottsdale will be following up with a survey with our public of the acceptance of advanced purified water using Canal Convergence. Mr. Hassert asked how are you doing the survey? Mr. Biesemeyer said it will be by phone, text web, and email to web. Mr. Hassert asked if it is a yes or no type of survey? Mr. Biesemeyer said no, it is a 15-minute call and we have also asked about conservation initiatives.

Ms. Hassert reported that the City of Mesa awarded a contract to McCarthy to expand the size of the Signal Butte treatment plant which is our 24 MGD CAP plant. We will double the size of GMP1 and build a second reservoir to build a twin. We are working with the contractor to negotiate GMP2 which will be the rest of the plant going from 24 to 48.

D. Executive Director's Report

Mr. Tenney reported that the AMWUA Board approved the use of the reserve funds to hire a website consultant, which we have done. The consultant is working on making upgrades to our website to provide it better protection for the long run.

Mr. Tenney reported that the Salt River and Verde River reservoirs are at a combined capacity of 82%, which is a good place to be since the water year has started to be only at 14% of normal. October runoff was the second driest October on record for SRP. The near-term outlook is showing above normal temperatures and below normal precipitation.

Regarding the Colorado River, Mr. Tenney said Lake Mead is holding steady at 34% full. 1MAF less runoff water than what was projected at in April.

E. Future Agenda Items

No future agenda items were requested.

F. Adjournment

Mr. Hassert adjourned the meeting at 11:05 a.m.

MANAGEMENT BOARD

INFORMATION SUMMARY

December 12, 2023

Governor's Water Policy Council

ANNUAL PLAN REFERENCE

Sustainable Water Management

Promote efforts and policies that will sustain and safeguard our members' water resources and prepare for critical water management issues.

- Governor's Water Council – Actively protect and promote our members' perspectives.
Strategic Plan: Facilitate our Strength in Numbers, Educate – Excel as an Expert and Resource, Collaborate and Advocate for Solutions, Safeguard Water Supplies, Strengthen Groundwater Management, Pursue Post-2025 Water Policy

SUMMARY

Governor Hobbs has established her Water Policy Council to update the tools available for managing groundwater by proposing changes to the Assured Water Supply Program and improving management of rural groundwater. The Governor is asking the Water Council to review and make recommendations by December 1, 2023 to address the challenges facing both issues. The Council has been divided into two committees to develop proposals for the Assured Water Supply Program and rural groundwater.

The Water Council held its final meeting for 2023 on November 29th. The Council discussed and agreed with the Assured Water Supply Committee's recommendation to increase enforcement to dissuade wildcat subdivisions (illegal lot splitting). Also, the Council discussed and concurred with the Rural Groundwater Committee's proposals for a rural groundwater management area framework and increasing measuring and reporting of groundwater pumping in rural Arizona.

The Water Council had previously reached consensus on regarding the framework for an Alternative Path to Designation and a recommendation to include build-to-rent properties into the Assured Water Supply Program.

AMWUA staff will give an update on the Water Council's recommendations from its November 29, 2023 meeting and how the proposals from the Water Council may impact the 2024 legislative session.

RECOMMENDATION

The AMWUA Management Board is encouraged to ask questions and discuss the recent activities regarding the Governor's Water Policy Council.

MANAGEMENT BOARD

INFORMATION SUMMARY

December 12, 2023

Analysis of the Role of Service Areas in Providing Water

ANNUAL PLAN REFERENCE

Enhanced Communication

Advance how AMWUA conveys the municipal perspective on water, stays in front of water issues, and better communicates and personalizes the impact to the average citizen.

- Work with member and partner PIOs and communications staff to facilitate information exchange, identify shared challenges and opportunities, and enhance messaging coordination on water resource issues and the importance of conservation.

Strategic Plan: Educate – Facilitate our Strength in Numbers, Excel as an Expert and Resource, Collaborate and Advocate for Solutions

Legislation

Effectively advocate with one voice at the Legislature.

- Engage with legislators to inform them about the issues important to AMWUA including identifying and working with legislators to champion water issues.

Strategic Plan: Collaborate and Advocate for Solutions, Safeguard Water Supplies

SUMMARY

A service area defines where a municipal water provider delivers water, which includes the necessary infrastructure to convey water. Since service areas have been an accepted legal concept for over a century, it can be easy to forget or disregard how essential a service area is in meeting the water needs of all municipal customers. Unfortunately, bills from previous legislative sessions have attempted to undercut the basic tenants for a service area.

AMWUA staff has completed an analysis about the history and role of service areas in Arizona's water management in an effort to educate and elevate the importance of service areas. AMWUA staff will present the findings of this analysis.

RECOMMENDATION

The AMWUA Management Board is encouraged to ask questions and discuss the importance of understanding the benefits of having clearly defined water service areas.

MANAGEMENT BOARD

INFORMATION SUMMARY

December 12, 2023

Messaging about Current Collective Conservation Efforts

ANNUAL PLAN REFERENCE

Conservation & Efficiency

Excel as a leader in water conservation by assisting our members with strategizing their program implementation and coordinating awareness about ongoing and new conservation efforts that enhance water resource supply sustainability.

Strategic Plan: Facilitate our Strength in Numbers, Educate – Excel as an Expert and Resource, Collaborate and Advocate for Solutions, Safeguard Water Supplies, Strengthen Groundwater Management, Prepare for Impacts of Drought & Shortage, Pursue Post-2025 Water Policy, Minimize Financial Impact, Interconnect Disciplines

SUMMARY

As a follow-up to the discussion about AMWUA's conservation efforts at the October 11, 2023 meeting, AMWUA staff will share messaging that was developed with the Conservation & Efficiency Advisory Group to promote the collective conservation and efficiency accomplishments of the AMWUA members.

RECOMMENDATION

The AMWUA Management Board is encouraged to ask questions and discuss AMWUA's messaging about current collective conservation efforts.

MANAGEMENT BOARD
INFORMATION SUMMARY
December 12, 2023

Recommendation for 2024 AMWUA Management Board Chair and Vice-Chair

STRATEGIC PLAN REFERENCE

Operational Principles – Facilitate our Strength in Numbers

SUMMARY

The AMWUA Management Board is to elect a Chair and Vice-Chair to serve from January 1, 2024 through December 31, 2024. To accomplish this, the current Management Board Chair appointed a three-member nominating committee to recommend a candidate for Chair and a candidate for Vice-Chair at the December 12, 2023 meeting.

Per the AMWUA Bylaws, the qualifications for serving as an officer are 1) serve as a member of the current Management Board for at least the immediately preceding twelve months (January 2023 – December 2023); 2) have not missed more than three Management Board meetings in the preceding twelve months; 3) be able to serve at least one year as Chair or Vice-Chair; and 4) the Chair and Vice-Chair may serve a maximum of two consecutive years in the same position.

RECOMMENDATION

The Management Board is requested to consider and approve the Nominating Committee's recommendation for Chair and Vice-Chair for 2024.