

Minutes of a Regular Meeting of the Common Council of the Town of Clarkdale Held on Tuesday, March 14, 2006.

A Regular meeting of the Common Council of the Town of Clarkdale was held on Tuesday, March 14, 2006 at 6:00 p.m. in the Men’s Lounge of the Clark Memorial Clubhouse, 19 North Ninth Street, Clarkdale, Arizona.

Town Council:

Mayor	Doug Von Gausig
Vice Mayor	Jerry Wiley
Councilmember	Frank Sa
	Patricia Williams
	Tim Wills

Town Staff:

Town Manager	Gayle Mabery
Town Clerk	Joyce Driscoll
Town Attorney	Anna Young
Com. Dev. Director	Sherry Bailey
Fire Chief	Jerry Doerksen
Magistrate	Joan Dwyer
Police Chief	Pat Haynie

Others in Attendance: Robyn Prud’homme-Bauer, Ellie Bauer, Geri Branaman, Greta Schiegg, Jeff Simon, J.R. SpOak, Drake Meinke, Lee and Gail Daniels and Curt Bohall.

AGENDA ITEM: CALL TO ORDER - Mayor Von Gausig called the meeting to order at 6:07 p.m. and noted that all Council members were present.

AGENDA ITEM: PUBLIC COMMENT -

Ellie Bauer, 1201 Main, thanked Councilmember Williams for mentioning the need for public input as to what should be done with the clubhouse. The Council discussed piecemealing the restoration, but she is not sure that is the best way. The building is not fragile and has a sound structure. She remembers times in the past that the building was used more. She feels there is now access to grant information at the Cottonwood library. She hopes the Council directs the grants person to find grants for the building and to do it with a passion. She hopes to have Clarkdale’s support for the League of Women Voters forum.

AGENDA ITEM: INFORMATIONAL REPORTS-

MAYOR’S REPORT – A report from the Mayor on current events. Mayor Von Gausig reported:

1. He attended the Candidate Forum.
2. He attended a State Parks meeting regarding improvements to the land adjacent to Tuzigoot.
3. He had a lunch meeting with Town Manager Mabery and Councilmember Williams.
4. He wrote a recommendation for Town Manager Mabery for a scholarship to professional training.
5. He met with candidate Greta Schwigg.
6. He met with Town Manager Mabery, Police Chief Haynie and Sergeant Smith.
7. He met with former mayor Ray Selna and staff to discuss road dedications.
8. He met with the water acquisition group.
9. He spoke to Magistrate Dwyer regarding her contract renewal and the court IGA with Jerome and other issues.
10. He spoke with Mayor Moore of Jerome.
11. He met Camp Verde regarding their acquisition of their water company.
12. He discussed court issues with Town Manager Mabery.
13. He met with five citizens on various issues.
14. He reported that he saw a mountain lion at his home and noted that with the drought animals are seeking water and being seen more.

TOWN MANAGER’S REPORT – A report from the Town Manager on current events.

Town Manager Mabery reported the following:

1. She noted that the Town won’t have the

results on the write-in candidates in today's election until Thursday or Friday.

- 2. There will be a ceremony at Tuzigoot on March 28th celebrating Tavasci Marsh coming under Tuzigoot's control.

NACOG - A report regarding the Northern Arizona Council of Governments. Vice Mayor Wiley stated there was an executive board retreat Friday in Casa Grande.

NAMWUA - A report regarding the Northern Arizona Municipal Water Users Association. No report.

WAC - A report regarding the Yavapai County Water Advisory Committee. Mayor Von Gausig stated that they discussed the Verde River Basin Partnership and the USGS report, now on the USGS website.

CATS - A report regarding the Cottonwood Area Transit System. No report.

COCOPAI - A report regarding the Coconino Yavapai Resource Conservation District. No report.

VVLPI - A report regarding the Verde Valley land Preservation Institute. Councilmember Williams stated they discussed the budget and dues, starting a semi-annual newsletter, drafting a regional open space plan, developing open space easements in Camp Verde and Cornville, exposure and recruitment, and a referendum effort regarding open space. Non-profit grant research is now available at Cottonwood Library.

AGENDA ITEM: CONSENT AGENDA - The consent agenda portion of the agenda is a means of expediting routine matters that must be acted on by the Council. All items approved with one motion. Any items may be removed for discussion at the request of any Council Member.

Councilmember Sa moved to approve the Consent Agenda items. Vice-Mayor Wiley seconded and the motion passed unanimously.

A) Approval of Minutes of the Common Council - Approval of the minutes of the Special Meetings held February 7 and February 28, 2006.

B) Claims - List of specific expenditures made by the Town during the previous month.

C) Board and Commission Minutes - Acknowledgement of receipt of minutes and draft minutes of the previous month's Board and Commission Meetings.

- Design Review Board - February 28, 2006
- Planning Commission - February 21, 2006

D) Reports - Approval of written Reports from Town Departments and Other Agencies.

- Building Permit Report - February 2006
- Fire Department Report and Mutual Aid Responses Report - February 2006
- Magistrate Court Report - January 2006
- Police Department Report - February 2006
- Verde Valley Humane Society - February 2006

AGENDA ITEM: PUBLIC HEARING - A hearing to receive input from the public on the FY06 State Community Development Block Grant (CDBG) funds.

Grants Administrator Ravenwood presented the staff report, as follows:

Background: CDBG, or Community Development Block Grants, is a U.S. Housing and Urban Development (HUD) Small Cities Program that provides funds for housing and community development activities in rural Arizona.

The Town of Clarkdale receives CDBG funds on a four-year rotating basis through NACOG. The application process begins with this public hearing.

Prior public meetings established funding criteria for grant use which included a focus on the Patio Park area. Suggestions for the Patio Park area made were; looking into the establishment of a new soccer field/park, street repairs, curb cuts with gutters and sidewalks, neighborhood cleanup and revitalization of existing park. Due to lack of additional land available for a new soccer field/park, staff recommends using the funds to repair streets with curb cuts and gutters, sidewalks, do a neighborhood cleanup and improve the existing park by adding sod and tables.

This agenda item is to receive input from the public on the proposed applications and the projects recommended above.

She noted that fewer funds may be received than anticipated. They have done an income survey and have spoken to all of the residents of Patio Park.

Vice Mayor Wiley stated he is concerned that they can't service park sod with effluent for watering.

AGENDA ITEM: RESOLUTION – Discussion and consideration of a Resolution authorizing the submission of grant applications for Community Development Block Grant (CDBG) funds.

There was discussion of running up against a water problem this summer at the park. Town Manager Mabery stated they do not have to include that in the project. Staff included it because the lawn area is very small. The park originally had grass, which was discontinued in the past drought.

There was clarification of the zero/ribbon curbing proposed.

Councilmember Wills moved to approve Resolution #1184 authorizing the submission of grant applications for Community Development Block Grant funds for Patio Park street improvements, improving the existing park in Patio Park and neighborhood clean-ups in Patio Park. Vice Mayor Wiley seconded and the motion passed unanimously.

AGENDA ITEM: TERMINATION OF AGREEMENT – Discussion and consideration of terminating the Intergovernmental Agreement (IGA) with the Town of Jerome for Court Clerk services. Town Manager Mabery stated the town's court clerk left and a new full time clerk was hired. Jerome has also hired a full time court clerk so the IGA is no longer needed.

Vice Mayor Wiley moved to authorize staff to proceed with the termination of the Intergovernmental Agreement with the Town of Jerome for court clerk services. Councilmember Williams seconded and the motion passed unanimously.

AGENDA ITEM: WORKSESSION – A work session to discuss short and long term water policy issues.

Town Manager Mabery presented the staff report, as follows:

Background: As of March 14th, we are seven weeks into ownership of our water company. Many day-to-day issues have arisen that have been addressed, and Steve and Gayle are now having weekly coordination meetings with the Cottonwood Utilities staff so that we can coordinate and troubleshoot on those day-to-day issues. Steve and Gayle will give an update to the Council about those coordination meetings and the issues that are typically covered in them. We will also update you with regard to the calls we have received and customers who have stopped in since the first bills were mailed on March 1st.

In addition, Gayle and Mayor Von Gausig are continuing to meet with Water Company Acquisition Work Group to discuss the issues that still need to be wrapped up with regard to the purchase, and discuss opportunities to work together on issues in the future. Items discussed at the last Work Group meeting included:

- 1) CWW post closing list and transfer of wells, Cottonwood/Clarkdale 36 and 39 Rights;
- 2) CAP Trust Fund;
- 3) System mapping. Current status and future plans for computerizing system mapping.
- 4) CWW system records for Clarkdale side of system. What is the state of the records and how are we going to deal with them?
- 5) Water Conservation Program. How are these funds being used currently by Cottonwood? Interest in Joint Education Program?
- 6) Water Policy Adoption. Discuss status of policy/ordinance development. Any interest in meeting regularly to coordinate on these issues?
- 7) System Rates and Fees: What fee structure changes are being considered in Cottonwood and Clarkdale? How can we coordinate on these fees?
- 8) Growth Premium Payments – How are we tracking and paying those?

Finally, Staff has a series of issues that they would like to discuss with the Council, including:

- 1) Use of potable water for construction

- purposes;
- 2) *The Updated Water Rate Study from Economists.com;*
- 3) *Basing negotiation for water service for projects that are proposed prior to adoption of impact fees on Economists.com recommended fees;*
- 4) *Working jointly with the City of Cottonwood to have a set of water policies developed (including a Water Conservation Policy), in order to adopt a comprehensive ordinance in the near future (3-4 months);*
- 5) *Discussion about Water Conservation Assistance Programs or Water Utility Billing Assistance Programs*
- 6) *Availability of Leak Detection Kits and Water Conservation Pamphlets*

Staff Recommendation – *This item is scheduled as a worksession only, and no official action is necessary from the Council, although staff may be seeking general direction on several of the items mentioned.*

Town Manager Mabery listed the issues brought up from phone calls from rate payers who received their first Clarkdale water bill, as follows:

- 1. People were surprised and didn't understand why Clarkdale acquired the water company
- 2. The tiered rate structure.
- 3. Low-income residents wanted to know about assistance programs.
- 4. The bar graph on the bill showing the usage history for one year has been a tool to identify possible leaks. The town had a number of payers who had leaks that previously went undetected.
- 5. They provided resources to find out how much water plants really need to several people. One caller is retired and lives in a two-person household that has used 20,000 gallons.
- 6. One person called with the concern that people would not water landscaping at all and Clarkdale would become brown.

- 7. Concern that water rates are paying for future demand of subdivisions.
- 8. If potable water is allowed for construction, do not have a bulk rate.
- 9. Encourage effluent for watering and anticipate this being required in the future.
- 10. When Cottonwood Water Works read the meters, they rounded to the nearest 1,000 gallon. The full reading being done now affected some people.

There is an urgency to get at least a framework of ordinances done quickly. There was discussion of having staff or a consultant develop stock ordinances.

A pressing issue is a comprehensive water conservation ordinance, but it would probably be more effective to have this as part of a larger water ordinance. Once it is approved staff can refine and revise it as needed. There was discussion of doing this framework ordinance at one time as advantageous over piecemealing ordinances that may not fit well together. There was a proposal to let a contract for a consultant jointly with the City of Cottonwood. Estimated timeframe is 4-6 months to get it done.

Mayor Von Gausig read a statement, as follows:

A Future History of Water in Clarkdale and the Verde Valley

Note: All economic figures are adjusted to 2006 dollars

2006: *Clarkdale's population is about 4000 people; the Verde Valley's is about 60,000. Average household water use in Clarkdale is 10,000 gallons/month, 143 gallons per capita, per day (gpcpd), and the average monthly water bill is \$70. Clarkdale's citizens have just purchased the local water company and instituted a "tiered" rate structure with the intent of encouraging water conservation. The new wastewater treatment plant will be on line within the next few years. The Town has upgraded its effluent from the existing plant so that it can be applied to a spray irrigation field near the old slag pile. Most of the effluent is consumed through evapo-transpiration, and there is very little recharge of the aquifers that sustain Clarkdale's drinking water supply. Because of the tiered*

rates and higher water bills, citizens are becoming much more aware of the value of water in a semi-desert area. Clarkdale imposes water conservation ordinances that limit new development's use of potable water, mandate the use of effluent wherever possible, and enforce strict low-water landscaping regulation. The drought is in its 5th year of a possible 30-year cycle. USGS studies begin to appear that help the Verde Valley understand its water budget and the Verde River Basin Partnership is in its infancy. Verde River base flow at the Clarkdale gauge is 73 cfs. At Camp Verde it is 149 cfs. The Verde River Adjudication has not been settled.

2011: Clarkdale's population is about 6700 people; the Verde Valley's is about 77,000. Average household water use in Clarkdale is 8,000 gallons/month, 114 gpcpd, and the average monthly water bill is \$70. The lower per capita use is due to gpcpd restrictions on new development and the tiered rate structure. The new wastewater treatment plant is on line, producing A+ effluent, which is efficiently distributed to provide irrigation for Town parks, cemetery, and ball fields. Excess effluent is sold for construction water at the same price as potable water, and the remainder is applied to recharge projects above Clarkdale's aquifers. Clarkdale continues to refine and expand its water conservation educational programs in the local schools, and through public awareness campaigns. New construction must show that any new residences are designed to use less than 100 gpcpd. It is illegal to use potable water for construction purposes now that sufficient effluent is available for those uses. The drought is in its 10th year. USGS modeling has produced a clear picture of the Verde Valley's water budget, showing that the Valley is depleting its aquifers at an alarming rate. The Verde River Basin Partnership is still in the planning stages. The Cities of Prescott, Prescott Valley and Chino Valley have started pumping from the Big Chino aquifer, and the base flow at the Paulden gauge has decreased by 2 cfs to 18cfs. Base flow at the Clarkdale gauge is 72 cfs. At Camp Verde it is 138 cfs, the decrease apparently due to pumpage all over the Verde Valley. The Verde River Adjudication has not been settled.

2016: Clarkdale's population is about 14000 people; the Verde Valley's is about 92,000. Average household water use in Clarkdale is 6800 gallons/month, 97 gpcpd, and the average monthly water bill is \$70. The lower per

capita use is due to gpcpd restrictions on new development and the tiered rate structure, new mandatory landscaping restrictions, and new construction ordinances mandating that residences must be designed to use 80 gpcpd or less. The drought is in its 15th year, though a few years lately have shown greater than normal precipitation. The Verde River Basin Partnership is still in the planning stages. The base flow at the Paulden gauge has stabilized at 16 cfs, but the water chemistry in the Verde River has changed due to mitigation of the pumping in the Big Chino by directing effluent to Sullivan Lake. Pharmaceuticals, VOCs and other micro pollutants in the Verde River are beginning to concern the citizens of the Verde Valley. Base flow at the Clarkdale gauge is still 70 cfs. At Camp Verde it is 110 cfs, and Salt River Project has begun to institute restrictions on groundwater use in the subflow zone, which has been defined as an area approximately 1 mile either side of the river. The Verde River Adjudication was settled in 2012; however Clarkdale was not affected, having reached a separate settlement with SRP a few years before.

2021: Clarkdale's population is about 22,000; the Verde Valley's is about 115,000. Verde Valley County officials have created the strictest set of water conservation ordinances in the State's history enabled by changes to State water law encouraged by Governor O'Halleran and facilitated by the continuing drought. State statues no longer treat groundwater and surface water separately. Average household water use in Clarkdale is 5000 gallons/month, 71 gpcpd, and the average monthly water bill is \$70. Most private wells in Town have been capped and the residences are now served by the municipal utility. This change was difficult and unpopular, but its economic impact on the owners was mitigated by new development "retrofitting" ordinances that forced new homes to pay a \$15,000 water impact fee to help serve those outlying well owners. The drought is in its 20th year, with average rainfall of only 9" per year for the last 5 years. The Verde River Basin Partnership was abandoned when officials in Yavapai County could not come to terms with officials in Verde Valley County. Senator Davis continues to fight for the citizens of Verde Valley County and has made some impressive inroads into conservation of what little State Trust Lands still exist. The base flow at the Paulden gauge is still at 16 cfs, and the "Tri Cities" are now treating the outflow from the Big Chino to produce environmentally acceptable water quality. This step was forced by a lawsuit

brought jointly by the Center for Biological Diversity and Verde Valley County. Since the treatment was instituted no more deformed bullfrogs have appeared in the river. Base flow at the Clarkdale gauge is at 70 cfs. At Camp Verde it has shrunk to 95 cfs. The Cities of Sedona, Clarkdale, Cottonwood and Camp Verde have consolidated ownership of their water utilities with the Cornville/Page Springs/Lake Montezuma Water District to form the new Verde Valley Water District. Direct reuse of effluent is being seriously studied by ADEQ, EPA and DWR, which now has complete jurisdiction over all State drinking water supplies. That department has grown to become the third largest in the state.

2026: Clarkdale's population is 32,000; the Verde Valley's is about 165,000. Average household water use in Clarkdale is 3200 gallons/month, 45 gpcpd, and the average monthly water bill is \$70. The drought seems to be waning, with 3 of the last 5 years having had slightly above average precipitation. The base flow at the Paulden gauge has increased to 20 cfs, now that the new mandatory direct reuse/recycling law has been passed by the legislature. The new law mandates that all wastewater treatment facilities produce potable water and that this water must be returned directly to the potable water distribution systems. Base flow at the Clarkdale gauge is now 75 cfs. At Camp Verde it has stabilized at 98 cfs. The Verde Valley Water District is studied worldwide as a model of water conservation. State law now demands that all watersheds be managed on an integrated management model, and strict penalties for groundwater depletion and environmental degradation have been instituted. With the State's population now at 10 million, and since Nevada has secured their 2,000,000 acre-foot Colorado River allocation, DWR is studying a goal of 30 gpcpd for all new construction in the state.

Mayor Von Gausig urged the Council to think long term when considering water ordinances.

The item was opened to public comment.

Ellie Bauer, 1201 Main Street, stated the Clarkdale Water Advisory Group wants to help in learning to live in the desert environment. They have already gathered information on conservation and will

continue to take some of the burden to do this.

Mayor Von Gausig stated he would like a list of the issues the group thinks should be included in ordinances.

Robyn Prudhomme-Bauer, 1750 Cholla Lane, stated she hopes the Council will have a larger discussion with the boards and commissions and with as many people as possible who are eager to participate.

Public comment was closed.

Town Manager Mabery stated that on a day to day basis staff is dealing with development proposals and smaller projects, but on a long term basis they want to provide service with the smallest number of wells as possible. Staff is working with Willdan Engineers to come up with proposals and a fee structure, even at a per lot level, to use on these small developments.

Mayor Von Gausig stated that in public comment at a previous meeting someone commented that a friend had their well water level drop, which they felt was because of 24 hour pumping at the town's 89A well site. He found that the town's well was only pumping 33% of the time. He met with this person and found out his water level had not dropped.

AGENDA ITEM: FUTURE AGENDA ITEMS -

Listing of items to be placed on a future council agenda. Mayor Von Gausig requested an item on the trust lands initiative.

AGENDA ITEM: ADJOURNMENT - With no further business before the Council, and without objection, the meeting adjourned at 7:37 p.m.

APPROVE:

Doug Von Gausig, Mayor

ATTEST:

Joyce Driscoll, Town Clerk

SUBMIT:

Charlotte Hawken, Admin. Assistant