

**Upper San Pedro Water District Organizing Board  
December 7, 2009  
Cochise County Offices - Bisbee**

***I. CALL TO ORDER:***

Meeting was called to order at 6:30 P.M. by Chairman Mike Rutherford.

***II. CALL OF ROLL:***

PRESENT:

Mike Rutherford  
Steve Pauken  
Holly Richter  
Mary Ann Black  
Carl Robie  
John Ladd  
Rick Coffman  
Susan Shuford

ABSENT:

Mike Boardman  
James Herrewig

OTHERS PRESENT:

Tom Whitmer  
Tom Carr  
Tom Schelling (Cochise County Elections)  
Pat Viverto (Cochise County Voter Outreach, Special Districts Coordinator)

***III. REQUEST FOR APPROVAL OF MINUTES:***

**November 23, 2009, Meeting**

Steve Pauken moved to accept the Minutes of the Meeting of November 23, 2009.  
Seconded by Carl Robie.

VOTE: All in favor. Minutes of November 23, 2009, were accepted. No discussion.  
No objections heard.

***IV. PUBLIC OUTREACH:***

Carl Robie stated that there has been a first meeting with the contractor by telephone conference (and a telephone conference will be weekly thereafter) and the process of developing the base line survey has been started and it is expected to go out in the next three to four weeks. Contractor will be at the December 21, 2009, Meeting to meet the Board and present further.

Holly Richter stated that major target dates to keep in mind are as follows:

Mid January 2010 – Development of FAQ sheets and presentation materials for the public meetings and tentatively schedule the first public meeting tentatively for the third week in January. There will be public meetings scheduled sporadically thereafter through May. With this plan, it is expected that the process would be completed by June 1, 2010.

Robie said that it appears from this initial discussion that the additional meetings as planned for in the Addendum to the contract will be necessary.

#### **V. ELECTIONS PROCESS:**

Tom Schelling came to clarify the elections process. He said that the IGA would be necessary to be in place 90 days prior to the November 2010 election date. He said that the submissions will also need to be made to DOJ on how the election will take place. The County will conduct it, so this part should be easy. Minutes should be kept of the public information meetings and have a sign-up sheet for people to sign. This should be included in the submission to the DOJ. The County will assist regarding the precincts involved.

Schelling said that with regard to the issue of Minority Contacts. Patricia Viverto [Voter Outreach, Special District Coordinator, Elections, Special Districts, Cochise County – (520) 432-8974 FAX: (520) 432-8995 - [pviverto@cochise.az.gov](mailto:pviverto@cochise.az.gov)] spoke to the Board. She provided a list of Minority Contacts for Sierra Vista used at the last election. She also provided a copy of a letter she sent to each person. (NOTE: These documents were emailed to the Board.) She said that in this case the minority group in this area is the Hispanic population. She said that is the population that has to be served. She said she can assist with getting contacts for the rest of the District. She said that the Minority Contact is a Hispanic person and in the event the DOJ chooses to contact that person and ask if the minority is being affected negatively because of the way the precincts are being set out. She contacts each person and confirms that she can use them. She lets them know that they may or may not be contacted. The Minority Contact does not need to be at the polling location on the day of the election. The purpose is not to assist individuals at the polling location with the language. Schelling pointed out that DOJ is just making sure that a person of minority can run for the Board without intimidation, that polling places are not in intimidating place and that it is an open/democratic process. He said that is part of the election plan. Ladd asked if someone from the Board needs to contact the Minority Contacts. Schelling said that it is nice to let them know. However, he said that at times they are not notified in order to give DOJ a clear answer.

Richter stated that she understands that the minority contacts provided are only from Sierra Vista. Schelling said that contacts will be necessary for every precinct affected by the potential District. Richter asked if there have already been contacts identified for other elections. Schelling said there have been, but they may not be current. Richter said it would be easiest to get the same people and Schelling agreed.

Schelling pointed out that the cost of the election will be the \$500 administration fee and the \$0.42 per registered voter. Robie pointed out that a publicity packet is not required in the Board's legislation. Ladd asked about the number of voters. Schelling said there are 72,000 registered voters

county wide. He estimated it at approximately 40,000 voters for the District. This is still yet to be determined.

Schelling pointed out that prior to 120 days out from the election, a package will be sent out for candidates for the Board for establishing their committee, petition, etc. A package will be provided to the Board, potential candidates can also contact Schelling and it will be on-line at the County's website. Black asked about the number of signatures required for a potential candidate. Schelling said the number of signatures needed by each candidate will not be determined until March but he estimated it at 250.

Richter asked about any benchmark dates as the Election Plan is being contemplated. Ladd asked if it is required 180 days or is it 90 days before November 2. Schelling said that once established, the County asks that they be notified 180 days prior. He said that the County knows that the election is coming and they don't need to be notified further since they have been speaking with the Board. He said that 90 days (\*August 3, 2009) needs to be kept in mind as the date to be submitted to DOJ and the last date for candidates to file.

DOJ submission is a separate requirement. Those required forms are on the DOJ website. Britt Hanson said that he will assist with this part of the process.

Tom Whitmer asked if it is possible for Schelling to assist the Board with the Election Plan preparation. Whitmer stated that under the statute, the Board is to prepare an Election Plan. Whitmer said that he has assisted with the preparation of one in the past for a previous District, that it was fairly short and concise, and that it was basically an outline of the steps in the process of getting to the election. Hanson asked if Whitmer was referring to the formal steps that needed to be done. Whitmer said yes. Richter asked if Whitmer could provide the one (he had done previously) as a sample for the Board's usage. He said that he would try and locate it.

Richter asked when the outline of the Election Plan might be started. Robie said it should be soon. Pauken is waiting for clarification (because of his employment) on how he can assist or what part he can play in assisting with the Election Plan without a conflict of interest.

Schelling reminded the Board that the County's GIS person (Walter) that works with the maps needs to have input from the Board about the lines of the District.

#### **X. CALL TO THE PUBLIC:**

**TRICIA GERRODETTE:** In the discussion about the outreach process and she wanted to know if the Board knows what the survey questions might be about. She wanted to make sure the Board knows that there have been multiple public surveys over the past decade and if at all possible if the questions that the Board will be asking have any fit with any survey questions, it would be considered useful to find out if attitudes have changed or if they are still the same. The Board might want to review those surveys and repeat those questions.

Robie pointed out that all previous surveys conducted over the last ten years were provided to the outreach contractor.

**TOM CARR:** Tom wanted to say good bye to the Board as next Tuesday is his last day with ADWR. He is retiring. He said it has been an honor and privilege to work with the Board. He said that he hopes that everything comes out on the other side successfully. He is really pulling for the Board. He said that the Board has been very dedicated as an Organizing Board. He says he has reported back consistently very optimistically about the Board's work. He said if anyone can pull it through to approval, it will be the people around this table.

He said on the way to the meeting, he was thinking of the accomplishments of the last 30 years. He said that when he started back in 1977, CAP had been authorized, but had not started building it yet. We were living off of overdraft of groundwater in Maricopa County, Pima County and Pinal County. The entire economy was based on dwindling groundwater supplies. They were in a fairly severe overdraft situation. Ten years later CAP was delivering water. We had a mandatory conservation and water rights program in place for groundwater supplies. Then, ten years later in 1997, all of the cities were put on a groundwater diet. They had to supplement with sustainable supplies. They have been doing that for 10 years. Also, in 1997, we began full deliveries of all of our Colorado River Supplies which put a crimp on California. Between 1997 and 2007, really then, and now, we have a lot of protections in place for the Colorado River. We have in place sustainable water supply requirements for all of our cities and they are all abiding by it. He wanted the Board to know that a lot happens in 10 years and that sometimes it might look insurmountable and difficult, but keep plugging away. He said the CAP was not without major controversy. He said in 1976, they were on a hit list from the President. He said they were lucky to get funded. He said there was federal and state controversy. He said that it went all the way through and up until 2004 when there was finally an agreement with the Secretary of the Interior and the U.S. about how we would pay for the CAP. He said the controversies will be here, but you have to keep working at it and reminding everyone how important it is to have a sustainable water supply.

Chairman Rutherford said "The Board wants to thank Carr for all of his involvement and his coaching through the process thus far."

***XI. FUTURE MEETING DATES AND LOCATIONS:***

Chairman Rutherford confirmed the next meeting would be as follows:

Meeting: December 21, 2009, at 6:30 P.M. Foothills Complex at **SIERRA VISTA**, Arizona

***XII. ADJOURNMENT:***

There being no further business Chairman Rutherford adjourned the Meeting at 7:00 P.M.