

**WATER & SEWER COMMISSION  
MINUTES OF MEETING HELD May 1, 2023  
THOMAS F. ALLT UTILITIES TRAINING ROOM  
270 WEST 1<sup>TH</sup> STREET  
YUMA, AZ 85364**

Chairman Vinod Mohindra called the meeting to order at 5:00 p.m.

**MEMBERS PRESENT:** Cecil Boelts Vinod Mohindra  
Mike Wicks Carrie Scott  
Walt Schumacher

**MEMBERS ABSENT:**  
Tim Eisenmann  
Lorna Brooks

**STAFF PRESENT:** Jeremy McCall, Utilities Director  
Greg Stack, Utilities Assistant Director  
Chris Grant, Water Quality & Compliance Manager  
Kervina Landry, Administrative Specialist

**PUBLIC PRESENT:** Susanna Hitchcock Anthony Phillips  
Gonzalo Zaragoza Raul Velarde

**Administrative Items**

- **Approval of Minutes from April 3, 2023**

The minutes were approved with an amendment made to the Recommendation of Water Resource Trust Fund. **Cecil Boelts** made a motion to approve the minutes with the amendment; **Mike Wicks** seconded the motion.

Ayes: Commission Members Chairman Mohindra, Scott, Boelts, Wicks, and Schumacher

Nays: Commission Members

## **Presentation – Introduction to Pretreatment ERP Revisions, Chris Grant**

Chris Grant used a power point presentation to present the Pretreatment ERP Revisions. Each Commission Member received a copy of the Enforcement Response Plan and copy of the power point presentation.

- For Part I, a section was added to explain the Pretreatment group's authority.
  - "Yuma City Code, Chapter 191: Industrial Waste and other Wastewater Discharges was approved by the Arizona Department of Environmental Quality (ADEQ) in accordance with the Clean Water Act, Arizona Revised Statutes A.R.S. Title 49 and requirements set forth in the Arizona Pollutant Discharge Elimination System (AZPDES) permit conditions, Aquifer Protection Permit conditions, sludge use and disposal requirements, and any other federal or state law to which the public owned treatment works is subject."
- In Part II "Abbreviations and Definitions" we have added a definitions for:
  - Added a definition for "AR: Authorized or Duly Authorized Representative of the Users"
  - Added a definition for "IU (Industrial User)"
  - Corrected the definition for "SNC or Significant Non-Compliance" to show the correct points value
- In Part III GENERAL RESPONSIBILITIES A. UTILITIES DEPARTMENT we have changed:
  - "Water Quality Assurance Supervisor" is now the "Pretreatment and Backflow Programs Supervisor"
  - Under "Industrial Pretreatment Inspectors" we have added that "inspections may be scheduled, unscheduled or in response to a known or suspected violation"
  - Changed "compliance monitoring" to "sampling"
  - Changed the contact information address and phone number
- IV. Enforcement Response
  - Under this section we added:
    - A. NON-COMPLIANCE INVESTIGATION
    - B. RECORD KEEPING
    - C. COMPLIANCE SAMPLING

This was done to better define our enforcement process.

- D. ENFORCEMENT RESPONSE OPTIONS
  - Added in the statement of enforcement response considerations
  - 3. Phone Call/Email was added
  - 12. Additional self-monitoring may be required to verify compliance was added

- V. ENFORCEMENT RESPONSE TIME FRAME
  - We changed enforcement response times from 10 days to 14 days
- We changed VI. POINTS ASSESSMENT CRITERIA to allow us better flexibility for enforcement action determinations. We can now see from bullet points 2 and 3 that Pretreatment personnel can now better differentiate between a NONC from an NOV.
- ASSESSMENT OF POINTS
- Commission Members were graphics to help explain the assessment of points.
- IX. RECONSIDERATION OF THE FINE
  - Here we have better defined the methods and reasons for disputing and reconsidering fines.
- XI. DELIVERY OF ENFORCEMENT RESPONSE NOTIFICATION IN ORDER OF SEVERITY
  - This list provides guidance on the delivery method for each category of enforcement response notification.
- On Table B we have foot noted all references of NONC\* back to VI. POINTS ASSESSMENT CRITERIA. This is because NONC is not used for the accrual of points.
- P-58 has been changed from a 2nd offense to a 180 day period as the first offense occurs within 90 days of permit expiration.
- We have added violations P-59 through P-63.

*Water and Sewer Commission Meeting adjourned for Public Meeting at 5:19 pm*

**Public Meeting – Pretreatment Enforcement Response Plan**

Public Meeting called to order at 5:19 pm by Chairman Mohindra Chris Grant, Water Quality & Compliance Manager presented the modified Enforce Plan that was provided in each Commission Members packet and copies were put on the back table for public. This ERP is out for public review until May 30, 2023. The comment period started on Sunday, April 23, 2023. The notice for the ERP has been posted in The Yuma Sun as to where the ERP can be viewed. The ERP is located at the City of Yuma Clerk's Office, Admin Office here, posted on the Utilities page at Yumaaz.gov and hand delivered to each Water and Sewer Commission Board Member here today.

Public comments can be made from April 23, 2023 through May 30, 2023

Call to the Public - No Comments

Public Meeting adjourned at 5:21 pm

*Water and Sewer Commission Meeting resumed at 5:21 pm*

### **Approval of Staff Recommendation:**

- A. Approve the Enforcement Response Plan Revisions for the City of Yuma Council Consideration and Approval  
Motion to approve made by Carrie Scott, Seconded by Walt Schumacher

Ayes: Commission Members Scott, Boelts, Wicks, and Schumacher

Nays: Commission Members

### **Presentation – Water Management, Walt Schumacher Enforcement Response Plan**

Walt Schumacher used a power point to present Yuma County Drought and Temperature and Water Conditions from May-July 2023. Each Commission Member received a copy of the power point presentation with graphs.

- A water crisis is coming to Yuma faster than we think.
- There have been numerous agencies, cities, states, federal government, television stations, radio, newspapers, et al and “WE” in Yuma had better do something before it is too late.
- We feed 90% of America with plentiful vegetables on an annual basis that cannot be grown anywhere else and we are wasting our water, allowing other cities (Queen Creek) to steal it for no reason and it is impeding three counties named (Mohave, Pima, Yuma) plus the City of Yuma to lose a lot of water.
- California, Arizona, Nevada, New Mexico, Colorado, Utah, and Wyoming are basically affected, however Yuma County and the City of Yuma are grossly affected because we are at the bottom of the state.
- It is imperative that we act and react in a very extreme way on this potential shortage.

### **Status of Current Events**

- Gila River
  - Moving slowly, made it to 18E today
- Water Week begins next week (May 7<sup>th</sup> -13<sup>th</sup>)
  - Outreach and signify the importance of Drinking Water Week.
  - There will be social media posts for each day
  - Display at City Hall, highlighting employees and their roles
- Reclamation has released an supplementary SEIS for comments
  - Jeremy McCall briefly went over the 3 action alternatives
    - No Action – follow the current law of the river.  
Doesn't impact our organization.

- Action #1- we follow the law of the river and everyone gets shorted on water priority rights. Not a good alternative for our organization.
- Action #2 – everyone will take the same percentage based on need

- - Public meetings near future
    - Utility Rates
    - Compliance (Pretreatment) Program
      - Emergency Response Plan

**Call to the Public**

- No Comments

**Future Agenda Items**


- Chairman Mohindra would like us to look into timeline for the current Commission Members.

**Adjournment**

The meeting adjourned at 6:00 p.m.

  
Kervina Landry, Administrative Specialist

APPROVED:

  
Chairman & Date 10/2/23