

**CITIZENS' WATER ADVISORY COMMITTEE
(CWAC)**

Wednesday, September 2, 2026, 8:00 a.m.

Hybrid Meeting – Microsoft Teams

Legal Action Report and Meeting Minutes

1) Call to Order / Opening Statement:

CWAC Chair Steven Washburn called the meeting to order at 8:00 a.m.

2) Roll Call:

Those present and absent were:

Present:

William Ellett (V. Chair)	Representative, Ward 6
Alan Forrest	Representative, City Manager
Andrea Gerlak	Representative, City Manager
Hilari Varnadore	Representative, City Manager
Claire Zucker	Representative, City Manager
Raul Ramirez	Representative, Ward 1
Lisa Shipek	Representative, Ward 3
Melissa Lal	Representative, Ward 4
Robert Jaramillo	Representative, Ward 5
John Kmiec	Ex-Officio (non-Voting) City of Tucson Water Department Director
James Doyle	Ex-Officio (Non-Voting) Pima County Regional Wastewater Reclamation Department

Absent:

Steven Washburn (Chair)	Representative, City Manager
Tom Prezelski	Representative, Ward 2

3) Announcements — None.

4) Review and approval of June 3, 2026, Legal Action Report and Meeting Minutes – Motion:

Member Forrest moved to approve the Legal Action Report & Meeting Minutes. Member Varnadore duly seconded the motion. **Discussion:** None. The motion passed on a voice vote, 7 – 0.

5) Director's Report - Tucson Water Director John Kmiec provided brief updates as follows:

- a) Mayor and Council items
- b)
- c) Potable and Reclaimed Water Demands

Committee members asked questions throughout the presentation. No action was taken on this item.

- 6) **Water Resources Update** - Mr. Avery and Director Kmiec provided an update on Tucson Water's current water resource position, including the City's new Designation of Assured Water Supply, Colorado River conditions, Central Arizona Project (CAP) reductions, water banking, and long-range planning. Tucson's new Assured Water Supply designation extends through 2037 and reflects sufficient water resources to meet current demand and projected growth for 100 years. The designation includes approximately 225,000 acre-feet of available water resources compared with current potable demand of approximately 95,000 acre-feet. The designation also recognizes additional groundwater resources associated with historic City water rights in Avra Valley.

The Committee was advised that Tucson's projected water demand remains lower than anticipated in prior planning efforts, due in part to continued customer conservation. Staff also discussed Tucson's efforts to diversify and strengthen its water portfolio, including participation in the Secure Water Arizona Program, or SWAP, which is intended to help municipal water providers address short-term shortages, develop new water supplies, and improve long-term water security.

Mr. Avery reported that Tucson's CAP allocation is expected to be reduced by approximately 14 percent in 2027, or roughly 20,000 acre-feet. The Arizona Water Banking Authority has adopted policies that would provide Tucson with stored water to offset that reduction, making the anticipated 2027 shortage largely neutral to Tucson's available supply. Tucson also expects to participate in system conservation efforts to help maintain Lake Mead elevations. Staff noted that greater uncertainty exists for 2028 and beyond and that future Colorado River operations may be resolved through additional interstate agreements, federal action, or litigation.

Committee discussion also addressed groundwater protection, riparian resources, long-range scenario planning, water quality, and the importance of communicating Tucson's comparatively strong water-resource position to the public. Staff emphasized that Tucson continues to plan for multiple future scenarios through the One Water 2100 framework and additional modeling efforts

No formal action was taken.

- 7) **Legislative Session Closeout** –Stephanie Zamora, Assistant to the Manager, City of Tucson Manager's Office provided an overview of the 2026 Arizona Legislative Session and the City's intergovernmental and legislative advocacy activities. She explained that the City's annual legislative agenda, adopted by Mayor and Council, guides staff advocacy and establishes priorities related to issues such as local authority, infrastructure, growth, affordability, sustainability, and fiscal impacts. Tucson Water technical and legal staff support this work by reviewing proposed legislation and evaluating potential operational impacts.

The 2026 legislative session lasted 154 days and included approximately 2,190 bills, resolutions, and memorials. The City took formal positions on 47 bills, focusing its advocacy

on proposals with direct impacts to City operations, local authority, water resources, land use, revenues, and infrastructure. Staff also emphasized the importance of relationships with the Arizona League of Cities and Towns, other municipalities, water providers, and the Southern Arizona legislative delegation.

Water-related legislation during the session included recurring policy issues involving assured water supply requirements, groundwater transportation, municipal rate setting, storage and shortage policy, infrastructure, and local control. Staff indicated that many of these issues are expected to return during future legislative sessions. Tucson Water legal and technical staff were recognized for providing testimony and subject-matter expertise during the legislative process.

Ms. Zamora also discussed the possibility of a future special legislative session related to Colorado River issues. Arizona law requires legislative approval of agreements affecting the State's sovereign water rights, and future discussions may involve mandatory or voluntary reductions to Arizona's Colorado River allocation. Staff emphasized the importance of early coordination to ensure Tucson's interests are represented.

No formal action was taken

- 8) **Human Resources Update** - Munerra Acosta, City of Tucson Human Resources, provided an update for Tucson Water. Tucson Water currently has 61 full-time vacancies, with three incoming employees and 13 active recruitments underway. Three of the larger recruitments account for approximately 20 vacancies and, if filled, would significantly reduce the overall vacancy total.

Year to date, Tucson Water has hired 38 permanent full-time employees and recorded 45 separations. Of those separations, 10 were retirements, nine employees did not provide a reason for leaving, and 11 left for other employment opportunities. The department's goal is to maintain approximately a 10 percent vacancy rate, or roughly 50 vacancies.

HR continues to use alternative recruitment strategies, including sharing eligible candidate lists with other City departments for classifications common across departments and increasing recruitment efforts for specialized Tucson Water positions.

No formal action was taken

- 9) **Large Quantity Water Users Ordinance** – Lisa Shipeck provided background on the Large Quantity Water User Ordinance and reviewed the stakeholder process undertaken following its initial adoption. The ordinance was adopted to establish additional review requirements for very large water users seeking service within the Tucson Water service area. Mayor and Council subsequently directed Tucson Water and the Chief Resilience Officer to convene a broad stakeholder group to review the ordinance and recommend refinements. Stakeholder meetings were facilitated during late 2025 and included representatives from environmental, business, water, and community interests.

Approximately ten areas of general stakeholder consensus that are being considered for revisions to the ordinance. Proposed changes include clarifying that water use is calculated on an aggregate basis for large developments or campuses, strengthening requirements to consider reclaimed water for non-potable uses, improving the application and review

process, recognizing certain public-service industries, and increasing transparency related to compliance and enforcement.

Mayor and Council will hold a public hearing on the ordinance is scheduled for September 22. Staff indicated that Mayor and Council may adopt all or some of the proposed revisions, provide additional direction, or request further policy analysis following the hearing. Several issues that did not receive stakeholder consensus will also be identified for possible future policy consideration.

Member Shipek reported that the Conservation and Policy Subcommittee intends to continue reviewing the ordinance and may develop future recommendations for consideration by the full CWAC. Topics raised included potentially lowering the current large-user threshold, establishing conservation performance metrics, protecting groundwater and surface-water resources, increasing public reporting, and considering how drought conditions should affect future large water-user approvals.

Staff clarified that an outright moratorium on new customers within Tucson Water's established service area could create legal concerns because Arizona law generally requires a utility to provide service when adequate water resources are available. Staff explained that the existing qualification and review process is considered more legally defensible than an absolute moratorium and allows the City to require conservation, water-efficiency measures, and other conditions for large users.

No formal action was taken.

- 10) **Subcommittee Reports** - Each subcommittee chair reviewed agenda items and discussions held at previous meetings and updated the committee on future subcommittee topics.
- 11) **Call to Audience** – Mark Day, Past CWAC Member, commented that the metric jobs to gallons should be included in the Large Quantity Water User Ordinance. Liza Shipek stated that she would like to dive into the 1W2100 Plan in a future meeting.
- 12) **Future Meeting / Agenda Items** – Future meeting agenda items are Finance 101, Asset Management, CIP Project, AWP, and 1W2100.
- 13) **Adjournment** – The meeting was adjourned at 10:00 a.m.