

**NOTICE AND AGENDA OF THE INITIAL MEETING OF THE BOARD OF DIRECTORS OF THE TRUJILLO TRAIL DOMESTIC WATER IMPROVEMENT DISTRICT OF SANTA CRUZ COUNTY, ARIZONA**

Tubac Community Center, 50 Bridge Road, Tubac, Arizona 85646

Saturday, July 24, 2021, at 9:00 a.m.

John Combo, Board Member

Jackson Jenkins, Board Member

David Luckadoo, Board Member

Pursuant to Arizona Revised Statutes section (A.R.S. §) 38-431.02, notice is hereby given to the members of the Board of Directors and to the general public that the Board of Directors of the Trujillo Trail Domestic Water Improvement District of Santa Cruz County, Arizona (sometimes referred to in this Notice and Agenda as the “TTDWID”) will hold a meeting open to the public on Saturday, July 24, 2021, at or after 9:00 a.m., Mountain Standard Time, located in Room B3 at the Tubac Community Center, 50 Bridge Road, Tubac, Arizona 85646.

ACTION MAY BE TAKEN BY THE BOARD OF DIRECTORS ON ANY ITEM LISTED ON THIS AGENDA. Revisions to the agenda can occur up to 24 hours prior to the meeting. In that case, the revised agenda will be provided to the members of the Board of Directors and will be available to the general public at [www.alisosprings.org](http://www.alisosprings.org) and on the community bulletin board at the Tubac Community Center.

Any person with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting John Combo at [jmcombo@gmail.com](mailto:jmcombo@gmail.com). Requests should be made as early as possible to arrange the accommodation.

This NOTICE AND AGENDA was posted no later than 24 hours prior to the meeting, at [www.alisosprings.org](http://www.alisosprings.org) and on the community bulletin board at the Tubac Community Center.

As an alternative to appearing in person, interested persons may speak during the Call to the Public or Public Hearings or when called upon by the Board by using Zoom. Please click the link below to participate in the meeting (refer to the instructions below for how to participate):

<https://zoom.us/j/95301890429?pwd=Q01WM2xtVUhpcjdtcG9oZkZQZlljdz09>

Meeting ID: 953 0189 0429

Passcode: 527263

Information on how to join and participate in a Zoom meeting may be found at:

<https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-meeting>

**INITIAL MEETING OF THE BOARD OF DIRECTORS OF THE  
TRUJILLO TRAIL DOMESTIC WATER IMPROVEMENT  
DISTRICT OF SANTA CRUZ COUNTY, ARIZONA**

1. CALL TO ORDER AND ROLL CALL.
2. ELECTION OF CHAIR OF THE BOARD OF DIRECTORS. At this time, the Board may select one person from its membership to chair this and other Board meetings. A.R.S. § 48-1012 paragraph D provides: “The board of directors shall annually elect a chairperson from among its members.”
3. SELECTION BY LOT OF BOARD MEMBER WITH TWO-YEAR TERM. Paragraph 13 of the petition for establishment of the TTDWID provides that election dates for Board members shall be the county wide general election date of each even numbered year, beginning in 2022, and terms of the applicable class of directors shall expire on December 31 following the election. The term of office of one Board member will end on December 31, 2022; and the terms of office of the remaining two Board members will end on December 31, 2024. A.R.S. § 48-1012 (“Elected Board of Directors”) paragraph D provides in relevant part:

Immediately after the selection and qualification of the first directors of the board, the directors shall meet and divide themselves by lot into two classes as nearly equal in number as possible. Directors of the first class shall serve for a term of four years, and directors of the second class shall serve for a term of two years. Every director shall continue to discharge the duties of office until a successor is appointed and qualifies. Thereafter, at each regular election, one director for each expired term shall be elected and shall hold office for a term of four years, and until a successor is elected and qualifies.

4. IDENTIFICATION OF WHERE PUBLIC NOTICES OF TTDWID BOARD OF DIRECTORS MEETINGS WILL BE POSTED, AND CONSIDERATION AND DISCUSSION OF WHETHER TO ESTABLISH A TTDWID WEBSITE. A.R.S. § 38-431.02 (“Notice of meetings”) paragraph (C) provides in relevant part:

A. Public notice of all meetings of public bodies shall be given as follows: ....

3. Special districts that are formed pursuant to title 48:

(a) May conspicuously post a statement on their website stating where all public notices of their meetings will be posted, including the physical and electronic locations, and shall give additional public notice as is reasonable and practicable as to all meetings.

(b) May post all public meeting notices on their website and shall give additional public notice as is reasonable and

practicable as to all meetings. A technological problem or failure that either prevents the posting of public notices on a website or that temporarily or permanently prevents the use of all or part of the website does not preclude the holding of the meeting for which the notice was posted if the public body complies with all other public notice requirements required by this section.

(c) If a statement or notice is not posted pursuant to subdivision (a) or (b) of this paragraph, shall file a statement with the clerk of the board of supervisors stating where all public notices of their meetings will be posted and shall give additional public notice as is reasonable and practicable as to all meetings.

5. SELECTION AND/OR APPOINTMENT OF DISTRICT OFFICERS AND STAFF. At this time, the Board may select or appoint individuals to serve the TTDWID, voluntarily or with such compensation as is determined by the Board as part of its discussion on this item.
  - 5.1. District Manager
  - 5.2. District Clerk
  - 5.3. District Attorney
6. ADOPTION OF RULES OF PROCEDURE. At this time, the Board may adopt rules of procedure to govern meetings of the Board of Directors.
7. PREPARATION OF FINANCIAL STATEMENT AND ESTIMATE OF EXPENSES (BUDGET) AND SETTING DATE FOR HEARING ON THE DISTRICT'S ANNUAL BUDGET. A.R.S. § 48-954 requires the TTDWID to follow the same budgeting requirements that apply to cities, towns, and counties. A.R.S. § 42-17101 requires the preliminary budget to be prepared on or before the third Monday in July, and A.R.S. § 42-17102 explains what must be included in it.
8. DISCUSSION, DIRECTION, AND POSSIBLE ACTION REGARDING SEEKING REIMBURSEMENT FROM NON-ASPOA PROPERTIES LOCATED WITHIN THE JURISDICTIONAL BOUNDARIES OF THE TTDWID FOR THEIR FAIR-SHARE PROPORTION OF COSTS OF FORMATION OF THE TTDWID. TTDWID formation costs have been fronted by ASPOA.
9. DISCUSSION, DIRECTION, AND ACTION REGARDING ACQUISITION OF THE WATER SYSTEM ASSETS CURRENTLY OWNED BY THE ALISO SPRINGS PROPERTY OWNERS ASSOCIATION (ASPOA). Concurrently with the circulation of petitions for establishment of the TTDWID, necessary documentation was circulated to and signed by property owners within ASPOA to transfer the water system assets currently owned by ASPOA to the TTDWID.

10. DISCUSSION, DIRECTION, AND ACTION REGARDING THE ESTABLISHMENT OF PROPOSED WATER RATES AND FEES AND THE SETTING OF A HEARING FOR THEIR ADOPTION. The TTDWID has statutory authority to establish certain kinds of fees (see A.R.S. § 48-910 for specific information about the types of fees authorized). A hearing must be held prior to the approval of such fees and the Santa Cruz County Board of Supervisors must be notified of the hearing at least ten days in advance. The Board of Supervisors has the authority to be represented at the hearing and to advise the district's governing board (A.R.S. §48-910(C)).
11. DISCUSSION, DIRECTION, AND POSSIBLE ACTION REGARDING PURSUIT OF FUNDING FROM WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA TO CONNECT THE WELL AT 42 ALISO SPRINGS ROAD TO THE EXISTING WATER SYSTEM AND MAKE OTHER WATER IMPROVEMENTS AND UPGRADES.
12. DISCUSSION, DIRECTION, AND POSSIBLE ACTION REGARDING CURRENT WATER FACILITY MAINTENANCE AND REPAIR ITEMS.
13. DISCUSSION, DIRECTION, AND POSSIBLE ACTION REGARDING THE NON-EXEMPT STATUS OF THE WELL AT 42 ALISO SPRINGS ROAD (WELL NO. 55-574654) AND COMMUNICATIONS RE SAME WITH THE ARIZONA DEPARTMENT OF WATER RESOURCES.
14. PUBLIC OFFICIAL OVERVIEW. Board of Directors discussion and training overview regarding Arizona Open Meeting Law, Arizona Public Records Law, and other legal requirements applicable to public officials.
15. CALL TO THE PUBLIC. At this time any member of the public is allowed to address the Board of Directors on any issue within the jurisdiction of the TTDWID. Pursuant to the Arizona Open Meeting Law, at the conclusion of Call to the Public, individual members of the Board may respond to criticism made by those who have addressed the Board, and may ask staff to review the matter, or may ask that the matter be placed on a future agenda.
16. FUTURE AGENDA ITEMS. At this time, any member of the Board may request that an item be placed on a future TTDWID Board of Directors agenda.
17. EXECUTIVE SESSION (IF AND AS REQUIRED). Pursuant to A.R.S. § 38-431.03, the Board of Directors may vote to go into executive session, which will not be open to the public, to discuss certain matters. The Board may ask for discussion or consideration, or consultation with designated TTDWID representatives, or consultation for legal advice with the TTDWID's attorney, concerning any matter listed on this agenda for any of the reasons listed in A.R.S. §38-431.03 (A).
18. ADJOURNMENT.

## **QUIT CLAIM DEED**

EXEMPT PURSUANT TO A.R.S. § 11-1134(A)(3)

ALISO SPRINGS PROPERTY OWNERS ASSOCIATION, INC., an Arizona nonprofit corporation, for the consideration of one dollar and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby quit claim to the TRUJILLO TRAIL DOMESTIC WATER IMPROVEMENT DISTRICT OF SANTA CRUZ COUNTY, ARIZONA, an Arizona special taxing district and body corporate with the powers of a municipal corporation established pursuant to Arizona Revised Statutes section 48-906, all of its real property interests associated with providing domestic water service in Sections 13, 23, and 24, Township 21 South, Range 12 East, Gila and Salt River Base and Meridian, Santa Cruz County, Arizona, including without limitation any and all real property interests of ALISO SPRINGS PROPERTY OWNERS ASSOCIATION, INC., if any, in the following:

**The wells bearing Arizona Department of Water Resources Well Registration Numbers 55-204676, 55-503663, 55-549183, 55-574654, 55-576001, 55-640227, and 55-909961**

**The agreement and deed of easement recorded in Instrument #9606226, Official Records of Santa Cruz County, Arizona, recorded in the office of the Recorder of Santa Cruz County, Arizona, on August 6, 1996, at Docket 701, Page 238.**

**The water easement and water license recorded in Instrument #9708827, Official Records of Santa Cruz County, Arizona, recorded in the office of the Recorder of Santa Cruz County, Arizona, on November 13, 1997, at Docket 741, Page 359.**

**The grant of easement recorded in Instrument #2013-04217, Official Records of Santa Cruz County, Arizona, recorded in the office of the Recorder of Santa Cruz County, Arizona, on June 4, 2013.**

**The grant of easement recorded in Instrument #2013-04253, Official Records of Santa Cruz County, Arizona, recorded in the office of the Recorder of Santa Cruz County, Arizona, on June 4, 2013, and re-recorded in Instrument #2013-09189, Official Records of Santa Cruz County, Arizona, recorded in the office of the Recorder of Santa Cruz County, Arizona, on December 26, 2013.**

**The agreement for sale of tangible personal property and easement agreement recorded in Instrument #2020-03576, Official Records of**

**Santa Cruz County, Arizona, recorded in the office of the Recorder of Santa Cruz County, Arizona, on June 22, 2020.**

**Any property rights acquired through adverse possession, prescription, or otherwise, pertaining to the water system depicted in Exhibit A attached to and incorporated by this reference in this instrument.**

Dated this \_\_\_\_ day of \_\_\_\_\_, 2021.

ALISO SPRINGS PROPERTY OWNERS  
ASSOCIATION, INC.

By: \_\_\_\_\_  
Dan Elias, President

STATE OF ARIZONA     )  
                                  ss.  
County of Santa Cruz )

This instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2021, by Dan Elias, President of ALISO SPRINGS PROPERTY OWNERS ASSOCIATION, INC., an Arizona nonprofit corporation, on behalf of the corporation.

(seal)

\_\_\_\_\_  
Notary Public



## **BILL OF SALE**

ALISO SPRINGS PROPERTY OWNERS ASSOCIATION, INC., an Arizona nonprofit corporation, for the consideration of one dollar and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby convey to the TRUJILLO TRAIL DOMESTIC WATER IMPROVEMENT DISTRICT OF SANTA CRUZ COUNTY, ARIZONA, an Arizona special taxing district and body corporate with the powers of a municipal corporation established pursuant to Arizona Revised Statutes section 48-906, all of its equipment, tools, and other personal property associated with providing domestic water service in Sections 13, 23, and 24, Township 21 South, Range 12 East, Gila and Salt River Base and Meridian, Santa Cruz County, Arizona, including without limitation any and all of the ownership interest of ALISO SPRINGS PROPERTY OWNERS ASSOCIATION, INC., in the following:

**The wells bearing Arizona Department of Water Resources Well Registration Numbers 55-204676, 55-503663, 55-549183, 55-574654, 55-576001, 55-640227, and 55-909961**

**The tanks, pipes, valves, meters, hydrants, fences, gates, and other personal property pertaining to the water system depicted in Exhibit A attached to and incorporated by this reference in this instrument.**

**The tank, pipes, valves, meters, fences, gates, and other personal property pertaining to the water system connected to or associated with Arizona Department of Water Resources Well Registration Number 55-574654 located at 42 Aliso Springs Road.**

**The following miscellaneous equipment currently located in a storage building at 42 Aliso Springs Road:**

**[Insert list of equipment]**

Dated this \_\_\_\_ day of \_\_\_\_\_, 2021.

ALISO SPRINGS PROPERTY OWNERS  
ASSOCIATION, INC.

By: \_\_\_\_\_  
Dan Elias, President



STATE OF ARIZONA     )  
  ss.  
County of Santa Cruz )

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by Dan Elias, President of ALISO SPRINGS PROPERTY OWNERS ASSOCIATION, INC., an Arizona nonprofit corporation, on behalf of the corporation.

(seal)

\_\_\_\_\_  
Notary Public

