



IRRIGATION & ELECTRICAL DISTRICTS ASSOCIATION OF ARIZONA, INC.

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GLEN VORTHERMS – PRESIDENT ROBERT VANHOFWEGEN – VICE-PRESIDENT NOEL CARTER – SECRETARY DONOVAN NEESE – TREASURER BRIAN FICKETT – AT-LARGE ELSTON GRUBAUGH – AT-LARGE

IEDA BOARD WORK SESSION MEETING MINUTES - Draft

May 28, 2024 – 10:00 AM

A meeting of the Board of Directors of the Irrigation & Electrical Districts Association of Arizona, Inc. (“IEDA”) was held on May 28th, 2024.

The following IEDA Members attended the meeting:

Mitch Basefsky – CAP (Virtual)
Noel Carter – BWCDD (Virtual)
Andrew Campbell – RWCD (Virtual)
Heather Cole – Arizona Power Authority (Virtual)
Dennis Delaney – KR Saline & Associates (Virtual)
Ben Engleby – AEPCO (Virtual)
Sheri Farag – SRP (Virtual)
Brian Fickett – TOUA
David Fitzgerald – AEPCO (Virtual)
Jordy Fuentes – Arizona Power Authority
Ed Gerak - IEDA Executive Director
Elston Grubaugh – Wellton-Mohawk (Virtual)
Daniel Herder – Clark-Hill
Dan Jones – Salmon, Lewis & Weldon
DeWayne Justice – ED7
Jason Moyes - TID, HVPD, Aguilla (Virtual)
Meghan Scott - (Virtual)
Donovan Neese – RID
Daniel Pritchard - KR Saline & Associates (Virtual)
Jeff Ritter – CAP (Virtual)
Ken Saline – KR Saline & Associates (Virtual)
Scott Saline – TID, HVPD, Aguilla
Meghan Scott - (Virtual)
John Scremin – RWCD (Virtual)
Kent Simer - KR Saline & Associates (Virtual)
Russell Smoldon – B3 Strategies
Sheryl Sweeney, Clark-Hill
Bill Van Allen – ED6 (Virtual)
Robert Van Hofwegen – ED8 (Virtual)
Glen Vortherms – MWD, IEDA Board President

Jeff Woner – Ocotillo (Virtual)

President Vortherms called the meeting to order at 10:00 A.M.

Based on a roll call, a quorum was established.

Due to other commitments, the Water Committee update was moved to the beginning of the agenda. Noel Carter provided an update on his recent visit to Milwaukee to visit Watertronics. They provided a demonstration on their recent product release, a cloud based well attachment that allows for remote start/stop and monitoring. Mr. Carter explained the attributes and costs, and a handout was circulated for those in the room to view and would be emailed to the group. He also discussed the status of a few water bills, how they were bundled into one large bill and are moving through the session. Mr. Gerak provided an update on other issues of note, including the loss of 900K AC-FT of runoff from April to May. Progress is being made on tribal water settlements for Navajo (Arizona), Hopi and San Juan Southern Paiute tribes. Arizona Attorney General Mayes is exploring prosecuting farmers and ranchers for over pumping under state public nuisance laws and the State of California is cracking down on groundwater pumping in Central California. Jordy Fuentes shared with the group that the Arizona Rural Groundwater Model is being used in California.

President Vortherms welcomed Dan Jones, who provided an update on the Save the Colorado River lawsuit that IEDA has been following. The ninth circuit court of appeals delivered a favorable ruling with regards to hydropower in the case. They reaffirmed that hydropower is “incident” not “incidental”. One thing of note is that court found the Bureau had a non-substantive NEPA violation by failing to respond to one of the plaintiff’s requests. This could result in a lot more work for the federal government in the future by having to respond to every correspondence.

Moving into the board actions, a motion was requested for approval of the minutes for the April 16th, 2024. Donovan Neese made a motion to approve the minutes. Scott Saline seconded the motion. A vote was called for and the motion passed.

Mr. Gerak discussed the pending LTEMP FEIS and the discussion held at the CREDA meeting. Sheri Farag (SRP is a cooperating agency) shared that they are still waiting to find out when the draft will be finalized. David Fitzgerald provided a summary of the discussion, noting that we really can’t make a decision until we see the final document. Mr. Gerak suggested that it might be possible to delay the implementation until after the warm water season and avoid the impacts this year.

Mr. Gerak presented the draft 990 report that is due to the IRS. Donovan Neese made a motion to approve the report for submittal. Brian Fickett seconded the motion. A vote was called for and the motion passed.

President Vortherms discussed the President’s Prerogative. Mr. Gerak outlined how Capitol Hill appears to be more divisive and the only things that seem to get signed into law are “must pass” legislation. While uncertain, the Post-2026 guidelines could be this type of legislation. Mr. Gerak presented some of the ideas that came out of the last E&OC customer only meeting regarding this type of strategy. Discussion ensued regarding the ideas and the consensus was that we should continue to pursue these initiatives.

Mr. Gerak provided an update on federal issues. He highlighted the testimony from Deputy Commissioner Palumbo regarding the Help Hoover Dam Act. It received a hearing on May 22nd.

Mr. Gerak wanted to focus on the testimony presented by the Bureau that this bill would not have any impact on the past, present or future federal employees. This was the biggest possible problem for the bill and for the federal government to testify that it would not have any impact was huge.

Mr. Gerak covered a few issues of interest related to Washington that have occurred over the last month. There was an attempt to Vacate the Speaker from Marjorie Taylor Greene. This was quickly moved to table, with bipartisan support. Biggs, Crane and Gosar voted against tabling the motion. Two versions of the house bill have been introduced (House & Senate), the FAA reauthorization got passed and a bill to ban Russian uranium got passed. Some election related items were touched on, including VP selections, impacts from the abortion discussion and an initiative from Freedom Caucus members to campaign to help grow their numbers on Capitol Hill.

Treasurer Neese provided the finance report. With the addition of two new members and the investment strategy implemented in March, IEDA has closed the budgetary shortfall of \$25K to \$12K. This is based on setting all expenses at budget at year-end. Mr. Gerak continue to work to secure SCIP dues, but they have committed to a 5 Year extension as members, as well as pursuing other prospective members.

Russell Smoldon provided a report to the members of all the activity going on at the state legislature. It was the 142nd day of the legislative session, 197 bills have been signed so far, and 58 vetoed. Two issues have been referred to the ballot. The territorial abortion ban was repealed and signed by the Governor. This will go into effect 90 days after the end of session, but that could be the statutory date of June 30th, despite some progress on the budget.

One of the ballot initiatives is like the border bill passed in Texas, making it a state crime to cross the border illegally. Mr. Smoldon also discussed a ballot initiative that would modify the election laws. The goal would be to get special taxing districts exempt from future issues by including language in the initiative.

Russell Smoldon has continued to track multiple water, power and governance issues that impact IEDA.

The power committee meeting was discussed, specifically the presentation by Dave Zvarek from ACES regarding markets. Positive feedback was received from the meeting and members who were unable to attend were recommended to watch the meeting recording that had been circulated. A few industry related items from the Power Committee and Board Report were highlighted for the group.

Mr. Gerak provided a brief financial report, IEDA is in a sound financial position and expenses will be diligently tracked.

Mr. Gerak highlighted that the June meeting has been moved back to its traditional date, but the APA is having a rates meeting following their meeting on June 18th. Direction was sought on time and location. It was suggested that we have the meeting at the APA at o12:30 PM, or as soon as possible following their meeting.

President Vortheims opened the floor to member comments.

The meeting was adjourned at 11:51 A.M.