



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on April 14, 2009

Date of Meeting: October 14, 2008

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 5:36 p.m., on Tuesday, October 14, 2008, all members having been notified of the time and place thereof.

1. ROLL CALL

The meeting was called to order by Mayor Walkup and upon roll call, those present and absent were:

Present:

Rodney Glassman	Council Member Ward 2
Karin Uhlich (Electronic Attendance)	Vice Mayor, Council Member Ward 3
Shirley C. Scott	Council Member Ward 4
Steve Leal	Council Member Ward 5
Nina J. Trasoff	Council Member Ward 6
Robert E. Walkup	Mayor

Absent/Excused:

Regina Romero	Council Member Ward 1
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Staff Members Present:

Mike Hein	City Manager
Michael Rankin	City Attorney
Roger W. Randolph	City Clerk
Mike Letcher	Deputy City Manager

Roger W. Randolph, City Clerk, announced Vice Mayor Uhlich was unable to be present for the evening's meeting, but she would be participating by telephone. This was allowable under the Mayor and Council Rules and Regulations. He stated Vice Mayor Uhlich advised the City Clerk of her location, and assured him that no one else was present in the room with her. Vice Mayor Uhlich could vote on all matters in the same way as those members physically present as long as she participated in the discussion, and was not just present for the vote. On the evening's agenda, all votes would be done by roll call rather than voice vote.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor Dayton Durley, Northwest Community Friends Church, after which the Pledge of Allegiance was led by the Girl Scout Jr. Cadet Troop # 1241.

Presentations:

- a. Mayor Walkup proclaimed October 2008 to be "National Down Syndrome Awareness Month."

Roger W. Randolph, City Clerk, announced Susie Rogers would be assisting with anyone in the audience needing Spanish language translation for items listed on the agenda.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 550, dated October 14, 2008, was received into and made a part of the record. He also announced this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

- a. Council Member Glassman announced that the Ward 2 office would present a Public Safety Forum hosted by Arizona Attorney General Terry Goddard on October 16, 2008.
- b. Council Member Trasoff announced that Ward 6 office was hosting a book signing event on October 19, 2008, for the publication of "Desert Living is Different," which was a guidebook for newcomers written by local K-12 students.

Council Member Trasoff announced that the October issue of Gourmet magazine listed El Charro Café as "one of the twenty legendary American restaurants you must visit."

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced City Manager's communication number 551, dated October 14, 2008, was received into and made a part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

Mike Hein, City Manager, reported that Ruben Rivera, an Environmental Services Equipment Operator, participated in the Truck Rodeo sponsored by the Solid Waste Association of North America held in Lexington, Kentucky on September 27, 2008. He said over one hundred drivers from all over the country participated. Mr. Rivera represented Arizona and the City of Tucson, placing third in the side-loader competition, which involved conducting a pre-trip inspection as well as maneuvering the vehicle along the road obstacle course. He said this past July, the Arizona competition was held in Tucson where Mr. Rivera placed second.

Mr. Hein announced that the Department of Procurement received the Achievement of Excellence in Procurement (AEP) Award for 2008. He said in 2007, the City of Tucson was the first agency to achieve a perfect score in the AEP's thirteen-year history, and once again received a perfect score in 2008. He stated that the Department of Procurement also received the Outstanding Agency Accreditation Achievement Award (OA4), which formally recognized leadership in the public procurement profession through established standards in categories such as best practices, organization, contracting authority, strategic planning, standards, professional development, cooperative programming, technology and audit. He said the award was given by the National Institute of Governmental Purchasing (NIGP).

Mr. Hein announced that Mike Hayes, one of the City's local golf professionals, was recently inducted into the Pima County Sports Hall of Fame.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced City Manager's communication number 552, dated October 14, 2008, was received into and made a part of the record. He asked the City Clerk to read the Liquor License Agenda.

b. Liquor License Applications

New License(s)

1. El Taco Tote, Ward 2
1340 N. Wilmot
Applicant: Hector A. Heras Acuña
Series 12, City 61-08
Action must be taken by: October 20, 2008

Staff has indicated the applicant is in compliance with city requirements.

2. Finley Distributing Co., Ward 5
2104 S. Euclid Ave.
Applicant: Dennis Anthony Shields
Series 4, City 63-08
Action must be taken by: October 24, 2008

Staff has indicated the applicant is in compliance with city requirements.

NOTE: State law provides that for a new license application, “In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of the community will be substantially served by the issuance of a license”. (A.R.S. Section 4-201)

Person Transfer(s)

3. Midtown Bar and Grill, Ward 6
4915 E. Speedway Blvd.
Applicant: Frank Martin Silverman
Series 6, City 62-08
Action must be taken by: October 26, 2008

Staff has indicated the applicant is in compliance with city requirements.

NOTE: State law provides that for a person to person transfer, Mayor and Council may consider the applicant’s capability, qualifications and reliability. (A.R.S. Section 4-203)

c. Special Event(s)

1. Glassman Foundation - Aristocare Putt-Putt Open, Ward 2
6503 E. Tanque Verde
Applicant: Don Weston Haskell
City T77-08
Date of Event: November 9, 2008
(Fundraiser for local children’s charities)

Staff has indicated the applicant is in compliance with city requirements.

2. Vietnam Veterans of America, Inc. Tucson Chapter 106, Ward 1
3700 S. La Cholla
Applicant: Robert Serge
City T78-08
Date of Event: November 1, 2008
(To honor armed forces, it’s veterans & the community)

Staff has indicated the applicant is in compliance with city requirements.

3. Escaramuza "Flor de Primavera", Ward 5
4823 S. 6th Ave.
Applicant: Francisco Javier Celaya
City T79-08
Date of Event: October 25, 2008
(Educate equestrian Mexican culture concert & dance)

Staff has indicated the applicant is in compliance with city requirements.

4. Congress St. Historic Theatres Foundation, Ward 6
318 E. Congress
Applicant: Douglas W. Biggers
City T89-08
Date of Event: October 29, 2008
(Concert)

Staff has indicated the applicant is in compliance with city requirements.

d. Agent Change/Acquisition of Control

NOTE: There are no agent changes scheduled for this meeting.

It was moved by Council Member Scott, duly seconded, to forward liquor license applications 5b1 through 5b3 and 5c1 through 5c4 to the Arizona State Liquor Board with a recommendation for approval.

Mayor Walkup asked if there was any discussion.

Council Member Glassman explained he was the president of one of the non-profit organizations requesting a Special Event(s) License and would recuse himself from the vote due to a conflict of interest.

Mayor Walkup asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Scott, Leal, and Trasoff;
Vice Mayor Uhlich and Mayor Walkup

Nay: None

Absent/Excused: Council Member Romero

The motion to forward liquor license applications 5b1 through 5b3 and 5c1 through 5c4 to the Arizona State Liquor Board with a recommendation for approval was declared passed by a roll call vote of 5 to 0 (Council Member Glassman declared a conflict of interest).

6. CALL TO THE AUDIENCE

Mayor Walkup announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except for items scheduled for a public hearing. Speakers were limited to three-minute presentations.

- a. Michael Toney spoke about transaction privilege taxes.
- b. Robert Martin spoke in opposition to discontinuing the TICET (Tucson Inner City Express Transit) bus and shuttle service.
- c. Jerry Kinard spoke in opposition to discontinuing the TICET (Tucson Inner City Express Transit) bus and shuttle service.
- d. Joe Sweeney spoke about the border fence and immigration issues.

7. CONSENT AGENDA – ITEMS A THROUGH J

Mayor Walkup announced the reports and recommendations from the City Manager on the Consent Agenda were received into and made a part of the record. He asked the City Clerk to read the Consent Agenda.

A. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO DERECHOS HUMANOS FOR THEIR EVENT WITH AUTHOR RORY O’CONNOR

- 1. Report from City Manager OCT14-08-561 WARD 5
- 2. Resolution No. 21112 relating to Finance; approving and authorizing the allocation of Seven Hundred Dollars (\$700) from the Ward 5 Council Office Community Support Fund, Account No. 001-183-1898-268, to Derechos Humanos’ reception/lecture with the author Rory O’Connor; and declaring an emergency.

This is a request by Council Member Leal. Allocation of funds is as follows:
Council Member Leal - \$700.00

B. FINANCE: COMMUNITY SUPPORT FUND TRANSFER TO THE VIETNAM VETERANS OF AMERICA, CHAPTER 106, FOR THEIR ANNUAL NAM JAM EVENT

- 1. Report from City Manager OCT14-08-562 WARD 5
- 2. Resolution No. 21113 relating to Finance; approving and authorizing the allocation of Five Hundred Dollars (\$500) from the Ward 5 Council Office Community Support Fund, Account No. 001-183-1898-268, to the Vietnam Veterans of America, Chapter 106 to help support funding their annual

NAM JAM event to be held on November 1, 2008 at Kennedy Park; and declaring an emergency.

This is a request by Council Member Leal. Allocation of funds is as follows:
Council Member Leal - \$500.00

Roger W. Randolph, City Clerk, announced that Council Member Scott was allocating an additional \$500.00 for a total of \$1,000.00.

C. REAL PROPERTY: GRANTING OF AN EASEMENT TO CCSAM FAMILY LIMITED PARTNERSHIP FOR LANDSCAPING ALONG THE NORTHERN BOUNDARY OF THE CLEARWATER RESERVOIR

1. Report from City Manager OCT14-08-559 WARD 1
2. Ordinance No. 10595 relating to real property; authorizing and approving the grant of an easement to CCSAM Family Limited Partnership for landscaping, slope, grading, screen wall and access for maintenance thereof on the real property located along the Northern boundary of RP 1779, the Clearwater Reservoir; and declaring an emergency.

D. REAL PROPERTY: VACATION AND CONVEYANCE OF RIGHT-OF-WAY VIA THE PAPER PLAT PROCESS WITHIN THE SIERRA MORADO UNIT 4 SUBDIVISION

1. Report from City Manager OCT14-08-554 WARD 4
2. Ordinance No. 10596 relating to real property; vacating and declaring portions of City-owned rights-of-way located within the Sierra Morado Unit 4 Subdivision to be surplus property; authorizing the conveyance thereof at no cost to Lawyer's Title of Arizona, Inc., as Trustee under Trust No. 8048-T pursuant to the Mayor and Council paper plat policy; and declaring an emergency.

E. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR THE DESIGN AND CONSTRUCTION OF BUS PULLOUTS

1. Report from City Manager OCT14-08-555 WARDS 1, 5, AND 6
2. Resolution No. 21114 relating to Intergovernmental Agreements; authorizing and approving the Intergovernmental Transportation Funding Agreement between the Regional Transportation Authority of Pima County and the City of Tucson for Transit Corridor Bus Pullouts, Package 4; and declaring an emergency.

F. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR THE KOLB ROAD EXTENSION TO SABINO CANYON ROAD IMPROVEMENTS PROJECT

1. Report from City Manager OCT14-08-556 WARD 2
2. Resolution No. 21115 relating to Intergovernmental Agreements; authorizing and approving the Intergovernmental Transportation Funding Agreement between the Regional Transportation Authority of Pima County and the City of Tucson for implementation of the Kolb Road Extension to Sabino Canyon Road Improvements project; and declaring an emergency.

G. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR THE DOWNTOWN RAIL SAFETY PROJECT

1. Report from City Manager OCT14-08-560 WARDS 1 AND 6
2. Resolution No. 21116 relating to Intergovernmental Agreements; authorizing and approving the Intergovernmental Transportation Funding Agreement between the Regional Transportation Authority of Pima County and the City of Tucson for Evaluation of Downtown At-Grade Railroad Crossings; and declaring an emergency.

H. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR SIDEWALK IMPROVEMENTS

1. Report from City Manager OCT14-08-557 WARDS 2, 3, 5, AND 6
2. Resolution No. 21117 relating to Intergovernmental Agreements; authorizing and approving the Intergovernmental Transportation Funding Agreement between the Regional Transportation Authority of Pima County and the City of Tucson for FY09 Sidewalk Improvements; and declaring an emergency.

I. INTERGOVERNMENTAL AGREEMENT: WITH THE REGIONAL TRANSPORTATION AUTHORITY FOR TRAFFIC SIGNAL VIDEO DETECTION CAMERAS

1. Report from City Manager OCT14-08-558 CITY-WIDE
2. Resolution No. 21118 relating to Intergovernmental Agreements; authorizing and approving the Intergovernmental Transportation Funding Agreement between the Regional Transportation Authority of Pima County and the City of Tucson for Video Detection Cameras; and declaring an emergency.

J. APPROVAL OF MINUTES

1. Report from City Manager OCT14-08-563 CITY-WIDE
2. Approval of minutes for the regular meeting of the Mayor and Council held on September 9, 2008.

It was moved by Council Member Leal, duly seconded, that Consent Agenda Items A through J, including the amendment to Item B, be passed and adopted and the proper action taken.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Glassman, Scott, Leal, and Trasoff;
Vice Mayor Uhlich and Mayor Walkup

Nay: None

Absent/Excused: Council Member Romero

Consent Agenda Items A through J, including the amendment to Item B, were declared passed and adopted by a roll call vote of 6 to 0.

8. PUBLIC HEARING: AMENDING TUCSON CODE (CHAPTER 6 AND 27) RAINWATER COLLECTION AND DISTRIBUTION REQUIREMENTS

Mayor Walkup announced City Manager's communication number 564, dated October 14, 2008, was received into and made a part of the record. He also announced this was the time and place legally advertised for a public hearing on a proposed Ordinance which called for the capture of rooftop rainfall for use on landscaping in commercial projects. He said the public hearing was scheduled to last no more than one hour and speakers would be limited to five-minute presentations.

Paul Green, Executive Director of Tucson Audubon, stated that they had been active in the community since 1949 and represented four thousand member households in the region. He stated he was in favor of the proposed ordinance, and that reduction in use of water was essential for Tucson. The Tucson active management area of the Arizona Department of Water Resources reported that groundwater overdraft was more than thirty-six billion gallons. Water was being used faster than natural processes could replenish it. He stated half the water used in Tucson was pumped two thousand four hundred feet uphill and over three hundred thirty-six miles from the Colorado River. He said ten kilowatt hours of electricity were used for every thousand gallons pumped, which produced thirteen and one half pounds of carbon dioxide for every thousand gallons,

which contributed to climate change, by which everyone would be affected. Less than one tenth of one percent of Colorado River water reached the delta where biological productivity was only five percent of historic levels. Tucson alone, took one hundred forty-five thousand acre feet each year or forty-six billion gallons from the Colorado River. He said the consumption of ground and service water had a devastating effect on the natural world in many ways. Twenty-five percent of water that Tucson Water supplied was to commercial and industrial users and thirty-five percent of that was used outdoors, mainly in landscaping. He stated there was great opportunity ahead to have a beneficial effect on the natural environment through collecting rainwater.

Mr. Green stated in a typical square mile of Tucson, Tucson Water delivered about eight hundred seventy-three acre feet of water each year. The same typical square mile of Tucson received six hundred forty-four acre feet of rain. He said that was around two hundred and ten million gallons each year, which was a great opportunity for Tucson. For example, a small sixteen hundred square foot roof in Tucson could produce twelve thousand gallons of water for landscaping in a year. He stated that people should use more rainfall to decrease the demand of groundwater and be prepared for eventual shortfalls in the CAP (Central Arizona Project) supply. He explained it was important to the Tucson Audubon to reduce the pumping of groundwater, since pumping groundwater killed trees, removed habitat for wildlife and negatively impacted the quality of life for people. He stated that Tucson Audubon felt the ordinance was the first important step towards reducing the demand for groundwater.

Mr. Green said Kathy Jacobs of the Arizona Water Institute had said water was the delivery mechanism for climate change. Every climate change model that had been produced predicted a reduction in the winter rains and a rise in winter temperatures for that region. He said as a result, there would be an increase in demand and a decrease in supply. In addition, reduction in snow pack in the Rockies would reduce the amount of water available through the Colorado River, which was already over subscribed. He said he felt that people needed to anticipate the future, and the ordinance was a small, but important first step in the right direction and he hoped that the Mayor and Council had the foresight to vote for it.

Jim Sinex thanked the Ward 2 office and in particular Council Member Glassman for bringing this measure forward. He stated he was speaking in support of a city government that favored resource harvesting. He said, as a city, they could promote the harvesting of solar power, which there was an abundance of, but also promote the harvesting of water, which was not in abundance. He said he specifically wanted to speak to the more difficult of the two, water harvesting. He stated a city made decisions through its government, therefore it was valid for governments to regulate resource management, and it was not a stretch to assume that a desert community should regulate the use and preservation of its water resource. He said requiring commercial enterprises to act as stewards of that resource was far from onerous if a minimal approach was used. He said given the geography, the measure at hand might be well below what could be reasonably seen as a minimal approach. He said politics required compromise and that they should set a standard to let enterprising organizations innovate, let desert

landscaping counter water usage, let water storage and savings from plumbing improve balance, and remove restrictions for resource harvesting devices. He said, given that form follows function, the statue in front of the Main Library was ugly, a cistern was not. He asked the Mayor and Council to remember there was free enterprise on both sides of the issue, and if they wished to be seen as a steward of the desert southwest, to vote in favor of the measure. He said they needed to join the desert people who had conserved water throughout history.

Robert Medler, Tucson Metropolitan Chamber of Commerce, stated water conservation was an important aspect of living and doing business in southern Arizona. The Chamber's principle was to support efforts to preserve water in order to provide and maintain the lives that everyone was accustomed to. He stated they were encouraged that the City Council had taken measures to look ahead and plan for possible future shortages of that precious resource. He said Council Member Glassman should be recognized for his hard work, dedication, and willingness to produce an acceptable policy. When Council Member Glassman was not confident in the success of the policy, he delayed the policy coming to the full body. Mr. Medler said that resulted in a better policy, one with the development standards nearly completed before the Council voted. He stated that this policy making process should be seen as an example for others to follow and improve upon; however, the Tucson Metropolitan Chamber of Commerce could not support the ordinance.

Mr. Medler stated the ordinance was an unfunded mandate and unfunded mandates were not the means by which to improve the community. He said the added costs to meet the requirements of the ordinance would push future development to outlying municipalities. During the time when the City was in a dire fiscal situation, the City should be doing all it could to encourage businesses to move into the City limits. He stated all Tucson's citizens were hurting; businesses provided employment, a living wage and means to raise a family in the community. He asked that the Council consider the ordinance by rethinking the consequences on the community's citizens. He said he wanted to make a point on water conservation and if the City's ultimate goal was to save potable water, then the ordinance was not the best means available. He gave an example of a six and one-half acre site, which had roughly a half-acre of landscaping. The irrigation demand was two hundred thousand gallons a year; to meet the fifty percent requirement would require fifteen thousand gallons of storage. He stated those numbers were used in the process of the stakeholder group. In visual terms, that would require four cisterns, each twelve feet high by eight feet in diameter. The estimates for the cisterns were two dollars per gallon for the cheapest quality, to well over four dollars per gallon for better quality and surely the better-looking ones. He said a low estimate would cost roughly thirty thousand dollars. He stated retro-fitting toilets was an alternative way to save potable water. By using a three and one-half gallon-per-flush toilet, the average Tucsonan would use six thousand, three hundred eighty-seven gallons of water per year. If they used a 1.6-gallon flush toilet instead, they would consume only two thousand, nine hundred twenty gallons per year. That small switch saved over three thousand, four hundred sixty-seven gallons per year per Tucsonan. He said if one were to take the thirty thousand dollars that the rain system would cost, and instead replace the toilets around

town at one hundred thirty dollars each, the City would save well over eight hundred thousand gallons a year. He stated the alternative proposal went very nicely with the conservation fund passed earlier in the year. He said retrofitting an estimated two hundred sixty thousand toilets in the City of Tucson, would mean a contribution to the water conservation fund Council passed earlier, which was a better plan to save potable water. He said Council was encouraged to make the best decision based on basic economics and the ultimate goal of saving water not on campaign promises and hot topic issues.

Michael Guymon, Executive Director of the Metropolitan Pima Alliance (MPA), said the majority of the MPA members were in the commercial real estate development industry, so this was an issue near and dear to them, and would certainly affect them. He stated there were also members such as the City of Tucson and other non-profit organizations. He encouraged the Council to approve the ordinance. He said MPA was not an official member of the stakeholders group, however, through diligence and communication with Council Member Glassman, they were afforded the opportunity to put together a list of questions. They attended a meeting in conjunction with the Chamber of Commerce at Council Member Glassman's office to go through all of the questions. He explained that through the process and their input to the stakeholders group, they were given the opportunity to express their concerns. He believed, based on conversations the stakeholders group had and information provided by City staff, the ordinance was in a much better position than when it began nine months prior. He commended Council Member Glassman for pointing them in the right direction and providing them with something that could ultimately be supported. He said it was an important piece of the water puzzle for the community's future. He stated the main reason MPA supported the ordinance was because the fifty percent requirement, for water harvesting to meet irrigation needs of the site, allowed for options.

Mr. Guymon said he attended the October 7, 2008, Study Session where Brad Lancaster gave a forty-five minute presentation on a variety of water harvesting techniques, and he very rarely mentioned cisterns. He said it was clear, based on the information provided by City staff, if the percentage was over sixty-percent, then cisterns were the only option for the commercial developer. He said with levels of fifty-percent it provided options such as earthworks, berms, and curb cutouts in the streets to allow water to be funneled onto the site, as provided by Mr. Lancaster. He said the options provided were the reason MPA supported the ordinance. He also stated that a Technical Advisory Group (TAG) had been formed to create and put together the development standards. MPA encouraged TAG to address the enforceability and applicability standards on large, more complex projects. He said the issues still needed to be addressed for phased projects, since the ordinance would go into effect in June 2010. He stated there were phased projects the Council would probably approve, so TAG would need to address the issues as projects went from phase to phase, and determine which elements came under the ordinance and which did not. He said he felt there could be a lot of flexibility created for phased projects and there should be encouragement for TAG to fully address that element of the ordinance. He stated, once again, MPA supported the ordinance and encouraged Mayor and Council to adopt the ordinance.

David Pittman, Arizona Builder's Alliance (ABA) Director, stated the ABA was made up of one hundred sixty members: commercial builders, general contractors, sub-contractors, construction suppliers and service businesses to the construction industry. Many months ago, Council Member Glassman allowed him to serve on the stakeholder group. They were asked to explore ways to maximize the use of rainwater harvesting on commercial developments in Tucson. He stated, as an organization, the ABA was supportive of sustainable building principles and green building practices, which were concepts that were here to stay and the marketplace was increasingly reflecting that reality. He explained that the makeup of the stakeholder group truly represented a vast divergence of interests. For every builder, developer, realtor and architect on the committee, there seemed to be a representative of the poor, a conservation group or environmentalist. He said there was not agreement on every issue, but everyone was fairly agreeable except on a couple of occasions, where he was the most contentious. He said, although he was generally skeptical of many government initiatives, he was pleased the stakeholder process worked well. It worked so well that the Advisory Board of the ABA voted unanimously to endorse the stakeholder group's work and the rainwater harvesting ordinance that was before Mayor and Council. He explained that the ABA believed the ordinance would be a success because it was fairly easy to comply with and would reduce the use of potable water for landscaping purposes and resulted in Tucson becoming a more sustainable community.

Mr. Pittman said a great deal of credit for the success of the ordinance should go to City staff, and Mayor and Council was very fortunate to have employees like Ernie Duarte, Development Services Department Director; Ann Audrey, Office of Conservation and Sustainable Development; Linus Kafka, Principal Assistant City Attorney; Peter Gavin, Zoning Examiner, and others who worked on behalf of Tucson. He said City staff was very knowledgeable and hard working and the ordinance would not be possible without them. He believed the ordinance allowed flexibility in designing commercial projects to remain where it belonged, amongst the owners, architects, and the builders. It provided an important first step in promoting rainwater harvesting and greater sustainability. It was not only a first step for Tucson, but for all municipal governments. He said it was the first City ordinance of its type in the entire country and many other communities would probably follow suit. He stated the ordinance should be easy to comply with and everyone should meet the minimum standards. Many would exceed the standards and do creative and wonderful things, which was a great opportunity the ordinance allowed. He said he had his doubts at the beginning of the process, but he was happy to state that Council Member Glassman deserved credit for pushing the rainwater harvesting concept and that he even came close to meeting his rather ambitious time table for passage of the ordinance, which was incredible. Mr. Pittman congratulated the Mayor and Council for being in the position to make history in a positive way and said he was very pleased the ABA could play a roll in that history.

RECESS: 6:21 p.m.

RECONVENE: 6:32 p.m.

(NOTE: Six members of the Mayor and Council were present; Council Member Romero absent/excused.)

Bonnie Poulos stated she was a member of the City/County Water and Wastewater Study Oversight Committee (CCWWSOC) and attended meetings over the last five months. She said she learned about water and wastewater in Tucson and around the globe. There was a global water shortage and potable water was something that would become more and more scarce as they proceeded into the twenty-first century. She said she thought it was incredible that the City and County referred to Central Arizona Project (CAP) water as renewable water. She said the only renewable water was rainwater. In the City of Tucson, there were only eleven to twelve inches of rain each year. Enough rain fell on most people's property to supply the per capita needs for both potable and nonessential water at each household and each commercial development. She applauded Mayor and Council for considering the ordinance, for doing something that may be the most momentous decision made all year, and for starting on the path of finding ways to use renewable water within the community. She said she thought the ordinance was the first step in getting there. It was a good process that brought many people to the table over an issue that would be controversial because of the money it would cost to implement. She said Tucson needed to be placed on the map as the country's and world's leader for harvesting rainwater in the desert environment. Coming up with a fifty percent requirement was a great start, and she felt it could be done with commercial development. She stated she would like to see a one hundred percent requirement for all nonessential use of water for residential, as well as commercial, and that it should also be required in subdivisions that were built in the community. She thanked everyone for doing something proactive and encouraging for members of the community to look to the future and provide a vision for everyone to start on a path of making wise use of all the water that was available.

David Godlewski, Government Liaison, Southern Arizona Home Builders Association (SAHBA), stated water and water conservation was an important issue to the people and business community of Tucson. He said Council Member Glassman and staff should be commended for their hard work. New rainwater harvesting requirements were a huge step up from the status quo. He said he felt the fifty-percent requirement was a more than adequate improvement, yet while the stakeholder committee had made tremendous progress, there were still many "I"s to be dotted and "T"s to be crossed. He said he hoped staff and the stakeholder group would continue to work on the issues even if the ordinance was passed. He stated SAHBA looked forward to working with the Mayor and Council in the future on comprehensive approaches to water conservation that considered the social, environmental, and economic costs and benefits to help the community.

Colin Zimmerman, Director of Public Affairs, Tucson Association of Realtors (TAR), thanked Council Member Glassman for the process. He said realtors were part of the stakeholder group and he sat in on many meetings with many arguments on the issue and it was a great process and outcome. He stated the fifty-percent was a great beginning to the process. He represented six thousand realtors, many of which were commercial, so it affected everyone. Because of the process, TAR had launched a green taskforce that would tackle green issues, which was a predominant issue, and water was a premier issue within the community. He said they looked forward to working with the Council, and especially Ward 2, on those issues.

Matt Hogel, member of Stakeholder Group and Conservation Chair of the local Sierra Club Rincon Group, said he would like to discuss three topics in support of the proposed commercial water-harvesting ordinance. He said the first was that the local Sierra Club office mailed postcards to one thousand residents to see if there was any support from the community for such an initiative. He said they received four hundred cards back in support of the ordinance and were still receiving cards. In addition, they also received personal letters of support and others went as far as writing descriptions as to how commercial developers could harvest water to provide for their own landscape water usage. He said, in all their mailings on different City policies, this had turned out the largest numbers in support of any proposed ordinance.

Mr. Hogel said, secondly, he had been involved with the process for over six months. He said, at the beginning, many of them assumed commercial industry would be expected to meet the criteria of providing one hundred percent of their landscape water usage, but voted in late spring to accept a compromise of seventy-five percent. After their last meeting, they accepted another compromise of fifty percent due to City staff recommendations, and to give commercial developers maximum potential and flexibility. He stated after all the compromising and debates, the committee had plenty of representation from the developers and real estate institutions of Tucson, and voted in support of the legislation presented to the Mayor and Council.

Mr. Hogel said, thirdly, the reason they had a consensus from both the community and stakeholders' committee, was that they all understood what the big picture was in the southwest with water. He said every Washington "think tank" focused on water reserves and community consumption had confirmed there would be water shortages in the southwest as early as fifteen years, specifically due to the dissipating water levels of both Lake Mead and Lake Powell. He said the community and stakeholders' committee understood that as well as the need to pass legislation to guarantee the City's ability to sustain itself and provide quality water for its citizens, not just water for landscaping and personal use, but also for schools and hospitals to run safely and efficiently. He said Sierra Club Rincon Group supported the initiative and thanked Council Member Glassman's office for initiating the creation of the ordinance and the Mayor and Council for consideration in supporting it. He asked the Mayor and Council to vote in favor of the ordinance and recognize it as a need for the City of Tucson and the urgency of water conservation, which the community supported.

Bob Cook, member of Sustainable Tucson, stated he and other members of Sustainable Tucson were present on a dual occasion; the Council's first rainwater harvesting ordinance and Sustainable Tucson's anniversary celebration beginning their third year of activities in the community. He said Sustainable Tucson began in 2006, when people attended evening potlucks, community conversations, and realizing the need to respond, as a community, to the coming interconnected challenges caused by climate change, peaking energy and resources and financial collapse. Sustainable Tucson was happy to give full support to the Mayor and Council's decision to adopt the watershed legislation. He stated the rainwater harvesting ordinance would start the practice of using rainwater as a vital resource for landscaping, gardens, and other needs. He said as expertise developed and information about the implementation of the ordinance is disseminated, Sustainable Tucson would support the expansion of the ordinance until each drop of rain in the region could be treated with practical and economically sound applications, including the needs of the local ecosystem. He said elected leaders were taking an important step towards better managing the only truly renewable water resource Tucson had. He stated Sustainable Tucson was present to talk about the importance of rainwater, but it appeared that getting financial systems and the economy progressing forward would be the main challenge for the foreseeable future. He asked what would happen next after the current housing and financial crises. He said the only emerging sector with the potential to drive prosperity in the future appeared to be green technology and sustainable practices.

Mr. Cook stated large scale investments, in a renewable energy-based sustainable economy, may be the key to averting the three main threats of climate change, energy, food, and water shortages, and long term economic uncertainty and contraction. He said Sustainable Tucson continued to support the Mayor's call to the community in building a sustainable economy, as expressed in his 2008 State of the City address. Sustainable Tucson was committed to supporting the community's efforts towards sustainability and resiliency by promoting open and inclusive dialogue about the interrelated challenges being faced, helping to build alliances among diverse groups, and providing useful sources of information by web site, List Serv, monthly newsletters, and general meetings. He said Sustainable Tucson's strength was connecting diverse critical issues by promoting all their work with a great sense of urgency and the need to face a full range of scenarios, including those that may seem harsh. He stated, at the same time, they were reassured by the new range of opportunities made possible for the community to move forward. He encouraged those present to visit their web site, sustainabletucson.org, and to be part of the change.

Richard Underwood, President of AAA Landscape and owner of Arid Solutions Plant Nursery, stated he had been in the business for thirty-two years, and had seen Tucson go through a number of changes. He thanked the Mayor and Council for asking him to serve on the Technical Committee, and especially for stepping back and allowing the Committee to take the time to craft an ordinance that would allow them to be good stewards of the land. He said he had seen the law of unintended consequences at its worst, when someone tried to do a good thing. He said when he first came to Tucson, it was the largest city in the world that relied totally on ground water. He said they had

some good and smart people who created the “Beat the Peak” program with little jingles, a duck that danced around, and it was a lot of fun. The idea was to promote less water usage and to get people to convert from grass lawns to native plants. He said people got the first part and stopped watering their lawns, but nothing else happened. It got really ugly for awhile, but he said he felt they could do a lot better this time.

Mr. Underwood said they could live with that ordinance. The landscape industry had new tools that had barely been seen by the public, including evapotranspiration and satellite control clocks. Landscape technicians could control thirty-two different controllers from laptops in their office, water audits could be conducted, and utilizing state of the art drip and conventional irrigation systems, and especially water harvesting and recycling, could also contribute. He stated his company recently donated the Underwood Family Sonoran Desert Laboratory to the College of Architecture and Landscape Architecture at the University of Arizona. They recycled chiller water to a pond they irrigated out of and then watered six distinctive bio zones. He said the pond that held the water, was a safe haven for two endangered species of fish and it looked really good.

Mr. Underwood thanked Council Member Glassman for facilitating the process. He also praised City staff for doing the research and allowing the Committee to do what they did best. He said a lot of time was spent on Tuesday and Thursday mornings, but it was an enjoyable learning process. He urged the Mayor and Council to pass the ordinance as it was written, because there was an opportunity to be at the forefront of arid sustainability for water for the entire world. He stated that they could have some fun doing that and make it a prettier town.

James MacAdam, a core team member of Sustainable Tucson, said, as Bob Cook mentioned earlier, Sustainable Tucson was celebrating its anniversary that evening. He asked anyone in the audience who was in attendance from Sustainable Tucson, and was in support of the ordinance, to please stand. He thanked them for attending, and said everyone was welcome to join them after the meeting, at La Cocina in the Old Town Artisans.

Mr. MacAdam said he was also speaking on behalf of the Watershed Management Group, a local non-profit. He stated the group would like to express their vocal support of the City’s proposed rainwater-harvesting ordinance. He explained part of their mission, as a Tucson based non-profit with over three hundred active volunteers, was to make Tucson a model city for watershed best management practices, which included rainwater and greywater harvesting. He said to that end, they had organized the development of a number of demonstration sites with community partners and volunteers in an educational workshop format. They also developed a water harvesting co-op program to encourage homeowners to help each other develop their properties, and began developing neighborhood water harvesting model project in the Rincon Heights Neighborhood. He stated rainwater was the cheapest, highest quality, most easily accessible and the only truly renewable water resource, yet, it was the least used water resource in Tucson. He said as the City of Tucson and bodies such as the Central

Arizona Project began looking for new supplies, that resource should be fully utilized first.

Mr. MacAdam stated the Watershed Management Group fully supported the passing of the ordinance. He said they believed the fifty-percent threshold was reasonably achievable and required primarily a shift in looking at landscaping and stormwater management. He emphasized the shift was absolutely necessary if Tucson was ever to approach a sustainable balance with its desert environment. He said in most cases, a fifty-percent requirement would not require the installation of cisterns but would encourage the use of passive rainwater harvesting systems like earthworks. They hoped the ordinance would contribute to the development of passive rainwater harvesting systems that were not only functional, but also beautiful, and would contribute to water savings, and reduction of the heat island effect, and increase native habitat values and the overall quality of life for Tucson residents. He said the group was concerned that, in trying to meet the requirements of the ordinance, developers might end up providing minimal landscaping that not only lacked aesthetics but shade and habitat value. He stated Tucson's current parking lots were among the world's most inhospitable places and the ordinance should improve and not exacerbate the problem. He said the group did not support exemptions for developments with less than twenty thousand square feet under roof, multi-family housing, or projects using effluent. He said they believed the former two did not have valid reasons for exemption, and the latter did not make any sense. He stated that, as long as effluent was derived of non-renewable ground water, it was not a renewable supply no matter the efficiency it provided.

Mr. MacAdam said the group agreed with the conditions of the commercial rainwater harvesting development standard technical advisory group, and felt a thorough investigation of possible synergies, barriers and existing City codes should be conducted. He said pilot or demonstration projects should be carried out prior to the implementation date of the ordinance. He said one example of a code or policy synergy could be with the management of stormwater, as the installation of rainwater harvesting earthworks inevitably contributed to meeting stormwater retention and quality goals. The group also agreed the City should explore possible incentives for those developers that went substantially beyond the requirements. He said the group supported the City in doing everything it could to encourage a spirit of creativity, ingenuity, and a desire or incentive to go beyond the bare requirements of the ordinance. They considered fifty percent to be the beginning, and would like to see mechanisms adopted to encourage the use of rainwater in residential, existing commercial and municipal settings, including potentially using stormwater to recharge groundwater supplies. He said that should be the beginning of a comprehensive strategy to take full advantage of renewable rainwater resources in the Tucson basin. He said, like the City, Watershed Management Group would like to see the City of Tucson become a global model for rainwater harvesting, responsible use of water resources, and sustainability in general. He thanked all who had worked to create the ordinance and bring it before the City.

Ron Proctor, a core team member of Sustainable Tucson, said he supported the rainwater-harvesting ordinance. He stated one of the big issues not spoken about was climate change and global warming, and the issue of energy and energy's contribution to carbon dioxide in the atmosphere. He said capturing water from the top down instead of pumping it up hundreds of feet or miles, which was how Central Arizona Project (CAP) water was currently being done, would conserve energy. He said CAP used some hydroelectric power, but largely used energy produced by coal, which was one of the dirtiest fuels contributing to global warming. As he understood it, when it arrived in Tucson, forty percent of the City's budget was spent on energy. He said he did not know what percentage was contributed to coal, but believed it was the vast majority. He said he knew there were efforts being made to install solar energy at pumping stations around town, and he commended the City for doing that. He stated, as they looked at ways to mitigate personal contributions and the City's contributions to global warming, everyone needed to look very seriously at how to wean themselves from that contribution. He said one way to conserve energy was to not pump water uphill unnecessarily, or to switch over to renewable solar energy which there was an abundance of. He said this was an obvious alternative from his point of view. He said he supported the ordinance because the water needed for other things was being pumped up hill by coal. He said other ways needed to be looked at down the road that supported renewable energy, entered as part of the mix, the formula, and would truly get the City to a sustainable state, if possible.

Andrew Karic, Principal, Triumph Builders, stated he had heard from a lot of people who served on the Stakeholder Advisory Group and Technical Advisory Group, and he had served on both. He said he was asked to join the groups by Council Member Glassman several months ago. He stated many people present had spoken and echoed many of his feelings, and those on the Stakeholder and Technical Advisory Groups would agree. He said he thought David Pittman, Arizona Builders Alliance (ABA), had echoed a lot of the same thoughts and consensus he experienced during the six months he served on both groups. He stated, if it had not been for Council Member Glassman asking him to step up and be part of the group, he would not have gone through such a tremendous and exciting experience in his lifetime. He said several people he had worked with were committed and dedicated to attending the meetings during the six months from the onset to the last two months of meeting two hours a day, twice a week. Those people included Ann Audrey, Office of Conservation and Sustainable Development; Ernie Duarte, Development Services Department Director; Glenn Moyer, Development Services Department; Peter Gavin, Zoning Examiner; Fernando Molina, Tucson Water; and many people from the community who represented rainwater harvesting, environmentalists, engineers, architects, and developers.

Mr. Karic said it was interesting, after two meetings, when the group was asked to pass an ordinance that started with retaining one hundred-percent of roof runoff water to fulfill landscape needs, to see the number of people who rebelled against the ordinance. He said he would like to think he was part of those, along with many others, who said they were looking at the ordinance in the wrong way. Through education, professionals and people serving on the groups, they were able to convince Council Member Glassman and his staff that it did not start with the roof, but with the landscape. He said by

bringing in people from the University of Arizona, the United States Green Building Council (USGBC), and experts who had more knowledge than him and at least fifty percent of the people serving on the boards, they convinced the committee that the manner in which they were looking at the ordinance was incorrect. By working together as a team, they came through a program they believed was most representative of what was in the best interest of Tucson as a community, and in the best interest of developers, users, businesses moving into the area, environmentalists and all concerned. He stated they came to a consensus to pass an ordinance that included fifty percent rainwater harvesting.

Mr. Karic stated there was still a lot to be learned and the work was not complete. He said the Mayor and Council were faced with passing an ordinance that had never been passed before in the United States. He said by doing so, they were setting a precedent by making Tucson the first City to have a rainwater ordinance in place before a permit could be pulled on a project. He stated people he worked with, and those he worked with on the Stakeholder and Technical Advisory Groups, had put in many hours of volunteer time to try and evaluate all materials given to them by the City and experts of the group. They all agreed that was just the first step; they did not claim to have all the answers, or that the ordinance was one hundred percent complete. He said the consensus was that fifty percent was a starting point and members of the Technical Group had committed their own time to stay with the City and others of the group to complete the project. He said the ordinance had his strong recommendation to go forward, and he expressed his strong appreciation, not only of City staff, but of those who worked at it over the previous eight months, of Council Member Glassman for pushing the group to get there, and of his constituents for their tremendous amount of time in working towards the same goal.

Tres English thanked Council Member Glassman for pulling the process together and, as the other speakers had said, it was actually a very special thing. He wanted everyone to understand it was only a beginning, the first step, to using an immense resource which currently was almost totally squandered. He said Metropolitan Tucson received approximately a quarter of a million acre-feet of rainfall every year, which was more than all the water used for all purposes in the metropolitan area. He said only a few percent of that water was actually being recharged into the ground water supply. Most of what was used was for low priority purposes or simply wasted. He said there was approximately nine hundred thousand gallons of run-off from every strip mile of residential street in Tucson. He stated that was enough run-off to water approximately three hundred shade tree systems, which could not only provide shade, but food and building materials as part of an overall strategy of re-greening Tucson and making it a city of urban forest. He said they needed to realize it was a first step and only a small percentage of the water received was used for productive purposes; most of it was wasted entirely or used for low priority uses. He said it would take a wide range of technologies not yet invented to make use of approximately seventy-five billion gallons of rainfall Metropolitan Tucson received each year. He hoped the Mayor and Council understood that seventy-five billion gallons times many decades was not cheap. He said he guessed they would be looking at more than a billion dollars worth of public investment to fully utilize that vital resource. He said it was not a small thing and he congratulated the

Mayor and Council for taking the first step and hoped they realized, as it is said, the journey of a thousand miles begins with the first step.

Amy McCoy, Sonoran Institute, stated they were a non-profit conservation organization that had been working on land and water conservation measures in the City of Tucson for over fifteen years. She said they commended Council Member Glassman and City staff for supporting and putting forth the ordinance. She said they enthusiastically supported the ordinance and thanked them for the opportunity to serve on the Advisory Group. She said the Sonoran Institute worked to conserve and augment watershed functions and groundwater supplies for the Santa Cruz River watershed. She stated, as discussed earlier, groundwater resources were precious and limited, as was the Colorado River. She said she specifically wanted to say that 1.7 million acre feet of Arizona's 2.8 million acre feet of Colorado River water allocations had junior status and would be cut back in times of drought or in shortage. Water conservation measures, like the water harvesting ordinance, would give the City of Tucson the flexibility to deal with water supply uncertainties and offered an important balance between current economic shortfalls and water supply shortages caused by drought and climate change in the future. She said it also offered the opportunity to lead the nation in water conservation and they looked forward to their continued work with the City of Tucson on innovative water conservation measures, and she thanked the Mayor and Council for their vision.

Jay Tripp, Plumbers and Steam Fitters, UA Local 469, said it had been a good evening and he had expected more opposition that night. He said the consensus the group reached over the long process had proven to bring everybody on board. He said one of the points that could not be hammered home hard enough was the fact that water was a cash asset that needed everyone to do what they could to capitalize on the limited resource they had. Water harvesting and rainwater collections not only watered plants. He said he worked on Tucson Boulevard, south of Grant Road, and when it rained, it became a Tucson River. He said if they could put some of that water towards greenery, shrubbery or reclaimed water, then they could drive down that road to work, and it would also serve another purpose. He said all that water ran down the street and the main reason nothing was done with it, was that it was polluted by the time it got to the washes. He said if they could capture and harvest the water before it got to the streets and down the washes, they could save the environment two kicks. He thanked everyone and said they did a good job.

Matthew Bertrand said he had two positions that were relevant. He was the Watershed Management Group's residential co-op coordinator and also worked at the Volunteer Center leading service learning projects for youths, especially projects that had a water harvesting focus. He said the ordinance at hand was easy to accomplish in new commercial development. He said the Volunteer Center was looking at doing a retrofit project, which would also be easy. He stated it would be costly because they wanted to rip up a lot of asphalt, which was not planned for when the building was developed, but it would still be relatively easy. He said they had approximately three hundred thousand gallons of rainwater that fell on the site every year. They conducted an inventory of the

existing plants and found they used approximately fifty thousand gallons of water, most of which was pumped up from the ground.

Mr. Bertrand said they visited Desert Survivors Nursery and it was amazing. He said there were approximately three hundred species of native plants, many of which had colors he had not seen before, and had shapes and varieties that were incredibly beautiful that he had never seen planted in the Tucson region. He said they would be getting as many of those as they could to plant at the Volunteer Center. It would be beautiful and he was very excited about it. He said he was amazed by the ordinance and was really glad it was being considered. He thanked Mayor and Council and said it was an amazing first step for the City and he looked forward to what would happen next.

Cynthia Bruwer, Sustainable Tucson, said it was only marginally relative to the new construction and cisterns, but she remembered a conversation she had with Mayor Walkup about the concept of cisterns, and Mayor Walkup said the City of Tucson was a cistern. She encouraged everyone to maximize their creativity and the concept of the City of Tucson being a cistern, and to look at the streets and rivers. She said she came up with the idea of TAP Water, the Tucson, Arizona Project Water, to create a reservoir, much like CAP reservoirs, that could draw water from the arroyos and streets into recharge stations. She said that was her imagination and did not know what was possible regarding construction.

Mayor Walkup asked if there was anyone else wishing to be heard on this item. Hearing no one, he asked for a motion to close the public hearing.

It was moved by Council Member Trasoff, duly seconded, to close the public hearing.

Upon roll call, the results were:

Aye: Council Members Glassman, Scott, Leal, and Trasoff;
Vice Mayor Uhlich and Mayor Walkup

Nay: None

Absent/Excused: Council Member Romero

The motion to close the Public Hearing was declared passed by a roll call vote of 6 to 0.

Mayor Walkup asked the City Clerk to read Ordinance 10597 by number and title only.

Ordinance No. 10597 relating to Buildings, Electricity, Plumbing and Mechanical Code; amending the Tucson Code Chapter 6 by adding a new Article VIII, Rainwater collection and distribution requirements, Sections 6-181 through 6-188 regulating, the use of Rainwater Harvesting and Storage Systems; requiring a landscape water budget for all commercial developments; providing that a minimum 50% of the landscape water budget be supplied by Harvested Rainwater; providing for exceptions to the Rainwater Harvesting requirement; requiring an annual Rainwater Harvesting Report; amending Tucson Code Chapter 27, Water, Article I, in General, Section 27-15(A) to include a Rainwater Harvesting provision as an element of water wastage; setting an effective date; and declaring an emergency.

Council Member Glassman said he remembered when he worked in the business community hearing Council Member Leal speak about rainwater harvesting. He thanked Council Member Leal for his leadership in making rainwater harvesting an issue in the community and for allowing him to honor his campaign promise by giving him the lead in carrying it forward. For those reasons, he was asking Council Member Leal to make the motion regarding the ordinance.

Council Member Leal stated it was very gracious of Council Member Glassman and he appreciated the character of the work that his office, staff, and others did to get them to that juncture. He said sometimes when one looked at the status quo, it was almost like a three layer cake of dysfunctionality. He said some of the speakers stated they had to get past seeing rainwater as a nuisance and see it as a resource. He said that was a significant paradigm shift and that they had been trying to figure out how to get away from it as opposed to figuring out how to embrace it. He said a lot of sustainability involved learning how to be with nature, backing away from the posture that was hurting everyone where they tried to dominate and control nature. Instead, learning how to dance with nature was really a part of it. He said one of the last speakers talked about rivers and arroyos, and what they were doing with the ordinance was a really significant step that Council Member Glassman brought them to. He said there were a series of things that maybe provided the working relationships to embark on such as rainwater harvesting at home, realizing there was twenty-five to thirty thousand houses sold a year and what would happen if low flow toilets were placed in each one. He said one acre-foot was three hundred thirty-one thousand gallons and there were eleven thousand acre-feet of rainwater going into the river and disappearing in Marana which did not go into the City's aquifers.

Council Member Leal said it could all be captured to have sustainability for human habitat, natural habitat for nature and plants, and have the dream come true without feeling bad about what they were doing. He said it was a wonderful opportunity they had before them. He thanked everyone for how it was handled, how the community dealt with it, and said he was happy to move the adoption of Ordinance 10597.

It was moved by Council Member Leal, duly seconded, to pass and adopt Ordinance 10597.

Mayor Walkup asked if there was any discussion.

Council Member Scott stated if everyone had known earlier that there was a huge consensus to pass the ordinance, their remarks might have been briefer, however, she thanked everyone for taking the time to be present and express their support by a majority. She said she had to acknowledge someone in the audience who was at one time seated at their table in the last century, former Council Member Molly McKasson. Council Member Scott said during the last century, they were in the process of putting together what she would consider to be baby steps towards those kinds of events. She said they sat on the council that put in the Native Plant Preservation ordinance and set aside a vast piece of property on the eastside of the community for a residential development, on a larger scale to become the first solar village that captured the international community's imagination. She said there was already in place, within the City limits of Tucson, a working, experiential, and experimental residential development that had already given them history, knowledge, and experience that could be used as some of the base work for the next evolution. She said they had water harvesting, solar, stubouts, reclaimed water, and she was proud to say the lessons learned from them had spawned many mini Civano's with other names. She said that was done years ago, so they had a long history of stepping forward to be a sustainable community. She was proud to say the Ward 4 Council Office was an example of City staff stepping to the plate, as the City had never before considered putting in a solar powered building. She said at her request, City staff built the first municipal building ever built by the City of Tucson that was solar powered. She said they moved in in 1999. She said she wanted everyone to know that each of those steps gave them the experience as a community, with lessons learned about how to do things better. She said, when there was another step, which stepped into the commercial side, that began to take over from the residential experience to the commercial side, that which could be utilized there and make the City a better sustainable City. She said she wanted to give a brief history of how the City of Tucson was a leader in the international community and contributed with steps already taken by previous Councils to lay the groundwork for a successful ordinance.

Vice Mayor Uhlich stated this was a powerful example of Tucson at its very best – moments when they recognized their economic strengths and environmental conservation efforts were really integrally linked. She said there could not be a strong economy without a protected environment. She said she thought it was heartening to hear business groups like the Metropolitan Pima Alliance (MPA), Builders Alliance, and Union representatives joining environmental groups like the Sierra Club and Sustainable Tucson, and advocating together for a common cause which was environmental and economic vitality. She congratulated Council Member Glassman and his staff, Council Member Leal, City staff, and all the citizens who pushed for, developed, and led them to pass the ordinance.

Council Member Trasoff said it had been quite an evening and she hoped people were listening to the numbers that everyone mentioned. She said the numbers and figures were astounding. There was more than enough rainfall every year to meet their potable water needs. She said they needed to figure out how to use it and the ordinance was a very important first step. She congratulated her colleagues for the work, but said she did not want to lose sight of their roles in the equation. She said it was a large step which involved gathering hundreds of thousands of gallons of water, but each of them had the opportunity, as several speakers mentioned, to do the same thing in their own homes. She said it could be a small step with just one swale to harvest a little bit of water and to stop Tucson Boulevard and similar streets all over the community from becoming rivers that she ventured everyone experienced each time it rained; if only they could find a way to address that. She said the City had a way, with the cooperation, input, and efforts of everyone in the community, that mandated the commercial sector, but she was hoping everyone would take home the thought of what else they could do as individuals. She said the cumulative effect would be powerful, and one that she hoped all would consider and contribute towards. She said many called it a first step, but everyone should take tiny steps along with that large first step and see what a difference they could make.

Council Member Glassman said he had comments to make after the vote.

Mayor Walkup stated for the public present, he believed they could see the Council was very pleased to be part of the process that went back many years. He said one of the things they noticed was the maturing of the community and their interest in doing things for the environment and tackling very different areas. He said it was not just water, but total energy, what the plans were for the transportation system and the ability to move around in the community and take advantage of mass transit, which the Council endorsed. He said there were a lot of things happening, such as building green, which Council Member Scott mentioned went back to Civano. They really believed in the importance of building green, with the effort they would put into downtown buildings, requiring them to be energy efficient. He said photovoltaic was right around the corner; there were a lot of people working to make it more efficient, effective, and affordable. In the meantime, small commercial operations were willing to put solar panels on their roofs and provide a third of their total energy from photovoltaic. He said everyone should be proud of Tucson as they were getting out in front, and he knew that everyone in the audience wanted to be the best in the country and the leaders of the country. He said he thought it was a good example of people coming together – businesses, neighborhoods, environmentalists and those who said Tucson was a great City and they were going to keep it that way; they wanted to be out in front and be a recognized leader.

Mayor Walkup asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Glassman, Scott, Leal, and Trasoff;
Vice Mayor Uhlich and Mayor Walkup

Nay: None

Absent/Excused: Council Member Romero

Council Member Glassman thanked the Mayor and Council for supporting the process. He said that it was one of his campaign commitments that started nearly two years prior and he said, if elected, it was something that could be done. He recognized staff and community members in the audience, and asked members from the Stakeholder Advisory Group and the Technical Advisory Group to stand. He said countless hours were spent by citizens throughout the community and throughout the issue because of their commitment to realize their goal.

Council Member Glassman thanked Bob Sherry, Joe Linville, Matt Flick, Ilene Grossman, and Chris Avery from Development Services Department and Tucson Water for working so well together on behalf of the City and making this a reality. He said he especially wanted to thank Ernie Duarte, Development Services Department Director and Ward 2 resident; Ann Audrey, Conservation and Sustainable Development; Peter Gavin, Zoning Examiner; Linus Kafka, Principal Assistant City Attorney; Fernando Molina, Tucson Water; and Glenn Moyer, Development Services Administrator.

Council Member Glassman said one of the keys they campaigned on was providing everyone an equal seat at the table. He said watching the speakers that evening, he was confident they were in the process of achieving that goal by working with all Tucsonans on addressing the issues that were most important to their community. Lastly, he thanked Katie Bolger, Ward 2 Council Administrative Assistant, who was also his campaign manager, for working tremendously hard to bring the issue to reality.

Ordinance 10597 was declared passed and adopted by a roll call vote of 6 to 0.

9. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Walkup announced City Manager's communication number 553, dated October 14, 2008, was received into and made a part of the record. He asked for a motion to approve the appointments in the report.

It was moved by Council Member Trasoff, duly seconded, to appoint Roger Smith to the Veteran's Affairs Committee, representing the Disabled American Veteran's Cactus Chapter 2, and Dr. James Klein to the Fort Lowell Historic Zone Advisory Board in the category of Special Qualifications.

Mayor Walkup asked if there was any discussion. Hearing none, he asked for a roll call vote.

Upon roll call, the results were:

Aye: Council Members Glassman, Scott, Leal, and Trasoff;
Vice Mayor Uhlich and Mayor Walkup

Nay: None

Absent/Excused: Council Member Romero

The appointments of Roger Smith to the Veteran's Affairs Committee, representing the Disabled American Veteran's Cactus Chapter 2, and Dr. James Klein to the Fort Lowell Historic Zone Advisory Board in the category of Special Qualifications were declared passed by a roll call vote of 6 to 0.

Mayor Walkup asked if there were any personal appointments to be made.

Council Member Glassman announced his personal appointment of Marian Amoroso-Benedetto to the Pima County/Tucson Women's Commission.

10. ADJOURNMENT: 7:29 p.m.

Mayor Walkup announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, October 21, 2008, at 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 14th day of October 2008, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:cdj/ds:yl