



COUNCIL MINUTES

November 16, 2009

The City Council of the City of Mesa met in a Study Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on November 16, 2009 at 4:47 p.m.

COUNCIL PRESENT

Mayor Scott Smith
Alex Finter
Dina Higgins
Kyle Jones
Dennis Kavanaugh
Dave Richins
Scott Somers

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

1. Convene an Executive Session.

It was moved by Vice Mayor Jones, seconded by Councilmember Somers, that the Council adjourn the Study Session at 4:48 p.m. and enter into an Executive Session.

Carried unanimously.

- a. Discussion or consultation with the City Attorney in order to consider the City's position and instruct the City Attorney regarding the City's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. (A.R.S. §38-431.03A (4))

1. Spring Training

Without objection, the Executive Session adjourned at 5:02 p.m.

2. Review items on the agenda for the November 16, 2009 Regular Council Meeting.

All of the items on the agenda were reviewed among Council and staff and the following was noted:

Conflicts of interest declared: None

Items added to the consent agenda: 6d, 6e

Items removed from the consent agenda: 6c

Items deleted from the consent agenda: 7a, 7b

3. Hear a presentation and discuss Tucson's water harvesting and graywater ordinances.

Councilmember Richins stated that he was intrigued by the innovative rainwater harvesting and graywater ordinances adopted by the City of Tucson, which have become national models. He introduced City of Tucson Councilmember Rodney Glassman, who was prepared to address the Council regarding Tucson's efforts in this regard.

Councilmember Glassman displayed a PowerPoint presentation (**See Attachment 1**) and reported that water conservation/sustainability have become issues of national and international importance. He explained that by 2017, if the City of Tucson continues to grow at its current rate, it would be necessary for the community to find additional water supplies. Councilmember Glassman noted that currently, Tucson's water supplies include the Colorado River, mined groundwater, reclaimed water and incremental ground recharge.

Councilmember Glassman advised that drought and climate change are occurring throughout the State and continue to worsen. He said that Tucson was the first community in Arizona to consider rainwater harvesting due to the fact that it sits "at the bottom" of the Colorado River and is also "the last stop" on the Central Arizona Project (CAP). Councilmember Glassman added that because Tucson is the largest municipal customer of CAP water, it has the ultimate incentive not only to conserve water, but also to encourage communities to the north to do the same.

Councilmember Glassman further remarked that historically, most communities in Arizona have treated rainwater as waste water and said that many land use codes require that developers capture the water in basins or remove it from their property. He stated that such actions lead to significant amounts of money being spent on stormwater management, urban street flooding and stormwater quality issues.

Councilmember Glassman cited a series of advantages in harvesting rainwater including the following:

- There is an abundance of rainwater (i.e., Tucson's water demand is 147,000 acre-feet/year and the rainfall in the same area is 185,000 acre-feet/year).
- Rainwater is free.
- Rainwater falls where it is needed without the use of additional infrastructure, canals or irrigation systems (i.e., passive rainwater harvesting).
- Plants like rainwater because it is low in salt and high in nitrogen.
- If rainwater is harvested, it would not be necessary for developers to expend money to get rid of it.
- Rainwater is a cost effective alternative to other water sources.

Discussion ensued relative to the fact that rainwater harvesting is defined as intercepting storm water from a roof, driveway, soil or other surface and putting it to beneficial use; that in the mid-1990's, Tucson's Land Use Code included a "qualitative requirement" regarding water

harvesting; and that when Councilmember Glassman ran for the Tucson City Council, one of his commitments was to require rainwater harvesting on new commercial development.

Councilmember Glassman highlighted a series of photographs illustrating various rainwater harvesting technologies. (See Page 10 of Attachment 1)

Councilmember Glassman noted that the Tucson City Council convened a 14-member stakeholder group, comprised of citizens from various business organizations and unions to draft a commercial rainwater harvesting ordinance. He explained that with Council adoption of the ordinance, Tucson became the first municipality in the nation to quantify commercial water use.

Councilmember Glassman briefly highlighted the main components of the rainwater harvesting ordinance as follows:

- Applies to new commercial development only.
- New developments must obtain 50% of their landscape water needs from rainwater harvesting.
- New commercial developments must create a water harvesting plan and water budget.
- Three years to establish plants.
- Soil-moisture based irrigation control.
- Relief from the 50% requirement in a drought.
- Report annually.

Further discussion ensued relative to various misconceptions regarding water harvesting (See Page 14 of Attachment 1); and “lessons learned” by the City of Tucson concerning the development/adoption of its water harvesting ordinance (See Page 15 of Attachment 1).

Councilmember Glassman also provided a brief overview of Tucson’s residential graywater plumbing ordinance. He stated that approximately 40% of the water that is used in the average home is for landscaping and noted that graywater, which is diverted from washing machines, bathtubs, showers and lavatory sinks, can be re-used for that purpose. Councilmember Glassman explained that the ordinance requires that stub-outs for graywater plumbing be installed at the time of construction in new single family homes and duplexes, at a cost of \$250 per home. He added that separate stub-outs for washing machines would be required.

Additional discussion ensued relative to the fact that graywater does not create odors when the water is distributed to multiple points; that food produced from graywater-supplied gardens can be consumed when it is properly washed; and that graywater is not unhealthy.

Councilmember Glassman highlighted various “lessons learned” by the City of Tucson regarding the graywater ordinance as follows:

- Keep the ordinance simple and flexible so it is adaptable to future technology.
- Obtain a variety of input from grassroots/technical experts.
- Involve the wastewater management agency in the jurisdiction.
- Work out the details of implementation before adopting the ordinance in order to help garner support for the ordinance (i.e., graywater and rainwater harvesting).

Councilmember Glassman further reported that the commercial rainwater harvesting and graywater ordinances were adopted last year, but do not go into effect until June 2010. He explained that the delay would provide the development community a sufficient length of time to implement the new requirements.

Councilmember Glassman concluded his presentation by noting that the next steps in the process for the City of Tucson include conducting water harvesting and graywater pilot studies throughout the community; adjusting City Codes so that they are compatible with the new requirements; educating staff and the public on the new ordinances; and communicating regionally to share Tucson's experiences.

Councilmember Glassman presented notebooks to Councilmember Richins and City Attorney Debbie Spinner which contain the two ordinances and the minutes from the stakeholders' meetings.

Mayor Smith thanked Councilmember Glassman for the informative presentation.

Mayor Smith recognized District 18 State Representative Cecil Ash, who was present in the audience.

4. Acknowledge receipt of minutes of various boards and committees.

- a. Judicial Advisory Board meetings held on February 4, 2009, March 4, 2009 and March 18, 2009
- b. Board of Adjustment meeting held on September 8, 2009
- c. Human Relations Advisory Board meeting held on September 23, 2009
- d. Economic Development Advisory Board meeting held on October 6, 2009
- e. Audit & Finance Committee meeting held on October 8, 2009

It was moved by Councilmember Somers, seconded by Vice Mayor Jones, that receipt of the above-listed minutes be acknowledged.

Carried unanimously.

5. Hear reports on meetings and/or conferences attended.

There were no reports on meetings and/or conferences attended.

6. Scheduling of meetings and general information.

City Manager Christopher Brady stated that the meeting schedule is as follows:

Tuesday, November 17, 2009, 6:30 p.m. – District 4 Building Strong Neighborhoods Event

Thursday, November 19, 2009, 7:30 a.m. – Study Session

Thursday, November 26, 2009, Study Session – Cancelled

Saturday, December 5, 2009, 8:00 a.m. – District 3 Pancake Breakfast, Fire Station 207

Tuesday, December 8, 2009, TBA, Joint Meeting with Gilbert Town Council, ASU Polytechnic Ballroom

Mayor Smith stated that on Saturday, November 21st at 2:30 p.m., at the Mesa Arts Center's Ikeda Theater, he will be the guest narrator for a production of "Tubby the Tuba," which will be performed by the Symphony of the Southwest.

7. Adjournment.

Without objection, the Study Session adjourned at 5:37 p.m.

SCOTT SMITH, MAYOR

ATTEST:

LINDA CROCKER, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Mesa, Arizona, held on the 16th day of November, 2009. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

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Attachment (1)