

**TUCSON AIRPORT AUTHORITY | Superfund Council Meeting
Wednesday, December 15, 2021 | 12:00 p.m. | Remote Participation Only**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Tucson Airport Authority (TAA) and to the public that the **Superfund Council** will have hold a meeting open to the public on **Wednesday, December 15, 2021, beginning at 12:00 p.m.** As indicated in the agenda, pursuant to A.R.S. §§ 38-431.03(A)(3) and (4), the Superfund Council may vote to go into executive session, which will not be open to the public, to discuss certain matters. The public portions of the meeting will be held by video and telephonically via the remote participation platform Webex. A link for members of the public to view the meeting will be posted along with the agenda at the web address below no less than 24 hours prior to the meeting.

<https://www.flytucson.com/taa/public-meeting-information/>

The agenda for the meeting is as follows:

1. CALL TO ORDER | ROLL CALL | WELCOME AND INTRODUCTIONS

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| <input type="checkbox"/> Rob Draper, Chair | <i>Non-Voting Members:</i> |
| <input type="checkbox"/> Keri Silvyn, Vice Chair | <input type="checkbox"/> Chris Sheafe |
| <input type="checkbox"/> Tony Finley | <input type="checkbox"/> David Lovitt |
| <input type="checkbox"/> Ellen Wheeler | <input type="checkbox"/> Ted Sitterley |

2. DISCUSSION | PRESENTATION

- a. **ENVIRONMENTAL REMEDIATION PROJECT STATUS REPORT:** Staff will provide an update on the status of the Soils Remediation Project (SRP) and Tucson Airport Remediation Project (TARP).

3. ACTION ITEMS

- a. **APPROVAL OF MINUTES:** The Superfund Council will consider and may approve the minutes of the Superfund Council meeting held on June 29, 2021.
- b. **ENVIRONMENTAL REMEDIATION PROJECT AUDIT PROJECTIONS:** The Superfund Council will consider and may make a recommendation to the Audit Council regarding the Environmental Remediation Project audit projections.

4. EXECUTIVE SESSION

The Superfund Council, upon a majority vote, may convene into executive session for the following:

Pursuant to A.R.S. §§ 38-431.03(A)(3) and (4): Discussion or consultation for legal advice from the attorneys of the TAA and for discussion or consultation with the attorneys of the TAA in order to consider its position and instruct its attorneys regarding the TAA's position on pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve environmental related litigation involving the Tucson International Airport Area (TIAA) Superfund Sites.

5. ADJOURN

**TUCSON AIRPORT AUTHORITY | Superfund Council Meeting
Tuesday, June 29, 2021 | 10:00 a.m. | Remote Meeting**

THIS ADVISORY COUNCIL MEETING WAS HELD BY REMOTE PARTICIPATION ONLY, WITH COUNCIL MEMBERS ATTENDING VIA THE REMOTE PARTICIPATION PLATFORM WEBEX. MEMBERS OF THE PUBLIC WERE PROVIDED A WEBEX LINK AND PHONE NUMBER/CODE INCLUDED IN THE PUBLIC MEETING NOTICE IN ORDER TO ATTEND.

CALL TO ORDER | ROLL CALL

Chair Draper called the meeting to order at 10:02 a.m.

Members Present: Chair Rob Draper, Vice Chair Keri Silvyn, Council Member Tony Finley, Council Member Ellen Wheeler, and Council Member Dennis Minano

Non-Voting Members Present: Council Member Chris Sheafe, Council Member David Lovitt, and Council Member Ted Sitterley

Others Present: TAA Chairperson Bruce Dusenberry and Attorney James Murphy

Staff Present: President/Chief Executive Officer Danette Bewley, Vice President/General Counsel Christopher Schmaltz, Director of Environmental Services Eric Roudebush, and TAA Clerk Byron Jones

WELCOME AND INTRODUCTIONS

Chair Draper stated that the primary purpose of the meeting was to receive information regarding recent actions by the City of Tucson in connection with the Tucson Airport Remediation Project (TARP) water treatment facility, and how the Council can help or give guidance to TAA staff on potential responses.

Vice President/General Counsel Christopher Schmaltz introduced Attorney James Murphy, TAA's outside counsel on environmental matters.

APPROVAL OF MINUTES

1. Approve the minutes of the Superfund Council meeting held on December 18, 2020.

Council Member Wheeler noted that the first sentence of the second-to-last paragraph of page one should be corrected to read as follows: *TAA's obligation under the consent decree is to keep contaminated water FROM migrating off airport property into the larger TARP plume.*

MOTION BY Council Member Wheeler, SECONDED BY Vice Chair Silvyn, to APPROVE AS CORRECTED the minutes of the Superfund Council meeting held on December 18, 2020. The motion carried by the following vote:

Ayes 4 Chair Draper, Vice Chair Silvyn, Council Member Wheeler, and Council Member Minano

Nays 0

EXECUTIVE SESSION

2. The Superfund Council, upon a majority vote, may convene into executive session as posted for the following:

Pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the attorney or attorneys of the public body regarding the City of Tucson’s decision to suspend operations at the Tucson Airport Remediation Project (TARP) water treatment facility.

MOTION BY Council Member Minano, SECONDED BY Council Member Wheeler, to CONVENE into executive session. The motion carried by the following vote:

Ayes 4 Chair Draper, Vice Chair Silvyn, Council Member Wheeler, and Council Member Minano

Nays 0

The Council convened into executive session at 10:08 a.m.

RECONVENE THE REGULAR MEETING

The Council reconvened the regular meeting at 11:05 a.m.

Council Member Finley and Council Member Sheafe joined the meeting at 11:05 a.m. Both council members participated in the executive session. Council Member Lovitt participated in the executive session but was unable to join the regular meeting due to technical issues.

ACTION ITEM

3. RECOMMENDATIONS:

The Superfund Council will consider and may make a recommendation to the attorneys and staff of the Tucson Airport Authority regarding TAA’s response to the City of Tucson’s decision to suspend operations at the TARP water treatment facility.

The Council did not make any recommendations.

ADJOURN

There being no further business to discuss, Chair Draper adjourned the meeting at 11:07 a.m.

Prepared by:

Byron M. Jones, CMC, TAA Clerk

Date: _____