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#### **CALL TO ORDER**

[Time: 00:00:07]

Mayor Lane: Good evening, everyone. It's nice to have you here with us for our first meeting of 2018. So Happy New Year to everybody. This is our Regular Meeting and call to order of January 8<sup>th</sup>, 2018. The City Council meeting and General Plan Amendment meeting and it's approximately 5:10. We will start with a roll call, please.

#### **ROLL CALL**

[Time: 00:00:28]

City Clerk Carolyn Jagger: Mayor Jim Lane.

Mayor Lane: Present.

City Clerk Carolyn Jagger: Vice Mayor Virginia Korte.

Vice Mayor Korte: Here.

City Clerk Carolyn Jagger: Councilmembers Suzanne Klapp.

Councilwoman Klapp: Here.

City Clerk Carolyn Jagger: Kathy Littlefield.

Councilwoman Littlefield: Here.

City Clerk Carolyn Jagger: Linda Milhaven.

Councilwoman Milhaven: Here.

City Clerk Carolyn Jagger: Guy Phillips.

Councilman Phillips: Here.

City Clerk Carolyn Jagger: David Smith.

Councilman Smith: Present.

City Clerk Carolyn Jagger: City Manager Jim Thompson.

City Manager Jim Thompson: Here.

City Clerk Carolyn Jagger: City Attorney Bruce Washburn.

Bruce Washburn: Here.

Carolyn Jagger: City Treasurer Jeff Nichols.

City Treasurer Jeff Nichols: Here.

City Clerk Carolyn Jagger: City Auditor Sharron Walker.

City Auditor Sharron Walker: Here.

City Clerk Carolyn Jagger: And the Clerk is present.

[Time: 00:00:50]

Mayor Lane: Thank you. Just some items of business. We do have cards if you would like to speak on any of the agenda items or for Public Comment. Those are the white cards the City Clerk is holding up over her head to my right over here and, of course, the City Clerk and her staff there are to assist you with that. There are yellow cards for written comments for any of the agenda items which we will read through the course of the proceedings. And they are the yellow cards she's holding over

her head right now. We have Scottsdale Police Officer Jason Glenn and Tony Wells to assist and they are directly here at 12:00 off the front of the dais area here. And the areas behind the dais are for Council and staff. And we do have facilities over here under the exit sign for your convenience.

**PLEDGE OF ALLEGIANCE**

[Time: 00:01:47]

Mayor Lane: So this evening we have the Cub Scout Troop 344 to lead us in the Pledge of Allegiance. Are you ready, gentlemen? Please step forward and if you can, please stand.

Cub Scout Troop 344: I pledge allegiance to the flag of the United States of America, and to the republic for which it stands: One nation under God, indivisible, with liberty and justice for all.

I am Cody, and I go to Desert Canyon Elementary School and my favorite subject is science. My name is Nolan. I go to Copper Ridge Elementary and my favorite subject is math. My name is Ryan. I go to Copper Ridge, and my favorite subject is Ryan. Is writing. I'm Ethan and I go to DCS and my favorite subject is math. I'm Ryan and I go to DCS elementary school and my favorite subject is science. Hi, my name is Evan and my, I go to Desert Canyon Elementary School and my favorite subject is math. Joshua Pettigrew and I go to Desert Canyon. My favorite subject is math. My name is Kiefer, I go to Desert Canyon Elementary School and my favorite subject is science.

Mayor Lane: Very good. Thank you.

**INVOCATION**

[Time: 00:03:38]

Mayor Lane: This evening our invocation will be given by Pastor Joel Sancavidge. I think I got that right on the phonetic. He can correct me.

Pastor Joel Sancavidge: Close, it's Sancavidge. Almost. Thank you for having me. Will you bow your heads and I will pray for us. Lord, we thank you for today. God, I thank you for our city, Scottsdale. God, I thank you for our City Council, God, who seeks to serve our city. Lord, we ask for wisdom, for understanding, and just for guidance, God, as they seek to put our position in a city to flourish and the people in it to flourish. We ask for your blessing. We say that all good things come from your hand, Lord and so we thank you for that and we pray in the name of your son Jesus Christ, amen.

Mayor Lane: Thank you, Pastor.

**MAYOR'S REPORT**

[Time: 00:04:40]

Mayor Lane: One item to report this evening, I recently learned of the passing of a gentleman who spent his life making a significant impact on the city of Scottsdale. Some in this room may know him, Mr. Bill Mack. He was a 55-year member of the Scottsdale Charros, serving as president of that organization for 10 years and baseball chair in the '80s. He's a Charro lifer of the year in 2002 and 2010. He's also a lifelong member of the Fiesta Bowl committee beginning in 1973, as well as involved in a dozen other Scottsdale organizations. And huge supporter of our train enthusiast community. Also a veteran of the U.S. Air Force, Bill Mack was a wonderful and generous member of our community. Our deepest condolences to his wife Jean and their family, he will be missed. I hope we all do remember him. He's a fine gentleman.

**PRESENTATIONS/INFORMATION UPDATES**

[Time: 00:05:41]

Mayor Lane: All right. We have the next order of business, we have some presentations. It looks like we have APS Peak Solutions rebate, and the presenters here today are our own Water Resources Director, Mr. Brian Biesemeyer. Brian?

[Time: 00:05:57]

Water Resources Director Brian Biesemeyer: Thank you, Mayor and Council. It's my pleasure to be here tonight for APS presentation of a check for Scottsdale water's participation in the APS Peak Solutions rebate program. This is a demand response program that we participate in. It's a voluntary program that allows APS to reduce its demand on it through our voluntary reduction of power usage at our facilities. Through the eight years of our participation in this program, we have averaged over \$100,000 per year back to Scottsdale water and as an efficiency back that we are allowed to have back to our rate base and our ratepayers by continuing to keep our electric bills down. The check this year is \$107,984, it varies per year. I can say it's based on when the particular event is called, and I will ask Joel Fisher of APS Peak Solutions to come out, present a little more on the subject and then present a check to you. Thank you.

APS Peak Solutions Program Director Joel Fisher: Thank you, Brian. Good evening. My name is Joel Fisher, I'm with the APS Peak Solutions Program. In 2010, the APS Peak Solutions started its inaugural season. The city of Scottsdale was one of the first 41 participants in the program. In 2018, the city of Scottsdale was the largest municipality to participate in the program and was able to shed 4200 kw. Now if you take into consideration 4200 kw, an average home uses about 10 kw. So it was a very big contribution to the 2018 program, so we do thank the city of Scottsdale for all they do to make this program successful. We would like to bring up Kathleen and Patti McLaughlin with the APS Peak Solutions as well to present a check to the Mayor.

Mayor Lane: Let me just say from here, before we get too far away on this, really the congratulations goes in large part as pretty much been indicated to the Water Resources Department and Brian Biesemeyer and the entire crew. He's done an outstanding job, some \$800,000 returned to the rate

based payers and on the basis of also saving energy, carbon footprint, all of those things that are implied with that kind of program. So thanks very much for Brian and crew and congratulations for another good year on it. Thank you again on that.

**PUBLIC COMMENT**

[Time: 00:09:38]

Mayor Lane: The next item of business is Public Comment and the Public Comment is reserved for citizen comments regarding non-agendized items which no action will be taken on these items. Comments are limited to issues within the jurisdiction of the City Council. And speakers are limited to three minutes each with a maximum of five speakers. There will be another opportunity at the end for Public Comment at the end of this session. And we do right now currently have four requests to speak and we'll start with Sandy Schenkat.

[Time: 00:10:15]

Sandy Schenkat: Good evening, Mr. Mayor Lane, Vice Mayor Korte and City Councilmembers. My name is Sandy Schenkat and I reside at 10961 East Gary Road. Imagine that you are a tourist arriving at Sky Harbor and that you go to the information area and see dozens of brochures about Arizona. What are you most drawn to? Can you put this up, please? Is it something like this Chandler official guide, which only has a beautiful desert scene but also lists things to do? Or are you drawn to the Arizona official state visitor guide with an inviting Arizona scene and many ideas of activities in Arizona. Or are you drawn to the spectacular experience Sedona with an incredible photo of the red rocks? And then there's our Scottsdale official visitor guide, published by Experience Scottsdale. Does this speak you to?

In my opinion, this guide at best looks like a mediocre fashion glamor magazine cover. I was published in the online Scottsdale independent last week asking the question: Who does this guide appeal to? And there were 38 comments, and this is one of them that articulates the issue. A downtown merchant said, I was stunned by the cover photo. A beautiful young woman, indeed, but does this not capture what Scottsdale is all about? From a consumer's point of view, if I just landed in the airport and was scanning the brochures as to what to do on my vacation, would this not speak to me? -- this would not speak to me and I would most likely not even pick it up. To me, the cover says fashion, beauty, salon services, which could be anywhere in the U.S.A. Where is our beautiful landscape and scenery? I have to question who thought this was a brilliant idea and why was this cover approved by the management of Experience Scottsdale? If this truly is the direction that management deems what we need to market, then they truly have gone off the deep end and have no grasp at all as to what we offer in Scottsdale. It is the fiduciary responsibility of you, the City Council to see that our city runs efficiently and that we are marketed properly. Is this guide marketing Scottsdale as a world-class destination? Thank you.

Mayor Lane: Thank you, Ms. Schenkat. Next is Stanley Bronstein.

[Time: 00:13:52]

Stanley Bronstein: Good evening, Mayor Lane, Vice Mayor Korte and the rest of the Council. My name is Stanley Bronstein I live at 11458 East Sweetwater Avenue in Scottsdale. What I'm here to talk to you about tonight, I'm representing my homeowners association Ancala West Estates and I am authorized for the Ancala subdivision that's next to us. We are both located adjacent to Taliesin West where the Frank Lloyd Wright Foundation resides. Based upon conversations I have recently had with Stuart Graff, the C.E.O. of Taliesin West or the Frank Lloyd Wright Foundation. It's my understanding that Scottsdale is considering to locate the Desert Discovery Center near Taliesin West. We want to make sure we are part of the discussion. We have extreme concerns about such a thing being located there. The road that goes into Taliesin is a two-lane road that goes over the Central Arizona Canal. It's already dangerous enough as it is. It's already highly trafficked and that's the sole means of ingress and egress of 78 homes and one of the three major of Ancala, of 550 homes.

In the past, I have been living there for 16 years, we had to incur expenses to keep visitors out of our subdivisions because they routinely would come in and look around and looky-Lous that type of thing. We have concerns about the noise and things of that, and I actually spoke with the developer of our subdivision this morning who developed our subdivision, about 20, 21 years ago or so. He said at the time, that land was purchased from the Frank Lloyd Wright Foundation and he made me aware that the city of Scottsdale apparently mandated, it's my understanding, apparently mandated that there would be no further development in all of that area around Taliesin West, that it would remain desert preserve and it's all designated as N.A.O.S., Natural Area Open Space and we would like to see it stay that way because we have major concerns about what it could do to our subdivision. My contact information, all of you should have received a sheet. It has my contact information on there, if you would like to meet with us to find out more or talk with us, please feel free to give me a call, we will make ourselves available and thank you very much.

Mayor Lane: Thank you, Mr. Bronstein. Next is Mr. Don Chiappetti.

[Time: 00:17:04]

Don Chiappetti: Good afternoon, Mayor Lane, Vice Mayor Korte, the rest Council, my name is Don Chiappetti. I have been a resident of Scottsdale for 51 years and I have been associated with Parada del Sol for 58 years. We are here to put in the public record the official dates of our parade and Trails End Festival, which is February 10<sup>th</sup>. So just over a month from now, in cooperation and conjunction with the city and various partners. This year promises to be the one of the best ever. We will have a theme of this year's Parada Del Sol parade which is past, present and future and we are excited to say that the past is going to be represented by a grand marshal Gaylord Perry in conjunction with the Cactus League Hall of Fame. Our present grand marshal to represent the present is Scottsdale Saguaro football team who many may know just won the state championship for the fifth consecutive year which has never been done before. We are also inviting back the past five years of the Saguaro football team to be participants in the parade as well. And representing the future, we are proud to have the Boys and Girls Club Youth of the Year from each branch. So we are going to have grand marshals representing each of the areas of Scottsdale, past, present and future. But, now the

commercial is over.

What I really want to get to today, we are here in an official capacity to announce a challenge to the city of Scottsdale to enter a float, a wagon, or some sort of entry into Parada del Sol. We hope to see the Parks and Recreation department fighting against the Water department, fighting against all the different departments within the city for this year's, for this trophy. This is a highly esteemed and highly coveted award that we hope to start a tradition which will create more involvement with the city departments in the parade and trails end festival and also be a traveling trophy to hopefully be something to be sought after. So that's what we have. Yes, and each department can display it all year and more importantly have bragging rights over the other departments. We are real excited to have that challenge offered and we are excited to be, continue our partnership with the city of Scottsdale. So for the public record as well, it's a good opportunity to see Mayor Lane, Vice Mayor Korte and some of the other Councilmembers horseback which is a sight to behold, I assure you. They enjoy it and the public does as well. Thank you.

Mayor Lane: Thank you very much. Next is Dan Semenchuk.

[Time: 00:20:35]

Dan Semenchuk: Good evening, Mayor Lane, City Council, I apologize for my lack of voice. It's this frigid weather that we have been having. I'm the founder of Creative Connect and I have been a south Scottsdale resident since 1984 and I'm here to present three citizen petitions which have been recorded with the City Clerk.

Number one, citizen petition against the Marshall Way entry feature, 15-DR-2017 also known as the giant metal humping rabbit, and petitioning that City Council and staff not spend any more time and money on this unnecessary and wasteful project that any remaining funds that City Council budgeted for this project be spent on deteriorating infrastructure on and around the Bob Parks horse fountain directly north in an effort to make downtown Scottsdale attractive to tourists again. In 2014, I made that recommendation to the Mayor that the 147,000, db-57 in tourism dollars that the City Council budgeted for this unnecessary project be used for that purpose instead. I'm also asking that an impartial audit be made of this project based on the appearance of mismanagement and waste of funds and questionable practices on the part of City Council and staff. The details for this petition can be found in email message threads to City Council and staff, entitled Marshall Way entry project and my meeting with the Mayor. Marshall Way, cease and desist and citizen petition against Scottsdale Public Art and the Marshall Way enhancement project.

Number two, citizen petition to decommission the city's Public Art installation called Swale located on the Thomas Road bridge over the Indian Bend Wash. The only two people that I know of to state that they like this installation are Councilwoman Virginia Korte and the Mayor's Chief of staff. Based open the city's criteria for decommissioning its Public Art, I believe that this installation more than qualifies. My recommendation is that the city sell the installation to one of the many developers tearing down our vintage culture and character in south Scottsdale who in turn replace it with cheap, sterile and soulless structures. The details for this petition can be found in email message threads to City

Council and staff entitled, Thomas Road bridge art installation and Thomas Road bridge art decommissioning.

Finally number three, citizen petition to decommission the city's contractor called quote/unquote Scottsdale Public Art and to restore the decision making process for the city's Public Art back to the citizens. Thank you.

Mayor Lane: Thank you, Mr. Semenchuk. That completes our Public Comment at this time.

## **MINUTES**

[Time: 00:24:05]

Mayor Lane: So moving on to the next order of business. Request the approval of the Special Meeting minutes of November 28, 2017; December 4<sup>th</sup>, 2017; and December 5<sup>th</sup>, 2017; Regular Meeting minutes of November 28<sup>th</sup>, 2017 and December 5<sup>th</sup>, 2017; General Plan Amendment meeting minutes of December 4, 2017, and Executive Session minutes of December 4<sup>th</sup>, 2017 and December 5<sup>th</sup>, 2017, and a request for approval.

Vice Mayor Korte: So moved.

Councilwoman Littlefield: Seconded.

Mayor Lane: Moved and seconded by Councilwoman Littlefield. Seeing there's no further comment. I think we are ready to vote. All those in favor please indicate by aye and register your vote. I'm not getting any response. So when it comes up on the screen, it won't show my yes vote, but nevertheless, I'm not getting a response on the digital display. But I assure you I am yes. Need to get that attended to one way or the other.

## **CONSENT AGENDA**

[Time: 00:25:31]

Mayor Lane: Our next item of business is Consent Agenda 1 through 20. I have a request to pull Item 18 for presentation and a separate vote. Item 18 is the Hardcover Pictorial City Scape Book, adopt Resolution 10999 with Lammert Inc., doing business as HPN books. That will be moved to the Regular Agenda and not included in the Consent Agenda items and on Item 20, I have a request from Councilman Smith for, to, he has some questions or comments and that's it. So we'll leave that on Consent, but Councilman Smith, did you have some questions specifically that you wanted to voice or comments?

Councilman Smith: Thank you, Mayor. And you didn't mention but Item 20 is the, basically the Fiscal Year 2016/17 Financial Report as of the fiscal year end June of 2017. So I think my question is to the City Treasurer, Mr. Nichols. In one of the inclusions in this item, in fact, it's page 33 of 39, is



the WestWorld statement of operations. Is this then the final statement of operations for the year for this entity?

City Treasurer Jeff Nichols: Mayor Lane, Councilmember Smith, yes, it is.

Councilman Smith: I guess I would observe that for the year, the last fiscal year ended the operating loss for WestWorld was \$2.8 million, which is compared to 1.5 million four years ago. And if you include debt service, of \$5 million, which four years ago were only three, the total loss for this enterprise is \$7.8 million. 1.2 of that is paid by the tourism fund and 6.6 is paid by the general fund, but my question to either you, Mr. Nichols or to staff or to City Manager, whatever, the request has been made in the past by Councilman Milhaven and I think agreed to by the rest of us, that we would like to see a business plan for this enterprise, and each year that goes by, the loss gets greater and the business plan is elusive. So can anyone give us some encouragement that a business plan is on its way?

[Time: 00:28:35]

City Manager Jim Thompson: On Friday, January 19<sup>th</sup>, 3 p.m. we'll be accepting our bids associated with that business plan. We will be moving forward and hopefully bring one back to you later this year.

Councilman Smith: We are having an outside party prepare that plan?

Jim Thompson: That is correct. And we will look at some operational considerations. You will have some items prior to the conclusion of the business plan, which are decisions that will need to be made associated with items that have come up in the past as well.

Councilman Smith: All right. We'll wait and see it then. Thank you, Mayor.

Mayor Lane: Thank you, Councilman. Just so the record is clear on this, WestWorld is not an enterprise by standards that we establish for the city, but I just did, just to make that distinction; is that correct?

Jeff Nichols: That's correct, Mr. Mayor.

Mayor Lane: Okay. So with that, we have a Consent Agenda items? Yeah. So we will now look towards the Consent Agenda items. No further comments or public testimony on any of those. So it will be Items 1 through 20, less Item 18, and what I need to do is, what I would like to do, I understand that we need to move the date of continuance for Item 11 to February 13<sup>th</sup>. So may I have a motion to approve the Consent Agenda, and the changing of the continuance date to February 13<sup>th</sup>, Storyrock Abandonment.

Vice Mayor Korte: So moved.

Councilwoman Littlefield: Seconded.

Mayor Lane: It has been moved and voted. All those in favor please indicate by aye. Register your vote. It's unanimous approval of the agenda items as was indicated by the motion. That complete, if you are here for any of the agenda items, you are certainly welcome to stay. If you would like to depart, please do so quietly.

## **REGULAR AGENDA**

Mayor Lane: We will move on to the next item of business which are the Regular Agenda items which now includes Item 18. So at Councilman Smith's request, Item 18 is now on the Regular Agenda item and we will have Mr. Washburn address that.

### **ITEM 18 - HARDCOVER PICTORIAL CITYSCAPE BOOK**

[Time: 00:31:02]

City Attorney Bruce Washburn: Thank you, Mayor. Item 18 is a contract for the city to participate in the production of a hard cover promotional book for the city, a copy of a comparable type of book from Fort Myers is on the dais. I don't know if you had a chance to take a look at it.

The basic idea of the contract and the terms of the contract, the actual contract itself is attached to the Council report, but the basic idea of the contract is that the publisher, HPN books would prepare the book and would sell the, would, I'm sorry, would get revenue from the preparation of the book because they are going to be promotional materials in the back of the book that, that will be participated in by businesses or individuals who wish to appear in the book and they would pay for the, for their appearance in the book, the front half of the book would be essentially promotions for the city of Scottsdale. The city would not pay anything for the book. The city would receive a percentage of the gross revenue, I believe it's 6% of the first \$175,000, and would receive, I think it's 500 promotional copies which the city could then use to promote the city.

The, what the city gives in exchange for this is the city agrees to participate in contacting individuals or businesses that might be interested in participating in the book. The agreement provides that the city represent, representatives of city will send letters, basically letters ever introduction. It also states that the city's name and logo could be used in connection with this. I have informed the publisher that any use of the city name or logo would have to be consistent with the city's administrative regulations limiting that use. So it would be basically the use would be basically consistent with the other activities that the city engages in, in public/private partnership sorts of situations with other people carrying on essentially city-related activities in this city. So that's the, that's what's on the agenda. And I would be happy to take any questions.

Mayor Lane: Thank you, Mr. Washburn. Councilman Smith.

[Time: 00:33:39]

Councilman Smith: Thank you, Mayor. Well, Mr. Washburn, I pulled this, it's probably not the biggest item we have no think about tonight, but it, it just struck me that we, the city, are engaging in an activity here that is perhaps best left to the free market, to the mark place, whatever. It's obviously, a no-bid contract. We are awarding this contract to whoever this firm is. And it's certainly, the city is giving something of value. We are giving our name. We are giving our support, and you said we are participating. Some of the language here says we are going to assist in the promotion. We are going to help acquire letter endorsements. We are going to invite others to participate and I just, I cringe a little bit when I think that the city might be inviting businesses to participate by purchasing an ad in a book. I know how those invitations go. I have gotten many of those myself over the years.

The city is going to have the right to choose the photographer. The city is going to have the right to choose the writers. You know, to me, it just sounds like a city project that's going to involving time, energy and effort on somebody's part and other than being a vanity book that talks glowingly about the city, which I think would be more an Experience Scottsdale exercise than a city exercise, I just had a bad feeling that this is not something that we have a good reason to be getting into on a no-bid basis. You can respond to any of that or you can just nod and I will stop talking, but thank you, Mayor.

Mayor Lane: Thank you, Councilman.

[Time: 00:35:38]

Bruce Washburn: If I could. With respect to it being a no-bid contract. This is not an exclusive contract. So it's not like we were picking a single provider if there was another provider that wished to engage in a city activity, the city would not be precluded in doing so. As for the market value of this, it's my understanding that the contract and the terms of the contract are similar to the contracts with other cities. And it's an indication that what we are getting is probably what could be expected from this type of activity and for the rest of it, I will just nod.

Mayor Lane: Thank you, Mr. Washburn. Seeing as there's no further comment on this, is there a motion to accept or deny it?

Vice Mayor Korte: Mayor, I move to approve Item number 18.

Councilwoman Littlefield: Second.

Mayor Lane: The motion has been made and seconded. Seeing there's no further comment on that, I think we are then ready to vote. All of those in favor please indicate with an aye. And those opposed with a no. Motion passes 6-1, with Councilman Smith dissenting. Thank you on that. That moves us through our added item to the Regular Agenda.

**ITEM 21 - STATEWIDE NONDISCRIMINATION STATUTE**

[Time: 00:37:05]

Mayor Lane: We will move on to the next and regular, Regular Agenda item and that is Item 21, the statewide nondiscrimination statute, letter is actually what it is, but nevertheless, we have Brad Lundahl at the podium to speak towards this, who is our government relations director to speak towards this.

[Time: 00:37:26]

Government Relations Director Brad Lundahl: Good evening Mayor, members of the City Council. I'm here tonight to seek approval of a letter that would be from the City Council to the president of the Senate, and to the Speaker of the House. The letter would be expressing support for an update to Arizona's nondiscrimination statutes to be inclusive of sexual orientation and gender identity. So this would be an effort to consolidate state law on a statewide basis, rather than have a patchwork of laws in various cities and towns. The letter before you represents the language that was forwarded to the city by the LGBT community and their supporters. So to remind you of the motion tonight would be to support the letter, so we are speaking, seeking support of that and once that's approved, that would be forwarded on to the Speaker and House and the Senate. With that, Mayor, I would be happy to answer any questions or foster any discussion.

Mayor Lane: Thank you, Brad, I appreciate that. I think we may have a question or a comment. We do have, right now we do have some Public Comment we'll take first on this, if you don't mind, Vice Mayor. And let's start with Darin Lohman.

[Time: 00:39:22]

Daria Lohman: Mayor, Mayor Lane, Vice Mayor Korte and Councilmembers, as you know, I would be solely in support of this letter. I have been here several times before and other times when we tried to get our own N.D.O. and I can agree that the statewide perspective, that would be a much better route to go. You know? And this is just another part of the story of the human rights and civil rights, you know. You look at when women got the right to vote, there were all kinds of articles that the world is going to fall in and there were religious controversies about it and the same with people of color. I mean, it's just another thing to becoming a more inclusive society. From my personal perspective, I moved here in 2000 from California. Motorola sought me out to work here and I'm a cybersecurity engineer. I was, I looked up, what is the history. I'm a transgender woman. What is the history of Arizona towards trans people. I'm thinking it was nothing there. I didn't realize that the company was supportive. Okay. So living in Silicon Valley as a single parent, it's very expensive. So I took a chance. Things turned out I have fortunate. And I have been able to, you know, a few minor incidents at work, my company was supportive and I retired from there a couple of years ago. And now both of my daughters, when we moved here, they were 13 and 14, and they tell me incidents that they see with other transgender people. And sometimes not so nice. I mean, I was fortunate. I had a good job. Upper economic level. And they talked about some of their coworkers and some of the problems that they are having. Fortunately one of them, she works at a company that's

supportive. So I think, you know, this idea of having some people never really knowing what their rights are is wrong, and I would, and I believe that we need to be strongly behind the idea of supporting equal civil rights for all people. And this is, this is consistent with the golden rule. The golden rule is consistent with the unity pledge. I would hope that there's no controversy about that. I have heard that several members are already fully supportive and I would hope that this passes with no problem. Thank you.

Mayor Lane: Thank you, Ms. Lohman. Next would be Rabbi Kravitz.

[Time: 00:42:09]

Rabbi Robert Kravitz: Good afternoon, Mayor, Vice Mayor, Councilmembers. Thank you for the opportunity to speak with you today. I'm Rabbi Robert Kravitz and I have lived here in Scottsdale for 17 and a half years. I come before you to request that you vote in favor of sending that letter to our state legislature, asking them to update our current nondiscrimination laws to include sexual orientation and gender identity. Arizona already has state law protecting religious freedom for houses of worship and religious businesses but it's shocking to note that in this day and age, under the state's laws to fire a hard-working employee, to deny them an apartment and otherwise to discriminate against folks simply because they are okay or transgender. This is not fair. This is not just. This is not equality under the law. My tradition teaches that we are all God's children, and we need to treat everyone fairly, equally and with respect.

You know the text, love your neighbor as yourself. While we may have differing beliefs, let's focus on what we have in common. Taking pride in our work, respecting our coworkers, serving our customers and getting the job done. All hard working people, including those who are gay and transgender should be treated fairly and equally and have the opportunity to pay taxes and provide for themselves and their families. Freedom of religion is important and that's why it's protected by both the first amendment of the United States constitution and Arizona law. But religious beliefs ought not to be used to harm people. Businesses open to the public should be open to everyone equally. Businesses are not houses of worship. Religion is meant to include not exclude. Equal rights means professing and practicing one's faith freely but not stifling the freedom of others or imposing a belief on them. I hope to continue this discussion about the importance of equal protections for all in Scottsdale and in Arizona and I hope you will vote in favor of sending the letter of support for an update to our current Arizona nondiscrimination laws. Thank you for listening and for doing what's right.

Mayor Lane: Thank you, Rabbi. Next would be Robert Chevaleau.

[Time: 00:44:49]

Robert Chevaleau: Mayor and City Council thank you for the opportunity to speak with you this evening. My name is Robert Chevaleau and I live and work here in the city of Scottsdale. I'm here tonight as a resident and the parent of a transgender child to ask you to vote for in favor of sending a letter to our state legislature, asking them to update's Arizona's nondiscrimination laws. When the

issue of expanding our state's current nondiscrimination laws comes up, it's often rejects as a solution looking for a problem, because air doesn't have discrimination. As a resident of Arizona for nearly 20 years, I would like to tell you otherwise. I see discrimination every day. I experience it directly as the parent of a transkid. I see it through the businesses. They rob her of her right to be treated as an equal. There are those who find out that she is trans and have decided what she is and what she is worthy. Businesses are supposed to be open to all. They are free to dismiss her as a person and erase her individuality. There are no legal positions in place should the company choose to deny her service. And that's wrong.

We as a state ought to protect all of our citizens, period. We ought to make sure that everyone is protected equally and right now they are not. My daughter and others who identify as LGBTQ are not asking for special protection but we are asking for equal protections. Citizens shouldn't have to think about what rights they have depending on what city they are in. Nobody's rights should depend on their ZIP code. It's I'm for a statewide. Both my transgender child and cis gender child should be able to build a life here. Everyone ought to have equal access to recourse and protection. Sending this letter sends a message of tolerance and inclusion and shows the rest of Arizona that Scottsdale supports the momentum that supports the civil rights of all of its citizens are protected. Sending a letter to our state legislature asking them for a statewide update would be a powerful message that Arizona and not just certain cities should be open for business for everyone. Thank you very much.

Mayor Lane: Thank you, Mr. Chevaleau. Next is Katee Van Horn.

[Time: 00:47:31]

Katee Van Horn: Honorable Mayor Lane, Vice Mayor Korte and Council, thank you for letting me take the time tonight to speak to you. My name is Katee Van Horn. I'm a resident of Scottsdale and I live at 94<sup>th</sup> Street and Cactus. I also own my own business. I'm here tonight to ask you to vote in favor of sending a letter to our state legislature asking them to update our current nondiscrimination laws to include sexual orientation and gender identity, basic human rights. Nondiscrimination works in the corporate world, and it's time we made it work for the state of Arizona. When we remove barriers to attracting and retaining talent that have nothing to do with job performance, we all do better. Nobody should have to fear that they be fired simply for being who they are. In my experience, a company's nondiscrimination policy and inclusive environment is often one of the most significant recruiting tools. But it's not enough for businesses to say we're inclusive. We need to create inclusive communities where everybody has access to the same protections, and the same ability to live their lives. The fact that we are located in a state without a fully inclusive ordinance puts Arizona companies at a competitive disadvantage.

We are trying to recruit top talent and we are not able to do that because we do not have the statewide ordinance. Employees want to know they are protected in and out of the workplace. They don't want to have worry about denied housing or service simply because they are gay or transgender. I'm building my company in Arizona for many reasons, the business climate, the beautiful landscapes, the vibrant culture that we all really enjoy in the state of Arizona. Now it's time

to add one more reason. We're a state that is truly open for business to everyone. I hope that you will take the lead tonight and ask the state to pass a statewide update to our laws. Thank you.

Mayor Lane: Thank you, Ms. Van Horn. Next would be Reverend Ann Thomas.

[Time: 00:49:50]

Reverend Ann Thomas: Mayor, Vice Mayor, Councilmen, I thank you for this opportunity to speak before you. My name is Reverend Ann Thomas and I'm the pastor at Scottsdale United Methodist Church. I'm also a resident of Scottsdale Living at 8714 East Keim Drive. I'm here tonight to ask you to vote in favor of sending a letter to our state legislature asking them to update our current nondiscrimination laws to include sexual orientation and gender identity. Such an update will provide equal protection for those who visit, live, worship, and work in our great city and our great state. As a Christian, I hold my beliefs dear to my heart and my way of life, however, my belief system does not give me the right to discriminate against someone who may hold a different faith or creed in their heart, nor should it give anyone else the right to do so.

If you think about it, the basic principles of nondiscrimination are the same as the golden rule. Treat others as you would wish to be treated. Adopting a nondiscrimination ordinance that includes gay and transgender people does not harm me or my religion. Arizona already has religious freedom for religious congregations and institutions. We don't always have to agree but we do have to respect. A fully inclusive, nondiscrimination ordinance won't force religious institutions to do anything that is against their beliefs. What it will do is ensure that businesses that operate in the public square treat everyone equally. Doing so benefits our city and our people. My faith compels me to treat all people fairly, equally, and with respect and I hope that it compels the honorable Mayor and Council and the state of Arizona to do the same. Thank you.

Mayor Lane: Thank you, Reverend. Next and last is Miriam Weisman.

[Time: 00:52:13]

Miriam Weisman: I have to bring it down a lot. Honorable Mayor and Council, thank you for the opportunity to speak tonight. My name is Miriam Weisman and I have lived in Scottsdale for 22 years, in two different residences. I lived in one for 11 and the next one I have been in for 12. So I love Scottsdale. I'm here tonight to ask you to vote to send a letter to the state legislature, along with the characteristics already protected such as religion, age, ethnicity, gender, and disability. Statewide equal treatment for all people is important to me, as not just a person of faith but also as a Scottsdale business owner. We have owned a business here in Arizona, in Scottsdale for 22 years as well. As many have said before, this is not about special treatment. This is about equal treatment. When we pick and choose who has access to basic rights and protections, it's when we risk the very foundations of which this countries built. Denying gay and transgender people the same rights and protections that the rest of us have in the workplace, housing and public accommodation undermines our basic tenets as Americans. As the board member of the antidefamation league, and protecting civil rights of all and as the chair of A.D.A.L.'s national education committee and as facilitate of

anti-biased workshops, I feel it's my duty to speak up for those who don't have the same protections as I do, which is why I'm here tonight. This is something that I speak to from my heart. This is, this is my existence, is equality for everybody, that everybody feels honored. Sorry. Sending a letter to the legislature asking for a statewide update would send a powerful and positive message to Arizona, and our neighbor cities that the people of Scottsdale believe in equality, respects all of its citizens and wants to ensure that Arizona is open for business to everyone. I just want to add that it's my upbringing as a person of faith too that says to me, why am I an ally? Why do I stand up? Why is this important? I will go back to our great sage Rabbi Hillel, if I'm not for myself, who will be for me? If I'm only for me, who am I? Not now, when? The time is now. Thank you very much.

Mayor Lane: Thank you, Ms. Weisman for that. Completes the comments from the public on this item. We have some desire to speak toward this subject. So I start with Vice Mayor Korte.

[Time: 00:55:23]

Vice Mayor Korte: Thank you, Mayor. So this letter really parallels the city's 2018 legislative agenda, which we approved last December in support of a statewide nondiscrimination ordinance. So this just verifies that commitment that we made in December are, and as someone also said, it's consistent with the golden rule. I think Daria you said that. So thank you. And certainly it's consistent with our longstanding motto, the most livable city. We are a very livable city and being a livable city, is inherent of nondiscrimination and being fair to all. And honestly, while I would really enjoy a city nondiscrimination ordinance and, you know, we have been down that path, I celebrate tonight because this nondiscrimination of gender identity and sexual orientation really belongs at the state level. It transcends borders and the state level is where it needs to be. With that, I would like to make a motion in support of the letter to the state legislature which encourages a statewide update to Arizona's nondiscrimination statute to be inclusive of sexual orientation and gender identity.

Councilwoman Milhaven: Second.

Mayor Lane: The motion has been made and seconded. Would the second like to speak toward it?

Councilwoman Milhaven: Not at this time, thank you.

Mayor Lane: Councilman Smith.

Councilman Smith: Thank you, Mayor. I will be supporting this as well. I think it would be great to have a statewide statute that protects the rights of individuals. Vice Mayor is correct, we tried to do this at the city level and for a lot of reasons it doesn't work but the state is the right place to have it. I consider myself a champion for all things that improve the visibility of our community and that's the Litmus test I use for many of the decisions that I vote on and when I say improving the livability of our community, I really mean for everyone. And there's a large disenfranchised group in our city, and perhaps this will correct that. Thank you, Mayor.

Mayor Lane: Thank you, Councilman. I too would say there is certainly a consistency between this



and what we had in our legislative program this year and we recommended and it frankly has been a position that I held at least for the last year and a half or so. For some two years we tried to work through an N.D.O., rather a nondiscrimination ordinance that would have satisfied as many people as possible, and as someone said, frankly, we are really heavily invested in trying not only to be fair, be consistent, but also to be even handed in whatever we do in a way of legislation, whether it's our ordinances or otherwise.

So it's important for us to always consider everybody in this spectrum. I think as Ms. Lohman mentioned earlier we are a proclaimed golden rule city. That means different things maybe to some people but generally speaking, it means treating people as you would like to be treated yourself. That's a guiding principle here. That's an important component, but when we think of a practicality of the whole new ordinance, and testing and penalties and all other things on each individual city or municipality, doing something different, it's a huge burden and it's a major problem for a lot of people. I think really with some greater study on the idea of how you define some of these things, as well as the penalties or otherwise, but nevertheless, of great concern was some of the things that we were toying with at the time, it really constituted implied guilt and perceived guilt in some things and that becomes a bit of a problem. And it's a tough one to adjudicate and frankly then to enforce. So we are hoping that take it to the state level, you will have a consolidation of these prospective thoughts and how to put this together.

[Time: 01:00:02]

What I would hope is that the state takes this on in a meaningful way, that they are able to come to a consensus that is workable for all sides and seen as fair, and understood, and then to have it be the rule of the city of, or rather of the state of the Arizona. And so I think that's an important thing to consider. We don't want to just start a whole other realm of things of now we already will have, and I will tell you in the next step is April answer to what I'm about to say, we'll have competing ordinances between states but at least we won't have competing ordinances between cities and that's one of the things I would like to avoid. And that's what I'm intent on, we take this up and we are working with it on that basis. So I think this is a good step, but I wouldn't be all together surprised and I'm not sure that this wouldn't be a reasonable result, but I'm not, you know, I'm not advocating this for the moment. It's a fact of life as to whether this needs to go to a federal level, and truly update our EEOC and all of those rules that are in place right now for a wide variety of identity groups and then have equal and consistent application of those extended no this group to the LGBT community. That's our thinking, at least that's mine and that's why I will be advocating for the movement of this forward. It's entirely consistent with what we profess to be and where it should go and it needs to be refined and it needs to be consistently applied. Councilwoman Klapp.

Councilwoman Klapp: Yeah, I will be supporting this motion as well. I know there were a lot of people disappointed that we didn't pass a nondiscrimination ordinance in the city. I recall that meeting vividly. It was two years ago and I remember saying that it was most appropriate for the state level. I didn't like the consent of Scottsdale having one ordinance and Phoenix having another and other surrounding cities having different ordinances that would not be similar. So over the course of the last two years, I talked to people within other cities, Councilmembers in other cities and

many of them came to the same conclusion as we have come to here today, that this needs to be pushed forward at the state level, and I am very supportive of doing that, and I would encourage the people here who have spoken to us to speak to those legislators as well because our letter is only one letter. And it's just, you know, maybe they won't even pay much attention to a letter from the City Council in some respects. So I would encourage you to talk to the legislators about this issue. Feel free to say that the city of Scottsdale is in full support of a statewide ordinance or a statute that would address this problem and have it corrected so that we don't have cities pitted against cities. It's not what any City Councilman in any city wants. So I'm happy to support this as I fully supported unity pledge as well as participated in our golden rules ceremony. I think all of these things are important to tell the world that the city of Scottsdale wants to be inclusive. It's not always pretty trying to put together consensus and agreement on things and so I know that hasn't always been, that some of you have viewed some of that discussion and dissension and consternation that comes out of Council. I believe, unless someone speaks differently tonight. I know when this came before the Council, that this was no disagreement that this means that the Council really wants to see this happen at the statewide level and I'm more than happy to support it.

Mayor Lane: Thank you, Councilwoman. Councilman Phillips.

[Time: 01:04:16]

Councilman Phillips: Thank you, Mayor. Although I agree with the Mayor and Councilwoman, I regret that I will be unable to sign the petition this evening, although I agree it's a state and in a federal issue. I don't feel I'm in a position to recommend a statewide LGBTQ statute and nor would I be representative of the 230,000 residents by doing so. Thank you.

Mayor Lane: Thank you, Councilman. Councilwoman Littlefield.

Councilwoman Littlefield: Thank you, Mayor. I'm in agreement with vice Mayor Klapp on this, Vice Mayor Korte on this. I'm sorry. I think this is something that belongs at the state level so we can have uniformity across the entire state and not by city by city, so it's confusing and disruptive. I think the state is where it needs to be and perhaps it go to the federal government for uniformity across the nation. I think it's a big step forward for us to move this forward to the state level and see if they can put this together with the current law. Thank you.

Mayor Lane: Thank you, Councilwoman. I see no other requests to speak on this. So I think we are then ready to, we have the motion and the second. We are now ready to vote. All those in favor please indicate by aye. Those opposed with a nay. Aye. Motion passes 6-1, Councilman Phillips dissenting. So thank you very much for your input and I appreciate all of the comments and the input. Thank you to Council.

## **ITEM 22 - Scottsdale's Response to Opioid Crisis**

Mayor Lane: So we'll move on to our last Regular Agenda item, which is the Scottsdale response not opioid crisis. And certainly if you are here for Item 21, you are free to stay with us, otherwise if you

could leave quietly, I would appreciate it so we can proceed with business.

[Time: 01:06:23]

Fire Chief Tom Shannon: Good evening Mayor and Councilmembers. If it, if it's okay with you, we are going to let Chief Rodbell join you at the podium as I anticipate the majority of the questions will be to the statistic as to the prevalence of this issue in Scottsdale and he has probably the most accurate data.

Mayor Lane: Okay. So you want to keep a low profile over there?

Chief Shannon: Bill and I will back him.

Mayor Lane: Very good, Chief. You are on deck.

[Time: 01:06:52]

Police Chief Alan Rodbell: Thank you, Chief. Mayor, Vice Mayor Korte and members of the Council, it's my privilege to be able to talk. Obviously to bring this issue forward and then I have the backup ever Chief Shannon from the Fire department and Bill Murphy from Community Services when the issues come up that's appropriate to their part. Where's my first slide? There we go.

So back in June of this past year, Governor Ducey came forward with an emergency decree regarding the opioid crisis in the state of Arizona based on a number of overdoses that were occurring throughout the state. And the purpose of that was to, one, work towards efforts between government and private entities to deal with the crisis, as well as looking for ways that we could access Narcan or Naloxone to help those who are going through immediate overdose and get them time into hospital care as they need. And then also to do some accurate documentation of what was occurring. Some of our documents of that time, may have been double stated because the Police might write a document, create a statistic, and then the Fire department would be creating statistics as well. And the Governor wanted us to set up a process where we would make sure that we got an accurate depiction of what was actually happening in our communities throughout the state.

I have got a couple of slides to go through to let you know what is occurring in our state. And this is our Scottsdale drug-related arrests through years 2015, 2016, and 2017, I'm talking about mid-December, to prepare for this presentation. We use a date or we had at the time. I will update you with the current data that's available at the end of the, at the end of 2017, as soon as it becomes available to us. But as you can see, there's an indication that there's more activity involving dangerous drugs such as amphetamines as opposed to opioid use or heroin use in our community. Still very much a concern but we see more of other drug uses in our community at this time, than the opioids or opiates.

Synthetic prescription narcotic drug use, we are seeing it probably about 5% of the total of the drug arrests consistently over the three years. We have partnered with a D.E.A., the Drug Enforcement

Administration. We actually operate with their drug enforcement task force. The federal government has created a high drug, I'm sorry, Deep Heroin Enforcement Action Team back in March of 2017. We work very closely with them and we partner with them, as far as the Maricopa County examiner's office. Looking at this slide, you will see these are the total death investigations by the medical examiner's office by 2014, 2015 and 2016. 2017 data is not available to us. But per the medical examiner reports, you can see the opioid-related deaths have increased in the last three years. That figure is the green part of the chart in front of you.

However, opioid-related deaths as a percentage of the total drug-related deaths has decreased over the past three years. And then as I mentioned before, the Fire and the Police statistics if prior years can be a little off in terms of consistency and there could be some double counts, but we suspect that we have worked the process and I believe Chief Shannon will talk about that process of reporting. You will see that we will work through one person for all of these incidents and our data will be much more accurate.

[Time: 01:07:09]

Prior to Arizona revised statute 36-22-28, Police officers, law enforcement officials, peace officers could not administer Narcan to anyone. This was a real problem as I was reading data from across the country and seeing that there were a lot of Police officer-related accidental poisonings as they came into contact with fentanyl. I was greatly concerned. We approached the Arizona Association Chiefs of Police, legal advisors, and with the assistance of others, there was a change made to state law which allowed Police officers, peace officers to actually carry and administer this product. The purpose for that was if our officers and employees came in contact with this very dangerous, very volatile substance, there would be an ability for someone, including themselves to take immediate action to offset the opioid poisoning.

As a result of that change in law, we had to develop training so the Arizona post developed training for us, in partnership with the medical examiner's office and the health department, and we have literally given out, and I know this slide says 327, but we have 357 employees trained. We trained non-sworn employees who we believe might come in contact with the substance for their own protection and the protection of their partners on the scene. And these are crime scene specialists and process crime scenes and these are our detention folks and our Police assistants on the street and the criminalists and our lab. And we provide them the Narcan but we found out through the assistance of the state attorney's office that the law didn't cover them to use Narcan and be protected. And so as a result of a conversation I had with the, I guess we were with D.P.S., state's attorney's office and the post, the request was made that the law be changed again to allow the use by the non-sworn civilian members to administer Narcan when necessary.

This, the DPS was my hero in all of this. DPS went to the state Director of Health and Human Services and she used the emergency order by Governor Ducey to make it appropriate and lawful for those civilian employees to have that protection and to be able to protect others. My understanding is that it will be on the agenda this year to be codified into law because presently it's an emergency law that goes into 2019, but I suspect that will happen. And with that, I believe it's the Chief's turn. Thank

you.

Mayor Lane: All right. I may just have a quick question and it may not be but we'll see. I'm concerned about the extent of crime that is precipitated by burglars into homes to obtain prescription drugs or otherwise. And if there's any indication that we have in our law enforcement side of things, as to whether or not that is the case and if it has become obvious in the investigation of crime scenes and burglaries and that that, that type of thing has happened and it's become a routine source, potentially a routine source of these type of opiates among other things.

Chief Rodbell: Mayor Lane, City Council, I have no real information that would make me believe that people are burglarizing specific houses specifically for prescription drugs. Traditionally the prescription drugs that make it from homes into neighborhood or parties and events come from a prescription that is not fully used and may very well be taken by a family member. For the most part, we had a number of burglaries and a series of burglaries involving people who have meth addictions and they were breaking into uses to steal items that they can sell to then purchase drugs but I don't have any current trends, I don't know of any trends that we had in the past involving the actual break-ins simply to get prescription drugs.

[Time: 01:15:50]

Mayor Lane: And there has been some stats out there that indicate that burglaries in and around even medical marijuana clinics have increased burglaries in a given area around them. Now that's just something I have seen in the last two or three years in those communities where there is some history of it. I'm talking about having the clinics. So I wondered if this was not the same, maybe a similar case here. You mentioned something about the unused portions too. So we have any capacity. There seemingly is an indication of some over prescription of opiates at different times for individuals so residual amounts and generally quite a number of tablets may be available and people are finding it difficult of where to go to dispose of those things in a legal manner. Is there anything that we can provide for them as far as direction on that or is that something that we have looked at?

Chief Rodbell: Mayor, members of Council, we actually have a drop off box location at our district stations. Obviously we can do a little more advertisement if you are not aware of that. We do put out in our newsletters we have done some public announcements. I will make sure we put it on our Facebook page but we literally let our citizens know that they want to get rid of unused prescription drugs, the proper place is to bring them to us and we will dispose of them properly.

Mayor Lane: And, you know, the thing is that some people are reticent to drop them off with just anybody for fear that they may be misused at that point. So I'm presuming that whatever this program is, gives them some sense of security of that.

Chief Rodbell: Yes, it's anonymous and they are welcome to come to the station to provide to us and there are no questions asked.

Mayor Lane: Very good. Thank you, Chief, and Councilman Smith has a comment or question.

Councilman Smith: Thank you, Mayor. Chief, I'm only asking in the middle of presentation, because I gather you are about to hand things off to somebody else. Give us the slide for the drug-related arrests, I think three or four slides back. I assume these are calendar years?

Chief Rodbell: This one here, yes, these are calendar years.

Councilman Smith: Okay. And for the public that probably can't discern what these various shades of coloration are, what are they, what the opioid-related, I guess these are arrests. So what are the opioid-related arrests in this array of coloration?

[Time: 01:18:39]

Chief Rodbell: Yes, sir. At the top of the charts there's a purple section that are prescription drugs. And then the next color is sort of, I guess, a brown/tan, it's a narcotic drug that's a synthetic or a prescription narcotic drug. The next section is blue, light blue and that's narcotic drug cocaine or heroin. The next section is green. Those are dangerous drugs those are amphetamines and methamphetamine and at the bottom you have an orange that represents marijuana. There's a small tip that you can barely see at the top that talks about other drugs but it's insignificant.

Councilman Smith: I think the, well, let me make a comment and then maybe you and the other speakers can address this. I think what our objective was here in asking for this update was to understand how we as a community are dealing with the opiate crisis in our community, how we are partnering with, if you will, the medical community, how we are partnering with social services, how we are getting at the, at the root cause and the root development of these drug-related problems. I don't have any problem with displaying what the arrests have been, but in reality, the arrest is something that manifests only after the problem has become so severe that the individual has either overdosed or gotten themselves in trouble, criminally or in other ways. But it is in a, in a sense in my mind probably the tip of the iceberg. And if it's that much at the tip of iceberg in terms after rest for drug and drug-related issues, I'm, I think I'm looking for a sense of how are we dealing with what's beneath the surface of the water, the lower portion of the iceberg. On your next slide, if you can roll forward to that, and it would be much the same question, first of all, I guess I have to ask you, are these just Scottsdale statistics that we are looking at?

Chief Rodbell: I believe so, yes.

Councilman Smith: So in Scottsdale, we are saying that in the most recent period, by the best estimates 41 people on the right-hand column, 41 people died of an overdose related cause? And 24 people were opiate-related causes? And while that seems like a de minimis number for every conceivable reason, the blue bar, to me, it is a huge problem that 41 people in our community, I guess you add the two numbers to go, I guess it's actually 65 people in one category or another, I don't know how to.....

Chief Rodbell: No, sir. 24 of the 41.

Councilman Smith: So we just look at 41. So 41 people in our community have died as a result of what we are talking about as the problem here. And I think it again it manifests the tip of the iceberg. We are talking about people who died or who were arrested. And as those issues have manifested themselves, the huge problem lies beneath the surface of the water and that's where the problem starts and that's where I think we need to have an affirmative program to partner with the medical community and everyone else who can be involved to try to deal with the problem. That's what I'm going to be looking for, both from your department and the other speakers as well, but I wanted to be sure I understood the statistics correctly. Thank you, Mayor.

Mayor Lane: Thank you, Councilman. Chief, just for a point of clarification, you did say the 41 in 2016 of deaths by overdose were, is inclusive of the deaths by overdose of opiates?

Chief Rodbell: That's correct.

Mayor Lane: Okay. So the other half of that, because I knew that it wasn't that many years ago we had a heroin crisis, at least within the state that we were talking about at the time. Actually it's more than half of it is opiates right now, but....

[Time: 01:23:29]

Chief Rodbell: So I have not delved into that 41 number to tell you what other drug overdoses or suicides may have occurred as a result of other kinds of pills. I can do that if you would like.

Mayor Lane: No.

>>Chief Rodbell: I just separated this presentation opioids and opiate overdoses and deaths from all deaths.

Mayor Lane: Well, it's enough to say that over half of them right now are for opiates. Okay. Thank you, Chief. It doesn't look like right now, we can go ahead and move on.

Chief Rodbell: To Councilman Smith's comments, I believe we are going to talk about that in these presentations. Such as the Angel Initiative and other programs in the Community Services. Hopefully we will answer those questions by the time the presentation is done. Thank you.

Chief Shannon: Chief, would you move me forward one?

Chief Rodbell: That's backwards.

Chief Shannon: One more.

Chief Rodbell: You put the wrong guy in charge of this!

Chief Shannon: Thank you. Mayor, members of the Council, so from the Fire department's perspective, we, the data we receive is really more in terms of what are the actual responses that we experience. We would not, of course, get the death-related data. Our experience with our customer stops pretty much at the hospital door and so our law enforcement partners would have actual cause of death information and so as I, as you look at this slide, it's intended to provide some context and that is from 2015 through 2017, we have seen a progressive increase in opioid-related calls for service. The number of deaths would correlate with Chief Rodbell's data and the state's data which I can cite for you. I pulled it up just before we sat down. And in that, we are seeing this incremental percentage increase year over year and Mr. Mayor, we do believe that it is because of an overprescribing of narcotics and opioids that the Governor has said as much and that's kind of tip of the spear in terms of the initiative.

The Chief could speak to the illicit drug use, but the Fire department has been providing Naloxone or Narcan for decades. When I became a medic in the early '80s, we, there was a drug that we prescribed for the same exact use. The nature of its, of its administration had not expanded into the law enforcement community or other allied health professionals that would find patients out in the street. It was pretty much paramedics, licensed paramedics and then the hospital environment. It was, I was not necessarily a huge fan of the expansion of this drug administration initially and you must say that I'm very happy to eat crow on that one, because what we have seen is our law enforcement partners have engaged a very thoughtful and methodical training program that obviously takes care of the ABCs of EMS and then addresses the Narcan issue when appropriate.

[Time: 01:27:10]

We have seen a number of successes here in Scottsdale where patients certainly in the absence of the peace officer would have gone a lot longer, frankly not breathing or certainly breathing inadequately. So I'm happy to, I'm happy to reverse my position on that. So where I think I want to provide further context is just what we face in Scottsdale in terms of those things that harm our citizens. And certainly opioid and overdoses are something that we run on frequently, but if you look at this slide and you look at diabetic emergencies, those are, those are twice as prevalent in terms of what we experience in society, and you can attribute that to normal diet, other physiological conditions and we, we as your EMS providers are able to reverse that condition which causes the same life threatening loss of consciousness and inability to breathe by administering sugars. And so that is a similar comparison in terms of approach when it comes to the Fire department's response to these.

The final statistic that I wanted to show you in terms of context is the number of cardiac arrests that we will encounter and then the ROSC, which is our data as recently around Christmas, and that's return of spontaneous circulation. And the goal is obviously 100%. We like to encounter anybody whose heart and breathing has stopped, and reverse that entirely. You can see that our numbers have steadily increased over the years and we're getting closer to the mark. What that means is we take a person who had no heartbeat, and was not breathing and then when we get to the hospital, they have a heart beat and they are breathing. The final outcome not necessarily known but return to spontaneous circulation is of key importance. So from the Fire department's perspective, I don't want to say it's business as usual. I would say that we don't believe there's a resource crisis from our



perspective.

We are very happy to partner with our law enforcement family in the administration of Narcan to address this issue when appropriate. And we work very, very closely, in fact, every single instance where they administer Narcan, we do a quality assurance review of that. We will make sure that all of the appropriate procedures were followed, and to an incident we have found nothing but excellence in that regard. So we will continue on that path. I know Mr. Murphy has some information from a Community Services perspective, but happy to answer any questions that you might have.

Mayor Lane: Thank you, Chief. This question may be to you or to anyone. Councilman Smith.

[Time: 01:30:14]

Councilman Smith: It is to you before we let you away from the microphone. I want to be sure that we explain to people that are looking at the slide here in the room and certainly on television, I doubt that they could decipher what have you displayed here, but the top three bars or three years of experience and diabetic emergency firemen calls in the city of Scottsdale, right?

Chief Shannon: That is correct.

Councilman Smith: The bottom three bars are the same data for cardiac arrest.

Chief Shannon: That is correct.

Councilman Smith: The only one I think, while you say this puts it in context, I think from my point of view, the only one I'm interested in is the three bars in the middle. I think you are doing an outstanding job on dealing with the diabetic emergencies, the treat and refer and the return of spontaneous circulation for the cardiac arrest people, by all means keep up the good work. The middle three bars, though are really the sub of tonight's discussion. And it's the evidence of incidents that you were experiencing on opioids and I submit that the bottom bar being the earliest year when you had whatever it says there, 30 cases, I guess is the number. I doubt that anybody can see that. And then in goes to 57. Almost double the number. And in the most recent year, 69, up another 12 cases or, you know 10 or 20% or whatever. To me, this is evidence of a growing problem.

Chief Shannon: No doubt.

Councilman Smith: And to the same point I made to Chief Rodbell earlier, you are only seeing them when it manifests itself to a 911 call. And we can only assume that the underlying problem in the community, if, indeed, and indeed in the nation is one that is both profound and increasing and if this is any indication, increasing at a quite rapid pace.

Chief Shannon: I would agree, and most recent data from the state is that from the period of June to today, when the reporting requirement was institutionalized or instituted, it's over 700 deaths

associated with opioids. So you are 100% correct. The problem is continuing to grow. It's, it is, it's seemingly from our experiences, it seems more of a prescription drug use versus illicit drug use. I would have to ask law enforcement to back that stat here in Scottsdale but we are seeing the majority of our opioid overdoses are in the prescribed meds taken and quite honestly, we see them in some of our long-term or assisted care facilities where patients are over prescribed, either through a number of physicians dealing with the same patient or just the entire experience that you find in long-term care facilities.

So this is a very complex issue, and when we encounter them, it's because quite honestly, the care taker or the respondent identifies them as being unconscious and then we just start working through our algorithms for what defines that. In terms of the variance and the data and about half of the calls that we ran on related to opioids resulting in death, as we compare our data to the Police department. That's certainly not a great performance record, but the reality is, we, if we get there substantially late, Narcan will have no effect. They have just simply been down too long. And so our methodology is likely not to change in terms of what we do once we engage. I do agree that the focus should be on prevention and education and, you know, at this point, there's no ask coming from the Fire department in terms of additional resources for response. We are able to manage what we have right now but we are happy to partner with anybody on the prevention side.

Councilman Smith: Thank you for that. I think what you are doing in the Fire department, as well as in the Police department, is, you are doing the best for a problem which manifests itself on your watch. We are probably trying to go deeper than that in this understanding and maybe subsequent slides will shed some light on that, but how do we stop it before it lands on your desk?

[Time: 01:35:15]

Mayor Lane: Thank you, Councilman. If I might, Chief Shannon, the three bars that have you there do indicate some rapid increase in the number of cases. Opioid overdose. Are those fatalities?

Chief Shannon: Roughly half. My data compared to Rodbell, suggest that half of each one of those bars resulted in a death. As I stated, we don't typically get cause of death in the Fire department. The Police department typically gets cause of death. That's the only assumption I can make. I'm not for sure.

Mayor Lane: And the Narcan was began 2016, wasn't it?

Chief Shannon: Well, for law enforcement, yes. It's been in pre-hospital setting for decades, as long as I have been an EMS provider, we have used Narcan in the field.

Mayor Lane: Okay. Thank you, Chief. I appreciate that. No further questions to this point in time. Bill, do you have....

[Time: 01:36:27]

Community Services Director Bill Murphy: Yes, Mr. Mayor, members of the Council. So Community Services has within it Human Services and under the direction of Greg Bestgen, one of our centers is Youth and Family Services. Our main goal for what we are trying to do in the community is supporting educational programming. So a couple of things that we already do currently. We fund with an I.G.A. with the school district, some middle school training for students on drugs. We work closely with the school district on that. We have referrals that we use for community substance abuse support groups, as noted here on the slide, the Parents for Addicted Loved Ones and Family Anonymous. We strive very hard with the counselors that we have in Youth and Family Services to have referrals for adolescent treatment programs and we provide educational classes for both the youth and their adults, their parents on the dangers of substance abuse and the strong component of opioids and heroin prevention.

In 2016, as the Chief had mentioned earlier, we have a survey from 2016 that said the results demonstrated in Scottsdale that the opioid for the teens was high. We have also partnered with some other community agencies like My Kid who provide education on how to navigate and help parents get through these programs and what they should be looking for, along with Mask is another group that provides parents with information on substance abuse, and the current trends and what they are seeing.

[Time: 01:38:14]

Our staff are members of the Phoenix Adverse Childhood Experience Consortium and have been for eight years and there was an interfaith community breakfast that was held at St. Patrick's church back in October, which our staff attended which was a presentation on opioid epidemic and just had some professionals there to give some information again, kind of continual education for our staff but also for those who attended that. And monthly we have a facilitation with a multidisciplinary team who is made up of some of the mobile integrative health care system that Tom's group manages. We work very closely with them, as well as Alan's group, the crisis team, and we have that, we bring in working professionals to deal with what some of those vulnerable populations and what can be done, and these are experts on opioid use, and they provide what the current trends are and things that we should be looking at.

Again from our perspective with the youth, we are trying very hard to work on education to bring these things available to both their parents and to the children as well. The other half of Community Services in the social service area is for senior services, and so individuals that we have that are 55 and older, this slide mentions here that the opioid overdose according to the Department of Health services, was the second highest cause of death. So our senior, our senior centers are also, also have professional senior services, specialists and social services, they work to seek and encourage patient health.

So we work with the mobile integration system, and we also work closely with Honor Health, the crisis intervention team as far as with any of those senior issues that may pop up. Our social workers that we have at those centers make arrangements to consider clients evaluated. They have them transported if necessary to hospitals for treatment facilities. If those individuals don't want to have

any attention at all, then we bring in social worker to reach out to their family, to their physicians to some who would have, be able to help them, but, again, we rely a lot open the Scottsdale crisis intervention team to help us with that. Now if a senior decides that they, say a senior has no family members here in the Scottsdale area, then we would call upon the adult protective services. There's a guardianship program that they have and we would work closely with them, that individual.

Maricopa County has the Area Agency on Aging and we work closely with them. One thing that we do provide as we come you to each spring with our CDBG funding applications, we provide the Area with some funding and most of that is, again, they help to promote wellness programs and educating the community on the healthy aging process here in the community. The final slide there, Alan, if you could get to it.

So the Area Agency on Aging has a wellness initiative for education called wise, W-I-S-E. It's a wellness program celebrating healthy aging healthy lifestyles and how to avoid substance abuse, educational services for older adults on topics that might include stress management, depression and substance abuse. And we also work with them on the mental health first-aid, the other agency that's up there, to help experience mental health and substance abuse-related incidents, how those risk factors, warning signs that you can look for and providing, again, educational concerns on how we can alleviate some of those. So our main goal is to work closely with both Chief Shannon and Chief Rodbell's staff and in the community with the partnerships we have. Some of them we fund through our CDBG programs and also to partner with them and keep current with educating the community on the growing epidemic.

Mayor Lane: We've got a question or a comment from Councilwoman Klapp.

[Time: 01:43:08]

Councilwoman Klapp: Yes, this is related to your last comment regarding the Area Agency on Aging. Are they working on any programs with the city to go into the long-term care facilities or nursing home or assisted living facilities to talk to people with prescription abuse, essentially? Is there any program to that effect?

Community Services Director Bill Murphy: I don't know right now if there is anything in the works like that, but we can certainly follow back up with you on that. I can check on that.

Councilwoman Klapp: Because I know that in talking with Chief Shannon and some of the guys in the Fire department, they go to these facilities all the time. This is their day to go to at least one of these facilities on a daily basis. It would mean that there could be some sort of a cooperative program that would include the Fire department to have some communication vehicle within the assisted living facilities and long-term care facilities just to talk to, if not the people there, the staff members there about the problem that we're seeing and making them aware that they should be more observant as to the number of drugs that some of the people that are under their care are taking. Just a suggestion.

Community Services Director Bill Murphy: Mayor, members of Council, Councilwoman. You hit on one of our strategic initiatives for this year. Not only because of the opioid reality that we see at some of our long-term care facilities but because they are a producer of a number of calls for service, we in the interest of our mobile integrated health and getting that call right and using emergency resources more efficiently, we have begun at my level all the way through to the battalion level engaging those management groups as to just that. And those facilities are very complex in terms of, and they are highly regulated in terms of how they, how they must behave. But we are engaging that process. There's a lot of work to do and you have, you know, our commitment that we are going to continue on that path.

Councilwoman Klapp: Okay. I think that's an excellent move this year, because it's, it is a real problem, and it's a complicated problem, but needs to be addressed in some fashion. Thank you.

Mayor Lane: Thank you, Councilwoman. Councilman Smith.

[Time: 01:45:44]

Councilman Smith: Thank you, Mayor. Well, Mr. Murphy, I think you are dealing with the part below the water line, the, other than the tip of iceberg, but it's, it's good that you are working with Police and Fire on this issue, and with the other community resources. Most of the people in town may have seen advertisements that appeared in the newspaper recently, full-page ads that said 99% of the surgical patients are prescribed opioids. 99%. And one in 15, which is about 6 or 6.5% of those surgical patients will eventually go on to use opioids either long term or in an abusive style, and then the final statistic, four out of five opiate users or four out of five heroin users began with heroin. So if we can capture the problem, and go into the patient's room and identify the abuse, I think we have a chance of avoiding its manifestation in either a 911 call or death. I would urge, as was suggested by Councilwoman that you do everything you can to partner certainly with the senior facilities because in many of them, they are the ones actually administering the drugs. They have them under lock and key for the residents. They know what the residents are taking. So anyway with the hospital, with nursing homes, whatever, any way that you can integrate yourselves into the root of problem and try to arrest it, I applaud those efforts. I applaud what you are doing now. But we are going to have to dig deeper and I think you are on the right track. I thank you all.

Mayor Lane: Thank you, Councilman. We have one request to speak on this subject and if you are still here, Jeff Taylor?

[Time: 01:48:02]

Salvation Army Chairman of the Board Jeff Taylor: Mr. Mayor, members of the Council, my name is Jeff Taylor and a couple of things I have just come from the legislature, where Governor Ducey has given his state of the state address today. And he led his state of the state with the opioid epidemic. This is how much this administration is concentrating on this. And he's concentrating on something that you, Mayor Lane, have brought up, is we have tried to arrest our way out of this. Our population went up 100%, okay? Our prison population mathematically would go up 100% also and it went up

1196%. We had 3400 people in our prison yards, mainly this growth is doing drug-motivated crime, the burglaries you are talking about. They are stealing items from the house to buy drugs. So it's drug-motivated crime.

If you wonder why we don't have a lot of money left over for education, that's because it's all going to our prison system. So this administration did some studies and they said, well, why don't we work on the not going back to prison part. That's half of our prison population. So that's when this whole initiative started. That was two years ago. I was the Governor's hired expert on that. So he is call a special session on our opioid epidemic to find out ways that we can reduce recidivism and I want to bring attention to one program that the Salvation Army has been running. I don't work for the salvation of the Army. I'm the chairman of the board for the Salvation Army. That's something I do for my volunteer work and we run a prison transition program and partnership with some other people and we are reduced recidivism in the state of Arizona for released inmates. These are people who are doing drug motivated nonviolent crime. They are good people. They have a bad drug problem. We've got do get rid of the bad drug problem and you are left with a good person. We reduced crime in all of our communities statewide on released inmates by 53%. That is significant. That got Governor's eye and that's what really kind of launched his fantastic programs that he's working on now.

[Time: 01:50:18]

So having said all of that, this same Council a month ago really limited the most important part of recovery or treatment. And that is to have a safe environment to live in, or what is called a structured sober living home. There are some bad actors out there and we understand that. And there are some very good actors. Nobody knows where they are because nobody knows that they are a problem. They just operate silently. So I would just urge the Council to direct staff in coming up with a reasonable accommodation pathway for those that need to have housing for those that are getting out of our programs or any other program. That is the most important part of treatment is getting back into the work community, practicing recovery and hopefully being a responsible member of society.

So we have partners with the first responders. We are one of many residential facilities for the Angel Initiative that your Police Chief just spoke about. It's very simple. Anybody can come up to a first responder or a Police officer in Scottsdale and say that they need help. They could have drugs on them, and basically, it kind of decriminalizes possession of paraphernalia and small usable amounts. I think there's a criminal background check done on that individual, and then they are put up, then they are transferred over to the crisis response team to do an assessment and if it's appropriate, then they can come to our treatment facility for free. And we have reserved enough beds for the city of Scottsdale to treat their problem for free. That's six month of residential treatment for free. Where can you get that nowadays? But once again, the most important part is we need those sober living homes to transfer our folks to, so they can practice their recovery. Thank you very much.

[Time: 01:52:04]

Mayor Lane: Thank you, Mr. Taylor. I appreciate that. Well, that completes the Public Comment on the subject and also to the extent that I can see right now, any further questions from the Council. So I would just want to thank you for your report, and for what you are doing, and frankly from the standpoint of the statistics I have been presented it looks to me in a number of different areas you are doing a great job and we want to continue that. We want to continue to veg those things that, investigate those things that may be helpful for us, either resources that would become available that we could reasonably apply to get this stopped, slowed down on the front end rather than worrying about what the consequences are afterwards, whatever we can do. I know that's the nature of the beast and how we operate, bust just that concentration is important. So I want to thank you for that. One final thing, though, and if we are not wear, there has been a bill that's been introduced. I just had this quick question on it, and I think this may either go to the City Attorney or the Police Chief, is there a problem with people who report an overdose being actually sued by the person they report?

City Attorney Bruce Washburn: Mayor, members of Council, I'm not aware of such suits have been brought. There are probably, that would probably be a difficult case to bring, let me just put it that way, because of the kind of good Samaritan nature of the act. I would think most plaintiff's attorneys would think twice about taking on something like that and I don't think it's an illegal act in and of itself to make it a truthful report. So I would not think it would be a big issue.

Mayor Lane: Because there's a bill being proposed that it would provide that protection under the Good Samaritan act. I wasn't aware if it was something we ran into. Apparently not. Okay. Thank you. I think with that, concludes it. Thank you so much and thank you for the input as from the audience. Mr. Taylor on this subject.

## **CITIZEN PETITIONS**

[Time: 01:54:43]

Mayor Lane: Moving right along then, we have no further Public Comment, and we do have citizen petitions. Now if I can lay my hands on it. Actually, it's petitions with an "s." We did hear the report on this earlier. And I would ask if there is a motion to consider this for action, for return to us and this would be number one which would be the citizen petition against the Marshall Way entry feature. I guess we take this at this point in time, in any case. Known as the giant rabbit. I will leave it at that. In any case, if you are familiar with it, do I have any desire to pursue this? Or even a motion for no action if we wanted to go that far? Nothing on it is a no action. So I will take that as a no action. Okay?

Second item is citizen petition to decommission the city's Public Art installation located at Swale located at Thomas Road, similar question. Is there any desire for an action on this? Hearing none, there is no motion for action. So there is no action.

Item 3 is a citizens petition to decommission the city's contractor called Scottsdale Public Art and restore the decision-making process for the city's Public Art back to the citizens. Any desire for action on this of any sort? Hearing none, giving adequate time, there is no, there will be no action on those

three petition items. Is that adequate to record that?

**ITEM 24 – INITIATE CITY COUNCIL REVIEW OF THE DEVELOPMENT REVIEW BOARD’S DECEMBER 7, 2017, DECISION REGARDING 15-DR-2017 (MARSHALL WAY ENTRY FEATURE)**

Mayor Lane: Okay. So further moving along, we do have a Mayor and Council item, the first one is to review the Development Review Board's December 7<sup>th</sup>, 2017, decision regarding the Marshall Way entry feature. I believe that was the Vice Mayor's. And Vice Mayor, if you want to.....

Vice Mayor Korte: So simply, I'm just going to make a motion, make a motion to initiate a City Council review of the Development Review Board December 7<sup>th</sup>, 2017, decision which denied approval for the Marshall Way entry feature and lighting, on the northwest corner of East Indian School Road and North Marshall Way.

Councilman Smith: Second.

Mayor Lane: Given this is just a sense just to move it to an agenda item or we can leave it at that. We are then ready to vote on that motion. All those in favor please indicate by aye. Those opposed with a nay. The motion passes 6-1. Councilwoman Littlefield is a negative. All right. Thank you very much on that. Before we go on to Item 25, I understand Mr., or rather Councilman Phillips has a Mayor or Council item he would like to discuss. Councilman?

**MAYOR AND COUNCIL ITEMS**

[Time: 01:58:17]

Councilman Phillips: Thank you, Mayor. Instead of taking a wait and see attitude, I would like to be proactive and make a motion to direct the City Manager to look into the numerous complaints that the city has received regarding the rental bikes placed around the city and report back to the Council at the Council meeting ASAP on possible solutions including giving consideration to voluntary reduction in numbers by the bike rental companies and regulatory action and enforcement by the city.

Mayor Lane: Now this is a request to agendize that?

Councilman Phillips: Yes.

Mayor Lane: Okay. I will second that. No further comment on that. It's a motion to agendize. City Manager, Jim is that adequate information as far as the carry forward, we are then ready to vote for that. All those in favor, aye opposed with a nay. Aye. Motion passes 5-2 with the Councilwoman Milhaven and Vice Mayor Korte opposing.

**ITEM 25 - BOARDS, COMMISSIONS, AND TASK FORCE NOMINATIONS (NOTE: INTERVIEWS AND APPOINTMENTS SCHEDULED FOR JANUARY 23, 2018)**



[Time: 01:59:34]

Mayor Lane: So that completes the Mayor and Council items that we have recorded or have committed and it's now time for the boards and the task force nominations and for that purpose we will turn it over to the Vice Mayor. Vice Mayor.

Vice Mayor Korte: Thank you, Mayor. This evening, the City Council will be nominating Scottsdale residents interested in serving on citizen advisory boards and commissions. The six with vacancies are the Airport Advisory Commission, Board of Adjustment, Building Advisory Board of Appeals, Environmental Quality Advisory Board, Historic Preservation Commission, Judicial Appointments Advisory Board. Those nominated will be interviewed at the City Council meeting on Tuesday, January 23rd, 2018, and appointments will follow each set of interviews. So let's get going.

### **AIRPORT ADVISORY COMMISSION**

[Time: 02:00:27]

Vice Mayor Korte: The Airport Advisory Commission, there's one opening. This commission advises the City Council on policy matters relating to the operation of the airport, proposals for development, airport area land use, fees and safety concerns. Robert Hobbi's term expires February 7<sup>th</sup>. He is not eligible for reappointment. There is one vacancy and two applicants. The applicants are: Michael Gonzalez, Elizabeth "Liz" Kaplan. I will now entertain nominations and I would like to start to my left with Councilman Smith.

Councilman Smith: I nominate Liz Kaplan.

Councilman Phillips: Michael Gonzalez.

Councilwoman Littlefield: Michael Gonzalez.

Vice Mayor Korte: With that being completed, we will now entertain, well, now the following nominations are Mr. Gonzalez and Ms. Kaplan.

### **BOARD OF ADJUSTMENT**

[Time: 02:01:25]

Vice Mayor Korte: There's one opening. The Board of Adjustment is a quasi-judicial body that hears variance requests, appeals of the Zoning Administrator's interpretation/decisions, and decides on administrative decisions or zoning requirements. Gary Donahoe's term expires February 17th, 2018. He is eligible for reappointment and has submitted an application. There is one vacancy and three applicants. The applicants are: Joseph Dawson, Gary Donahoe, and Scott Johnson. I will entertain nominations starting with Councilman Phillips, please.

Councilman Phillips: Gary Donahoe.

Councilwoman Littlefield: Gary Donahoe.

Councilwoman Milhaven: No additional.

Councilwoman Klapp: No additional.

Mayor Lane: No additional.

Vice Mayor Korte: No additional.

Councilman Smith: No additional.

Vice Mayor Korte: Congratulations Mr. Donahoe.

#### **BUILDING ADVISORY BOARD OF APPEALS**

[Time: 02:02:24]

Vice Mayor Korte: There is one opening. We have received no applicants at this time. So we will move on.

#### **ENVIRONMENTAL QUALITY ADVISORY BOARD**

[Time: 02:02:32]

Vice Mayor Korte: The Environmental Quality Advisory Board, there's one opening. The Environmental Quality Advisory Board advises the City Council on issues related to environmental quality as well as the prioritization of future environmental activities and programs. **SPECIAL QUALIFICATIONS.** As specified in the Scottsdale City Code, the membership of the Board shall reflect both scientific and non-scientific interests. Bruce Travers' term expires February 17th. He is eligible for reappointment, however he has not submitted an application. Mr. Travers represented a scientific position. There is one vacancy and six applicants. The applicants are: David Abranovic, Engineering, Earth Science, Business; Stephanie Clark, Business; Anthony Coletta, Engineering, Science, Business; Stephanie Foote, Business; Jann-Michael Greenburg, Business; and Natalie Lazarr, Engineering, Earth Science, Business. I will now entertain nominations. Each Councilmember can nominate one applicant and I will remind that this nomination should reflect a scientific position.  
Councilwoman Littlefield.

Councilwoman Littlefield: Natalie Lazarr.

Councilwoman Milhaven: No additional.

Councilwoman Klapp: Stephanie Clark.

Mayor Lane: Anthony Coletta.

Vice Mayor Korte: No additional.

Councilman Smith: May I ask a clarification. You said it should be scientific and I thought the, the special qualification said that as long as both scientific and nonscientific interests are represented, the code does not indicate the precise number of members. Do we have no scientific members now?

Vice Mayor Korte: We have scientific members. I will have to pull up my information here. Do you have it, Kelli? I'm sorry.

Management Assistant Kelli Kuester: Yes, our current members we do have a scientific interest represented.

Councilman Smith: I'm not sure it affects my nomination, but it seems to me we could have either one to fill this position. In any case, I will nominate David Abranovic.

Councilman Phillips: No further.

Vice Mayor Korte: That completes those nominations and we have nominated David Abranovic, Stephanie Clark, Anthony Coletta and Natalie Lazarr.

#### **HISTORIC PRESERVATION COMMISSION**

[Time: 02:05:21]

Vice Mayor Korte: Historic Preservation Commission, there's one opening for an archaeologist. The Historic Preservation Commission oversees the development and management of Scottsdale's Historic Preservation Program. Another special qualification as outlined in the Scottsdale city code, each member shall have demonstrated special interest, knowledge or experience in at least one of the following: Building construction, history, architectural history, real estate, historic preservation law or other historic preservation-related field. Also, the State recommends that at least one member from each of the following professions be on this commission: Registered Architect, Real Estate Professional, Archaeologist and Historian. Mark Hackbarth's term expires on February 17th. He is not eligible for reappointment. Mr. Hackbarth represented an Archaeologist position. There is one vacancy and one, one vacancy for an archaeologist position. And there's one applicant, and the applicant is Ben Brosseau. He represents a real estate. And I would like to refer to the city attorney on this ordinance.

City Attorney Bruce Washburn: The city's ordinance, 2.312 describing the makeup of this commission, indicates the manner in which the city plans to comply with the state law on this and specifically, the ordinance requires that each of the seven members have demonstrated special

interests, knowledge or experience in at least one of the areas that you referenced, and then it goes on to say, there's at least one member who should be selected from each of the following professions, registered architect, real estate professional, archaeologist or historian. The use of the word "should" there, I think is consistent with the state's recommendation that it, that one member should represent each one of these. It's not mandatory. It's a preference. The City Council is at liberty to appoint somebody even if not each one of those four register architect, archaeologist and historian is still represented on the board, or on the commission.

Vice Mayor Korte: And thank you, Mr. Washburn. From what I understand, the individual representing the archaeology history, a Ms. Schweiger is not necessarily a professional archaeologist. It's more of an advocacy.

Bruce Washburn: Correct.

Vice Mayor Korte: Okay. Thank you. So whether we should or may or nominate an individual that is not an archeologist here, I think that's up to the Council. So I will entertain nominations starting with Councilwoman Milhaven.

Councilwoman Milhaven: Mr. Brosseau.

Vice Mayor Korte: And given that that is the only nomination, Mr. Brosseau has been nominated.

#### **JUDICIAL APPOINTMENTS ADVISORY BOARD**

[Time: 02:08:46]

Vice Mayor Korte: The Judicial Appointments Advisory Board or JAAB, makes advisory recommendations to the City Council regarding the appointment and reappointment of full-time city judges. Stanley Morganstern's term expires February 17th. He represents a Citizen Representative. He is eligible for reappointment and has submitted an application for consideration. There is one vacancy and two applicants. The applicants are: Courtney Brimacombe, Stanley Morganstern. I will start with Councilwoman Klapp.

Councilwoman Klapp: Stanley Morganstern.

Mayor Lane: No additional.

Councilman Smith: No further.

Councilwoman Littlefield: No further.

Councilwoman Milhaven: No further.

Vice Mayor Korte: Congratulations Mr. Morganstern. This concludes our nomination process this

evening. City staff will contact those who were nominated and provide them with additional information about the interview process. And I would like to take this opportunity to, with a heartfelt thank you to all who applied to serve on a citizen advisory board or commission. Even if you were not nominated, your application will remain on file for one year for consideration at a future date if there are additional vacancies within that particular board or commission. So I will turn the meeting back to the Mayor. Thank you.

Mayor Lane: Thank you, Vice Mayor. And with that, it concludes our business for our Regular Meeting here this evening. I want to thank everyone who participated and stayed to the end and for all of the work that was done to bring this together. And to the Council.

**ADJOURNMENT**

[Time: 02:10:17]

Mayor Lane: So with that, I will accept a motion to adjourn.

Councilwoman Klapp: Move to adjourn.

Councilwoman Littlefield: Second.

Mayor Lane: The motion has been made and seconded to adjourn. All of those in favor of adjournment, indicate by aye. We are adjourned. Thanks again.