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#### **CALL TO ORDER**

[Time: 00:00:01]

Mayor Ortega: I call the March 23<sup>rd</sup>, 2021 city council work study session to order.  
City clerk Ben Lane, will you please conduct the roll call?

#### **ROLL CALL**

[Time: 00:00:15]

City Clerk Ben Lane: Thank you, Mayor. Mayor David Ortega.

Mayor Ortega: Present.

City Clerk Ben Lane: Vice Mayor Betty Janik.

Vice Mayor Janik: Present.

City Clerk Ben Lane: Councilmembers Tammy Caputi.

Councilmember Caputi: Here.

City Clerk Ben Lane: Tom Durham.

Councilmember Durham: Present.

City Clerk Ben Lane: Kathy Littlefield.

Councilmember Littlefield: Here.

City Clerk Ben Lane: Linda Milhaven.

Councilmember Milhaven: Here.

City Clerk Ben Lane: Solange Whitehead.

Councilmember Whitehead: Here.

City Clerk Ben Lane: City Manager Jim Thompson.

Jim Thompson: Here.

City Clerk Ben Lane: City Attorney Sherry Scott.

Sherry Scott: Here.

City Clerk Ben Lane: Acting City Treasurer Judy Doyle.

Judy Doyle: Here.

City Clerk Ben Lane: City Auditor Sharron Walker.

Sharron Walker: Here.

City Clerk Ben Lane: And the City Clerk is present.

Mayor Ortega: Well, thank you. We have Scottsdale Police Officer Tony Wells and firefighter Kevin Hubbard. If anyone requires their assistance.

**PUBLIC COMMENT**

[Time: 00:01:07]

At this point, we would have public comment and that would be directed on our agenda items. We have one comment showing for item number 2.

So I will defer or wait until we have reached item 2 to discuss the general plan. So this work study session is designed as an informal setting for the mayor and the council to discuss specific topics which are already on the agenda and duly posted. And that gives one another an opportunity to weigh in and provide staff with some direction.

**ITEM #1 – DRAFT ANTI DISCRIMINATION ORDINANCE**

[Time: 00:01:54]

At this point, we will proceed with item number one, which is the draft antidiscrimination ordinance. And our presenter, Sharon Cini.

Sharon Cini: [ Speaking native tongue ]

Sharon Cini: Good afternoon Mayor Ortega. I'm Sharon Cini and I'm with the city's office of diversity and inclusion. Today it is my pleasure to present the information on an important topic. Adopting a Scottsdale antidiscrimination ordinance.

Thank you to our research team which includes myself, assistant city manager, Brent Stockwell, senior assistant attorney, city attorney, Bill Highland, communications and public affairs director Kristina Corset and Christina Paulette was working for the city manager's office and had this task as part of our work.

This is in the proposed ordinance. After the presentation is complete, our team is prepared to answer any questions you may have or provide any clarity on the ordinance's contents. Let's begin. Next slide.

Last summer during the national discourse on race and equity, and the days following the tragic death of George Floyd, the Scottsdale human relations commission discussed actions that could be taken to discourage -- to discourage prejudice and discrimination in the city.

This commission revisited the idea of a nondiscrimination ordinance, and unanimously voted to recommend to the city council to consider adopting new and updated legislation. Adopting an ordinance would further promote equality under the law, and prohibit -- own prohibit unlawful discrimination, harassment and retaliation.

Scottsdale would join other Arizona cities with similar protections including Flagstaff, Phoenix, Sedona, Tempe, Tucson, Winslow and Mesa. Next slide.

Scottsdale has taken a long line of actions over the years towards antidiscrimination. First in the late 1990s, the office of diversity and dialogue along with the Scottsdale human relations commission were established to advise on and carry out diversity, equity and inclusion efforts.

In 1999, the city manager proved administrative regulation 333, covering antidiscrimination and non-harassment with the city government workplace. This covers both employees and volunteers.

In 2007, the city council amended the human resources or H.R. ordinance, Section relating to equal employment opportunity. The amendment added sexual orientation and gender identity as protected classes in the city employment policies.

In 2015, Scottsdale signed and supported the one community unity pledge along with over 200 businesses that are local, including major employers and 1,000 citizens who also independently signed, also Scottsdale residents.

In 2017, Scottsdale became a golden rule city, valuing, kindness, empathy, respect and civility. And as of 2020, the city of Scottsdale has a municipality equality index score of 80 of 100 points from the national advocacy organization the human rights campaign. This is important, because just six years ago, the city was scored at 23 out of 100. Scottsdale still does not have an antidiscrimination ordinance, something that more than 200 cities nationwide have -- have adopted. Next slide.

[Time: 00:05:55]

For today's presentation, we separated the ordinance into two separate areas. This update -- the update as it applies to the city government is first area. And the other is the protections that will be extended to the Scottsdale community, including businesses, who serve the public, employers, and public housing.

First, let's talk about the provisions related to the Scottsdale city government and what the proposed ordinance will include. Next slide.

Specifically, the Scottsdale government. The city of Scottsdale currently has two ordinances that provides Civil Rights protections under Scottsdale revised code Section 14-2 and 15-17. Currently the expectation of city employees and volunteers in their conduct is guided by A.R.333, the proposed ordinance would add contractors, vendors and consultants as well as elected officials and appointed volunteers -- appointed officials, my apologies.

Conduct prohibited by these policies will be considered unacceptable in the workplace, as well as in work-related settings outside of the workplace, such as business trips, meetings and social events. Next slide.

The city policy statement provides a high overview of -- which outlines further expectations. It is the policy of the city not to discriminate. We will provide equal opportunity to anyone regardless of their class. This means within the city services programs and activities. Of course, this policy also states that all persons will be treated with respect and dignity as

specified in Section 15-4 and 15-17.

In general, each person has the right to receive service from the city in a manner that promotes equality under the law, and prohibits unlawful discrimination, harassment or retaliation. Next slide.

The purpose of this slide, again, is to reference what we're talking about, when we say protected classes. A few slides ago, we showed you this list and there are some -- and these are the same ones that have been covered since 2007. Next slide.

Defining the actions which are prohibited under the antidiscrimination ordinance is important. So we know what these actions look like. Here are a few terms to help us. Discrimination is any act, policy or practice that unfavorably subjects any person to different or separate treatment. Harassment is verbal, written or physical contact that denigrates or shows hostility towards an individual -- to different or separate treatment because the person has opposed or reported any prohibited practice.

Further, it is also unlawful to retaliate against or had a harass those who are reporting violations. Examples include chorusing, intimidating, threatening or interfering with any person exercising their right under the policy. Harassment against any person for opposing any unlawful practice or filing a complaint is also prohibited. Next slide.

[Time: 00:09:29]

When it comes to the updates to the city government ordinance section, to whom does this proposed ordinance apply to? It applies to all elected and appointed officials, city volunteers, contracts, vendors and consultants, city employees are already covered under language in Chapter 14 of the city code. Next slide.

What happens when a file -- when a complaint is filed? For complaints that are filed within the city government, specific processes are defined. If a complaint involves a city employee or an employment concern, it's handled through human resources. If it involves city vendors or contractors, complaints will be sent to the purchasing director for review. If a complaint involves an elected or appointed official, the process will follow the code of ethics behaviors, Scottsdale ordinance 3675. Next slide.

We have covered provisions related to the Scottsdale government. Now, let's talk about the community sections. The proposed ordinance provides protections within these community contexts. Businesses who serve the public, employers and housing. Next slide.

And earlier we identified city government efforts to promote equality and prohibit discrimination, as well as a strong recommendation to help evolve systemic structures in the public sector. The ordinance would represent a public commitment to the concept of fairness and equity in our community, backed by real legal requirements.

The ordinance proposed here would require local businesses and employers to comply with the law. It would provide a mechanism for responding to complaints and it would also subject violators to civil prosecution. Next slide.

Why is a local ordinance needed? On a local level limitations and gaps still exist. Our purchase identifies that different types of antidiscrimination laws can be found at all levels of government, creating gaps resulting in a patch work of laws.

For example, current city ordinances provide some Civil Rights protections, but still do not protect certain groups from discrimination in private employment, public accommodations and city services.

This means, for example, that these gaps will allow for legal discrimination where, for example, LGBT persons can be denied public service, public housing or employment because of their sexual orientation or gender identity.

Here in Scottsdale, we need to be aware that about 80% of our businesses are small businesses with fewer than 15 employees. As a reminder, people can be discriminated against if they work for employers with less than 15 employees.

Federal and state law does not cover small business employers. This local Scottsdale ordinance would close this loop. Just a special note to the council, there are no records of how often such discrimination occurs as it is currently not illegal, however, through Scottsdale police department hate crimes statistics reviews, and reports of incidents provided to the office of diversity and/or to the appointed LGBT liaisons, we know that it exists in our city. Next slide.

[Time: 00:12:59]

What is being proposed for businesses? This local ordinance would expand upon existing federal and state by identifying gender identity to the protected class list. This ordinance would extend antidiscrimination protections to people working for employers that employ fewer than 15 employees. Next slide.

When it comes to discrimination, unlawful practices include denying a protected class from access to service, fair employment decisions, denying membership because of a protected class, and as mentioned, it will also be unlawful to retaliate or harass those reporting violations. Next slide.

What is the business exemption? The ordinance allows for specific business exemptions involves employment and public accommodations. Specific exemptions allow for bona fide private membership clubs that are exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. Religion organizations who employ visits of a particular religion to perform work

for their organization. Next slide.

What is proposed for fair housing? Any person would be prohibited from using a protected class to make decisions about the sale, lease, rental, or any other condition involves housing. In ordinance adds familial status and covers those who are pregnant or a parent of children under the age 18. This mirrors the requirements of federal and state law. Next slide.

When it comes to fair housing exemptions, we leaned on current federal case law in this area, and proposed the Scottsdale ordinance provides exemptions for housing operated under any state or federal program, specifically designed or intended for persons of a certain age. For example, senior living home would not have to allow someone who does not meet the age requirement.

Another example -- another exemption relates to religious organizations giving preference to persons of the same religion. For example, if a church operates a housing site, then they would still be allowed to give preference from the members of the same religion. When it comes to the selection of a roommate in a private home this ordinance shall not apply.

The person who is selecting the roommate and occupying the same home will be exempt when it comes to the selection of a roommate that resides within a dwelling or a portion of the dwelling. For example, the landlord of a private home could give preference based upon their own decision and would be exempt from this ordinance. Private social clubs who also provide lodging to members will also be exempt. Next slide.

In any of the public-facing areas such as public accommodations, employment and housing, the process looks like this when a complaint is filed. If the complaint involves state or federal violations, the city can refer the complainant to the appropriate public agency and transfer to that jurisdiction.

The city shall take no further action regarding that charge. In the complaint involves city jurisdiction, the discrimination complaint administrator will review the allegation. If the city finds probable violations, an opportunity for mediation can be coordinated on behalf of the city to find resolution between parties or the city may find it suitable to refer the complainant to the city -- refer the complaint to the city prosecutor's office.

[Time: 00:16:55]

Through this procedure, the city hopes for positive outcomes with the potential to help employees and customers who experience discrimination. Through this ordinance, and within Scottsdale jurisdiction, we could handle these at a local level. If mediation is not successful in resolving the situation, or if mediation does not occur, the discrimination complaint administrator shall determine whether a violation has occurred.

In these cases, the city can refer to the matter, refer the matter to the city attorney or designee to do a determination as to whether to proceed with the prosecution. The city attorney may file

civil complaints with the city court to enforce the chapter of this ordinance. The complaint procedure is outlined in more detail within the ordinance, and reference -- and references specific timelines within the process and when cases can be dismissed. Next slide.

Now that we complained the complaint process, what are the penalties for the violations? Fines for violating the ordinance range from \$500 to \$2,500 per violation. Each day that a violation continues could be deemed a separate violation. Failure to comply with an order in a judgment may result in additional fines as established by the city court. Next slide.

How much -- how much staff time and financial resources will be used to enforce this ordinance? We cannot say specifically, although other cities that we have contacted have experienced very few complaints, staff time and costs. It is possible, however, that Scottsdale with its busy business environment may see a higher number of complaints. Through talented city staff, Scottsdale will use a team approach to put an antidiscrimination ordinance into practice.

A team of staff will be trained to review complaints and conduct investigations, and will refer to other agencies or suggest mediation if appropriate. Next slide.

Community involvement has always been an important element of creating the proposed ordinance, not only has the human relations commission supported the need for this important legislation over the years, but the city has developed good relationships with community diversity partners, advocacy organizations, and the city's appointed LGBT liaisons. All public comments received have been forwarded and have been included in your packet. Next slide.

We have covered the ordinance -- we have covered how it will evolve Civil Rights protections both in city government and the community of Scottsdale. Next slide.

We have also identified who will be protected. One other group that has been identified and could be considered as a protected class under the Scottsdale ordinance -- next slide -- is whether or not a veterans status should be protected.

In this last consideration, the question was whether it should consider veterans status. The city staff provided an overview of the proposed antidiscrimination ordinance at the human relations commission and the vet traps advisory -- veterans advisory commission. Here are the recommendations provided from the veterans advisory commission.

The recommendation to the city council is to include veterans, active duty, service members, National Guard and reserves and spouses of active duty service members and veterans among protected groups in the city's proposed antidiscrimination ordinance. The recommendation from the Scottsdale human relations commission is to include U.S. military veteran status only. Next slide.

At this time, we have completed our presentation. Staff is ready to answer any questions that



you may have. And I thank you so much for your time today.

[Time: 00:21:11]

Mayor Ortega: Thank you very much. I think each of us can weigh in with either a question, of course, and comment. Why don't we start with Vice Mayor Janik, and then go to Councilwoman Whitehead.

Vice Mayor Janik: Thank you, mayor Ortega. First of all, I think this is a very, very nice document. You have done a really fine job producing this document. I do have one question, and it's just basically on your last slide. Veterans advisory commission wanted the families of active duty service members included and yet human relations said let's just do U.S. military. Just give me a little bit of background information on that decision. Thank you.

Assistant City Manager Brent Stockwell: Mayor, members of the council, Vice Mayor Janik, let me talk you through this a little bit. So as Sharon mentioned, at the council retreat, staff was asked to review the Mesa ordinance as a model. And the Mesa ordinance included military veteran status and the Scottsdale draft did not.

We went to the veterans advisory commission for their input. At the meeting, the commission debated whether it was necessary or not to include veterans preference. In the end, the majority felt that it would make a better statement about Scottsdale as a veteran-friendly community to include it.

We don't want to limit veterans to those who serve, and they are very consistent in wanting to include family, active duty, National Guard, reserves. My understanding is the point was also made that while it's not prevalence right now to know of to discriminate against veterans, there's been time in our history when veterans have been discriminated against in housing, employment, public accommodations, et cetera, during the Vietnam War and after that. The transient nature of military service could also lead some landlords and employers from avoiding these folks.

They weren't saying that it was common, but the veterans advisory commission thought it might be good to put it now rather than wait until there was a problem and do it. We had a similar conversation with the human relations commission, and they came down and voted on the side of doing something more similar to what is in the Tempe or Sedona or Mesa ordinance and making it based on U.S. military veteran status only, and not expanding it more broadly.

I think if we were enforcing the ordinance with U.S. military veteran status, though, any spouse or a partner of a veteran was denied housing or accommodations or whatever because they were married to a veteran, that would be something that we would look at very closely as well, if that was included. Thank you.

Vice Mayor Janik: Thank you.

Mayor Ortega: Councilwoman Whitehead.

[Time: 00:24:35]

Councilmember Whitehead: Thank you. Very impressive! And I think -- I would just like to acknowledge someone who is not here tonight, but, of course, former councilmember Virginia Korte.

Yeah, so I'm very supportive. I really enjoyed this presentation. I'm glad to be part of it. I think I would agree with the human services recommendation. Human -- sorry, human relations recommendation. Thank you.

Mayor Ortega: Thank you, Councilwoman Milhaven.

Councilmember Milhaven: Thank you. I'm also very supportive. Very well done. In terms of the two veterans for veterans, there might be a case where someone is deployed and a spouse is trying to get housing that might not be covered under the human relations version, and so I think the more specific we can be, the better. So I would support the veterans advisory commission recommendation. Thank you.

Mayor Ortega: Councilwoman Littlefield.

Councilmember Littlefield: Thank you. I do support this in general. I think it was well written and well done. The veterans thing hits home to me, because my husband is a Vietnam veteran and when he came home from Vietnam, they had him come home at 2:00 in the morning when no one was in the airport because there had been riots.

He also had problems when he came back to school at A.S.U., because he was known to be a veteran. So it did occur after Vietnam in the war, and the emotion. But I think that's pretty much faded away, at this point in time, thank goodness.

And since I don't know of it happening per se, with anyone else at this time, who is in the military or families that are -- have members in the military, I think I would go with the human relations right now.

That's something that if that changes, perhaps we should go back and readdress -- go back and readdress because it was very real and there were riots at A.S.U. even. It was really weird because I was an A.S.U. student then.

I want to thank you very much for adding for me the bit about the home and the house. And if you have a roommate that you want to live with you, that you have the right to choose who you want.

The home is your castle and that is not discrimination. It's personal, and you have no live with that person forever. It's almost like marriage. So I do believe that that was very good and I thank you for it. I have a concern with some of this -- with the very, very small businesses here in Scottsdale.

As you said, we have 80% of our businesses under 15 people, and that's -- as I lived here almost all of my life and I watched this, and there's an awful lot of businesses that are family oriented. They want to open a restaurant and they want their family to come in and serve and be a part of it.

They are not looking to look outside of that. If someone outside the family comes in and they say no, we're going to hire somebody -- you know, Uncle Joe, he's going to come in and do the waiting for the tables and someone says, well, I'm going to file a complaint, it's -- you know, it's a violation of my rights to be considered.

So is there anything in here that would protect a family-oriented business under 15 people? Because I think having read the federal and the state organization's laws and stuff, that's really what they were trying to get at, is -- is that kind of a business.

And I know a lot of those businesses are minority owns. And I don't really feel like that's something that is actually could end up being discriminated against the people who are trying to open that business. It could backfire on us, I guess that's really what I'm looking at.

[Time: 00:28:50]

And also, those kinds of people, whether it's employment or not, when you are opening a small business on your own, oftentimes, these folks are on a shoestring, you know, \$500, that's a lot of money! That could be, you know, two week's rent at this place. It could be stocking the refrigerator with food and a lot of things. I think the fees are a little high and I would like to see them reduced, just because I don't think the purpose of this is to put businesses out of business. I think the purpose of this is to protect not only the individuals who are looking for work and who are protected, but also protecting the business from alleged crimes that maybe don't commit.

\$500 a day is very high, and then \$500 a day every day after, if they can't get away to come down here and talk to you, that's a lot of money from some of these people and you can cause these businesses go under just due to the fines before they ever talk to anybody. I think that's a concern that needs to be addressed. Thank you.

Mayor Ortega: I will ask city attorney Scott to address the first part of your question.

City Attorney Sherry Scott: Thank you. Certainly mayor, and Councilwoman Littlefield. To answer your question, if a small business, a family-owned business wanted to hire Uncle Joe or their neighbor or their best friend and they didn't put a help wanted sign in the window or ask

for applications from the public, there would not be a triggering of this ordinance.

This ordinance is for folks who are hiring and putting forward some sort of a selection. So it would not prohibit a business from hiring an individual they know if there's no competitive recruitment or selection process.

Councilmember Littlefield: Okay. So if someone came in and said, hey, you hired this guy. He was new and I wanted that job and I couldn't get an interview for it, that would not be a trigger for this?

City Attorney Sherry Scott: That's correct. This ordinance does not require every small business to have an open recruitment for every position. It will still allow someone to just hire their best friend, but they can't have a competitive recruitment process, and then say, well, I picked that person because they are my friend, right?

I mean, there's -- there's some measure in there. But it would not be triggered if they hired their uncle, or their father or son-in-law.

Councilmember Littlefield: So if it's all family. How about if it's over 15.

City Attorney Sherry Scott: It really doesn't matter what the size of the business is. This doesn't prohibit a business owner from hiring for father, their best friend. But if they have a position that's open to the public that has some sort of a process and not selecting somebody who applied due to one of the selected categories that's what it prohibits.

Councilmember Littlefield: Okay.

Mayor Ortega: Councilman Durham.

[Time: 00:32:40]

Councilmember Durham: First question is for the tax nerds, but in 15-17a, there's a reference to membership clubs except from taxation under 501(c)(3). And those clubs are really exempt under 501 (C) (6), 501(c)(3), is charities such as churches.

A private membership club, which often can have sleeping locations, rooms, et cetera, is exempt under 501 (C) (6) and I think if -- I just ask the city attorney to look at that and -- and I'm 100% sure that's right.

So I think the reference there real I ought to be to 501 (C) (6). My next comment is on the roommate provision. I'm not completely sure that that's broad enough.

When I think of roommates, I think of two people splitting the rent or sharing an apartment. And I think originally, we had talked about the possibility of a person leasing a room or a part of

a home to another person in return for rent and I'm not sure that the roommate really covers that situation.

There had been broader language, I think, that specifically referred to leasing a room in a house. And the roommate is not sufficiently clear to me because I say, I'm just thinking of two people sharing an apartment, and so I -- I -- I think there ought to be a specific reference to leasing arrangement, leasing a room within the house.

Another point I wanted to make clear, which is very important to me, that this nondiscrimination ordinance, or antidiscrimination ordinance does include full first amendment provisions so that it doesn't reach any activity which would be protected under the first amendment.

My next one is on the veterans issue. I wouldn't think that veterans are the main issue, but it seems to me, the more important is active duty or National Guard or reserve people. It seems to me that there could be discrimination against them in terms of not so much in housing, but jobs and if someone is fired because they have to take two weeks off because of the reserve or the guard, that seems to be a situation that requires greater protection than the veterans really, I'm not sure that there is actual discrimination against these days, although Kathy has said it has been in the past.

That's something I would like to ask to look at because it seems to me the possibilities of discrimination particularly on jobs are greater for people in active duty or the guard or reserve. Finally, the last point is I think private business issues get referred to the city court. Is that correct.

City Attorney Sherry Scott: That's correct.

Councilmember Durham: Is there any process beyond city court. Are those decisions appealable anywhere?

City Attorney Sherry Scott: Yes, the city court rulings can be appealed to superior court. And then it can go up from there.

Councilmember Durham: All right. Thank you. Those are all of my comments, Mr. Mayor.

Mayor Ortega: Oh, Councilmember Caputi. I have a staff hand up. Mr. Brent Stockwell.

[Time: 00:37:31]

Assistant City Manager Brent Stockwell: If I could talk to the roommate issue. I wanted to give you a little bit of thought process that we did follow during the council retreat. What we did is -- the way we set up the fair housing section is to mirror is fairly closing on the federal fair housing law.

Most of the violations that would come in would go directly to the federal government for investigation because they have a very strong housing provision there and we don't need to duplicate it because it's very broad and covered. We wanted to make sure that we were accurately relating what the current federal jurisprudence is relating to this roommate issue.

We looked at two things in the federal Fair Housing Act, there are already exceptions that cover owner occupied housing and it actually goes up to four units and they are exemption from everything, except the discrimination in housing provisions.

So what that means is if you are owner occupied and you have four units, you can choose anyone you want there. You just can't advertise -- you can't put a sign up on your front yard that says no whatever need apply, right? That's a very clear policy statement by the U.S. government about discrimination in housing.

One issue that had been litigated and it's in case law from the U.S. court of appeals, the ninth circuit, and it's from 2012, it's the fair housing, and it's fair housing and roommate. It allows people who were looking for people to share a house with to select certain protected classes and not select others.

And the fair housing group in California thought that was discrimination. Well, the ninth circumstance court came down and said basically two things. One, there are first amendment protections there as you noted with the freedom of association. And they also said that the Fair Housing Act is about dwellings, right?

So when you are talking at the sub dwelling level, that is something that is really protected by your first amendment rights and is outside the fair housing scope. So what we wrote here is that the article does not apply to the selection of a roommate to reside within a dwelling or portion of a dwelling occupied by the person selecting the roommate because that's so personal.

However, because there are duplexes and triplexes and fourplexes and casitas that are completely separate and could be rented completely separate from that, we decided to make it a little bit more narrow than the Mesa ordinance, which would have allowed that.

If you are sharing that space, you know, there are first amendment protections and issues. If it's on your property outside of that, we wouldn't want people to discriminate on that. That being -- so I just wanted to provide that, a little bit more background. We were trying to narrowly capture it to be very consistent with what the federal Fair Housing Act is and not take it beyond that.

Because then we have some inconsistencies. There might be cases that we would need to address at the local level because it was more narrow than what the federal level was.

Thank you.

[Time: 00:41:24]

Councilmember Durham: Thank you for that explanation. I understand your point about duplexes and triplexes and quadplexes, et cetera, et cetera. But I think my point was about people in the same dwelling unit and I agree that anything beyond that should be protected.

My only point was the roommate to me has a specific connotation is people sharing an apartment. Could we do something to basically say leasing space within, or leasing space within the same dwelling unit? I really want to make sure that we cover the situation where people who don't consider themselves a roommate but one is leasing space from the other. Maybe I'm being overly particular.

Assistant City Manager Brent Stockwell: Yes, mayor and members of Durham, if the word "roommate," we can change that to another person to reside within a dwelling or portion of a dwelling occupied by the person selecting.

Councilmember Durham: Yes, that would completely solve that.

Assistant City Manager Brent Stockwell: We are clarify that. I think by using the word "roommate," we were trying to signal at least to people who read case law that that was what we were referring to because --

Councilmember Durham: I understand and thanks for the explanation, but, yeah. I think within the same dwelling unit makes sense to me.

Assistant City Manager Brent Stockwell: And I think we would have interpreted it that way. We can clarify. Thank you.

Councilmember Durham: Thank you.

Mayor Ortega: So continuing to weigh in for first time, Councilmember Caputi.

Councilmember Caputi: Thank you, mayor. I'm a small Scottsdale business owner and I am completely in support of this ordinance, and I'm incredibly proud, actually, to be part of what I consider to be an historic event. We are no longer leading on this issue. We're following. It's way past time, and again, I'm proud to be supporting.

This we should be promoting equality and we are a golden rule city. It's good for business. It's good for tourism. It's just the right thing to do for our city. -- in honor of this wonderful moment, the paper this morning was talking about Mesa having just passed an antidiscrimination ordinance and mayor John dials said of the ordinance that it's about equality, respect and fundamental rights.

It's not about breaking new ground, but about sharing the common ground of basic rights for all.

And I just thought that was really beautiful. I'm in that same mindset. In terms of including the veterans language, I tend to agree with the human relations commission.

I don't think we need it to be quite so broad. My interpretation of having on antidiscrimination that we are protecting classes of people who have been discriminated against. I think it's appropriate that we give a message that the city of Scottsdale is veteran-friendly but once we start bringing that out to more and more folks, I think you could make a valid argument that you are starting to protect based on what people do as opposed to who they are and what their identity is and then why wouldn't we be protecting police officers who also experience discrimination based on their jobs at times.

So I'm okay with including veterans. I think we should use the human relations commission recommendation and let's do it. Thank you.

[Time: 00:45:17]

Mayor Ortega: Well, it is my believe that the antidiscrimination ordinance is past due and I fully support it. I actually feel that it's a great template for small businesses, right? It sets the example as a city and then it -- for people who would come and visit or plan to live here, but has the expense of creating an antidiscrimination document within every business, you hire a lawyer and look into this and discuss whether there are different kind of applicant.

That can be resolved pretty easily by saying here a template that's valid, and the leading companies which -- or where someone may be employed coming to Scottsdale should have one but also it lays a level playing field. So it -- so this is actually a great tool to be used.

The other thing that might be argued is about fines and penalties. There's other areas of mediation, discussion, misunderstandings, perhaps, that can be resolved and I think the city is very willing and open to do that. Any fines or penalties are actually adjudicated by the judge. I mean that's last thing at the last time when something is done.

It's not like someone is immediately guilty before proven innocent. So from that standpoint, normally, the biggest guide should be your credit report, right? If you are going to do business with the city or if you are going to get a mortgage, and those means can have their ups and downs and people rebuild their credit.

But in terms of the individual, and personal value and credit that should always be held at the highest regard. So we're going to do a second round for other comments. I see a request from Councilwoman Whitehead and then -- thank you. Go ahead.

Councilmember Whitehead: Thank you, mayor. First of all, I want to thank Brent Stockwell for a very thorough response. I had a lot of questions and I learned more than just the answers to the questions I had. So thank you for that thorough response.



I agree with councilman Durham about -- I guess when I thought of veterans, I didn't think that it didn't include active duty. So I am interested if we are going to go this route, I considered it to include the National Guard, the active duty, the reserves, they have to keep sometimes suitcases in their trunk.

So I would be in favor of that, and, again, thank you to everybody on this discussion.

Mayor Ortega: Thank you. Council woman Littlefield.

Councilmember Littlefield: Yes, thank you, mayor. First of all, I just wanted to tell everyone when I asked for this addition to this on the housing with a person who is renting a room, that's what I meant was someone who was in the dwelling, who was renting a room from someone else and basically, I was thinking, you know, your house -- your home is your castle.

You should have a right to say who you are going to have to live with. You know, it doesn't mean you choose one person over another, but you have the right to choose. Also I -- like Councilwoman Whitehead, I hadn't thought about active duty vet traps and those who served and are still serving, National Guard is one.

Sometimes if you are in the National Guard, you have to take off a couple of weeks. If you are in the reserves, you have to take off a couple of weeks for duty -- active duty on that. And so I think that that would be something that could be added in there, that veterans should be protected too, active duty veterans.

Mayor Ortega: Well, thank you. And in conclusion, I -- oh, I see Councilwoman Milhaven.

[Time: 00:49:50]

Councilmember Milhaven: I was just wondering if staff has clarity on veterans part. I think folks said they liked the human relations better but then folks made -- so do you have clarity on where we stand on the veterans Issue? Or should we go around one more time and --

Assistant City Manager Brent Stockwell: Getting more clarity would help. I was starting to see that. Now, let me say that what we can do is -- we're going to be coming back -- and I think most important thing is, we need to know, do you want to make it illegal to discriminate based on the full definition or a more narrow definition and what we can do is we can address it that way. That's -- so if we can go through and get that clarity, that's one big thing we still need.

Councilmember Milhaven: Okay. I will restate, I support the veterans. The spouses -- there are federal protections for veterans and active duty and those protections include spouses. And so, you know, imagine somebody is deployed overseas and the wife goes to rent an apartment and they say, oh, no, you are the spouse of a veteran, I'm not going to rent to you because, I don't know -- who knows what is going to happen? So I would make a plea that if we are going to include active duty that we include their spouses.

Mayor Ortega: Councilwoman Whitehead.

Councilmember Whitehead: I guess I was under the impression after we had the discussion the first time from Brent that probably they would be covered without specifically being mentioned.

Assistant City Manager Brent Stockwell: Mayor, members the council, Councilwoman Whitehead. I think I was trying to say that if U.S. military status was a protected class on there that if an employer or a person who owns housing or a person who ran a business that was open to the public discriminated against someone like a spouse or a partner, because they were married to a veteran, that would be discrimination on the basis of that as well.

Now it gets to be a little bit more of a challenging issue for us if that person is not -- if they have not been discharged from active duty service, right? It would be helpful to have more clarity if you intended us to also investigate a complaint that was based on someone who was discriminated against because they were active duty or National Guard or the reserves. Just because that's where it gets a little bit more gray.

But I think if it's discrimination based on veteran status and it's either a veteran of themes or their family, that's not of a concern. It's more the other classes that are more of a concern. Thank you.

Mayor Ortega: Councilwoman Whitehead. I heard veterans. When you said veterans and their family. You said veterans, but -- what is your position --

Councilmember Milhaven: So the veterans, active duty service members. If you are a veteran, you are not active yet. I get those are separate classes in the Army, navy, Air Force, and the spouses of active duty service members. And veterans.

So, I mean, I think that's more holistic. If you are a veteran and your spouse. So if you discriminate against the veteran, you are likewise discriminating against the spouse. If however, the spouse is active duty they could be deployed some place else and they are not being discriminates against. The spouse is being discriminated against based on the other spouse's duty status.

[Time: 00:53:55]

Councilmember Whitehead: Good explanation, Milhaven. I support Councilmember Milhaven's position.

Mayor Ortega: Continuing. Council woman Littlefield.

Councilmember Littlefield: I will support the veteran commission's definition.

Mayor Ortega: Councilmember Durham?

Councilmember Durham: Thank you. Yes, I would also support the commission's determination.

Mayor Ortega: Councilwoman Caputi.

Councilmember Caputi: I don't think anyone should be discriminated against, but our ordinance is covering race, color religion, sex, national origin, age, gender I.D. or disability. I think we got it covered. I'm okay with the human relations U.S. military veteran status.

Mayor Ortega: Vice Mayor Janik.

Vice Mayor Janik: I prefer the veterans advisory commission, which is exactly what councilperson Milhaven said. Thank you.

Mayor Ortega: Thank you. Well, you have direction on that. Any other comment?  
Councilmember Durham.

Councilmember Durham: I support the veteran advisory commission. Could I clarify. I'm sorry I misspoke.

Mayor Ortega: And I do too. So that carries. We already had consensus on that. Well, we will move forward on this item on the agenda expected on April 20<sup>th</sup> and we will have -- we are certainly open to continued comment from the public leading right up to our hearing and the posting and the hearing of the antidiscrimination ordinance.

## **ITEM #2 – DRAFT GENERAL PLAN 2035 UPDATE (1-GP-2021)**

[Time: 00:55:58]

Mayor Ortega: We will now move on to item number 2. So this is -- oh, this is old business, continuing business. Very vital and important pertaining to the livability of Scottsdale and the vision and the input of our citizens and all stakeholders.

So we have a -- we are at the point of collecting -- continuing to collect comments and then testing it at the next commission level. I will actually -- we will begin the discussion and we do show one public comment.

I think what I will do is I will open to staff the communications to have the one public comment on this subject.

Shane Stone: Thank you, Mayor Ortega, this is the Shane with the city manager's office. We do have public comment from Mr. Reading. Mr. Reading, if you could please hit star six on your device and begin your public comment.

[Time: 00:57:13]

Kelly Reading: Hello. My name is Kelly Reading. I live at 6621 east 4<sup>th</sup> street in Scottsdale. Good afternoon, mayor Ortega and councilmembers and thank you for the opportunity for me to take a few word -- say a few words.

As the general manager of the Scottsdale waterfront residences located at the corner of the Scottsdale and Camelback Roads, I also represent approximately 200 homeowners and their families.

About two years ago, the residents of the waterfront formed our long-term consortium with a goal of creating our own general plan and with our vision and value statement. We believe that our statement is in line with the city's overall general plan, and I would like to just share that with you now, if I may.

The vision statement for Scottsdale waterfront is that waterfront condo association. Foster outstanding urban living for our residents. We will thrive by providing a wide variety of internal services and supporting area services and development efforts that enhance the urban living environment.

Scottsdale waterfront strives to continue as the premier condo living experience in Scottsdale. Our demographics are that we are a multigenerational group consisting of young families and retired professionals and everything in between. Approximately 60% of our community are full-time residents, while the other 40% are part-timers.

We enjoy the walkability to so many of downtown's amenities, a vibrant downtown is key. We want to improve the property values of the Scottsdale waterfront residences and the surrounding areas. Scottsdale waterfront is a special place in the old town area.

Our community will continue to attract new residents from around the world, because of our high-end living accommodations services, and proximity to old town. Scottsdale waterfront continues to endeavor to have a safe high-end and endeavor to set the standard balance, with open spaces, advanced living technologies, and environmentally sound living practices.

Located next to old town Scottsdale, we have the benefit of urban services, programs and the shopping experience. Sustaining and encouraging long-term growth and development is crucial to maintaining the appeal to our preferred style of living.

Old town must grow and diversify to keep in competition with other urban and semi-urban areas in the valley, and this includes creating a growth policy that encourages appropriate developments. innovation like smart city concept, services and sustained art and other cultural programs and displays.

Our community values are safe and secure living environment, access to shopping, restaurants

and other personal services, sustained comfortable and safe walkability routes within the old town area, continued to grow while respecting old town's unique character and regional culture and finally advanced innovation programs like smart city and enhanced traffic control systems. I would like to thank you all again for allowing me to speak today appreciate it.

Shane Stone: Mayor Ortega and members of council this concludes public comment on this item. Thank you.

[Time: 01:00:42]

Mayor Ortega: Thank you with that, I will close the public comment. I would like to call out to council that Ms. Perreault did post some information decision to the posted material. In addition, there three items.

One is the vision statement, which will be reviewed and it included a consolidation of Vice Mayor Janik and my input in terms of a -- and it's -- it's part of your handout. The other one is a two-part dealing with the education element that was also edited and changed slightly from the version that was released earlier.

You will find both the old version with some of the strikeouts which can get confusing or whatever, and then there's a cleaner version that was placed at your desk. So with that, I will just turn it over to Erin Perreault and to proceed with the general plan 2035.

Erin Perreault: Thank you, mayor Next slide, please. So tonight we are continuing and wrapping up our discussion on the Citizen Review Committee draft and moving into the council edited general plan draft.

The council has worked through all of the elements that are proposed under the Citizen Review Committee draft plan we will be looking at a couple of additional items tonight in that plan. Next slide, please.

We will look at the implementation chapter and the appendix. Moving on from there, what we will do is have a conversation about the big ideas that council has directed staff to take out to the public and what we have been hearing from the public. We will be reporting out on that.

If we get through all of those big idea discussions, then we will be moving forward and looking into and at all of the discussions you have been having during these work study sessions in a text format in a council-edited draft plan. Next slide, please.

So to begin, in terms of the implementation chapter, this is a new chapter to our general plan introduced by the task force in 2014, and maintained by the Citizen Review Committee. The intent of including this chapter is that during the time we have lived under the 2001 general plan, there's often a lot of confusion, especially with our citizens about you 40 the general plan is implemented because it's implemented in so many different ways.

You can see a long list of implementation tools listed on that chapter and you can see a sample page from the matrix that shows different types of programs and when they will be implementing the general plan and who is responsible or the point person or point department for implementing those programs.

So I will stop there in case mayor and council have any -- any input with regard to the implementation chapter as it is in the draft format.

Mayor Ortega: Thank you. I don't see any hands up at this point. Continue.

Erin Perreault: Next slide, please. The next point is the appendix. It uses abbreviations throughout the plan, and definitions that are also used throughout the plan. It has a list of related plans and policies so that folks can connect the dots.

For example, our circulation may be implemented by the transportation master plan and that's the type of plan that may be listed under that. It includes photo credits and based on a councilmember request, we have added what the photo descriptions are now.

And, of course, acknowledgments to everyone that has contributed to the draft as well. I can stop there in case there's any input. I have more one slide specifically to the glossary. Next slide.

Based on recent discussions as of last week, there was discussion about some of the glossary definitions with regard to density in the community. This is just to provide a relative density and how it relates to Scottsdale as it could be very different if you were in Manhattan or San Francisco or somewhere else in terms of density. That's what the glossary definitions are intended to do.

They are not the land use definitions. We use the land use definitions and those densities to determine major and minor cases. So that's not what these glossary definitions do. We want the caps in the current zoning ordinance. We see that generally more than eight and up to 25 dwelling units to an acre.

And then there was a suggestion to also identify a highest density type of definition. I can stop there if there's any input on that.

[Time: 01:06:16]

Mayor Ortega: Thank you. I requested this because as an architect, we talked about low density, medium, moderate and high. So it's a useful reference there anything over eight was considered high. And that could have been 88, but no cap on that. So continue, please.

Erin Perreault: Next slide. Now we are moving into the portion where we tested the big ideas with the plan, with the community. The first is the vision statement. As the mayor

mentioned -- next slide, please -- we tested three vision statements based on the mayor and the council direction.

The three visions were the 2001 statement that we have in the existing general plan, the 2014 task force drafted statement, and a drafted statement from Vice Mayor Janik. Next slide, please.

We also received two alternate council vision statements from Councilwoman Littlefield and councilman Durham. Next slide, please.

When we tested the three vision statements, that I mentioned, the 2001 quickly dropped off in terms of community input and 2014 and Vice Mayor Janik's vision statement, draft vision statement were the ones that were really competing neck and neck. That's not surprising. Next slide, please. Both of those vision statements are color coded on the screen. I know it's hard to see and it can be very busy to read like that, but the intention is to give you an idea of how much overlap there is, and why they are favored so equally with those that we polled. We color coded them based on themes in the existing draft general plan. Next slide, please.

We also asked the community if anything was missing, and so there were a handful of things that were mentioned in terms of education, diversity and inclusion, tourism, art and culture, sustainability, business attraction and fiscal sustainability but between those two vision statements, most of those words we could find in one or the other or both. Next slide, please.

So what you have before you is a distilled vision statement as the mayor indicated it was sent out earlier today and you have in front of you. The differences between the 2014 vision and this one, a fourth community aspiration has been added for your consideration with revered history. If that is an accepted fourth addition, we would need to recognize that in the vision statement, and so that language has been added. And the previous council wanted to recognize Scottsdale as an international destination and you see that word inserted as well.

Mayor Ortega: And at this point, I will call on Vice Mayor Janik to reinforce what is presented and then Councilwoman Milhaven.

[Time: 01:09:50]

Vice Mayor Janik: Thank you for color coding it and showing how much they have in common, the two statements that were the favorite statements which is good because we want to see agreement with what we are proposing. I knew what I said was way too long. So I appreciate the fact that you have shortened it, made it succinct and to the point.

And I think the addition of the revered history emphasizes the respect we have for our past and that we need to honor that because it makes us more unique among other cities in Arizona. So I think -- I think this statement is very well done.

There might be a couple of things we might want to tweak a little bit. The one thing I did notice

is we didn't say anything about preserving our views. I think that might be we reference it in that it's a value and perhaps that's sufficient enough, but I noticed that was in both statements and I didn't see that it was included in this to, you know, respect the open spaces and the view corridors.

Mayor Ortega: Okay. Thank you. Councilwoman Milhaven.

Councilmember Milhaven: Thank you. I have a question for staff but I'm not sure who. So I will let you fight over it. So this adding revered history to the vision, what are the practical implications of this in terms of how we do business going to? Don't all answer at once!

Mayor Ortega: I think you are asking staff but I can comment on that. You know, who we are is where we came from, and where we stand today and where we are stepping into the future.

There's a wonderful article today in "Travel Leisure" in "The New York Times" talking about the sugar bowl. And it says Scottsdale is one of the top wedding locations. You can count, you know, Vegas and parts of Florida, but it really has an identity.

And I think that part is what this is respecting in terms of -- and it was stated very well, about the -- being a part of the identity of Scottsdale. So I think that's the value of it, that is very important. Councilwoman Whitehead, did you have a comment on thus far?

[Time: 01:12:50]

Councilmember Milhaven: No, not yet. I agree, the sugar bowl is a treasure in the historic old town, east main street and from Indian School to brown, are really special and they are currently protected by character area plans and overlays and so I'm glad to see that those are in place, as well as west main street where the galleries are, that is also protected with the downtown area character plan and with the overlays.

And so what I want to understand is -- and I'm trying to get the general plan is general an aspirational and then you have the zoning codes and ordinances underneath this. What are the implications as it relates to how we implement zoning, more specific zoning codes in the future?

How will this impact future interpretation of existing zoning codes and the council's ability to make decisions about future development?

Mayor Ortega: And perhaps we can think of a response. Councilwoman Whitehead?

Erin Perreault: Excuse me. I can answer that question.

Mayor Ortega: Oh, okay. Excuse me. Oh, okay. One answer is that the purpose of a general plan is to describe the city by the citizens themselves and to give the citizens themselves a chance to express their interests or disinterest in the heart of their city that gave them their identity.



So I believe it's a very valid participatory point for our community to weigh in that. If you say we are not writing an ordinance here, but we certainly are allowing the people to express that that is a part of our culture, and it's part of what Scottsdale is about.

Now, if -- I believe that's very valid to be expressed up or down, or in a positive manner. I tried to express that in a very positive manner. So that's my answer to your question, that that's a very valid way of the public wiggling in on -- weighing in on a general plan, which is supposed to be done every ten years.

Councilmember Milhaven: I certainly respect the participatory nature of this process and that's why I have so much respect for the 2014 version and reluctant to make any changes but what I want to know is does this paragraph of revered history, does it contradict any of our existing zoning ordinances?

Mayor Ortega: Vice Mayor Janik?

Vice Mayor Janik: I understand -- let me paraphrase your question. When you look at that revered history will that in any way impact any changes or current zoning that we now have or may have in the future?

[Time: 01:15:51]

Councilmember Milhaven: I know it won't change it, but if it contradicts current zoning code, then we create an issue that says the general plan is putting conditions on certain parts of town that contradict our zoning ordinances and I think that's outside of what the general plan would be. I understand that the people who wrote this will advocate for it but I want to understand from staff what are the practical implications of this statement.

Erin Perreault: Mayor and council, we tried to keep this as part of the vision estimate much broader to fit with the general plan level. It does repeat some of the description that you will find in the old town character plan.

So the character plan has a lot of same language in it in terms of describing the specialty retail, the art galleries and the pedestrian orientation. It's very similar to what we have in our character area plan that has more specificity about downtown.

Downtown is mentioned a few times and we will talk about a couple more instances but each time we tried to keep them at the general plan level. This does not -- it's not different than what we have in the old town plan. It's much more specific than either of the two plans that we use for downtown.

Councilmember Milhaven: It doesn't create any contradictions to the current zoning. I still like the 2014, but I have no objection if my colleagues like this one better.

Mayor Ortega: Councilwoman Whitehead.

Councilmember Whitehead: I think I'm in a similar page. In the other we don't even mention the McDowell Sonoran Preserve. The other three are at a very high level. And that, I think maximizes flexibility and so this section doesn't seem consistent to me. Is there a downtown core? Do we have a definition? Is that something -- we do have a definition.

Erin Perreault: We do, the downtown character plan or old town character area plan designates a specific downtown core currently.

Councilmember Whitehead: I saw that and I thought it seemed new. Thank you for correcting me. There's a lot of revered history in the preserve. There's various landmarks. I guess what I would like to see in the revered history in it was up to me is take out some of the specificity.

Maybe get rid of the last sentence but add in -- just add in that -- the history throughout the city. You know, we have our old town and we have historic in other portions of the city, kind of at the same time level that we have livability and exceptional experiences. I think it's great to add it in.

Mayor Ortega: Councilwoman Caputi.

[Time: 01:18:54]

Councilmember Caputi: That was well said that. Was sort of my discomfort with this too. It just doesn't seem to fit. The rest of it seems very high level. Again, I think the vision statement needs to be an aspiration. It's got to be high level it doesn't have to be this chunky.

It just feels like we are getting really deep in the weeds and I will make a teeny little joke here and say, example of a vision statement from Ben & Jerry's, making best ice cream in the nicest possible way, right?

I mean, the vision statement is simply a statement and if you can't say it quickly to encapsulate what you think are the vision of our city is, then I think there's something wrong with that. You should be able to say here's my vision for moving forward and I agree, the general plan is by and for the citizens and we all have a slightly different vision of what that should be.

That's why we are all here. That's why we are the gang of seven or whatever you want to call us. We all have slightly different visions. When I think the Scottsdale, this whole revered history -- it will sound obnoxious.

I grew up in Boston, and traveled all over the world. When I think of Scottsdale, I'm not thinking that we have history that had needs to be revered. We have language that we want to have a vibrant downtown.

We want to have a thriving prosperous downtown and then you talk about from main street to the canal, we will have low-profile, low density basically nothing happening. So me, that's completely contradicting the first part of the vision statement.

We are saying we want our city to be thriving and future, forward thinking, and then -- but, no, hang on, we want to do absolutely nothing and keep it low profile in this amorphous core, which I'm super unhappy and uncomfortable with. We have an old town area that's an historic old town that I completely agree. We keep increasing the boundaries of this, which is not my vision for the future. I do want a thriving, prosperous city.

It seems to me that it would make more sense to say something like exceptional downtown. I don't actually understand why we need to dig in so deep. I think Councilwoman Whitehead made a great point. In that case, why wouldn't the preserve be wonderful and historic. I have think when people talk about what is your vision about Scottsdale, why do you love coming here?

I loved here from Boston and when people ask me why, I say it's the city where I feel like I'm on vacation every day. I think this is a city where both tourists and residents should feel like they are on vacation every day. That kind of encapsulates how we feel. I just -- I agree.

The preserve is one of the main reasons people come here for the beautiful open spaces and the hiking and biking trails and for the thriving downtown. I just -- I'm not comfortable with that revered history paragraph. The rest of it is actually pretty well done. Thank you.

[Time: 01:22:14]

Mayor Ortega: Well, I will weigh in on that. The preserve is close to 30 years old and that is not the original part of the township. So the -- it was annexes and annexed as the city marched north.

I believe that the ancient peoples who are right across Pima road and our Salt River Pima culture there is much more -- much holder than any Angelo settlement here and so forth. So the preserve is a separate issue that's covered in another -- in other elements the purpose of this is to call to mind that this is -- it had an original township and that that area grew over a period of 60, 75 years within that -- within an identifiable area up to the Arizona canal.

I feel firm about that because I have been here for 42 years and I have known the people who have come here, even with the spring training people. They have been here since 1956. They keep coming back. They still recognize Scottsdale.

It doesn't mean that there's not changes outside of the couplet or the downtown but we don't have to cram everything in Old Town and say we can now make it vibrant and cause more tax dollars in that pocket of an identity.

That's why this is here, because there is a longstanding perception outside of Scottsdale and inside of Scottsdale of who we are and that this is a special place in the valley. You can drive around to Glendale.

You can drive to downtown Phoenix and go to Chandler and look at their assets and who they are. You will find more character and small businesses and other things in our original township area.

It's not -- it was bundled with the entire downtown area in a larger bubble and that was not a definition that was good enough. We know that our citizens do care about this element. People who have been here longer than 20 years.

And people who were born and grew up. I think we should look at that article in the times today and you will see that that's the expectations that's why people return to Scottsdale and that's why we want it in for the affirmation of the people who believe that it has value. Can we move on?

Oh, excuse me, Councilwoman Caputi.

[Time: 01:25:20]

Councilmember Caputi: I'm just going to say again, my definition of revered history. So you are talking about the 1950s. I find that strange to call it revered history. I agree with you. I think we have some special buildings in our old town area and 100%, we should preserve our historical old town as historical, but keeping dilapidated buildings in our downtown area that need to be refreshed, again, I'm just going to say for the record, that's not my vision.

If we are going to have a thriving, prosperous building, let's keep the historic old town historic but saying you are feeling nostalgic about a 1950s building that is not going to be able to thrive into the future without us looking at the future, I'm just not buying it.

I mean we will be looking in the rear view mirror and all of these historic businesses are not going to be able to be supported. I think it's a great idea. I don't see how it will happen economically. Great. That's my two cents.

Mayor Ortega: Councilwoman Whitehead.

Councilmember Whitehead: I agree. Anybody who has traveled, we are actually brand new. How about distinctive heritage. I think Councilwoman Caputi said that, distinctive heritage versus revered history.

Mayor Ortega: That was a term that Erin came up with, and it, you know revered seemed religious to me also. A little bit revered. Excuse me. Councilwoman Littlefield, do you have a comment?

Councilmember Littlefield: Thank you, mayor. Well, I have a little bit, I guess, different view of the vision statement. I prefer the one from Vice Mayor Janik that we were looking at before with the bullet points.

To me, the rest of the entire general plan, is a method and a way that we will fulfill our vision, and it's how we are going to do it going forward. So we have to have a pretty clear set standard of where we want to go before we take first step.

Because if any of you guys are like me, that won't be in the right direction if we don't know where we are going. So I suggest that we use the one Vice Mayor Janik did. It's very clear. It's action verbs. It's how we are going to get there, what we are going to do. What we want to be. How we want to attain it, and it doesn't say, you know, today you are going to go get a ladder and you will go down there and you are going to paint this building.

That's not what we are saying here. But we're saying, we are going to manage growth responsibly and with respect for nature, sustainability, well-being, character, historically significant structures and sites. History is in here. If we want to look at it that way.

It also -- this vision statement is one of the two most important parts of the entire document, to me, because as what we want to attain. What we want to maintain, and our vision of what we want Scottsdale to become over the next ten years. It has to be enough to last for ten years. Fortunately the one we are working on is 20 years old. We need at least 10 years out of this puppy. So I would prefer that.

This is the overriding goal that once it passes our citizens votes that they say they want for Scottsdale. Actually in this proposed consolidated vision statement, the revered history is what I like the most. We need to keep in mind where we came from. Where we were, what we have done and not all of us are hold enough like me to know, because I was there. So I think it's important to have the history.

I'm not saying that that's not something that should be in the plan that we do revere our history and we care about it but I don't think it's necessarily I don't the this is necessarily enough for the general plan for the next ten years to show us where we want to go and how we are going to get there.

So I would prefer to stay with the vision statement that was given to us by mayor Janik. It could be amended if we want to add a bullet point to it, you know, I'm always willing to do that. I'm not cut hard and fast on everything on that. But I think that that would be the better way to go. Thank you.

[Time: 01:30:20]

Mayor Ortega: Well, I don't see any other hands up. We did sit, Vice Mayor Janik and I, we went

down the check box. You know, open vistas and desert, Sonoran desert, desert beauty. We checked them off.

It's just a matter of how they are listed in the instead of having 10 or 12 bullets to be consolidated into those four. So as to form, I believe they are all covered within these big categories of livability, prosperity, and exceptional prosperity. And that's how we did it.

We went down the line and tried to cross them off rather than the -- the one area of open space -- excuse me, open space is covered and natural beauty and vast open spaces and environmental assets, exceptional experience.

So I think view corridors was the one that was mentioned by Vice Mayor Janik, that, you know, was probably the only one that wasn't in the -- in the joint vision statement. At this point, we will move on and if there's -- I don't see any. Councilmember Milhaven.

Councilmember Milhaven: On the one hand I agree. We talk about views and things like that, but I would like to remind people when my neighbor built their house, they destroyed my view. So when we talk about preserving views, we may need to be -- I mean -- yes, but how. What are the practical implications of that. Like I said, my neighbor's house blocks my view. Thank you.

Mayor Ortega: Any other comments on it? You know, I believe that this is probably about a week old in terms of our determination. Vice Mayor Janik, do you have a comment?

Vice Mayor Janik: I do. I really want to come to consensus on this. And I don't think we have consensus at this point. And I am open to suggestions on how we want to proceed to get consensus. Any thoughts on this?

I don't think any of us are willing to say, yes, this is the one. Give it a nod. We do eventually need to come so consensus. Any thoughts on how we should achieve that or arrive at it. Would it be better if it was do in an executive session where it's a little more private? Is it better that it be done here? Do people want to submit an edited version of some of what's in here?

Mayor Ortega: Yes, it will always be public. Councilwoman Caputi and we are open to discussion and we have to give direction. Go ahead. Councilwoman.

[Time: 01:33:56]

Councilmember Caputi: On the vision, I agree. That's a good suggestion. I think this vision does a pretty good job of aggregating the 2014 vision, which I as well really liked and it was -- you know, that took into consideration most of our citizens which was the point.

As he said before, I think you did a nice job with the vision and the subcategories. The bullets were a little two chaotic for me. I'm okay with where our history is valued. Revered makes

me -- I don't know, it just feels funny and kind of pompous for a city that's not quite so old. History would work for me and then again that I can't -- I'm not good with that bottom paragraph.

I think this' a way to put it into exceptional experience, including distinctive heritage, culture and history and that is something that I would be very happy with. That's just me. Thank you.

Mayor Ortega: Council woman Whitehead?

Councilmember Whitehead: Do we want to go through, like each little paragraph and give consensus? For instance, are we going to say -- the first paragraph takes into account Councilwoman Littlefield's so Scottsdale will be an exceptional Sonoran desert experience: Wasn't that yours?

I guest southwestern tourist destination -- are we not saying international? I'm trying to see where that international comes in.

Mayor Ortega: The thought was to strike southwestern tourists and put international tourists.

Councilmember Whitehead: I like that. People know we are southwest. Maybe what we should do is go through and then we could say where our distinctive heritage is valued. So go around and see if everyone is happy with paragraph one. Does that seem like a good idea? I can start. I'm happy with it.

[ Off microphone comments ]

Councilmember Milhaven: I'm fine with that.

Vice Mayor Janik: I am too.

Mayor Ortega: Did you want to continue on that paragraph or can we -- can we check that one off or that paragraph.

Councilmember Whitehead: I'm good with that --

Mayor Ortega: Maybe do some nods.

Councilmember Whitehead: Do some nodding.

Mayor Ortega: Thank you. Let's go on to exceptional experience. Oh, okay. Sorry Vice Mayor Janik, I see you there.

[Time: 01:37:11]

Vice Mayor Janik: Sorry, I turned it off, but I realized we have distinctive heritage in last line exceptional experience. We have it twice. Vibrant downtown and culture. And eliminate distinctive heritage being said a second time.

Councilmember Whitehead: Good catch.

[ Off microphone comments ]

Mayor Ortega: Just so I can keep track so we are on exceptional experience, paragraph two, and then could you please repeat that and we will follow that. The markup looks good.

Vice Mayor Janik: Under exceptional experience, the last line, world-class events and resorts, vibrant downtown and culture, or distinctive culture. We said distinctive heritage, I don't think we need to repeat it twice.

[ Off microphone comments ]

Vice Mayor Janik: I'm sorry. I didn't hear you. I'm sorry.

Councilmember Caputi: I was just saying if you want to put history in that paragraph, it seems like it would make sense, distinctive doctor you could write vibrant downtown, history, and culture and you wouldn't have to worry about --

Vice Mayor Janik: Yes, very nice.

Mayor Ortega: Please, councilman Durham.

[Time: 01:38:37]

Councilmember Durham: And I think people have stated that there should be some reference to arts here and I think that that, where we are taking out heritage, maybe we could put something about the arts in there with our culture.

Mayor Ortega: A vibrant downtown and distinctive art and culture. And leave -- just say art and culture. Sound good? Councilwoman Littlefield, excuse me. We're up to --

Councilmember Littlefield: Well, it takes me longer because I read slowly. On the first one, okay, you have exceptional Sonoran desert experience for vision. Then the next item is exceptional experience.

So how about if you don't repeat that word because it sounds long and kind of weird. So have Scottsdale will be a unique Sonoran desert experience and then go down to second point, exceptional experience.



Mayor Ortega: Excuse me, I will follow segments as we go. If you have two and three -- and perhaps I can get Erin to respond to that.

Erin Perreault: Just to give us some history what the task force did to try to be as inclusive of all the ideas that folks wanted in the vision statement is they did intentionally repeat exceptional experience, outstanding livability, and community prosperity in the vision statement itself so they connect back and forth from the vision statement to the three community aspirations. That's why you see a little bit of reputation, but that was intentional at that time.

Mayor Ortega: Thank you for filling that in. I didn't mean to interrupt you, Councilwoman Littlefield.

Councilmember Littlefield: That's okay.

Mayor Ortega: Outstanding livability. Any comments on that? Councilwoman Whitehead.

Councilmember Whitehead: There was a request to add a diversity statement. I don't see that. I hate to belabor this. We have multigenerational, you know, multicultural lifestyle choices. Do we want something like that?

We are multigenerational, but we are also many people. I did get comments from the public on that, and I want to throw that out there.

[Time: 01:41:40]

Mayor Ortega: Okay. Any feedback.

Councilmember Milhaven: I would be agreeable to that. Could you suggest some wording that would --

Councilmember Whitehead: Okay. So offer a variety of multigenerational lifestyle choices -- almost, I see multicultural doesn't fit there.

Councilmember Milhaven: What if you say multicultural and generational lifestyle choices. Oh, no, that's not a choice.

Mayor Ortega: The neighborhood area deals with more neighborhood life, let's say, where you are looking for a broader even on the subject of antidiscrimination or hospitality.

Councilmember Whitehead: I'm not sure. Maybe I can think about that and send it out to staff and if there's something that sticks, we can all separately after --

Mayor Ortega: Councilwoman Caputi.

Councilmember Caputi: Maybe it would find a place under the next paragraph where you could say Scottsdale will be a thriving prosperous city that attracts and grows world-class businesses and leverages technology and encourages innovation, creativity, I don't know, we could put equity if there or something.

Maybe it fits better in that other paragraph, thriving, prosperous, equitable city. I know what you are saying, something about diversity and equity. Maybe we need to send it back to staff, but maybe it works in the fourth paragraph too.

Mayor Ortega: Perhaps the last citizen, where it says the citizens have an opportunity to prosper. The first against is loaded. Councilwoman Milhaven.

Councilmember Milhaven: What if we went back to exception experience and in the second sentence there say our inclusive community will continue too.

Vice Mayor Janik: What was that?

Councilmember Milhaven: Inclusive.

Vice Mayor Janik: I like that.

Councilmember Milhaven: Okay. Thank you.

[Time: 01:44:05]

Mayor Ortega: Excellent. So now we are going to revisit outstanding livability. And the second sentence is neighborhood and physical and social connection. Any other comments on that? We can move on to community prosperity? The last sentence is very short. It says our citizens will have an opportunity to prosper.

I think citizens and businesses, you know, and we are looking at other thriving entities that are part of our city. And this says citizens. Where is the world Smith? Oh, Erin, can you come up with -- help us with that.

Councilmember Milhaven: Citizens should be broader to include who? I'm sorry. You said -- you said you thought that citizens -- that we should use a broader term and I'm just curious who do you want to include in that group?

Mayor Ortega: Well, the overall term, is you know, community prosperity and then the last sentence is basically citizen prosperity, which is very important, but we have stakeholders and businesses and, you know, we have nonprofits.

We have a whole different additional community. We are pretty broad. What would you suggest, Councilwoman Littlefield?

Councilmember Littlefield: Residents.

Vice Mayor Janik: I think our citizens and businesses will have opportunities to prosper. Now do we want to add anything else besides citizens and businesses.

Councilmember Milhaven: See, I would argue to say businesses are citizens are made up of citizens. Right, and nonprofits are made up of citizens and who work there and clients who are served there.

So if we think about, right, organizations and institutions being amalgamations of our citizens, I think citizens is pretty comprehensive. So citizens can't prosper if business doesn't prosper.

Mayor Ortega: True. And maybe we could add educators in there.

Councilmember Milhaven: Educators are citizens.

Councilmember Whitehead: What about just removing that. Everything move it shows a prosperity that we are creating -- that we are creating prosperity. Maybe we just remove that sentence.

Mayor Ortega: We'll think about that.

Councilmember Caputi: Community members. The members of our community have an opportunity to prosper. It's all about community prosperity.

Mayor Ortega: It's like all community sectors, you know, having an opportunity to prosper. I see nothing but we are three-quarters of way there. Making great progress. May I move on to the -- what did we say -- distinctive history or distinctive character is the final --

Councilmember Milhaven: Character.

Councilmember Durham: I think we said distinctive character.

Councilmember Whitehead: I said heritage because character you could have made up yesterday.

[Time: 01:47:55]

Mayor Ortega: Respect is an action as well as -- it doesn't equate. It's a broad -- it's a broad -- those are broad terms. Any other comments on that last -- okay. Councilwoman Milhaven.

Councilmember Milhaven: I don't think this belongs in the vision statement but if the majority

of my colleagues believe it does, I certainly would not argue that strenuously against it. I don't think that belongs in a vision statement.

Mayor Ortega: Councilmember Durham.

Councilmember Durham: Thank you. I think our distinctive character expands beyond old town. I like what Councilmember Caputi said earlier, it's like you are open vacation every day here. I don't think this vision statement captures that in the same way some of the others have.

But maybe work on this section, we can make it known that old town is the heart of the city, and distinctive portion, and I think that character expands beyond old town, throughout the rest of the city.

Mayor Ortega: Thank you. I really think that it relates to the pride people have in Scottsdale, knowing that this area is part of our identity, wherever we live. We tend to bring people here. We tend to visit it.

So it's encompassing deeper than just a place by itself, because it becomes something that people relate to, in many neighborhoods as they are kind of the center of gravity, so to speak. But that's -- that's why I say I think it's something that is tangible and intangible. We know that there will be replacement buildings but it still has a -- an identity and that distinctive character to it. Councilwoman Whitehead.

Councilmember Whitehead: I'm fine with distinctive character. Distinctive heritage, distinctive character, I'm fine with either one of those. That's good. I'm not talking about the preserve itself when I talk about historic landmarks.

I'm talking about historic landmarks that were in the preserve long before it was a preserve. I'm talking about horse ranches that have historical significance. I'm talking about even the little -- I don't know what you call it cattle track.

There's just a lot of distinctive -- so I guess I would feel more comfortable if we had distinctive heritage or distinctive character and just made this just broader about Scottsdale will respect and be sensitive to the unique history and legacy found in the heart of old town, and expanding throughout the city. And our open spaces. I think that would be stronger. That's my preference. I won't belabor it. So I will go with the majority.

Mayor Ortega: Councilwoman Caputi.

[Time: 01:51:56]

Councilmember Caputi: Agreed. I don't know why we are making such a distinction about this tiny little area, because it's the city where everyone wants to come and vacation, some of it is cycling on the trails. It's the feeling that you are on vacation when you are here. That's what

makes us special, I think.

I don't know that we need to have this separate subcategory that's so specific. It's even calling out streets, main streets of the canal. I just -- I don't know why that would be in a vision statement. It's way too specific.

I'm perfectly happy with saying that we want to respect our culture. I don't get this whole bottom paragraph. It just doesn't work for me. I think we need to be a little more bigger and lofty and aspirational here. We can't take a vote, but this my opinion and what we heard this is an area and the purpose of it is to be called out.

They won't be voting on a cattle track or archaeology out in the preserve. They won't relate to that whether they are hiking trail originally from the Salado Indians to the Pinnacle Peak. This is part of our world and identity and that's what people will rally to as we get this moving forward. So that's why I believe there's a consensus and a majority to leave this? And I would like you -- Councilwoman Littlefield. Please.

Councilmember Littlefield: As I said, this is too weak. A vision statement needs to give direction and this doesn't. It -- the previous one almost all of the bullet points started with verbs. To do something. Promote. Embrace. Manage. Continue. Create.

It gave you a direction that you were going to head in order to get that bullet point done. You need to have an action -- this is an action vision. It's not like it's a great place. We will hang around and enjoy ourselves. It's how are we going to keep going? How are we going to make it happen over the next ten years?

And I think it needs to be rewarded in such a way that it tells people who are reading this, who don't know who we are or what we stand for, what we're going to be doing, what we will be doing to keep this place a really special place, where they need to come back next year and see if we did it, and the year after this that, and the year after that. It's not doing that for me. I'm sorry. Thank you.

Mayor Ortega: Councilwoman Milhaven.

[Time: 01:55:06]

Councilmember Milhaven: I agree with Councilwoman Whitehead and Councilwoman Caputi. When Councilwoman Whitehead was starting her remarks she was mentioning some specific gems in our community. I did not think that her description of what she thought would be in here would include those specific locations.

I thought she wanted to speak broadly about respecting our heritage and character, whichever word we choose. So I'm completely supportive of this suggestion that Councilwoman Whitehead suggested.

Mayor Ortega: Okay. We will continue discuss -- okay. We will continue discussing this until we have a resolution. The other examples didn't mention our distinctive character in the old town. That's why I think it has to be here.

So even if I look at -- that's why Councilwoman Janik and Vice Mayor Janik and I reviewed everything and this was a missing component. It -- you can't write a broad statement about old town, the original township, people won't realize that we value it and I know they value.

A year ago, there were 17,000 people that signed a petition because they thought that -- that the old town area was being threatened. And this -- and they were denied a referendum to express that. That's what we are and not be totally absorbed in it.

Both of the tested 2035 -- I'm sorry, the 2014, and Vice Mayor Janik's and didn't have that history element that I believe is aching to be affirmed and that's why we settled on this. And I am open to continue with this discussion. Can you have something? Vice Mayor Janik.

[Time: 01:57:40]

Vice Mayor Janik: Okay. Again, I think we need to come to consensus. And I guess if I'm hearing my fellow council people correctly, councilperson Milhaven, Councilwoman Whitehead, Councilwoman Caputi and councilperson Durham all agree that it should be broadened a bit, and a little bit less specific.

Do I -- am I speaking out of turn? Shake your head if you agree. I think we do have consensus on this. I know why you feel the way you do, but I also think the seven of us need to come to consensus. We can't keep going back and forth. So I would request that -- I don't care if it's heritage or character.

I think they are both good words. I think that there's general agreement that mentioning street names is a little too specific. And it should be a little more inclusive in general. And I would ask Erin, lucky Erin, to work on this and -- again, I respect everybody's opinion, but we can't going around and around.

We have a general plan. Let's get it. This I understand what Councilwoman Littlefield said as well. And I'm hoping that we can get some more action verbs in there. And make it more boom, this is what -- this is what we want. So that's how I feel about it.

Mayor Ortega: And we know we are testing that and we're -- we're reducing that. And that's the direction -- so even if the second sentence were eliminated, as a resident tourist destination, the downtown core includes retail, if we eliminated that second sentence, it would be, you know, more broad and by the way, I believe -- now from main street to the Arizona canal, nestled in the center of the downtown this is the origin of our identity and unique sense of place. That's just replaying what is there. If there's another way to say it, let's do it. Go ahead.

Mayor Ortega: Councilmember Caputi. And then Durham.

[Time: 02:00:34]

Councilmember Caputi: Yeah. There's almost 300,000 citizens in Scottsdale. So you were mentioning, you know, how many ever thousand -- mentioning you know, how many ever thousand.

We said it again in this council. We all talk to different people. So where you are sitting, it sounds like everybody is talking about needing -- having a vision of this, you know, canal from main street to the canal, low profile, that's the origin of our identity.

I don't see it like that and I don't talk to anyone who sees it like that. So I know from where you are sitting it sounds like you have this chorus of voices but from where I'm sitting that sounds weird.

We are all seven different folks and we talk to different people in the community. We have a large diverse community made up of many different opinions and the seven of us have to agree. If we don't agree, we can't possibly ask the rest of our community to agree. So we have got to come to a consensus.

It's got to be something big enough that everybody feels that they have got ownership in it, right? This is a general plan that's written by and for the citizens and everyone has to hear their voice in it. This makes me feel -- I don't feel included in that.

So the language has to be bigger and broader. Even to describe your language, you are bringing up something that's decisive. The citizens didn't have something to say. There was nothing to vote on.

Even when you bring that up, that's irritates folks. We don't want people to be irritated. We want everyone to feel ownership. We want them to feel good and represented by our own general plan, all of us. So let's figure out a way to say it that makes us all feel good and included.

I'm with you. Let's get there. I want to be a team player. I think we all do, right? Let's get there. We all said we wanted to collaborate. Let's find a way to make it sound good for all of us. I know we can make that happen and we have to, because, again, if we can't do it, we are only seven. We're asking almost 300,000 people to feel good about this. So --

Mayor Ortega: Councilmember Durham?

Councilmember Durham: Yes, I wanted to ask a question of Erin. This is basically the 2014 with the additional last paragraph. How did that come out in the testing meetings.

Erin Perreault: Mayor and councilmembers, when we tested with the community, it was neck

and neck in terms of equality with the Vice Mayor Janik's version and this version. They were both well supported and when someone decided to make a statement about them, not just choose to poll on them, they also recognized that there were things that they liked in both of those. We heard a lot of that from our citizens as well.

Councilmember Durham: Great. Thank you, Erin.

[Time: 02:03:51]

Councilmember Whitehead: Thank you. I appreciate what Vice Mayor Janik said. I know this is heart breaking for you. I think we want to remove the last sentence from this and expand first sentence to include the heart of old town but then other -- I don't know, other areas in the -- you know, in the city's borders and then possibly a sentence that describes -- that we can get into detail about what we have, you know, that -- I'm not sure that -- I think the art galleries, public art, you know -- I think you can have some specificity, but I think the last sentence is what is -- I'm afraid also going to divide us and it's also too specific.

And I think it can be included elsewhere in the general plan and I think we all report -- you know, I'm always surprised. I hear from everybody. I do not have a constituency other than the 260,000 people that live here. So I'm not representing any one view. I'm trying to find the unity in our community because every time we find unity, our city gets more prosperous.

And so I think the consensus I was hearing is expand the first sentence to include other distinctive areas in the city, remove the last sentence because it's too specific and -- and poor Erin, fix the second sentence a little bit broader. That's the consensus I'm hearing.

Mayor Ortega: Why don't we do this. Let's see if we can script something in the background because we have a lot to get through. Is that okay for now? That would let some of those ideas get -- as to form. Continue.

Erin Perreault: Next slide, please. So at the last work study session, there was the suggestion to include an education element in the plan. It is not state mandated to have an education element, but certainly of interest from community members. So you do have that draft education element in front of you. Next slide, please.

This is the introduction to that. I know it's very hard to read. That's why we gave you a handout. And there were adjustments to the first draft goals and policies and so I will stop there, and let you discuss and provide input on that draft element.

Mayor Ortega: Councilmember Milhaven.

Councilmember Milhaven: I think this is very well done. Councilwoman Caputi, thank you for taking the lead on that.



Mayor Ortega: Councilwoman Littlefield?

Councilmember Littlefield: Change -- [ Off microphone comment ] Reward that last sentence in the first paragraph so we don't end in a preposition. That's my mother speaking.

[ Laughter ]

Mayor Ortega: Oh, you know, there was a separate handout and I believe we have to look at that instead, because it's -- that -- that last sentence, this --

Mayor Ortega: I agree, it's a dangling preposition and when we refer to includes but not limited to, we don't need that sentence. So thank you for that catch. That's why your handout has the correction of that. Okay?

And the other insertion was a variety of vocational common charter and that's shown correctly. The deletion of the first paragraph, last sentence is what we should show on the record. Vice Mayor Janik.

Vice Mayor Janik: So we're just reviewing the opening statement at this time or do you want us to comment on the individual elements?

Mayor Ortega: For now just opening statement and then look at this and go on the other E.U. items.

Vice Mayor Janik: Okay. I applaud what you have done, Councilwoman Caputi. As a former educator, we cannot push education enough. It is our future. I'm not saying we take over the Scottsdale school system, but I am saying we celebrate education as best we can every way we can. So thank you.

Mayor Ortega: Councilmember Durham.

[Time: 02:09:00]

Councilmember Durham: I wanted to make the opening statement, I think stronger. So this is kind of a friendly amendment, I guess. I would start just by saying a healthy community and competitive economy are directly based on high quality education.

I have a number of little maybe typos but just semi colons and stuff down later that I don't think are wrong, but I can send it to you or to Erin or to both.

Vice Mayor Janik: Can you repeat that again what you would like that first sentence to say?

Councilmember Durham: Yes. A healthy community and competitive economy are directly based on high-quality education. This is linked -- and I think it should be stronger than linked.

Mayor Ortega: Councilwoman Whitehead.

Councilmember Whitehead: I think that's a great change. And I want to thank Councilwoman Caputi and mayor Ortega for including more than k-12. Thank you.

Mayor Ortega: There's also the item about vocational education, because, again, those are the trades and crafts that are needed to keep our economy strong. So let's move on to the other items.

[Time: 02:11:01]

Erin Perreault: Next slide, please. These are the adjusted policies that were sent to me today for distribution to you, but, again, refer to the newest format that you have in front of you. And I think we can start with policy one goal one and the policies under that.

Mayor Ortega: I see no comments on this.

Vice Mayor Janik: My button is not working.

Mayor Ortega: Yes.

Vice Mayor Janik: I had a question on EDU 1.4, which was HC 3.1. I don't want us to say that we are going to add to or maybe not add to -- to say that it is the responsibility of the city to provide certain elements of education.

And I just would like a little clarity on EDU1.4, when we say quality recreation. Is it already there? And we want to make sure it stays? Do you understand what I'm saying? And I need some clarity on that. And I'm not sure who, perhaps staff could provide a little more information on that mar aspect. I don't want someone to come and say, in EDU 1.4, that you could provide this and now you are not.

I want to make sure that we don't have that argument. So perhaps legal might weigh in on that.

City Attorney Sherry Scott: I'm so sorry. Could you repeat the question.

Vice Mayor Janik: Look at EDU 1.4, that was HC 3.1.

Councilmember Durham: Okay. There are two EDUs 1.4s.

Mayor Ortega: There's a typo there.

Vice Mayor Janik: Okay. So it's the second one, and as long as it's a continuation of a policy we had, I'm fine with, that but I don't want it introduce, more services that would cost the city that

we now are obligated to provide and I just wanted clarity on that that we are not adding more to our list of jobs that we need to provide for people. Thank you.

City Attorney Sherry Scott: Thank you Mayor and Councilwoman Janik, we do, I think, at times provide school resource officers to school -- to the schools from the police department.

I can't think of another situation where the city of Scottsdale is donating any staff to the schools. We do have situations where libraries or parks might be city owned provided to the school. I really think there should be some member of staff that could comment on that a little bit more completely than I could from the legal department.

Legally, yes, it gets to be problematic when it the city is setting forth a policy to take on a responsibility that it wouldn't otherwise be responsible for and that may be what you are getting to and that can come into evidence at times and cases.

Usually often we see that type of thing in bicycle accident cases more than anything else. But from a legal standpoint, this is not terribly concerning to me. But I think your point is well-taken that the city should be focusing on the responsibilities of city government in the general plan and not confuse the cities about who is responsible for what. I hope I managed to answer your question somewhere in that monologue.

Mayor Ortega: Vice mayor, you still have the floor.

[Time: 02:16:22]

Councilmember Milhaven: Betty, if I can try to answer your question. So parks and recs have lots of programs and community events and I think about mighty mud mania where think dig the holes and the kids jump in the mud.

I can't think of a neighborhood service but I'm sure some staff member can. It seems to me we already provide these and it's just saying that that is part of our role in terms of our parks and rec department.

Vice Mayor Janik: Thank you.

Mayor Ortega: Okay. Councilmember Durham and then Milhaven and Whitehead. Oh, Councilmember Durham and then Whitehead.

Councilmember Durham: I have a few commented along the ones just offered by Vice Mayor Janik and the first one is edu2.5, where it says we would offer the city in effect -- the city would offer educational and research opportunities and I think they are being offered by the preserve and others, unless you think of them as being city, I'm not sure it's appropriate that the city would be offering those.

Next one is 2.6 where it says work with local schools. And some in cases with may be to support, and -- as Vice Mayor Janik said I don't want to create the assumption that the city is going to do that. Where it says work with local schools and the next one along those lines is 3.3, where it says expand and direct before, during and after school enrichment activities. I don't think it's our responsibility to direct those activities.

The city doesn't really know particularly what the children need in terms of enrichment activities and the length of classes and so forth and so on. That's really a function of the school districts. I'm obviously in favor of sporting those in any way we can, but the language that says expand and direct those activities seems to take us too far.

Mayor Ortega: And if I can catch up to your comments with Erin Perreault.

Erin Perreault: Sure, mayor and council. In terms of the edu2.5, the overall arching goal is to partner with other organizations that do those things. So that policy is supporting -- so isn't necessarily the city is the direct in organizing to do, but direct those programs for the conservancy or something like that.

That was the intent of those supporting policies, is that we are working with other organizations who do that. Keep in mind that the general plan isn't just implemented by the city. It is implemented by the private sector, nonprofits and others in our community as well. So you will see that in different types of goals and policies.

And this similar, also in edu3, it's principle broadly to assume that it's not just the city doing those things, but other -- other organizations, may be doing them, including school districts and the universities and others as well.

Councilmember Durham: Great. Thank you for that clarification.

[Time: 02:20:22]

Mayor Ortega: Perhaps on EDU 2.6, maybe coordinate with local schools or collaborate -- probably coordinate with. All right. If we could go then to Councilwoman Whitehead.

Councilmember Whitehead: Thanks for that clarification, Erin. And I agree with the mayor on EDU 2.6, you know, some word other than -- because that does imply that we are directly doing it.

Maybe support, coordinate, something with local schools because, of course, we want all of these things. My question is on EDU 1.4, the first one, sorry. And I know you put this together in a hurry. Facilitate high-quality early childhood education, school readiness and literacy programs.

When my kids were little, they used to go to pre and post school. I thought it was run by the city. Is that still going on?

Erin Perrault: So mayor and council, yes, we do have before and after school programs that still continue from a city standpoint. The school district offers them as well. First EDU 1.4, actually our libraries run a lot of our early learning programs now. So that was really kind of the intention of that one, I think.

Councilmember Whitehead: Okay. Thank you. And it's very good.

Mayor Ortega: Councilwoman Caputi.

Councilmember Caputi: I want to remind everyone, because you might not understand the origin of this. So we worded the beginning part to sort of be aspirational about as a city we are going to be committed to education. This was not necessarily let's write a schools element. But an educational element.

The staff went through the whole general plan and took these bullets, the 2.6, 2.7, 2.8 from the rest of the plan, where they already existed, and aggregated it into one section meant for education in general. So it's not that we are writing a schools section. It's that we want to put education as its own element in the general plan, and some of it is schools.

Some of it is city services as Erin mentioned and some of it is private organizations, it's just these are the things we are saying are important to us as a city in terms of educating our citizens. So like this 3.3. Expanding enrichment activities. In the schools don't have enough funding.

I know the city does some activities in community centers and things. Again, it's not just a schools connection. It's what are we valuing as a community in terms of educating our citizens? All of our citizens. So, yeah. Education element. Thanks.

[Time: 02:23:24]

Mayor Ortega: I think finally there was an edu1.4 number twice. So we might just take care of that. Thank you very much. And let's continue.

Erin Perreault: Do you want to finish out the goals or continue on with the presentation?

Mayor Ortega: Continue with your slide progression.

Erin Perreault: Next slide, please. So the next section that we will be venturing into is another big idea in the plan. It's major amendment criteria, that council asked us to take out to the community to get some response and feedback on. Next slide, please.

Just as a reminder, we are required to establish our own major amendment criteria, and what

those criteria do is define what constitutes a major or a minor amendment process for land use change cases at a general plan level. Next slide, please.

And the difference between the major and the minor amendment is that the major amendment only occurs one time per calendar year, that it is placed into the city and has two -- a minimum of two planning commission hearings and it requires an additional vote on council.

And we are also required to do enhanced notification to our surrounding jurisdictions. They are allowed to weigh in with their opinion on those major changes. Next slide, please.

What the amendment criteria is intended to do as written in the draft plan is to protect land uses in two really kinds of aspects, to protect our residential land uses, from greater intensity and density, but also to protect and keep our economic land uses so that we can stay fiscally sustainable. Next slide, please.

In terms of our criteria, we have one that is based on acreage, and this is just a reminder since you saw it at the first work study session which is a couple of months ago, but ours is very conservative, from a Val-wide standpoint -- valley-wide standpoint.

Currently our acreage is 15 acres north of the canal and 10 acres south of the canal that will trigger a major amendment protections and the draft plan you have in front of you, recommends 10 acres citywide. So that is a change from what we currently operate under today. Next slide.

When we took the four existing amendment criteria out. These are what we have in 2001, those were supported by those who weighed in and polled in our open houses and then we took the three new amendment criteria out as well and they were supported in our open houses polling. Next slide, please.

We also took out the question of combining our employment and office land use, and that was also supported during the polling of our open houses. Next slide, please. In looking at the major amendment criteria, the first criteria is a land use matrix, and we have had this since 2001, and we continue to operate under that 2001 plan.

So when you look and read the matrix, you have categories a, b, c and d, and when you read across, it will tell you if you are changing from that category that's listed or that land use to another category. It will tell you a minor or major amendment.

[Time: 02:27:22]

Currently, the matrix has blanks where it's minor and it can be very confusing as written in the 2001 plan. That's why we included the minor on the matrix to -- to provide more clarity really for the community.

Basically the way the matrix is set up with the exception of employment and office being combined now in that matrix, it's exactly what we have today in terms of those land use changes. Next slide, please.

The three new criteria, I know we went over them, but, again, that was first work study session. The first one is intended to really trigger a major amendment if someone wants to come in and make a change to the criteria itself, and/or the -- and -- not or, and the -- or make a text change to the use and density, in land use descriptions because those descriptions and that table are what we use to determine a case process as major or minor.

If we decided to do a growth area -- [ No audio ] -- for the community with this number 6, new amendment criteria and number -- [ No audio ] Regional use overlay or some of the overlays like the Mayo support that we have now. Then that would be a major amendment as well. We currently don't have any of these criteria or protections in the general plan currently. Next slide, please. Yes.

[Time: 02:29:05]

Councilmember Milhaven: If I may. If you could go back. I'm not sure I understand six. A change in the general plan land use category, accompanied by a new or expanded growth area. I'm not -- I mean, I get the first part. I'm not -- I'm not sure I'm understanding how a growth area would impact that.

Erin Perreault: Mayor and councilmember, for example, you could have an adjacent property just on the edge of the airpark growth area, or on the edge of the downtown growth area that wants airpark zoning or downtown zoning.

So they would come in and they would propose to extend that growth area out, so that would be an extension not a new one, but they would extend -- they would propose to extend the boundary and then propose to rezone to a downtown or a PCP district, which are only specific to those growth areas.

So that would be a change in a growth area. If someone came in to propose maybe they had multiple properties and wanted to propose a new growth area, the thinking from the task force was that should be a major amendment discussion with the community.

Councilmember Milhaven: So growth areas are determined -- I remember you said the growth areas had vague bubbly outlines. They weren't specific. So the growth -- and I thought the growth areas were approved by council. They weren't part of the general plan.

Erin Perreault: So mayor and council, first time that we had growth areas was under the 2001 general plan. Prior to that, we didn't have growth areas. We had -- we had areas where you might have commercial development and that designated but it was really the state statute that required us to identify growth areas in our community and that didn't happen until the 2001

general plan process. So this is adopted by council but they were also ratified under that process.

Councilmember Milhaven: And then -- but then modifications were by a simple majority vote of the council to change that?

Erin Perreault: Currently, yes, you could make it by a simple majority vote. Could you modify your growth area currently. It would not be a major amendment or council by a simple majority could designate a new growth area.

Councilmember Milhaven: Okay. Thank you.

Erin Perreault: In addition to what we tested which is that land use matrix up on the left-hand side of the slide, there was some suggested changes during our first work study session to break out natural open space, developed open space, as well as urban neighborhoods and resorts. Some of those are clustered together.

Typically when they are clustered together in the land use matrix on the left, that's a minor amendment. When you start to break out the land uses, then you have -- you tend to have more of a major amendment process.

So those ones that are circled -- not the highlights, but just the ones circled with green, blue, and kind of a purplish red, those are -- would be changes in the land use matrix should you break out natural open space as a standalone, should you break out developed open space as a standalone and the same with urban neighborhoods and resorts tourism.

So you will be changing a process for a landowner if they had one of those lands designated. You would change from a minor to a major amendment. What staff will need moving forward, whether we want to maintain what we have in terms of the upper left-hand side of the slide or whether you want to break out land uses out as individual land uses so we know what type of land use matrix we have in the plan moving forward.

Mayor Ortega: Okay. I see Councilwoman Milhaven.

[Time: 02:33:12]

Councilmember Milhaven: I understand you had an open house with property owners that would be impacted by the -- [ No audio ] How that meeting went?

Erin Perreault: Yes, I have a number of slides on that coming up. So right now, what we did was we tested the left-hand or the upper matrix which did get a lot of support from the community, which is just maintaining the process as it is currently.

Again, there was council discussion to break out some land uses from one another so we would need direction on if you would like to do that. And then the desert row would be a whole



different discussion, if you decide to add desert rural land use. Then we would have to add that into the land use matrix as well.

Councilmember Whitehead: Mayor.

Mayor Ortega: Vice Mayor Janik?

Vice Mayor Janik: I need some clarification, Erin. You have got the upper left matrix which is what it was. You've got the lower right, which is what we suggested. Are you asking us if we still want the lower right or are you just explaining to us the difference between those two grids?

Erin Perreault: Mayor and council, we will need direction if you prefer to stay with what we have in the draft plan now, which is the upper left, or if you do want to look at an altered version of that, which is just a sample of the lower right. Not -- not all councilmembers weighed in during that first discussion.

So there may be different thoughts on what that looks like altered. He wanted to identify if we alter it the way it is on the lower right which is sort of mimicking what we heard from a few councilmembers at that first work study session and then there are some processes that would be changing for land use owners in the community.

Vice Mayor Janik: Did we also discuss that natural and developed open space would not even appear on a matrix because we shouldn't be voting on changing them or is my recollection incorrect?

Erin Perreault: Mayor and council, what was decided is not to show the preserve, because the preserve is a whole separate type of land use. We do have to show natural and developed open space because they are designated land uses. And we have to have a process for land use amendment in our general plan per state statute.

Vice Mayor Janik: Okay. Thank you. I think I prefer the one with more detail, which is the lower right, but I would defer to my fellow councilmembers on that.

[Time: 02:36:12]

Mayor Ortega: I see Councilwoman Whitehead.

Councilmember Whitehead: Do you want to poll now?

Erin Perrault: As much of the details we can get.

Councilmember Whitehead: Would you like us to poll.

Mayor Ortega: I think you could lead off.

Councilmember Whitehead: Okay. I'm a yes, sir to the right. More detail is better.

Mayor Ortega: Okay Councilwoman Caputi.

Councilmember Caputi: I guess I'm still getting confused if you are approving this desert rural neighborhood designation. I'm not in agree with that. I want more detail. Do we accept that extra category or no?

Erin Perreault: Mayor and council, although it's on a combined one, just to show you what it would look like with desert rural, that's a separate question we will discuss in a few minutes. What I'm asking is would you prefer more detail or less detail, which you see in terms of the upper left or the lower right. So the more detail is breaking out some land uses from one another, that are coupled together now.

[Time: 02:37:27]

Councilmember Caputi: I don't know. I can't imagine why more detail wouldn't be better, but I don't -- I still don't have a great warm fuzzy for what I'm approving. So I will defer to the rest of the council for the moment.

Mayor Ortega: Okay. Councilwoman, and Erin, it as to me that c and d are identical. Rural neighborhoods, A.B.C. through H., all the listings are just the same. So I -- in yellow, across.

Erin Perreault: That would be the new desert rural that --

Mayor Ortega: Right, but it's a subset of the thing that's listed under rural neighborhoods? You have rural neighborhoods as d, and then you have city as desert rural neighborhood.

[ No audio ]

The over and the above are the same. Where it says major/minor, b, c, well, I guess c is not -- is blank. I'm just pointing it out, that it appears to have the same matrix for c as d, and you mentioned that later we'll be discussing desert or not. Desert rural.

Councilmember Whitehead: Mayor, can I answer your question?

Mayor Ortega: Sure.

Councilmember Whitehead: So they are the same, except they are different categories. So to go from desert rural to desert rural is a minor amendment to go from rural to rural is a minor amendment.

If you want to go from desert rural to rural, that's a major amendment. That's the difference.

They are different categories.

Mayor Ortega: Okay. I see. Councilmember Milhaven.

Councilmember Milhaven: This gets so confusing! Just as an editorial note, I think the chart might be easier to read if you repeated what a, b and c are at the top of the columns just because that might make it a little bit easier for folks to read.

But the way I'm -- and this is more of a question. So it's sort of the way I'm looking at it and then you can tell me if that's right or not. So it's not just adding these additions. We are going from four categories to eight categories, and it's more than more specificity, it's also changing what is a major and a minor amendment.

[Time: 02:39:58]

Erin Perrault: So the ones that are circling -- if we take out the desert rural, because we can talk about that separately, you may or may not decide to choose to include that land use. Only the ones that are circled are changing, from what -- what the process is today.

So there are three instances where that's occurring, where you change from developed open space to rural neighborhoods, is a major amendment. I'm trying to see from here through the class. Where you change from developed open space to suburban and cultural, because right now, developed open space is coupled with those, or categorized with those same land uses. It would then go from a minor to a major amendment, and then that's the same thing when you split out resorts tourism and urban neighborhoods which are currently categorized together, when you split those, you could potentially have a major amendment there. And that was the suggestion that we heard at that first work study session.

Councilmember Milhaven: All right. My two cents, I like the top left better.

Mayor Ortega: Councilwoman Littlefield.

Councilmember Littlefield: I like the larger one.

Mayor Ortega: Vice Mayor Janik.

Vice Mayor Janik: I prefer the larger one.

Councilmember Durham: I prefer the larger one.

Mayor Ortega: Okay. So the change in land use category to the right is my preference.

Erin Perreault: Next slide, please. Now we'll talk about the desert rural land use. Next slide, please.

As you know, the Citizen Review Committee draft did not propose to make any land use changes to our land use mix that we have citywide, with the exception of really combining the employment and office that we already talked about.

We did hear community discussion during the very end of the Citizen Review Committee process with the suggestion to explore the desert rural land use or a new land use idea to preserve large lot rural properties basically north of deer valley. Next slide, please.

When we polled this, there was support over our polling for this idea. We had 154 community members that participated in this polling. We did do a separate polling for those affected. We -- the affected property owners that had R1-130 or R1-190, we sent out 130 letters to those property owners and so we -- we are based on those letters still hearing from them in terms of support or not. Next slide, please.

[Time: 02:43:02]

If the land use is added, you would be adding it to the land use matrix, and the suggestion from council to add the new land use would be that changing from desert rural to any other land use on that matrix would be a major amendment. Next slide, please.

This is just to depict -- so you can see where those properties are. Then, they are north of deer valley road. Next slide, please.

It's just a close-up and the difference between the two, there's cross hatching. It's hard to see from here, but R1-190 is cross hatched. Next slide, please.

So I know this looks really busy, but we did show the blue and green graphic previously without the cross hatching or overlays but we wanted to provide more detail to the mayor and the council with regard to this idea.

So, again, the two zoning districts that those large lots fall into are R1-130, and R1-190. And the cross hatch is over the R1-130 properties. All of the state landownership is -- falls under the R1-130 zoning.

And you can see those properties are outlined and highlighted for you in red. In terms of acreage, the R1-130 is about 988 acres, approximately, and you can tell the difference between what is developed and undeveloped in those areas by the green, which indicates developed and the blue which indicates undeveloped. Next slide, please.

Should the council decide to include a desert rural land use, it would need a definition to go with it. That definition would have the generalized density associated with it as well, so that cases, major or nonmajor could be determined using that definition, as well as using the land use designation on the land use map as we do with all other land uses that we have currently. And I

can stop there for discussion.

Mayor Ortega: I see no requests to speak right now. So we'll continue.

Erin Perreault: Next slide.

[ Off microphone comments ]

Mayor Ortega: Any other discussion. Councilwoman Milhaven.

[Time: 02:46:13]

Councilmember Milhaven: I'm looking at the aggregate open house slide, oh, 15. No, it can't be 15. You are showing us 34. So in the PowerPoint I pulled up out of the drop box, it says aggregate virtual open house –

Erin Perreault: Slide 29.

Councilmember Milhaven: It says 57% yes and 67% no. I'm not sure how that works.

[ Off microphone comments ]

Councilmember Milhaven: Can you explain and then the other one is 83 and 72. Okay. I was reading that wrong. 57% said they like it. And the new amendment criteria for desert rural 83%.

Erin Perreault: The total number is 154 people that have been polled. By the time our open houses were done. We're still getting results in from different folks, especially the affected property owners. They are contacting us and giving us their opinion as well. They also have their own website to go to, to provide comments to us. So we can collect them -- collect those specifically, separate from any citizen that may poll on this.

Councilmember Milhaven: So this doesn't include the open house that you had with property owners.

Erin Perreault: It does. We it had in time to include this in the meeting but we are still getting comments in from folks. So this is a point in time.

Councilmember Milhaven: It's such a small number of people, when we look at percents when we have 24030:00:00 people, it's certainly a -- 240,000, to 300,000 people, it's certainly a small. Sample.

The people who listened on the property owners open house shared with me that the property owners were pretty upset that we would thank the process so dramatically and increase the cost of them to be able to request the city to do -- anybody has a right to petition their city to petition their city.

And by complicating it, it adds additional costs to the folks, and I understand the property owners were pretty heated about that and some of you may not agree but when I'm makes decisions around zoning cases or what we do, the folks who live in the immediate area or most immediately impacted, their voices -- I hear their voices much louder than folks who may be in areas that are farther away.

When we have a significant number of property owners telling us that that would create an undue burden on them, I think we need to listen to them, and give their voices more weight than perhaps some others. I would not be in support of desert rural being a separate category or a major amendment.

Mayor Ortega: Councilmember Whitehead.

[Time: 02:49:32]

Councilmember Whitehead: So I have a question. What determines that this is one meeting a year for major --

Erin Perreault: Mayor and council, it's currently the state statute. In terms of the putting in the application, it needs to be heard in the same calendar year is what the state statute says. We have an advertised process.

We start advertising in January that people have to make application. Sometimes it's the end of April, sometimes the beginning of May, depending on the calendar and then they are heard in December for Scottsdale's process.

And also of the 1300. We have 160,000 people here but this affected only 1300. As these comments are coming in from the residents, do you have any idea of how many of the 1300 you heard from. I don't have the exact number currently.

Councilmember Whitehead: We are not changing the zoning. We are changing the process, but we are sending a message that we are a city that welcomes and gives equestrian property owners an opportunity to purchase and open up a facility here.

I think the assumption now -- and this concerns me, and this has been going on for ten years is that -- that a 5-acre parcel is really just a one acre parcel with a -- you know, and not deriding with a rubber stamp.

It says we are an equestrian community and we -- there is an extra step if you want to take an equestrian property and turn it into more of a suburban, but I also agree with Councilwoman Milhaven, you know, I respect -- I will be listening but right now, I'm in support of the desert rural.

Mayor Ortega: Vice Mayor Janik.

Vice Mayor Janik: Thank you, mayor. I too am in favor the desert rural basically for the same reasons that Councilwoman Whitehead mentioned, but what bothers me more, you sent out 1300 letters to tell people that there might be a change that will affect them and you only got 155 responses!

Does that bother everybody else? I mean, we need more input on this. Maybe send out a second letter. Maybe put a big star on the front. But I want to hear from more than 10% of the people that will be affected by it. Because that's really what government is about. It's about consensus.

Let's get everybody to say how they feel and then we can make a better educated decision. So thank you.

Mayor Ortega: Councilwoman Littlefield.

[Time: 02:52:50]

Councilmember Littlefield: Thank you, mayor. Yes, for the moment, I'm in favor of this. I was on one of those calls. And there were six people that answered the phone. It's like nobody is there. I'm concerned because I don't think that we are doing enough right now to get public comment and feedback on this entire thing.

And, you know, doing a Zoom meeting when you have six or eight people show up at the Zoom meeting, that's not getting an accurate representation of public comment. So I would like to see people and staff look at some alternatives.

I know I talked to Mr. Stanton, mark Stanton and asked him, would you be willing to hold an open house on the plaza outside? And help us put up boards like we did for the bonds and have people be able to drop answers back in a box. And he said, yeah, he would be very happy to help.

I haven't heard anything more on that. That's a way to get more people involved. We have open spaces throughout the entire city. We can distance. We can use masks and let people see what it is we are talking about and see if they are in favor of it. Have them answer and put their answer in a box.

There's some other things we could do too. We could do robo calls. Would you be willing to answer a few questions on this if we are targeting particular areas, for example, rural land use. So we could do robo calls and put questionnaires out.

Have we put anything in a water bill and asked people to respond and send it back with their payment? You know so there's a lot of things that, you know, more direct contact with the sends to go to the website, give them at dress in the water bills. Go to website and answer these

questions if we don't want to have them send it back and pay extra postage.

We could get more contact with people than I think we are getting and I think that would be very helpful in all of this I really, really would like to see that happen before it comes to a vote before we have to determine what we want to present to them. I don't feel I'm getting adequate responses.

Mayor Ortega: Councilwoman Whitehead.

[Time: 02:55:32]

Councilmember Whitehead: I was going to add a little personal responsibility. I think we spent money sending out 1300 letters and if only 150 people responded. Then I think they are okay with it.

However, I also think I appreciate that your office continues to take in the input so in case they did think that we were junk mail. I think we will continue. Yeah -- you know, which is personal responsibility here.

And so I think, you know, I'm fine with the expanded. I think we are moving in a fantastic direction and I would be great with some open houses in person too. I think we're very much moving in the right direction.

Mayor Ortega: Councilwoman Caputi.

Councilmember Caputi: I have a lot of things to say. I sat in on the open house that Councilwoman Littlefield sat in. It was not a lot of people but it was people who were insanely upset. My overall question is what are we trying to accomplish in this?

We are trying to arbitrarily abridge people's land and private property rights and we are risking significant financial fines for the city. These large lots are surrounded by homes and lots zoned for higher densities which we saw on the map. So we have a couple of large lots in a random and disconnected. That's not necessarily saving the desert.

So to me it looks like we are locking the door behind us and taking money off the tax rolls for the benefit of a fortunate few. The owners of these parcels were strongly in opposition to having their land restricted.

We have all gotten letters even in our council offices from the angry landowners, some of them who were planning to retire on the investments, and this is land they have been paying taxes on for years.

We are not talking about commercial developers here. We are talking about Scottsdale landowners and small investors. We just recently agreed as a council to down zone the lots at



Sherwood heights. I'm sure we all remember and that's because the owners of the Sherwood heights requested it from us. So we should be listening to the property owners that actually own these properties. That's what matters.

We are also going to be devaluing land as Erin pointed out owned by the state land department, which has been earmarked for our children's public schools. And I'm sure the state land department is going to have a lot to say about this. City of Scottsdale has ESL requirements to further preserve our open and sensitive areas.

We have gone farther than any other city in this station to protect our open space, which we should all be super proud of. We spent hundreds of millions of dollars saving the deserts. We have to make sure we have the resources that we save the desert we already saved. We are as far asking them to hire expensive environment zoning attorneys in order to sell their land or accept great losses to their land values.

This action is going to open the city up to expensive lawsuits that we as the taxpayers are going to have to finance. I think placing these restrictive rules on random parcels is going to bring about even more inequity to our city, which we all pledged to make our city more equitable in our general plan.

For Scottsdale to thrive and provide the residents with the level of services we all expect. We can't force land that was designated for development off limits. We are forcing south Scottsdale to foot the bill, that provides no meaningful public amenity and just to repeat my original point. We have over 25% of our city that we willingly preserved and paid for as open space.

So I'm just -- I would like to know what we are trying to accomplish here and who actually benefits from this change of land use. Thank you.

Mayor Ortega: Councilmember Milhaven and then Durham.

[Time: 03:00:05]

Councilmember Milhaven: Perhaps one of our colleagues can answer your question. I can't. I want to piggyback on something that Councilwoman Whitehead is said. It's being pretty transparent. What I heard you say, right so we see a small number of people commenting and how much weight do we put on that?

I think we all need to be perfectly honest and say we come to these seats with perspective and opinion about how our city should grow and be developed and to be zoned and I think whether we get 155 property owners who object or we have 130 people show up at an open house, we could probably -- with all due respect.

I'm not sure people who want to read a 300 page plus document in the detail that we have. Certainly I'm all for more public outreach but I don't see hordes of people lining up to give

feedback.

But be that as it may, even if we did, I think we would be true to what our own personal philosophies are, the points of view we presented when we ran and the promises we made when we ran.

And while public input is important, I think we all need to be perfectly honest and say we are representing the constituencies who elected us and our own personal perspective on zoning, growth and development in our community.

Mayor Ortega: Okay, Councilmember Durham.

[Time: 03:01:45]

Councilmember Durham: I'm in favor with going forward with the rural desert land use. It doesn't mean that I might change down the road if we get more input. And I think the public benefit to me is pretty obvious, is that we are trying to maintain a distinctive character as we discussed earlier with respect to the vision statement and part of that is equestrian properties. And if those are all broken down into more concentrated housing, we won't have that anymore. I think that's a public benefit for all of us.

I try to vote with the overall benefit of Scottsdale in mind. On the Sherwood heights, for example, I didn't necessarily vote for it because those people wanted it, because I think we need to maintain areas like that. And that's the reason I wanted to do it.

I think it's a unique area and it's a benefit to Scottsdale to have those unique areas and the same thing on this one I think it's a benefit to maintain the equestrian properties which are disappearing and will disappear even faster as we get more crowded. So that's my reason for the moment supporting the desert rural use amendment.

Mayor Ortega: Well, I will wrap up with my thoughts. You will zoning or rezoning only occurs on a case-by-case basis. Although the discussion is to preserve desert or equestrian use, that is still going to be judged on a project by project. It has to be a good project to be approved.

My concern that kind of floated by there is that the 10-acre size is used citywide and I believe it should be much smaller in the downtown. I believe it should be 7 acres downtown to trigger a G.P. amendment, and so I would put that forward. I think that when you are comparing large properties up north and this and that, and anywhere in between at 10 acres and looking as sensitive as many people feel of the desert and so forth, I feel it will take good projects in our downtown and that that should be amended to 7 acres.

So I will put that out in terms of how we can balance having good projects will still should be 6 or 7-0 votes. That's what we want to do. I will put that out as a consensus on the G.P. amendment trigger at 7 acres in downtown.

I don't have any response on that, but I -- I will we can move on to the next point and then I was a little distracted but I did write something for the vision plan, which we can revisit very simple and broad to handle before we complete. Thank you.

[Time: 03:05:46]

Erin Perreault: The last item that the mayor and the council instructed staff to test with the community was the idea of including a representation of the downtown core at the general plan level. Specifically on the character types map. Next slide, please.

Currently the general plan is the highest level. It is a focus citywide. What we do have is the downtown represented in the draft plan as a character type that's designated as urban, as a character area boundary. So it's the downtown boundary.

The land use for downtown, all of it is designated as mixed use. It is designated as a growth area. It does have some references in the art and cultural section. And then a few scattered goals and policies. Again, because it is a citywide document, we don't focus in too much on downtown in a general plan level currently. Next slide.

We do focus in the downtown and old town. It establishes a vision specific to old town, and then goals and policies also specific to old town. Next slide, please. With regard to that plan, it currently and distinct district like the current old town district. It also has a designated downtown core that you can see the boundary of there currently.

So what we tested with the community was this proposal to show a specific boundary of the downtown core at a general plan level. It's slightly different than the boundary in the old town character plan currently. Next slide, please.

And along with that, we have some text that mirrors a lot of the text that's in the old town character plan and then was added to as so that's the next that we also sent out to test with the community that's on the slide there.

So far in terms of our polling, our concluded open houses, this is what we had in terms of responses to including a designated downtown core on the character types map at a general plan level. Next slide, please.

I will mention that those percentages are based on 72 community members participating in the polling, just so you have an idea of what the polling was. Next slide, please.

Currently, what has been talked about since we tested with the community about the character types map was there was additional discussion last week, Mrs. Identifying the downtown core on the -- also about identifying the downtown core on the growths map as well.

So what we have -- what you can see on the slide is a proposal for a more amorphous boundary that signals that we have a downtown core at a general plan level. So not a specific boundary at a general plan level, both on the character types map, and on the growth areas map, which is the one on the right.

Both of those sections of the plan that you received also have similar text describing what that downtown core includes and means from an old town standpoint. So that concludes my presentation for that portion.

[Time: 03:09:41]

Mayor Ortega: Well, at this point, I -- I do want to perhaps go back to our initial discussion, which dealt with the distinctive character that we're looking at in reference with what is presented right now.

So I would like to just read this, and then see if it makes sense of what we're referring to in a broad manner of Scottsdale as a sense of place. Distinctive character. That was the lead-in. Scottsdale will respect and be sensitive to the unique history and legacy found in the heart of old town, in historic preservation designated neighborhoods, archaeological sites, and cultural resources which define our unique sense of place. So -- so I would -- I can repeat that, but without --or.

Councilmember Whitehead: I like it.

Mayor Ortega: Let's go --

Councilmember Whitehead: I think that's very nice. Very, very nice.

Mayor Ortega: Thank you.

Vice Mayor Janik: Could you read it one more time.

Mayor Ortega: Sure. I will read it one more time. So distinctive character, Scottsdale will respect and be sensitive to the unique history and legacy found in the heart of old town, in historic designated neighborhoods -- sorry. And old town, archaeological sites and cultural resources which define our unique sense of place.

Vice Mayor Janik: I like that as well.

Mayor Ortega: I took you back in time.

Vice Mayor Janik: I like that as well.

Mayor Ortega: So it's just recognizing who we are and includes such a broad area. We can

provide that if -- and I will read it one last time so that we can make sure. Distinctive character. Scottsdale will respect and be sensitive to the unique history and legacy found in the heart of old town, in historic preservation designated neighborhoods, archaeological sites, and cultural resources which define our unique sense of place. Okay?

So I think we were able to backtrack that and just scatter that -- those good thoughts that make us Scottsdale. Councilmember Durham?

[Time: 03:12:47]

Councilmember Durham: I would try to add to what you have just written. The preservation of the McDowell Sonoran Preserve, because I think that's very important issue, not only today, but in our history of the last 30 years. So I would try to sneak that in there some place.

Mayor Ortega: Thank you. And I think it may be covered in exception experience, when it discusses our community will continue to draw visitors, businesses, because of our natural desert beauty, we go say McDowell Sonoran Preserve there, instead of natural desert beauty under exceptional experience.

Councilmember Durham: Well, I think the desert beauty and the Sonoran preserve are separate elements in part.

Mayor Ortega: Okay.

Councilmember Durham: Because one of the things I think of on the preserve, as I understand it, depending on how you measure it, it's the largest city park in the world. So I think that it's something that that is unique in having the largest urban park in the world and something that ought to have separate mention.

Mayor Ortega: And, again, if we looked at the paragraph, the first one under exceptional experience, so -- so if that -- if we moved up a little bit, I think we could under that one say our community will continue to draw visitors, businesses and new residents from around the world, because of our natural desert beauty, McDowell Sonoran Preserve, you know, vast open spaces and --

Councilmember Durham: Yes, that's fine for me.

Mayor Ortega: I think that's a great place to highlight that in particular. Councilmember Milhaven.

Councilmember Milhaven: I think we're getting close. But I'm -- I need to be able to read it. So might I suggest that staff email that to us and we can email our comments to Erin and then Erin could try to take all of our comments and -- I think we are on the right track and I think we are really close.

So that she could then take all of our comments and do an edit and send out a draft that would be -- that everybody thinks that would be a pretty decent process. Thank you.

Mayor Ortega: Are there any other matters, Ms. Perreault?

Erin Perreault: Those were the big idea matters that we needed direction on this evening to move a draft forward for the next work study session that we have with you.

Mayor Ortega: Well, thank you so much. We appreciate your effort. And everyone's effort. I see Councilwoman Caputi and Vice Mayor Janik.

Councilmember Caputi: Erin, did we answer -- I mean we went back to vision statement, what are we talking about in terms of Downtown, I don't feel we had a conversation.

[Time: 03:15:46]

Erin Perreault: So mayor and council, what we are talking about is moving forward with showing on the character types map, showing a downtown core, which we do have designated in the old town character plan at a general plan level keep it a little more amorphous, rather than a specific boundary, both on the character types map and also on the growth areas map so that it identifies even though we do have a growth area in downtown, we do have that lower density core still in our downtown area that is designated that way currently.

Councilmember Caputi: Okay.

Mayor Ortega: So rather than have a big circle down to the canal and up around, it's just generally respecting what we got there. You know, there's a case of Kimsey building that might be in a type such and such. There are some scattered assets in there.

Councilmember Caputi: I'm repeating myself in every meeting lately, but I agree with keeping our historical old town historic, but my vision of Scottsdale is not pushing away all future development so that we don't have the revenue to maintain our city, and the beautiful things that we love.

Like, again, I can't get on board with keeping our downtown back to 1984 levels. I think that, you know, I certainly appreciate the desire to keep our old town special, but, you know this idea of stopping ourselves from growing is just planning for stagnation, and I -- I'm looking to the future. We need to be looking to the future.

So I just -- I'm still not comfortable with this idea of calling our downtown low density and low height and no positive future development. I think that's essential, actually, for our city to move forward that we have a thriving year-round destination for residents and tourists in our downtown area. At the moment, fashion square is kind of the only thriving place in our

downtown and that's a dubious business model at this point. Malls are failing all over the country.

So it's essential that our downtown be thriving and vibrant and not just dentist offices and one-story kitschy tourist shops. It feels very vague what we want for our downtown. I'm open for comments from the rest the council, but I don't have a good feeling with what we are moving in order with.

Mayor Ortega: Councilwoman Milhaven.

Councilmember Milhaven: I had similar questions, but Erin, you said something that resonates with me. These changes that are recommended here are consistent with the existing character area plan, existing overlay, and -- and it is not in conflict with any of our existing zoning ordinances.

Erin Perreault: Mayor and council, if we do not show a specific Downtown core boundary at a general plan level, then it would be consistent with our character plan which would show that specific boundary at that level. And not at the general plan level. So this is more of a general plan level than I think what we tested with the community.

Councilmember Milhaven: And it does show the bubble, you are saying.

Erin Perreault: Yes.

Councilmember Milhaven: Which keeps it broad.

Erin Perreault: More amorphous.

Councilmember Milhaven: In that case, I don't have any objection at this time.

Mayor Ortega: Vice Mayor, Janik?

[Time: 03:19:18]

Vice Mayor Janik: Yes. I agree with this designation. I think in the fact that it is not defined, it is more general, it gives us more leeway at the character area level which is where that definition belongs rather than at the general plan level. Thank you.

Mayor Ortega: I see no other comments. So I will end with the last one. I believe as we are progressing, we're looking for solutions together, and even as we look at the transportation element, the growth element, our sense of place element, I'm very familiar with the downtown and the couplet.

So the couplet was built 30 years ago. And it bypassed Scottsdale Road. It basically embraced it

and it creates -- where second and third tier properties were by having this couplet. It made them almost first tier, right? They didn't all have to be on Scottsdale Road.

So what happened is that transportation element that was built in 1990 was supposed to generate a bypass for this -- for this Scottsdale Road. A secondary way to get through to the large mall of fashion square and so forth. So as I visualize it, because the original township was in the general area, the growth elements are already there. They are there they couplet, at the outer area where there's a chance for people to park and load up and whatever, and walk. Walk into the old town and the downtown.

It doesn't mean that those buildings will be static and kitschy of the rest of their lives. I are replaced many, many of them. They can grow and maintain a character with the infrastructure that we have. And that infrastructure has a lot of potential for growth. Look at the couplets on both sides of the couplets, and you will see that potential because those basically large arterials are able to take the traffic load along the perimeter of the couplet, whereas the grids we have and the township that was laid out, you know, in 1951 and earlier, is confined. Those roads are very narrow.

And they don't have the opportunity for this stacked growth. That's how I see it as an architect and I see that was a very -- in a very caring way, I think we all are very caring about it, but that's where the potential is because we have those arterials that were built and they are a part of our general plan.

Rather than stacking everything right in the heart, or right at the center, and suffocating what the sense of place that we have.

#### **ADJOURNMENT**

[Time: 03:22:18]

With that, I am happy to conclude our meeting, and call it an evening. Adjourned.