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CALL TO ORDER

[Time: 00:00:04]

Mayor Lane: Well, good afternoon, everyone. Nice to have you here with us. I will call to order, the July 2nd, 2018 regular City Council meeting and it is approximately 5:00.

ROLL CALL

[Time: 00:00:13]

Mayor Lane: I will start please, with a roll call.

City Clerk Carolyn Jagger: Mayor Jim Lane.

Mayor Lane: Present.

Carolyn Jagger: Vice Mayor Guy Phillips.

Vice Mayor Phillips: Here.

Carolyn Jagger: Councilmembers Suzanne Klapp.

Councilwoman Klapp: Here.

Carolyn Jagger: Virginia Korte.

Councilwoman Korte: Here.

Carolyn Jagger: Kathy Littlefield.

Councilwoman Littlefield: Here.

Carolyn Jagger: Linda Milhaven.

Councilwoman Milhaven: Here.

Carolyn Jagger: David Smith.

Councilman Smith: Present.

Carolyn Jagger: Acting City Manager Brent Stockwell.

Brent Stockwell: Here.

Carolyn Jagger: City Attorney Bruce Washburn.

Bruce Washburn: Here.

Carolyn Jagger: Budget Director Judy Doyle.

Judy Doyle: Here.

Carolyn Jagger: City Auditor Sharron Walker.

Sharron Walker: Here.

Carolyn Jagger: And the Clerk is present.

[Time: 00:00:38]

Mayor Lane: Thank you. Just some items of business, we have if you would like to speak on any of the subjects inclusive of the Public Comment. We have a white card that the city clerk is holding up over her head to my right and if you have any written comments would you like to give to us, they are that yellow card she will be holding over her head, and we will read them during the proceedings. And we have Scottsdale police officers Jason Glenn and Anthony Wells who are here with us. They

are directly here in front of me on the mezzanine. And the areas behind the dais are for Council and staff. We have restrooms over here under the exit sign to my left.

PLEDGE OF ALLEGIANCE

[Time: 00:01:32]

Mayor Lane: We will start with the Pledge of Allegiance and I would like to ask the Vice Mayor to lead us in the pledge. Vice Mayor Phillips, please.

Vice Mayor Phillips: I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands: One nation under God, indivisible, with liberty and justice for all.

INVOCATION

[Time: 00:02:08]

Mayor Lane: For the invocation, instead of formal invocation, I would like for us to take a moment of silence to consider some of the migrant children that were subject to a terrifying stabbing rampage in Boise, Idaho, just a couple of days ago. And so give some thought to, obviously, how we all would hope that we can get along together and that we don't have that kind of thing, much less children of such tender years. So if we would, just a moment of silence, thoughts and prayers. Thank you.

MAYOR'S REPORT

[Time: 00:03:10]

Mayor Lane: Okay. A nice item for our Mayor's report today. I would like to give a little bit of background information on our City Auditor, who I believe is here with us. Sharron, are you here with us? At least stand so we can see you. I know our City Auditor here and the City Auditor's office is subject to a peer review and they won the highest rating award that's available within that category of things in that review and recently, the City Auditor's office received that rating with full compliance of the auditing standards for the three years reviewed. The review team commented on the well-constructed quality control system that ensures audit quality and effectiveness working with the strong audit framework provided by the Scottsdale charter and ordinances. It is significant to mention that there were no recommendations for improvement noted. So again, Sharron, if you could stand, we would like to congratulate our City Auditor, and her office. Good work, Sharron, and to your entire team. Thank you. Okay.

PRESENTATIONS/INFORMATION UPDATES

PUBLIC COMMENT

[Time: 00:04:46]

Mayor Lane: We don't have any other presentations and we have come to the point of Public Comment, which we have no Public Comment cards; is that correct still? Okay. But Public Comment is a period of time reserved for citizen comments regarding non-agendized items with no official Council item to be taken on those items. The comments are limited to issues within the jurisdiction of the City Council. The speakers are limited to three minutes with a maximum of five speakers at that time, but we have no Public Comment requests at this point. There is an opportunity at the end of the meeting if, in fact, there is a request at that time.

MINUTES

[Time: 00:05:25]

Mayor Lane: The next order of business is I would like to request to approve the Work Study Session minutes of June 5th, 2018, the Regular Meeting minutes of June 12th, 2018, and Special Meeting minutes of June 12th, 2018. Do I have any corrections and/or adds, deletes or if not, a motion to accept those minutes?

Vice Mayor Phillips: So moved Mayor.

Councilwoman Klapp: Second.

Mayor Lane: Motion made and seconded. I think we are ready to vote. All those in favor, indicate by an aye. Those opposed with a nay. And register your vote. So done. The minutes have been received, approved unanimously.

CONSENT AGENDA

[Time: 00:06:06]

Mayor Lane: Moving on to our Consent Items, 1 through 25, we do have a request to speak on one of the Consent items, but before that, I would like to say that there's been a request by Councilman Smith to pull Item 14.

Councilwoman Littlefield: Mayor, could I pull Item 13, please.

Mayor Lane: And then as we just heard Councilwoman Littlefield would also like to pull for presentation and vote.....

Councilwoman Littlefield: Yes, thank you.

Mayor Lane: Move it to Regular Agenda. Okay. Those two Items, 13. I will start with 13, just so we know what it is that we are pulling. 13 is a Granite Mountain and Fraesfield Trailheads construction phase services contract and it's a request to adopt Resolution 11195, authorizing a

construction manager at risk for that project. And 14th is 68th Street and Pima Roads Bridges preconstruction phase services contract, and request to adopt Resolution number 11199, for a construction management at risk contract as well. Those two items we will pull and put into your Regular Agenda. So they are not included in the Consent items.

We have one request to speak on Item 17, and that is from Lisa Randall if she would like to come forward and speak on that item. And Item 17 for the record is the fiscal year 2018/19 Human Services General Fund program allocations.

[Time: 00:08:10]

Lisa Randall: Thank you, Mayor Lane, Vice Mayor Phillips and Councilmembers, my name is Lisa Randall. I reside at 9655 East Palm Ridge Drive. I'm here to not complain or convince, but to, but to express gratitude. I am the Manager of Community Relations at Family Promise Greater Phoenix and for our guests here in the audience, Family Promise is an emergency shelter for family members and their pets located here in Scottsdale. I would like to say on behalf of our executive director, Ted Taylor and the families we serve, thank you for your support, your partnership, and your commitment to your community and those in your community who are suffering the loss of their home, and these are family and children on the streets.

You are our largest supporter, funder. And I have some exciting news. Recently our board voted to double, more than double the number of families we serve from 100 to 250. How are we going to do that? We are expanding into the East Valley in 2018, and into Glendale in 2019, with the support of both City Councils and Mayors in this town. But I will give you a little teaser. We're also going to be expanding our footprint in Scottsdale. We are really excited to share with you soon, but from the bottom of our hearts, thank you. Thank you for approving the funding, the recommendations of the Human Services Commission. Thank you.

Mayor Lane: Thank you, Ms. Randall. I never allow applause, but if I were to, it's going to be now. But thank you, Lisa. I appreciate that very much and congratulations on all of that. Okay.

We are moving on to the Consent items. Nothing further from the Council. So do I have a motion to accept in their present form, the Consent Items 1 through 25, absent Items 13 and 14, which are being moved to the Regular Agenda.

Councilwoman Littlefield: So moved.

Councilmember Korte: Seconded.

Mayor Lane: It was made by Councilwoman Littlefield and seconded by Councilwoman Korte. With that, we are ready to vote. 7-0 on the Consent Items absent Items 13 and 14, which have been moved to the Regular Agenda items.

REGULAR AGENDA

ITEM 13 – GRANITE MOUNTAIN AND FRAESFIELD TRAILHEADS CONSTRUCTION PHASE SERVICES CONTRACT

[Time: 00:10:52]

Mayor Lane: And we will thus begin with Item 13. Looking for a presentation and certainly a separate vote on that but if we could start with a staff member that might be able to give the Council and in this case Councilwoman Littlefield a presentation on Item 13.

[Time: 00:11:19]

Public Works Director Dan Worth: Good evening, Mayor and Council. Dan Worth. Public Works Director. The action is the award of a construction phase, for two trailheads for the Preserve, Granite and Fraesfield trailheads. I can answer any questions that Councilwoman Littlefield or any of the rest of you may have. We have also have Kroy Ekblaw, the Preserve director here that can answer questions that are more in his area.

Mayor Lane: Thank you very much. Councilwoman Littlefield, just to start.

Councilwoman Littlefield: Thank you. That's what I wanted to make sure of, is we had a lot of changes on this agenda in the last couple of days and I wanted to make sure that there's still nothing in this question for the living pads at either of these trailheads. And all of that information is still gone as we have been promised that it was.

Dan Worth: Mayor, Councilman Littlefield, that's correct. There's nothing in this GMP, in the guaranteed maximum price that you will be approving should you decide to do so, to put living pads or any accommodations for a campground host.

Councilwoman Littlefield: Thank you.

Mayor Lane: Very good. Thank you, Councilwoman. Any other questions from the Council? Hearing none, thank you very much, Mr. Worth on that. And with that, then, I would accept a motion on Item 13.

Councilwoman Littlefield: So moved.

Councilman Smith: Second.

Mayor Lane: Those in favor, aye. Those opposed nay. It's unanimous, 7-0, on Item 13.

ITEM 14 – 68th Street AND PIMA ROAD BRIDGES PRECONSTRUCTION PHASE SERVICES CONTRACT

[Time: 00:13:12]

Mayor Lane: And moving on to the next item that was removed from Consent, and that is Item 14. That is 68th Street and Pima Road Bridges preconstruction phase services contract and is a request to adopt Resolution 11199 authorizing CM@RISK contract 2018-097-COS with FNF construction in the amount of \$214,834.32 to provide preconstruction phase services for the 68th Street Bridge reconstruction project and the Pima Road Bridge crossing at the Arizona Canal Project. Mr. Worth is standing in place. Welcome back again. If you could give us a little bit of background on this and this can be directed in part to Councilman Smith, but if you can give us all a presentation on that.

[Time: 00:14:02]

Public Works Director Dan Worth: Sure, Mayor. The basic background on this is, again this is a CM@RISK and in this case, not construction services but preconstruction services. We're still designing these two bridges, but this is the contractor that will build the project and they work with us during the design phase to, to do constructability review, to do cost estimation and various things that the contractor can nail down during the design phase portion, the preorder materials that were ready to go in January, when he had the opportunity to build these projects.

I talked with you previously about the 68th Street Bridge replacement. That is somewhat of an emergency unplanned replacement as a result of some deterioration that we discovered during routine inspections. This is the next phase of that project, the preconstruction services for the contractor, it's going to do the bridge replacement. I have added another bridge, the Pima Road Bridge. This is not an emergency. This is not a bridge that's deteriorating. This is a bridge that is part of the regularly scheduled already approved in our five-year C.I.P. project to widen Pima Road from Krail, it's about a \$13.5 million project. It's an ALCP project. So we get county funds for that. It's also a project that we are partnering with the Salt River Pima community with. So we are paying roughly 12% of the project costs. It's already in the budget.

The reason that we have this in the same contract is because of the timing. They both are going to take advantage of the canal dry-up and because the skill set is the same, the bridge replacement. So we did a solicitation for a single contractor to do both bridges at the same time. This one we have the funding set aside for. You approved \$400,000 for 68th Street to do design and preconstruction services. That uses that money. We will be coming back with a request for additional funds likely in the fall, when we have a construction estimate and we are ready to start ordering materials and doing the preparation for construction. So with that, I will answer any questions.

Mayor Lane: Thank you, Mr. Worth and I will go right to Councilman Smith then.

Councilman Smith: Thank you, Mayor. Well, mostly, I just wanted this item pulled because I think a lot of the citizens are aware of the 68th Street Bridge and the fact that we have to make a major construction project there and aware that you can't currently cross it except on two lanes. I want to let them know the status of it and I appreciate that update. I don't think most citizens were aware of the Pima Road Bridge, and as you pointed out this is not an emergency. This is just part of the Pima Road widening program and it's probably worth citizens understanding that the Pima Road project is

the type of thing that we always talk about, when we talk about ALCP projects but the projects where we get a lot of funding from the county and the Maricopa Indian community as well. I don't mean to put you on the spot, Mr. Worth, but I, I would like to know if you have some better idea of what the 68th Street Bridge might cost. I think I put you on the spot a few months ago. And probably shouldn't have. If you want to dodge the question again, but, you've got any good guess right now?

Dan Worth: Councilman Smith, we are still working through the design. I gave you a wild guess a couple of months ago. I can give you a slightly more refined guess. We do have a concept and the concept is a little bit more expansive than what we had originally anticipated because of SRP requirements. We have to actually raise the height of the bridge. And because of our requirements to have suitable slopes for traffic, that means we basically have to replace the entire intersection at Indian School and 68th Street, which we are anticipating doing, with a roundabout right now to take advantage of this opportunity to relieve some traffic congestion activities. And all of that pulled into the project, gives us a price tag of somewhere in the neighborhood of \$6 million.

[Time: 00:18:53]

Councilman Smith: And if we do that, thank you for the estimate and I promise not to hold you to that, but I think it's informative to have some scope of project number. If we do that and if we have to execute this project by January 1, that means that that will be in this year's capital budget for transportation. We already approved a capital budget for transportation that didn't have this project in there. What's the process by which we will, if you will, amend that budget or how will we fund this?

Dan Worth: If you recall, when we approved the, we did the tentative budget approval for this year's budget, we showed you a five-year plan for the transportation fund, the .2% sales tax and we projected at the end of the five years, we had \$2 million that weren't allocated to any projects. So that \$2 million is what we have unallocated to pay for essentially a \$6 million project plus whatever comes up.

Councilman Smith: I can do that math. We have a problem.

Dan Worth: So we will be reprioritizing. We are already looking at some of the things that made it into the program, that we may have to make a recommendation to postpone in order to do this repair.

Councilman Smith: Thank you very much.

Mayor Lane: Thank you Councilman and thank you Mr. Worth on that. We are ready to accept a motion on that item.

Councilman Smith: Motion to approve.

Councilmember Korte: Second.

Mayor Lane: Moved by Councilman Smith and seconded by Councilwoman Korte. All those in favor, aye. Opposed nay. The motion is approved 7-0. Thank you very much Mr. Worth.

Now we move on to our Regular Agenda items and we will start with Item 26, which is the old town character area plan nonmajor General Plan amendment. You know, I probably should have taken a moment at the beginning just to, to welcome some of our guests from the continent of Africa. A number of different countries representing nations in Africa. They are among our audience and I was told by the gentleman, I don't know Hector. Is Hector here, from ASU who is actually hosting them here, to spend some time here in Scottsdale which is always delightful for everyone. We hope they are having a nice time, as well as learning some things. I was told that they may have to leave a little early. I wanted everybody to know that this is not a staged protest. If they get up to leave, it's only because they have a schedule to keep somewhere else. But in any case, welcome and certainly glad to have you here.

ITEM 26 – OLD TOWN CHARACTER AREA PLAN NON-MAJOR GENERAL PLAN AMENDMENT (1-GP-2018)

Mayor Lane: I'm sorry. With that, Erin, yes.

[Time: 00:21:56]

Long Range Planning Manager Erin Perreault: Mayor Lane, members of Council, Erin Perreault, Long Range Planning Manager, the city of Scottsdale. I'm here to present case 1-GP-2018, which is a nonmajor General Plan amendment to update the Downtown Plan. I will go over the majority of the slides fairly quickly, since I went over most of this in a Study Session with you publicly last month, and then I will spend a little time on a few changes that have been made to the plan, based on some of the Council feedback that we received at that Study Session. And also some of the things we have heard from community members since that Study Session.

So as you know, the 2009 Downtown Plan was an update to our original 1984 plan and consists of six chapters. We have gone through a two-year process to update the plans starting with the staff assessment of the plan with regard to the existing conditions and also what's been implemented under that plan. We then worked with various departments to update the plan and that's the content in the plan that you have with us this evening. And we also incorporated into that content recently adopted policies or plans that you have seen and adopted since 2009.

The good news item coming out of the 2009 Downtown Plan is the vast majority of the implementation items we sent out to do under that plan have been implemented. So we need a new implementation program to take us through the next 10 to 15 years. In terms of public outreach, we have met with various Boards and Commissions and incorporated their input into the plan, as well as various community groups, individual property owners and individual downtown stakeholders as well.

So some highlights of major updates or changes to the plan include converting our urban neighborhoods to downtown districts to align with the tourism documents that are more recent.

Those include documents coming out of our tourism department here at the city, as well as documents coming out of Experience Scottsdale. We also talked about last month our development types map. Currently we have two development types in downtown, a Type 1, which is our lower development and intensity and a Type 2 for all other.

However, under the zoning ordinance, we recognized that we really have a Type 3 north of the canal and around the medical campus because in the zoning ordinance, bonus building heights are 150 feet in those areas. We are proposing in the updated plan to label those as a Type 3, so it's clear where that can happen in downtown. And then we are also asking City Council to consider a Type 2.5, which is a new concept for the plan, where development bonus heights could be up to 120 feet in that area, and that's a small area, west of Goldwater and north of Indian School Road in the tan. And then two new Type 3 areas, basically east and west of Scottsdale Road, north of Fifth Avenue and around the Loloma and Museum of the West area.

If Council should adopt all of those areas, the new map on the right would be what would be included going forward in the plan and a companion text amendment which is on your agenda following this item would adjust the zoning ordinance to go along with such adoption. And the character and the design chapter, two things that are happening, a new pedestrian and open space master plan would be incorporated into the Downtown Plan. This is something that's been worked on and Council has discussed in a couple of different Study Sessions over the past two years. You would be adopting that plan as part of an updated Downtown Plan.

[Time: 00:26:07]

And then we are proposing to do away with the public facilities chapter of the Downtown Plan, mostly because it's repetitive with things in character and design. So we would take out that repetition. Anything we needed to retain from that chapter would move to character and design or the implementation section of the new plan. With regard to mobility, the main focus and addition has been on bicycling. We don't have any goals and policies in the plan currently with regard to bicycling and so that's bicycling with our residents and tourists and commuters and you will see the policies in the plans.

In arts and culture, we incorporated the downtown 2.0 implementation suggestions from that tourism study that was completed last November. And you can see the various things that we have added in terms of goal and policy language to incorporate into that. With regard to arts and culture, prior to the Planning Commission recommendation hearing, we heard some public feedback from Scottsdale Gallery Association and other citizens with regard to a specific policy in that chapter and that's AC 3.8 which is currently written in the plan in front of you to foster public/private partnerships to continue artist in residence programs.

So just to give you some facts surrounding that policy, it is existing Plan language. It was adopted in 2009 as part of the plan. We do have ongoing artist in residency programs in downtown. The majority of Council directed staff to bring back the plan as proposed. So we did do that. So tonight, it will be a consideration for you to decide whether to retain this policy or not. And then the Planning

Commission unanimously recommended to adopt the Downtown Plan with the deletion of policy AC 3.8. So that's the recommendation that's come forward to you with regard to the plan. What it was not intended to be was the downtown 2.0 tourism study recommendation. So that had some specific policy money associated with that recommendation.

We did not include any public money or an implementation item in the plan, with regard to artist in residency programs. So you won't find that in the implementation portion of the plan in front of you. Just to give you an idea, there have been some questions about what types of artist in residency programs exist today. Scottsdale arts has a variety of programs they run out of the livery stable in downtown. They tend to be more temporary art-based or experiential-arts-base. They come and teach arts here, both nationally and internationally and outside of the downtown we know some of the resorts are offering these things to the tourists as well as other areas.

There's target growth areas that you see lists on the slide and then some quality of life from the, viewing it from the lens of deploying an attraction not just from the residency standpoint. We would be removing the public services and facilities chapter, again, any of the content that we felt needed to stay in stack was either now in character and design or in the implementation program itself. And we have a whole new implementation program for you as I mentioned earlier. We implemented the majority of items that we set out to do under the 2009 plans. So these should carry us forward toward 10 to 15 years should the plan be adopted this evening. So I'm just going to spend a little time. We did tweak the plan and I say tweaked because these have been minor adjustments based on what we heard at the Council Study Session.

[Time: 00:30:24]

First, we heard a desire to incorporate additional emphasis on shade and trees. And the planned attachment three will highlight these changes in a green text for you, so you can actually see what's changed in that plan from the one you had in front of you at the June Study Session. We did have shade and tree language in the program already, but we went bag and augmented in different areas. You can see what pages that is on. We also had a comprehensive shade and tree plan. It's like a master plan for downtown already in the implementation program and we made sure to enhance that language as well to address some of those comments.

There was a desire to really call out that the public outreach should be incorporated into public art processes and so we already had some implementation items for public art in terms of their strategic master and work plans, and so we added an implementation item that in conjunction with those other implementation items that a comprehensive public engagement planning are components of those plans basically.

We added Scottsdale stadium to the Civic Center text which was a good catch. So we added that text in, with regard to the Civic Center district language in the plan. In terms of mobility, there was some confusion as to bicycle locker and shower language. What we did with that policy item, which is M7.1, we incorporated, we basically took it out of the policy language itself, but we did include bicycle infrastructure definition to the glossary, should anyone want to go and see what that is.

And then finally, there was some comments about the mobility policy, M-83b to just bike sharing businesses. It was very limited to that. So we deleted M8.3, because we have mobility policy, 1.5, that talked about different types of sharing programs already. And so we broadened that to mobility share, which can include ride share, scooter share, bike share, and then we also enhanced 8.1 to also reference ordinances because you will be looking at some of the bike share ordinance coming forward as a Council. As I mentioned before, the Planning Commission recommended adoption of case 1jp2018, which would be adoption of the old town character area plan, with one exception, and that was a unanimous decision to recommend deletion of policy AC 3.8. That concludes my presentation. I'm happy to answer any questions you may have.

Mayor Lane: Thank you, Erin. I appreciate that. And you might stand by. We do have some requests to speak on this subject from the public. So we'll go to that at this point in time. We will start with Paul Eubanks.

[Time: 00:33:52]

Paul Eubanks: Thank you, Mayor, Councilmembers. This is in regards to the 3.8 artist residency program. I do have a retail art gallery here on main street, I'm a resident of the Scottsdale as well and I'm the vice president of the Scottsdale gallery association. The Scottsdale artist residency program at first glance seems like an awfully great idea. I do agree with that. But then one starts to logically think about the type of city that that benefits from such a program and that's a city with really zero type of fine art presence in it currently and I think plenty of Arizona cities would benefit from something like this but Scottsdale as you all know has a world renowned international art destination, for having some of the finest art galleries in the world.

And I also want to say that last summer, a few of us got to go and started scratching out on paper the idea for the Scottsdale arts district and I'm very pleased to say that less than a year later, it has gained great momentum. It has been embraced by city staff who has helped us measurably to help us find the success of this. We are building this brand and it's expanding. An artist residency program in my opinion, might actually distract from that growing of that brand as it continues to gain strength, and I don't think we need yet another distraction to something that's starting to work, that's starting to turn around and involve much more than just the art community, I might add.

I visited with a friend of mine who is an interior designer in downtown today, and they were quite amazed at the increase in foot traffic over the last year. I would like to thank the Scottsdale arts district and the catalog may have had something to do with that. I was thinking of a real simple analogy. I played a lot of baseball in my life and I thought about this concept, how come no major league team is located in the same city as its minor league triple-A baseball team? And that's simply that they don't work together. They don't need the strategy of somebody dividing the loyalties, and the confusion of which team to go launch and I would very much suggest with the Scottsdale arts district now, Scottsdale is quite lucky to have what I consider a major league team.

I think an artist in residency program might risk being a little more of a farm team, a minor league

team and because of that we do not need another distraction of where to go or whom to see to experience the fine art experience. So I encourage staff to strike policy 3.8 and rely on this great program you already have and increasing in brand to organically grow. Thank you.

Mayor Lane: Thank you, Mr. Eubanks. Next is Sonnie Kirtley.

[Time: 00:37:13]

Sonnie Kirtley: Good afternoon Mayor Lane, Councilmembers, and Vice Mayor Guy Phillips. My name is Sonnie Kirtley. I'm the proud chairman of COGS. Our board members have attended every single presentation of the Downtown Plan as it continued to morph with public input. We attended all the small presentations that were also open to the public. So we sent a letter of the Planning Commission to the Planning Commissioners on June 11th and then we attended that meeting and attended our whole position. And staff has made some changes.

I will tell you four things we appreciate, one thing we hope will continue in the future, and then one concern we still have hanging out there. The four that we appreciate, number one, the assurance that is now called Civic Center. I wish that you would educate the Scottsdale independent newspaper that there's no such word as "mall" after Civic Center. Number two, we received assurances that inside the downtown, the old town design and architectural guidelines, that the historic old town guidelines that have existed for a long time, are included in there, although it's not specified. And the third of the four is we have assurances that the bar and nightclub district will get some boundaries as in defined. And the fourth one, we appreciate the unanimous vote of the Planning Commissioners to support our downtown art gallery district with the deletion of 3.8 and the point was made at that meeting from staff, it doesn't make any difference whether it was in there or not for the existing programs.

So what do we continue to support for the future? We support a frequent downtown trolley route to the Tempe light rail station. And what are we really still concerned about? It's a failure when you look at land use 4.4 it says should. It should say "require" that when a project receives bonuses and amended standing, standard developments such as higher, denser, changes in the development setbacks curb, changes in the floor level, how they step back and I think what's missing here is that we haven't stated clearly that when we give those bonuses and development amendments, that the public benefit, amenities are at a minimum equal to the value that we have added to that project. Thank you.

Mayor Lane: Thank you, Ms. Kirtley. Next is Mr. Bob Pejman.

[Time: 00:40:16]

Bob Pejman: Thank you, Mayor, Councilmembers. I'm Bob Pejman, 7130 East Main Street, Scottsdale. I want to talk about policy 3.8, and I want to be real objective about that and not be reactive in a normal way. So first, I want to be clear that we don't oppose this sort of a plan or a process if it makes sense, but the key word is if. To illustrate that, the city of Mesa recently spent 14,

\$15 million in the forms of public and private funding to basically construct a 50-unit artist in residence facility for artists to basically live and create there. But do you know why they did it? Because the city of Mesa is trying to be the city of Scottsdale. They don't have the art gallery. So they had to artificially invent it.

That's not the situation here. The situation here is that we have about 50 galleries and probably over 1,000 artists. We don't have a shortage of artists, that's for sure. So to contemplate doing something like this here doesn't make any sense. Now, going to the Planning Commission recommendation, they basically recommended that Council approve of the Downtown Plan the way it is, and delete 3.8. And Erin Perreault, who is on the planning department, basically, she advised the Planning Commission by deleting this you are not impairing Scottsdale arts.

Public Art, the Scottsdale school, Cattle Track, and, the Canal Convergence, you are not impairing any of these and the question was, if we get rid of this, what are we getting rid of? And the answer is nothing. So that's why, in my opinion, it should be deleted so that there's no confusion. Now, one last important point I want to make is that we don't have an issue so much with the method of funding for this, but rather that if you make this a city plan, I.E., you put it into the Downtown Plan, you are basically making the city program. Even if you fund it privately, you manage to find people to fund it privately, if it's in the city plan, it's a city program, which means the city can then promote it. They can market it. They can endorse it and what other business is in that, has that privilege? And so if somebody wants to come in and gather 20, 50 artists privately without the city's help and basically rent the space buy a building and something like that, we have nothing against this. It's free enterprise. That's basically it in a nut shell. Thank you.

Mayor Lane: Next is Dean Sheinert.

[Time: 00:43:30]

Dean Sheinert: Good afternoon, honorable Mayor Lane and City Councilmembers. My name is Dean Sheinert, the chief advancement and external affairs officer for Western Spirit, Scottsdale's Museum of the West. I'm here to deliver a letter on behalf of Mike Fox, who is the C.E.O. and could not be here today. On behalf of the Museum of the West, we urge you to support the proposed update to the city's Downtown Plan, and companion text amendment, 1-GP-2018 and 1-TA-2018. We are extremely excited about the potential these updates will create for future development in the downtown area, particularly near our community's own award-winning Museum of the West, and the opportunities these amendments will provide for art, cultural events and public festivals. There will be nothing in our country the likes of the beauty, functionality, and compatibility of what is envisioned for museum square.

The new culture improvements program language that is encompassed into these changes will strengthen the museum's position within the city's arts community and provide us opportunities to continue to be a premier destination for the city. Scottsdale has always found creative and positive ways to enhance artistic and cultural experiences for our citizens. Please continue to support this by supporting the proposed Downtown Plan District and text amendment. Thank you.

Mayor Lane: Thank you, Mr. Sheinert. Next and last is Lance Ross.

[Time: 00:45:27]

Lance Ross: Thank you, Mayor, Council and our friends from Africa. Welcome. I'm Lance Ross. I reside on Church Road in Scottsdale. I was fortunate to have been raised in Scottsdale. I went to school in Scottsdale. I live and work in Scottsdale. I'm a member of the, I was a former member of the Scottsdale Public Art Advisory Board. I'm a member of the Sagebrush board. My parents were in Scottsdale and ran businesses and were instrumental in developing the Sagebrush Theater and I spent my past 40 years in the commercial real estate business.

I know that density is somewhat contentious and it seems to me that the decision for density has really already been made. As a question of how do we get it right going forward. Downtown Scottsdale is an opportunity zone. It is a center of gravity. And to remain so, it must be viable, livable, memorable, and sustainable. There are anchors of activity in every city, when successfully placed they stimulate the neighborhood and the city gets a higher return on its infrastructure investment. When anchors connect a mix of uses, the success extends into neighboring communities and rebounding back to increase the value. This is the essence of place making.

So why are we challenged by a change in the text amendment to our ordinance when it's well documented and recently published by the Brookings Institute that the best qualities of a successful city are density, proximity, authenticity, and vibrancy. Because change is tough. The current surge of private investment in the downtown area is spurred by the arts, cultural and entertainment district. The downtown offers residents a place where they can live, work and play. The mix of low-rise storefronts and the mid-rise office, residential and hotels, together with other uses is reimagining the downtown. The transformation done well will attract more people. It gives us an opportunity on enhancing the soul of our community and not just building buildings. Taking advantage of existing infrastructure and uses, building upon established successes rather than eliminating that which was the catalyst for the reemergence and the importance is something all of us need to remember.

Scottsdale arts and culture remain a priority. The increase the density has proposed in the downtown area will support not only alternatives of emerging lifestyles in our community, but also existing businesses, theaters, including the Museum of the West and the arts district. This is an important part of our Scottsdale history and remain a significant reason for Scottsdale's attraction. Our success as a community is due not only to its tax paying citizens but also its businesses, its volunteers and its tourism. There's an evolution, that instead of looking in the rearview mirror we need to look down the runway and embrace the future. Thank you for allowing me to speak today.

Mayor Lane: Thank you, Mr. Ross. That completes the Public Comment on Item 26 on this item and I want to thank all of those who participated with their comments here today, and with that, I will move to any questions or comments we may have from the Council. Vice Mayor. Vice Mayor Phillips.

Vice Mayor Phillips: Are we voting on both of these at the same time, or separately?

Mayor Lane: We will do them separately but they are associated.

Vice Mayor Phillips: I would move that we adopt Resolution 11181, minus policy M 3.8.

Councilmember Korte: Second.

Mayor Lane: The motion has been made by Vice Mayor Phillips and seconded by Councilwoman Korte. Any comment on it by the second?

[Time: 00:49:45]

Councilmember Korte: No, I do have a question, though, in reference to Sonnie Kirtley's question regarding the entertainment district and, and clear boundaries, so to speak. Those are included. That is what this is all about, part of what this is all about from what I understand, correct, Erin?

Erin Perreault: Mayor and Councilmembers, I don't think I understand the question. I'm sorry.

Councilmember Korte: So one of the questions from one of our citizens was clear boundaries for the entertainment district, and before we had no clear boundaries, could, could you illustrate where those boundaries are today for that entertainment district?

Erin Perreault: Sure. Mayor and Council, it does provide a hard boundary to the entertainment district that we have not had in the past in any of our planning documents. So the update to the plan would do that, and then Brian, if you can pull up slide 6, please. You can see it. It's in the light purple area. Yes, in that area there. Thank you, Brian.

Councilmember Korte: Okay. So I assume that that satisfies the question?

Erin Perreault: Mayor and Council, I don't think it was a question. I think Sonnie Kirtley was saying that she appreciated having that hard boundary in the plan now, that we didn't have before.

Councilmember Korte: Okay. Thank you. Thank you.

Mayor Lane: Thank you, Councilwoman. Councilwoman Littlefield.

Councilwoman Littlefield: Thank you, Mayor. I concur with the motion that's on the floor. I think that it is not our responsibility or job to support an artist in residency program. I appreciate the fact that it will be taken out. I think that's a real big step in the right direction. I listened to the Planning Commission's meeting and discussion and I agree with their vote of accepting this plan with the one change and so that is what I support. Thank you.

Mayor Lane: Thank you, Councilman. Councilman Smith.

Councilman Smith: Thank you, Mayor. Do I understand that the motion we are looking at or the plan that we are approving does, in fact, delete Section 3.8?

Erin Perreault: That was the motion, yes.

Councilman Smith: Okay.

Mayor Lane: Yes.

[Time: 00:52:38]

Councilman Smith: Let me ask a different question and it has to do with the, the expansion of these other areas, these two other areas that are going to be Type 3 and one other area that is going to be Type 2.5. I certainly understand why we would get ourselves together here and decide to create a Type 3 area for what all of us refer to as the Loloma site, the area near the museum, the artist school and so on.

Because staff and Council and even the community have been in conversation with the potential developer of this site for some time and we have, we have promised that if he bought the land and if he did things to respond to the community desire for a quality development, open space, architectural excellence, a whole laundry list of things, that if he did all of that, we would move among ourselves to make that a Type 3 area, and in very generic terms having that authority among ourselves to grant that Type 3 designation was our negotiating advantage.

That's what we used in negotiation, that and a lot of other things, the price of the land and so on. And I think those negotiations have proved fruitful. I think the project who eventually emerged on that site are here for it. If you were saying it's time now for the Council to honor its end of the deal and convert that area to a Type 3 zoning with the height that that allows, I would agree with you completely.

I cannot for the life of me understand why we as a Council would sit here tonight and grant the same concession on height and density and whatever for two other sites designated Type 3 now and one other site designated 2.5, when we have yet to have negotiations with anybody, we have yet to see the plans. We have yet to seen understand what is proposed. I have spent 40 years of my life in negotiations and I have never, ever, found it necessary to negotiate with myself and relinquish in advance of meeting with the other party, one of the negotiating advantages that I have. So now I will turn this into a question for you, Erin or anyone else that wants to answer, other than the convenience of only having to Xerox the thing one time, what is the advantage to giving up our negotiating strength on these other areas, east and west of the Scottsdale Road, and south of what we all call the rose garden? Why would I do that today, rather than when I'm sitting across the table from an interested party?

Erin Perreault: So Mayor Lane and Councilmembers, Brian if you can put up slide eight, please.

When we were considering Type 3 areas throughout downtown, we looked at a variety of criteria which you can see on this slide on the left, one of these was the downtown 2.0 recommendation, with regard to wanting more feet on the street, not just residential, but also office worker feet on the street during the daytime. And that was to maintain really kind of our tourism status for downtown and maintain those things that tourism are looking for in terms of amenities, restaurants, those types of things. Additionally, we had proximity to public spaces.

The public spaces master plan that was, has been incorporated as part of the character and the design chapter, is represented by the stars on the map on the right. So similar to the Loloma discussions and if you go up in height, you get more space at the ground level, versus horizontal type of development. We would get more public open space in those areas that we have deemed appropriate for that, or where we are looking to achieve that for downtown over the next ten years. And then we also looked at where it's in proximity to additional Type 3 areas now, so from an urban design standpoint, the Loloma area is adjacent to the medical campus.

You can have similar developments east and west of the Scottsdale Road. Similarly, we looked at the north and south along the canal bank as well, as having similar urban design on both sides. Those are some of the considerations that we went through. In terms of the Loloma discussions, it's really based on the zoning ordinance bonus height discussions. So we would have those similar bonus height discussions in the new Type 3 areas where any new cases coming in as well. So that negotiation piece is really what the public benefits are, that the application is providing and that would occur in those new Type 3 areas as well. So you would still be discussing that as a Council and deciding and what those are, the zoning ordinance also has a formula in there for the value of what those public benefits could be as well.

[Time: 00:58:38]

Planning and Development Services Director Randy Grant: Councilman Smith, Randy Grant, Planning and Development Services. I don't think you are losing any leverage necessary. I think what this is doing is making it possible for people to come in and make proposals that the Council may or may not choose to accept, and which may or may not be awarded any bonus height. But it's, it's taking away the structural requirement to go back and change a lot of things.

You mentioned the Loloma proposal, and this is a result of that process. If we do not make it possible for others within the downtown area to do this, in appropriate places, we can entertain those on a one-by-one basis and we would end up with the same process that we did with Loloma, but we are hearing that people are ready to move more quickly than that, and we wanted to make the ordinance agile enough to take advantage of those opportunities if they present themselves.

Councilman Smith: Well, I hear what you are saying and it certainly would make it more agile. I'm not trying to be an impediment, but I'm trying to preserve on behalf of the citizens every negotiating advantage that they have, and I saw it work well for us, in the Loloma side. I think the project may be a better project for that and a variety of other reasons. And other than, other than sort of inviting people to come into these sections now or saying, you might as well bring your project in because we

have taken away one impediment, you call it agility. They call it impediments and I call it our negotiating advantage. And I'm nervous about giving that up on areas where I haven't even seen the project.

Let me switch to see if I can ask you a question. When we had the work study on this, Erin, you talked about the potential population that this might accommodate. And I don't recall whether it was land space or what. That land use study contemplated in the certain period of time, the population level. And if I recall you called about what the population level would be with what we have on the drawing board now and what these might do. Am I ringing a bell yet with what you discussed about this?

[Time: 01:01:37]

Erin Perreault: Mayor Lane and members of Council. Yes, we have had different discussions about the downtown population, not specific to the Downtown Plan update, most recently it was in November with the downtown 2.0 study. And that had some specific recommendations to achieving a population. I believe it was off the top of my head 10,000 for downtown. So that was the most recent discussion we have had at Council with regard to that population.

Councilman Smith: And did we adopt, as a Council, did we adopt the downtown 2.0 recommendation package?

Erin Perreault: Mayor and Council, no. As part of the Work Study Session discussion, there was some discussion about incorporating pieces in the Downtown Plan update. So you may recall on that evening we came to Council asking for Council to initiate and open up the Downtown Plan so we could incorporate those pieces into the Downtown Plan update, similar to arts and culture that I presented earlier, for example.

Councilman Smith: Well, I'm having trouble understanding whether we are asking the question, why we should consider 2.5 and type 3 areas for places other than the Loloma site. The first rationale for doing that, the downtown 2.0 tourism recommendations which we have not adopted.

Erin Perreault: Mayor Lane, members of Council, that's correct. The way you would be adopting that particular recommendation, we have not set the 10,000 limit in terms of downtown man. We don't have that language in here from the downtown 2.0 study. But we would look at that and consider where some of the height and density would go and that's the result, is the proposed Type 2.5 and new type 3 area.

Councilman Smith: Well, if I can sift all of this down, I'm hearing we ought to have, in addition to the Loloma site, which we kind of negotiated with the developer, I'm hearing that we should have three other areas, two of them east and west of Scottsdale Road, and one, this 2.5 area, that we should do it for two reasons. Number one, because developers want it and number two because it was proposed in a tourism recommendation plan 2.0 which we have not yet approved. And I'm not persuaded that that's a reason to do this. And so I'm going to make an alternative motion, if I may.

I will make a motion that we adopt Resolution 11181, deleting, as was previously done, 3.8, Section 3.8 having to do with the arts incentive, but number two, that it only applied to specifying a Type 3 designation for the Loloma site. Only for that site. And that is my motion.

Mayor Lane: Motion has been made by Councilman Smith. Dies for lack of a second. So we'll continue on. Councilwoman Milhaven.

Councilwoman Milhaven: Thank you, and perhaps my question was answered but I want to make sure that I'm perfectly clear. Councilman Smith referred this to as a rezoning. It's my understanding that all property has a zoning district and the zoning district speaks to how tall the buildings can be and what uses can happen in that plot, open space and lots of other things. And so when an owner comes in for a rezoning, now they add other uses and they can go higher and they can go denser and they change open space requirements and that is an action by City Council so the property owner comes to us and says I want to change what I can do. That's a rezoning and City Council opines on that.

This is not what this does from my understanding, what you shared with us, Mr. Grant. This is simply saying if we were to consider a rezoning, here's the conditions we would like to see. Here's where we think it makes the most sense and so there is no property owner tomorrow who can do anything different than they can do today. So it's not giving any existing property owners any additional rights to do anything. They need to come in and make an application to us. Is that right, Mr. Grant?

[Time: 01:06:33]

Randy Grant: Mayor Lane, Councilwoman Milhaven, that's truly correct.

Councilwoman Milhaven: And so this is a simple guideline. Every project would be considered on its own merit. But what I do like about this is a thoughtful plan that's had substantial community outreach and it's a community vision for what we want our downtown to look like. And so since we can continue to consider, since we can continue to look at rezoning and changes on a case by case, this gives us guidelines that tell us what the community would like to see the downtown look like and so for, that I think this is just, I'm glad to see this coming forward and I will certainly support this. Thank you.

Mayor Lane: Thank you, Councilwoman. Just one thing I wanted to add to that because you did respond to my, somewhat of a question, but also a clarification. There is nothing different in the negotiations that took place with regard to this particular property on Loloma, given the same criteria, the same conditions, that's the scope we worked within in order to put that together. So it's under the same rules and it now sets it in place as it has through this process of some designation, some methodology and calculation of bonuses and an exchange for what might be requested. Is that not right? The negotiations took place with that, as would anything that follows this.

And I will just draw upon a little bit of history, since I have been around since the incentive side of this

took place and it was always a one-off situation, which we all concurred at the time. This was some ten years ago, that it was a disaster, political and otherwise, not to have some kind of criteria to work within that negotiating scheme. Do I have that just basically right, Mr. Grant, if I might say or ask?

Randy Grant: That's correct, Mayor. Yes.

Mayor Lane: Okay. Thank you. I want to make sure that that's clear for all of us talking. So I certainly agree with the earlier part of that, that was clarified by Councilwoman Milhaven and Councilwoman Littlefield.

[Time: 01:08:44]

Councilwoman Littlefield: Thank you, Mayor. I forgot to speak to one other concern that I had as I was reading through this plan, and that is the heavy emphasis that was given to bikes in the downtown area. Most of Scottsdale is fine with the bike, with using bikes to get around in downtown, but the way the bike sharing programs are being implemented in Scottsdale, is a real mess right now. We have abandoned bikes that are blocking businesses, residents, sidewalks and it makes people who are in wheelchairs and other handicapped persons have a really hard time getting around on public rights-of-way.

I was surprised to kind of read that it looked like this was a given in this plan, that the bike sharing programs were going to continue before the Council has even agendized the promised ordinance on rental bikes and I assume scooters. This seems putting the cart before the horse a little bit. I had thought the long awaited for ordinance would come before us first so we could make a determination on it, before it went into something like this. And the overall policy on bikes could be determined. This could be seen by some as an influence of Council vote and I'm concerned about it.

The wording on it is very vague. For example, it talks about biking facilities. I have no idea what a biking facility is. Is it a charging station? Is it in the public right-of-way, or parking racks? And docking bays for rentals? Even if it's not, what does biking facilities mean? Where are they located? Who maintains them and would pay for them? I would like to have some answers to some of those questions. Our bike ordinance has not been presented to us, nor has it been approved to us. If we determine to terminate the bike rental plan, what does that do to this? How does it affect what we are doing tonight? What if we determine to expand the plan and to have a scooter plan also? The bottom line is the bikes in this plan are to predominant in the downtown area and I think it should be deferred until after the Council has made a decision on what we want to do and how we want to go forward with this. Thank you.

Mayor Lane: Thank you, Councilwoman. Councilman Smith.

Councilman Smith: I think I want to, well, first of all, I will clarify, did I use rezoning in the colloquial sense of the word? If they see buildings suddenly permitted to go 150 feet high, that were previously limited to 90 or 66 or whatever, the colloquial term, is who allowed that rezoning? And so it's not technically a rezoning. I understand that. Bust I do want to pursue with staff the question, you

have essentially said that this is not giving a developer any right that they don't, that they wouldn't otherwise have. Did I paraphrase you correctly?

Randy Grant: Councilman Smith, I believe that's correct. It's not giving them a right. It's giving them the opportunity to ask for it.

Councilman Smith: Well, then let me turn it around. Absent this change, they couldn't even ask for that.

Randy Grant: That's correct.

Councilman Smith: I'm having a tough time that that's not giving them a right. I know we will look at their project and make the usual studious determination of whether it's in the public interest or whatever, but I continue to believe that we are giving away a piece of our negotiating advantage, but obviously, that's not an opinion shared by my colleagues.

Mayor Lane: Councilwoman Klapp?

[Time: 01:13:12]

Councilwoman Klapp: I'm in favor of the motion of moving 3.8, and I call for the question.

Mayor Lane: Is there a second?

Councilmember Korte: Second.

Mayor Lane: The question is called. We are then ready to on the initial motion. Which is to approve absent 3.8 as was described. All those in favor, please indicate by aye and register your vote. Aye. It's unanimous, 7-0 on Item 26. So thank you very much, staff, for their presentation on that.

ITEM 27 – DOWNTOWN, DOWNTOWN OVERLAY AND PBD DISTRICTS TEXT AMENDMENT (1-TA-2018)

Mayor Lane: Will move on to Item 27 which is associated and we have Brad Carr coming to the podium to talk about the downtown overlay and PBD district text amendment, 1-TA-2018. Brad, welcome.

[Time: 01:14:05]

Principal Planner Brad Carr: Thank you, Mayor and good evening to you and members of the Council. Item 27 this evening is a companion zoning case. One of the implementation tools of the Downtown Plan. This is the most prevalent and one that we can do to immediately start implementing the goals and the policies that the plan as you just recently approved moves forward. So, again, we are looking

at changes to the downtown, the downtown overlay and the plan block development overlay districts within the zoning ordinance.

Some background, I know you saw a lot of this for the Work Study Session but for those in the audience who have not seen this, the City Council has had a discussion on this, on May 30th of last year. We had a discussion on the bonus provisions and the cultural improvement program. Council directed staff to review those bonus provisions to ensure alignment with the community goals and making sure those bonus provisions continue to provide meaningful benefits in exchange for increased development potential.

We also were given the task to review the cultural improvements program and, again, more importantly as it relates to tonight, align the downtown and the downtown overlay and the PBD districts with the proposed changes to the Downtown Plan. So our objectives with this text amendment are just that. Those three sections noted here, at the top of the page, includes mostly the changes to add new Type 2.5 to our zoning ordinance, as well as rename our existing Type 2 regional and Type 2 medical areas to the new Type 3.

[Time: 01:15:38]

We are also seeking to create a hierarchy of development standards and unify those applications of those development bonuses which are now 7.1200. We also did some minor refinements to our public art on public development sites and we also are now requiring the compliance with our international, or with the international green construction code for all PBD developments whereas prior that was an elected path a developer could choose. And, again, every time we evaluate the zoning ordinance, we look at other associated sections, definitions, et cetera to make, maintain consistency.

So, again this graphic, summarizes the majority of the changes within the zoning ordinance. Those being, again, the addition of the Type 2.5 to the downtown zoning district, and the PBD district. You can see here that Type 2.5 matches very closely with the Type 2 development standards at 78 feet, 90 feet, but it goes up to 120 feet for those sites that are 120 square feet or more in size. Everything else remains similar across the board. And then you can see the prior Type 2 in the downtown medical and downtown regional just becomes Type 3. Again, most of the changes are related to that within the zoning ordinance.

As I mentioned, one of the other changes was to unify how we approach the bonus development standards for the downtown district, but also within the air mark area, with the use of our PCP district. That district was approved on the Consent Agenda, the update to that district this evening, but the changes you can see here, the major change is the addition of a limitation on where bonus height can be applied on a site. As it exists currently, bonus height is allowed to expand across the site covering in essence if it, if the maximum amount it can cover with the F.A.R. This provision allows the cities to control where that bonus height goes, based on the size of a property.

So, for instance, an existing property that has a size of two acres will be given an allowance of 90%

coverage. That coverage would decrease 1% for every increase in lot size for the development of one acre. So it's a one-to-one tradeoff. And so as a site got larger in size, the amount that it could cover on the bonus height would be decreased. Then there's an allowance for a development to purchase additional height over that base allowance, with the cost of being ten times the normal amount.

So, again, the process again, we initiated this with the Planning Commission in September of last year. We had some reviews with the city commissions and, of course, a robust public outreach process. We went in front of the Planning Commission recently and got their recommendation and finally tonight, we are here for your review and possible approval. I'm happy to answer any questions if you have any.

Mayor Lane: Thank you, Mr. Carr. We have no requests to speak on this, because it's in close association with the previous item. But we do have Councilman Smith who would like to speak on this too.

[Time: 01:19:01]

Councilman Smith: Thank you, Mayor. One question to understand, when somebody gets, or when somebody exercises the right to pay the bonus money, and request additional height, I think I asked this question before of you Mr. Grant, but there's an additional finding that we the Council must make and that is that other than the money that they are paying, that this additional height is quote/unquote in the public interest; is that correct? Is that still the language that is preserved here?

Randy Grant: Yes, I believe that's correct, Councilman.

Councilman Smith: I think this goes to the question that one of the speakers mentioned earlier, and I, as long as it's preserved in here, I don't have any problem with what we are changing. But I would like for us, meaning you, the staff, and developers, to be prepared to tell us what's the public interest in the additional height, in addition to the fact that they pay for it, but thank you.

Mayor Lane: Thank you, Councilman. Councilwoman Littlefield.

Councilwoman Littlefield: Thank you, Mayor. I just would like to make sure that with this text amendment, that we are going to be putting in, I assume, does this affect anywhere else in Scottsdale any other land?

Brad Carr: Yes, Mayor, and Councilwoman Littlefield, as I mentioned the changes that are proposed within the envelope or the umbrella of the downtown update also include some changes to how we deal with bonus provisions throughout the city. So we are unifying that approach whereby if you are in a property within the downtown or the airport area, that would utilize the PCP or airport core development district, you would utilize the same bonus provisions and so there's some unification and thereby eliminating any confusion as to how those bonus provisions are applied whether you are downtown or outside of downtown, they are going to be applied similarly across the entire city, but those areas, the downtown and the airport are the only two areas where bonus provisions are

currently allowed.

Councilwoman Littlefield: Thank you.

Mayor Lane: Thank you, Councilwoman. Vice Mayor Phillips?

Vice Mayor Phillips: Thank you, Mayor. So I move to adopt Ordinance 4355 and Resolution number 11190.

Councilwoman Klapp: Second.

Mayor Lane: Motion has been made by the Vice Mayor and seconded by Councilwoman Klapp. Would Councilwoman Klapp like to speak toward it at all.

Councilwoman Klapp: No thank you.

Mayor Lane: Then we do have a motion made, and seconded. I think we are then ready to speak or rather to vote there's no further speakers on it. All of those in favor please indicate with an aye. Those opposed with a nay. Aye. Motion passes 7-0. Thank you very much, Mr. Carr. I appreciate that. That completes our work on Item 27.

ITEM 28 – FISCAL YEAR 2018/19 PROPERTY TAX LEVIES

Mayor Lane: We will move right on to Item 28, which is a fiscal year 2018/19 property tax levies and we have Ms. Doyle here. Welcome, Judy, nice to have you here.

[Time: 01:22:13]

Budget Director Judy Doyle: Good evening Mayor and members of Council. On June 12th, we held a truth in taxation hearing and a public hearing on the fiscal year '18/19 property tax levies and rates. At that time, I had mentioned that state statute requires the hearings to be held at least 14 days prior to actually assessing the levies and fixing the rates. Tonight is the formalization via ordinance of that action you took on June 12th, and assess the primary tax, \$39.1 million and the secondary levy and fix the combined property tax rate at \$1.10 per \$100 of assessed value. Tonight, the action is to adopt ordinance number 4358, assessing the fiscal year 2018/19 primary and secondary property tax levies and fixing the primary and secondary property tax rates. And that concludes the presentation.

Mayor Lane: All right. Well, thank you, Ms. Doyle. I appreciate that. We have no cards or comment and no comments as of this moment, but Councilwoman Korte may have a comment or a motion.

Councilmember Korte: Well, thank you, Mayor. I move to adopt Ordinance number 4358.

Councilwoman Klapp: Second.

Mayor Lane: The motion has been made by Councilwoman Korte and seconded by Councilwoman Klapp. There's no further comments indicated. I think we are then ready to vote. All those in favor, please indicate by aye and register your vote. Motion passes 7-0. Thank you very much, Ms. Doyle. And you are standing still at the podium.

ITEM 29 – FISCAL YEAR 2018/19 STREETLIGHT IMPROVEMENT DISTRICT PROPERTY TAX LEVY

Mayor Lane: So for Item 29, fiscal year 2018/19 streetlight improvement district property tax levy presentation.

[Time: 01:24:23]

Budget Director Judy Doyle: Thank you. On June 12th, we also held a public hearing on the 18/19 street light improvement district property tax levies by a unanimous vote again, Council passed a motion to proceed with the levy of \$590,463 on the city's 355 streetlight districts to cover electric utility costs of operating those streetlights within the districts. This action tonight is to request via ordinance, 4353, assessing the '18/19, streetlight improvement district property tax levy by district.

Mayor Lane: Do I have a motion to adopt?

Councilmember Korte: I move to adopt Ordinance number 4353.

Mayor Lane: The motion has been made by Councilwoman Korte.

Vice Mayor Phillips: Second.

Mayor Lane: And seconded by Vice Mayor Phillips. No further comment requested. I think we are then ready to vote. All those in favor, please indicate by aye and register your vote. Aye. That's 7-0. Thank you very much Ms. Doyle.

That completes our business for this evening. There's no further Public Comment, and no citizen petitions and Mayor or Council items before.

ADJOURNMENT

[Time: 01:26:06]

Mayor Lane: We ask for adjournment, we want to welcome you all for being here and staying with us. I anticipated maybe that we really just captured your attention so that whatever dinner dates you have, you figure it's worth staying for. Thank you very much for being with us. And with that I would ask for a motion to adjourn.

Councilwoman Klapp: Move to adjourn.

Councilmember Korte: Second.

Mayor Lane: Motion has been made and seconded. All those in favor, aye. We are adjourned.
Thank you all.