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#### **CALL TO ORDER**

[Time: 00:00:02]

Mayor Lane: Yes, I would like to call to order, the March 25<sup>th</sup>, 2014, Work Study Session. I will start with a roll call, please.

#### **ROLL CALL**

[Time: 00:00:06]

City Clerk Carolyn Jagger: Mayor Jim Lane.

Mayor Lane: Present.

Carolyn Jagger: Vice Mayor Virginia Korte.

Vice Mayor Korte: Here.

Carolyn Jagger: Councilmembers Suzanne Klapp.

Councilwoman Klapp: Here.

Carolyn Jagger: Bob Littlefield.

Councilman Littlefield: Here.

Carolyn Jagger: Linda Milhaven.

Councilwoman Milhaven: Here.

Carolyn Jagger: Guy Phillips.

Councilman Phillips: Here.

Carolyn Jagger: Dennis Robbins.

Councilman Robbins: Here.

Carolyn Jagger: City Manager Fritz Behring.

Fritz Behring: Here.

Carolyn Jagger: City Attorney Bruce Washburn.

Bruce Washburn: Here.

Carolyn Jagger: City Treasurer Jeff Nichols.

Jeff Nichols: Here.

Carolyn Jagger: City Auditor Sharron Walker.

Sharron Walker: Here.

Carolyn Jagger: And the Clerk is present.

Mayor Lane: Thank you. We do not have any Mayor's or City Manager's report today. I have got an indication of Public Comment. Are these cards for the item or the Public Comment? It has to be only for the item since there is no Public Comment. Okay. So, well, just the rudimentary things. We do have police officers here with us this afternoon, straight in front of me. It looks like it's Tom Cleary, but, I'm sorry, I don't have the names here, but in any case, they are here with us, if you have any need for that. And we do have facilities over here to the least if you have a need for that convenience. The areas behind the Council dais are reserved for Council and staff.

#### **ITEM 1 – DRAFT GENERAL PLAN**

[Time: 00:01:40]

Mayor Lane: We will move to the one and only item in this work study session. This is a matter of conversation between the Council and the item at hand with the staff and the development of the draft of the General Plan 2014. And that is our one and only item, and I guess I would ask, because this will be a lengthy presentation. Mr. Kelly, would you like to speak at the outset or, if that's, and that would be fine if you would like to do that, on this, on this subject.

[Time: 00:02:40]

Michael Kelly: Brian, can we get this on the Elmo? Is this going to upset anything?

Good evening Mayor and members of Council, I'm Michael Kelly, 8973 North 84<sup>th</sup> Way here in Scottsdale and I appear before you here tonight to talk a little bit about the General Plan, the comments I will make to you are essentially the same comments I made to the General Plan passed

last evening. That is I'm trying to ensure and you know because you have heard me talk before, that we have the strongest and the clearest connection between our 2001 voter approved City Council adopted General Plan because of the important elements, the aspects of that plan that were put there by citizens. So I was trying to say how can we make this any clearer? How can I make this any clearer to my fellow citizens. So what I tried to do was extract those key things that came out of the effort to try to put together our shared vision and the city shaped 2020, which, in fact, were used in constructing the 2001 General Plan.

Those things have not been nullified nor have they been substantially modified and I would ask the Council, as you go forward and your review of the plan, you realize that these citizen-developed, derived and in placed items in our 2001 General Plan are important to this community, and I think reflect how we got to where we are, and why we are being successful with things right now in terms of our health and research, arts and culture and the Sonoran desert. So the letter explains that, but the most important aspect of the letter is that last page that has these items. Now, of all the people in the Council tonight, Dennis Robbins is probably the most knowledgeable about these items because of his participation on the advisory team to the steering committee during the City Shape 2020 and their specific purpose was to take the shared vision and put it into a physical form and the City Shape 2020 update of our General Plan. So Mr. Robbins was there. He was part of this history. He's well aware of it.

If you look at the list, the first four items on the list are, in fact, our four dominant themes. The next six items are our six guiding principles. The next three items are our three-tiered planning paradigm and the last three items are, in fact, those citizen developed General Plan elements not required by state statute that this community citizens said that they wanted in that General Plan. So I would ask you to please look hard at the draft 2014 and make sure that it clearly communicates the significance and the importance of these things and I believe they have significance and importance moving forward. Thank you very much for your time.

Mayor Lane: Thank you, Mr. Kelly. That is the only Public Comment we have on the topic before us for this Work Study Session. We will go ahead and proceed with the presentation.

[Time: 00:06:04]

Long Range Planning Manager Erin Perreault: Tonight we are here to review the draft of the General Plan 2014, as created by the General Plan Task Force. Just a reminder for Council, there have been a variety of Council discussions and decisions regarding the draft plan, dating back to 2012, where Council decided to hire a consultant and host a visioning Town Hall and future leaders Town Hall with the community. And then moving forward into 2013, where Council provided direction on creating written procedures and adoption calendar for moving forward with what the process would be with the community for creating this draft plan. And then, of course, establishing the task force that actually did all of the heavy lifting on creating that draft plan. In terms of the General Plan process, as I said, we create, we completed the visioning phase one, with the visioning Town Hall and future leaders Town Hall.

The task force has created a draft or first draft of the General Plan, and we're currently in phase three where the task force and the city staff are taking public comment on that draft plan and editing the plan for their final draft plan. We have a General Plan process scheduled for May and June, which includes public hearings at both the Planning Commission and the City Council level and then, of course the target date for voter consideration would be November 2014.

In terms of community outreach, I will just touch upon some of the highlights. We held five workshops between June and November of 2013 on a variety of topics that we knew coming out of the 2011 process, the community still wanted to discuss. And so those included neighborhoods and housing, community character, transportation, economic vitality, land use and, of course, the amendment criteria for amending our General Plan. They were conducted in person and online and we had total workshop participation of 260 participants across five workshops. Just this month, we also held three open house dates with the community and central north and southern portions of the city. We had 98 total open house participants. To date, we have had 720 total participants that include their visioning Town Hall and two future leader or youth Town Halls that includes all of our boards and commissions that are weighing in on the draft plan, and, of course, the open houses in the workshops I just mentioned. In terms of community outreach, we have tried to do some things differently, recognizing we are competing in an attention economy. It's hard to get folks to focus on the General Plan.

[Time: 00:09:08]

We have recently sent out a utility bill insert with a task force letter, and also a graphic poster-like flyer that you can see up in the upper right-hand corner trying to get folks' attention in the community that they have an opportunity to provide their input on the draft plan. We are looking at a two-week span of doing some Harkins advertising prior to movies that run in the four Scottsdale theaters. That's something new for us this time around.

Of course, the Office of Communications has been a partner on all of these things with us, including poster and flyer campaign, Lorraine Rogers who is one of the current task force members that is still serving with us, she went on Channel 8's Horizon show with former co-chair Jim Heitel to discuss the General Plan process and we conducted two photo contests with our community members as well. In addition, what you see on the slide are typical outreach efforts as well, including newspaper, social media, meeting with our Board and Commission members and, of course, all of our electronic news media as well. Currently on the City's website, anyone can go and comment on any portion of the draft plan that you are reviewing this evening. And that is what it looks like in terms of the screen shot of our city website currently.

So what is in the draft plan? It's made up of eight chapters, 22 elements. Five of those elements are community created which means they are not state mandated and then the rest are state mandated content and elements that we're required to have as a community of our size. In addition, we have an additional extra chapter that's been added this time around. That's an implementation chapter, and, of course, the vision and the values are also contained within the document. For tonight's purposes, so that we can get to the discussion and your comments, as well as any questions

you may have of the task force members that are in attendance tonight, I will focus on going over the vision, values, character and design, land use, the new elements, and touch on some of the economic vitality and implementation as well. That doesn't mean the other portions of the document aren't important. We just know that those are those portions of the document we are getting the most feedback on and/or are new to the document itself.

[Time: 00:11:36]

Moving into the vision statement, the task force's commission was to provide it in future tense to make it shorter and more memorable, to create a visual portion to the vision statement itself to remove the redundancy that we saw from the Town Hall vision statement and process, but keep the integrity of that Town Hall statement and then a recognition from a, from the task force standpoint that the vision applies to the entire city and the entire General Plan document. Oops, sorry. In terms of the Town Hall vision and values, the vision statement has been condensed down to three. The color coding on the slide is for your benefit. The purple coding is all of the text that remains from the original visioning Town Hall vision statement, condensing down and taking out that redundancy and sprinkled into that is the pink or the ideas from the big ideas discussion and the task force discussions that the task force has had since June of last year. I apologize. The Town Hall report vision statement is this is what they received and this is what they were able to condense it down to, while still maintaining that integrity that was important to the process. In terms of the visual aspect that the task force is looking for, staff provided this draft vision statement.

So it's the text you saw in the previous slide, the three sentences the vision statement and provided some sort of visual graphic with it. This is well received. It's still under construction, so to speak, in that they are working through this and the other aspirations as part of the vision statement as well that will have graphics associated with them also. In terms of community values, the task force was charged with doing the same thing, condensing these down while retaining the Town Hall integrity from the visioning Town Hall and you can see that they got the 20 value statements they received from the Town Hall process down to 13 at this time. Moving into the content of the plan itself, the lifestyle and character chapter includes a character and design element. This is an element that is community-created, not state mandated. It's retained from the 2001 document itself. A lot of the text is retained from 2001 General Plan, including looking at development appropriateness. A lot of focus from a task force discussion standpoint was on context and character of development, quality design of development.

What is new in this particular element is just last night, the task force discussed including a generalized range of heights so that in response to a lot of the community comments we are getting, that the General Plan doesn't respond to height. It gives general ranges now of height, depending on what type of character location you are in the community. So we will break that out for you since they just made that decision last night and get that sent to you after the study session. In terms of Character Area planning, that's retained in the 2014 draft document but condensed down again.

So what you see on left are the 22 proposed Character Areas under the 2001 General Plan. On the right, based on the community workshop and task force input that we have received to date, the task

force has condensed that down to 11 Character Areas. The inset map on the right are the seven adopted Character Areas. Those remain in effect, until such time that the community outreach processes and the final boundary is finalized for any of those future Character Areas that you see on the left-hand side. Character and design also includes a focus on the public realm and the public spaces in our community, including streetscapes. In particular, there's a lot of discussion about preserving views and the scenic corridors and the buffered roadways help to do that. This draft plan maintains those from the 2001 General Plan.

[Time: 00:16:24]

Moving into the land use element, some of these first few slides I will go through fairly quickly because it's a retention of what we already have in the 2001 General Plan, including Scottsdale as an economic hub and a tourist destination. Looking at land use transitions between different types of land use and also between neighborhood edges themselves. The land use element looks at balancing land uses and the mix of land uses throughout the community. That's a state statute requirement and also looking at our land use patterns and how they affect our mobility choices within the community. In terms of land use, there's some new goals and policies, one is the recognition of attracting and retaining employment and commercial types of land uses to improve our socioeconomic sense of community.

And a second one is a focus on the airport. Currently the 2001 General Plan is focused only on the air park from a transportation standpoint this would be a new focus on the airport this terms of land use compatibility and development type focus as well as safe operations for the airport and recognizing that the airport contributes to economic development from a land use standpoint as well. The current mix of land use does not change with the 2014 draft. As you can see, it remains a residential community in this draft plan at 48% of our total land use being dedicated to residential land uses.

The second major category for land use at 42% is open space. And then the nonresidential and mixed uses make up 10%. This is just a slide of the 2014 land use map. It basically retains what we have in 2001, in terms of the mix of those land uses and the location of them citywide. One thing to note on this, it does include all of the minor and major amendments that have occurred under the 2001 General Plan since that plan was ratified. The land use element includes a section called other land use categories or map designations. There has been a lot of community discussion over some of these, but they are sometimes often referred to as floating resort stars or floating circles on the land use map. We have certain overlays or cross-hatches on the land use map. Those include the regional use overlay which is specific to the air park. There's a cross-hatch on the Shea corridor east of Hayden and then around the Mayo support district area.

One land use category map designation that has been added is to recognize the infill incentive district at a General Plan level that's currently been adopted for our downtown area. What do these overlays or exceptions do? The land use or the floating resort stars in the 2014 draft plan go away. What they did previously was determine land use resort, tourism land use cases as non-major amendments. Those have been removed from this plan. The one thing that does remain, oh, an additional removal is the green circle with a white G in it. Those were just indicating where we had

golf courses in the community. Those have been removed from the map and as you can see on the screen, we have actually mapped where those golf courses are in the dark green opened space land use color. What we do have in terms of floating circles or pie charts are remaining on the land use map and they are, although they look like they are noting, they are tethered to two specific cases and two boundaries of those cases.

[Time: 00:20:46]

The first one is in the north area. And that, those land uses are specific to this dashed line, boundary and specific to this case only. They can't be used anywhere else in the city. The second one is with regard to a DC Ranch case from the past and specific to this boundary only. I will also note that this is the cross-hatching for the regional use overlay. It remains exactly like we have it in the 2000 plan today. That allows for attraction and retention of our regional uses whether it's regional retail or regional employer. Those are the types of uses that are expected to give some flexibility in our air park area.

So the addition of the overlay is just a recognition of a Council action back in 2010 to do a former infill incentive district. We met the state statute criteria and it was at a zoning level established and that was a recognition that we do have that in our downtown area today. So what do those overlays mean? Some of those overlays are exceptions to our major amendment criteria and I will get into that in a minute. We will moving into the major amendment criteria in the land use. The first criteria we have is almost identical to what we have now in the 2001 General Plan and that's a land use matrix and it shows you if you are changing from one land use to another, whether or not you will have a minor or major case with the proposal that is brought forward.

The new addition is the McDowell Sonoran Preserve. It's now currently designated in this land use matrix and on the land use map as its own land use and it's grouped with rural neighborhoods and natural open space. That is the only change from the 2001 that we have currently today. The second criteria is area of change. This is how many acres it takes to trigger a major amendment. Currently, it's 15 acres north of the canal and 10 acres south of the canal. This draft plan proposes 10 acres city-wide. Character Area criteria and water and wastewater infrastructure criteria are carried forward from the 2001 General Plan.

Some new amendment criteria that have been added. If a proposal looks to changing the amendment criteria itself, so this section that we are talking about currently, or the land use definitions in terms of density that those spell out currently, that those proposed text changes would be a major amendment. Additionally, if a land use category changed that's proposed is accompanied by a proposal to have a new or expand an existing growth area, that would be a new major General Plan amendment. And finally, with those overlays that we currently have in the plan, and then the new one with regard to recognizing the infill incentive district in downtown, any modification, expansion or creation of a new overlay to the General Plan map would require a major General Plan amendment in this draft plan currently.

There are some exceptions that the General Plan already has. In terms of these criteria, we have

added, A is new. If the city initiates a change from any land use category, to preserve, then there would be no amendment required. B, C, and D are just clarifying the current overlay we have in the 2001. To it's spelling out specifically where the language is not clear on the 2001 now, whether you would have a minor amendment in terms of those circles I previously discussed or no amendment in the case of a regional use overlay should the proposal be an actual regional use and meet that definition. And should any proposal in the Shea corridor or Mayo support district area conform to the Shea area plan that that portion of the community created back in '93, those would be determined as minor amendments.

[Time: 00:25:32]

We carried forward the exceptions to the acreage criteria as well. These exceptions are also in the 2001 General Plan. So there's no change here. We just carry those forward and as you can see, the first one is there would be a minor amendment determination if one residential land use category changes to a less dense land use category. Even if it's more than 10 acres, that would be a minor amendment. We also have a minor amendment for more than 10 acres if there's a reduction in planned units with a proposal and we're getting more natural area open space than is required. And then finally, a minor amendment if it's more than 10 acres if a cultural or institutional use is proposed and it's not adjacent to rural or suburban neighborhoods or share direct street access with single family driveways.

Moving on to a new element, we do have some Art and Culture goals and policies in the 2001 General Plan, but this is a whole new element created in this draft 2014 plan. So the goals touch on Scottsdale as a destination for arts and culture and creativity, supporting and planning for and managing that arts and culture focus, creative place making, a lot of that which we currently do today, but we don't have goals and policies for. We do have goals and policies currently in our character and design 2001 element for historic archaeological and cultural resources preservation. We carry those forward into this new element. We also focus on space and facility and equipment planning for arts and culture in our community, as well as nurturing our working artist, educating our citizens from a creative standpoint, and partnering and looking at future funding options as well in terms of goals and policies for arts and culture this new element has received a lot of positive feedback from the community so far.

A second new element under the character and lifestyle chapter is Healthy Happy Community. This is a focus on health and wellness for our community, not a new focus for Scottsdale but certainly reorganize some of the existing 2001 policies here in created some new goals and policies such as assets to healthy and local food resources, building on the leadership role we have already for wellness and helpful living.

A focus on Education. The 2001 General Plan is very light with regard to mentioning education, and life-long learning. So that's housed in this new element. Being welcoming to diversity and, of course, accommodating the needs of our senior population, as well as our working families, our younger population and cultivating our future leaders. They are some of the new concepts and ideas in this new element. Neighborhood Preservation and Revitalization is also a new element. It is



state mandated.

Some goals or policies have been reorganized and carried forward because they fit better under this from the 2001 General Plan and then, of course, you can see that we do have some new goals and policies with regard to neighborhood safety and security. The character and the identity of our diverse neighborhoods, homeownership, neighborhood planning, that third level of planning. And then neighborhood interaction as well. With regard to economic vitality, this is not a state mandated element. Something the community created and included in our 2001 General Plan. So we retain a lot of that content moving forward into this draft 2014 General Plan.

[Time: 00:29:44]

With regard to preserving tourism and Scottsdale as a resort destination, looking at our economic resiliency looking forward in terms of planning our economic development and tourism into the future, fostering support among our business community, looking at the socioeconomic prosperity of our community members, especially supporting education and job training as well as attracting and retaining a mix of businesses for different skill levels within our community. Additionally, we are looking in the economic vitality element at some, at managing our land uses from an economic stand point, from our fiscal health stand point and job growth in particular areas of our communities and retaining fiscal resources.

There was a lot of discussion at the task force level on fiscal sustainability for the city, in part diversifying our economic base, looking to operate the city in a fiscally responsible manner. These are all new policies that have been added to the draft plan, as well as considering fiscal implications of different land use decisions that are brought forward. In terms of the growth areas element, not much changes with regard to our goals and policies. We retain the three growth areas we currently have today in the 2001 General Plan. The one specific note to make is that the boundaries of those growth areas in the 2001 General Plan are basically circles. They are very generalized and the task force has included specific boundaries to our existing growth areas. So that's a difference that you will see.

In terms of open space, most of that is retained from 2001, with one notable mention and with regard to the types of open space, the McDowell Sonoran Preserve has been called out as an additional open space and recognition of the difference of that open space as opposed to the other types of open space we have in the community. There's also a new policy regarding how new development needs to minimize its impacts to the Preserve, and also most notably and not focused just on the Preserve is a new focus on creating new or expanding open spaces in our established parts of Scottsdale and southern and central Scottsdale, particularly when we have the opportunity to do that during redevelopment.

In terms of the recreation element, again, most of that content carries over from 2001. Most notable is an additional type of park that's been added and that's more of a linear nature. Our trails have been added as a fourth type of park. Also, a focus at a task force discussion level on co-locating of recreation services throughout the community and possibly with adjacent jurisdictions as well. The

energy element is completely new element to the plan from 2001, and is required by state statute. So you will see goals and policies in this element regarding consumption and proposing efficiency amongst our, promoting efficiency amongst our design, and thinking about energy efficiency, looking at city facilities and how we operate more efficiently from an energy standpoint and a focus on developing renewable energy sources for our community.

Finally, the new chapter that was added and I referenced earlier, is an implementation chapter. Often we get questions from the community how does the General Plan get implemented in terms of the vision, the values, all of the goals, all of the policies. So the task force has really worked and discussed through what an implementation chapter might include. This is their first draft. It includes a matrix of the implementation programs, that also fights which visions, goals and policies those programs would be implementing and it includes an explanation of different implementation tools that you can see listed on the slide, as well as a description of a variety of funding sources that are used to implement the General Plan. And also the different types of oversight and coordination that occur for that implementation.

The next steps in the draft process, as I said before, the task force needs to finalize their document, the handoff from the task force is to the Planning Commission who makes formal recommendation to City Council and then per the adoption calendar, direction that we got from City Council, over a year ago is June 10<sup>th</sup>. We would have an additional work study session with you identifying those things that have changed from tonight and then June 24<sup>th</sup>, your consideration of the document. I just wanted to make note, that will conclude my portion of the formal presentation. We have a number of task force members and the chair of the task force. If you have questions, we are happy to answer them from a staff standpoint and from a task force standpoint for you. Thank you.

[Time: 00:35:54]

Mayor Lane: Thank you very much. Thank you very much, Erin. I appreciate the presentation. It was very thorough. We don't have any further cards to discuss this topic. I'm sure that there are some questions from the Council as they may arise. We have had some developments recently, I suppose, that have given rise to some additional concerns in our process and otherwise.

So I would, I would first want to say that there's a couple of comments that have been made by even the brief and singular testimony by Mr. Kelly earlier on that sort of struck a little bit of a chord of concern and frankly consistency, but there has been one thing that has come out of this process, I suppose other than some concerns about the process itself, the direction, the consideration, I suppose, for various points of view on this, and there has been an active engagement of, by some to denounce and to, frankly, to cancel this process or, frankly, to deny its implementation ahead of time. So I just, I believe there's probably some further comments that we have here on Council, and I would seek the comments from the Council as to what their feelings are on it. Councilman Littlefield.

[Time: 00:37:23]

Councilman Littlefield: I actually have a question for the presenter. The, you said there's going to

be two more task force meetings, right? And they are before this goes to Planning Commission.

Erin Perreault: Mayor Lane, members of Council, the task force has added an additional meeting. So there will be three. There will be one next week, March 31<sup>st</sup> and two in April with the intent to hand off the final draft plan for May consideration of the Planning Commission.

Councilman Littlefield: Okay. But that will happen after the third of these three upcoming meetings?

Erin Perreault: That's correct.

Councilman Littlefield: So there's still opportunity for the public to make comment for the task force and there's still opportunity for the task force to make changes to the draft we are seeing tonight?

Erin Perreault: That's correct.

Councilman Littlefield: All right. And the draft that's in our dropbox, is that the one that incorporates the changes from their meeting last night?

Erin Perreault: It does not because that needs to go to the city clerk's office two weeks prior to this and they just discussed this last night. So we will send those out to the Council.

Councilman Littlefield: Okay. So the changes that they made last night have not been posted yet anywhere we could download that?

Erin Perreault: That's correct.

Councilman Littlefield: Thank you.

Mayor Lane: Thank you, Councilman. In fact, it's interesting to consider anything that might have been proposed in amendment or adjustment after the disruption that took place over a month ago with regard to the task force itself, and as I said sort of the rejection of the process and the rejection of the product even before it was drafted. So I'm much concerned as to whether or not there is some, I guess, acceptance with modifications by some of the Councilmembers here who have already voiced their opinion with regard to this particular plan. And I'm not getting that right now, so I'm not sure exactly where that might be. But there is something that has arose since and that is the fact that frankly, the general overall satisfaction may be with the product on the overall. So I just, I'm a little perplexed as to what level of adjustment or amendment might occur that might bring those who have opposed this vehemently to the side of any kind of acceptance.

But with that being said, there are some things that I suppose the, we also have concerns about, maybe even from a different perspective, some of the adds and some of the items that have been put into place here that haven't previously been considered from any level at all. And I guess, again, drawing upon Mr. Kelly's, I think it was his 16 points or the eight specific items, that were considered

years ago, when this was passed, we have had one General Plan, the 2011 plan that went through a process not entirely dissimilar than the one we went through and frankly, was campaigned against a very strong -- by the same parties who were campaigning against this one. So it's a matter of whether or not we continue this exercise, if, in fact, there's a total level of dissatisfaction with it in its present form. I'm curious to get a bit better feedback from Councilman Littlefield and Councilman Phillips whether there are adjustments that you feel would make this right. Councilman Phillips.

[Time: 00:41:14]

Councilmember Phillips: Why was I called out? Doesn't the rest of the Council have anything to say?

Mayor Lane: No, I was specifically talking about those who have opposed it and have expressed that opposition with some strength and conviction and commitment, to fight for its value. So that's the reason I asked. Councilman Littlefield.

Councilman Littlefield: I will tell you, where I have some concerns, I haven't made any decision whether this is a good or bad thing and I will wait to see what the final product is before I make a decision as to whether it's something that needs to be supported or opposed.

Mayor Lane: Thank you, Councilman, but that runs a little counter to what has been publicly stated by yourself about this plan. Vice Mayor Korte.

[Time: 00:42:13]

Vice Mayor Korte: Thank you, Mayor. A couple of elephants in the room. We had four individuals of the task force that have resigned. It was maybe six weeks ago. I do know that having personally attended several of the task force meetings that at the point of their resignation that probably 90% of the plan had been completed, and that the task force was putting finishing touches. Regardless, there continues to be some effort by some of those four that quit the task force and some other leaders that support those four that quit, talking about vision and values, you know, something, you know, basic like that that say basically, it's just the vision and the value statements in the plan are just not good enough. Not good enough, inadequate.

You know, they fan a reason around tourism that it doesn't address tourism and I guess I'm concerned as the Mayor is that once we are walking down a path, that there's going to be a very divisive, shall we say public campaign against this, if it comes to a vote and isn't a General Plan and bringing a General Plan forward to update, isn't that meant to be a unifying effort and plan rather than a divisive one? So back to values and the vision. Can we maybe start with that one and talk about what the concerns are, and get a better feel for those that are in opposition to this?

Erin Perreault: Mayor Lane, members of Council, the one common denominator that we heard is it's not strong enough with regard to tourism. The first sentence of the vision statement, out of the three sentences is tourism focused, and then the values also could be enhanced a little bit with regard

to mentioning tourism more. We certainly recognize that and the task force still has yet to discuss the vision and the values in terms of finalizing it. So they are taking those comments into consideration, and have not taken action on them yet, but are set to do that potentially at their next meeting.

Vice Mayor Korte: Thank you.

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

[Time: 00:45:10]

Councilmember Phillips: Thank you, Mayor. Well, you know, you've got to remember one thing. If there's something that you don't like in the General Plan, it doesn't mean that you are opposed to it. Okay? It means that we are trying to make it better. It's not a matter of, well, he doesn't like it. He's just opposed to it and he's one of these naysayers. I want to make it better. I imagine the folks want to make it better. That's why the public has gone to the outreach meetings. If we want to start with the vision, which I think is the first place to start, according to Ms. Korte. On the vision statement and Miss Perreault, it says Scottsdale will thrive by attracting and retaining business centers of excellence that encourage innovation and prosperity. I'm of the opinion Scottsdale will thrive by.....

Mayor Lane: Excuse me one second. Can we get the vision statement put up on the screens?

Councilmember Phillips: That's Korte's fault. I'm just kidding.

Erin Perreault: Brian, it's slide 11, please.

Councilmember Phillips: Okay. So where you see where it says Scottsdale will thrive by attracting and retaining business centers of excellence. I'm sure that's part of it, but I would like to include the tourism in that part of it too by, you know, enhancing tourism or something like that, it's included in how we will thrive. And then a little bit below there, exceptional experience. I think we will have to scroll down to the next page or something. I'm not sure how it works on yours. Outstanding livability, exceptional experience. Oh, there it is. Exceptional experience. Okay.

It lists a lot of things there, high standards for design, world-class events and resorts, vibrant downtown, I'm thinking where is a top rated education system, and possibly something like low tax to service ratio because I think that's what people look for when they come here. So they should be included in the General Plan, because when they look at a General Plan, let's see what Scottsdale General Plan is. We don't mention education or taxes, then people think, oh, it must not be important to them. I think that may be a good thing to include there. And that's what I got for the vision statement. Oh, actually I have another one further down. I might be here all night.

In the bullet points underneath, the Scottsdale vision and values, economic sustainability. What I got here is we embrace a diverse, creative and innovative economy, including but not limited to a variety

of locally owned businesses, health and resource, education, technological and cultural elements that sustain our high quality of life. I think tourism should be included in that. And I think that's what I got for the visioning.

Mayor Lane: Councilman Phillips, you might want to keep track of that because we will have to consider, if, in fact, we consider that interchange, we will have to have it delineated very specifically, if there's agreement on it. Councilman Littlefield.

[Time: 00:49:16]

Councilman Littlefield: Well, it's interesting the task force is going to take three more looks at this, plus the Planning Commission is going to take, what, two looks at this, and then it will come to the City Council. So there will be six more opportunities for this draft plan to be modified, language changed when response to public comment. And I guess what surprises me here is first of all, I think it's, the General Plan is really important. I spend a lot of time on what the task force is doing and I attend meetings and I responded to requests for input and I sent off an email yesterday which I got response to asking for more, I'm more than happy to put my input in and I don't expect that anything in this city that happens at the end of the day is going to be exactly what I wanted. That hasn't happened in the last 12 years that I have been here and I don't expect it to start now. I guess what surprises me is the idea is that somehow we shouldn't move this forward, unless we are guaranteed it's going to pass. Well, you know, if that's the case, why do we have elections. Why are people afraid of having a little debate on this issue? There's a wide variety of opinions in Scottsdale about what development should look like. In fact, I think I have heard many times and I agree to a certain extent this is a very divided city on development.

So what is wrong with having the debate? Now, I don't know what the final product is going to look like. For all I know, I heard one of my colleagues up here suggesting that we should take the 2001 General Plan and add in the newly mandated elements by the state and throw that out for people. You know, maybe to avoid the controversy. Maybe that will happen. For all I know, the Planning Commission will completely trash this thing. And I guess I'm just, it's almost like you've got the tail wagging the dog here. What's, why are we afraid of having the debate and having an election campaign? The voters here in Scottsdale are not stupid. It's not as if just because there's a no campaign, it wouldn't pass. So I really don't feel bad about how this process is working at all. I think it's working the way it's supposed to. It's working better than the last one did.

Somebody made the comment up here that we are doing this pretty much the same way as we did with the 2011 defeated plan. Actually, that's not true. We are having way more public input this time around than we did. In fact, I would say 100 times more. We had the Town Hall which we didn't have before. We had the task force, which we didn't have before. We had all of these meetings. I think the process is radically different for this one than it was to the last one. Now, does that mean that it will produce something that's, the public is going to like or that I will like, or that Councilman Phillips will like or Councilman Robbins, I have no idea what it will be. That's why I'm not prejudging. I have had some concerns and I made those concerns public. That doesn't mean that it's not going to turn out or that we should short circuit this process or not have the discussion. But I

will say that the General Plan is very important to this community.

And, yeah, if something, if we end up putting something on the ballot that I don't think is good for Scottsdale, I do reserve the right to oppose that. The idea that there is something wrong with that, is undemocratic. I will see how it turns out before I make a decision to vote for it up here or vote for it in the ballot box, but I made no apology for saying that, you know, if something is not right, I'm not going to be there for it. I'm not going to be there for it, just to be part of the team or be a team player.

[Time: 00:53:21]

Mayor Lane: Thank you, Councilman. You know, my comments before about the statements that were made by yourself and Councilman Phillips after the resignation of the four members of the task force were very, very definitive in the fact that they, in telling the public who vote against it, prior to its total completion. So, I mean, that's what my, that's how my question was framed, as to what it was specifically that, you know, you were able, whether you would be able to support it. You were telling the public before it was even finished that it should be turned down. The democratic process is certainly something we all honor and respect, but there is a process that we are trying to employ and we tried to employ last time and that's with the task force, maybe it is a great deal more expansive now and it was at a great expense to a lot of people's time and effort for four prominent members of task to resign, to set in motion the denunciation of not only the process but also the product before it was even finished, and then frankly to have that support as I have just indicated from Councilmembers here on the dais is really truly -- it's a damaging aspect to a process that we tried to establish in order to get as fine-tuned a General Plan as we could get from the public.

And one of the things, and I would certainly be respectful of what happens here tonight, the amount of time and effort that's been put in by volunteers and by staff, certainly paid staff and nevertheless, in order to facilitate a meeting of the minds, I have met and talked with many of the task force members, and certainly the leadership and all of those, well, several of those who resigned. And I got a very clear picture of a dividing line that was almost insurmountable and that's at least, as far as I could see from the majority on the task force, versus those who resign and the Councilmembers that support them.

My only question was and it still stands, is there a product if we continue this process right now, is there a product that would be to a fashion that they could support if the majority of the Council supported putting it on the ballot? And that's, that's the primary concern I've got. I don't know whether there's any other comments on this right now. There's certainly some things, there's some specific items I suppose that I would not necessarily subscribe to, and I'm very concerned about maybe the details given my conversations with some members of the task force and they are more definitive when they talk about being clear and unambiguous and specific as to conforming with the General Plan, which is not aspirational.

It's an outline, a guidance tool given some underlying zoning issues as to how property owners can use their property and, frankly to a greater vision of where we want to see the city. The city and

government doesn't have the absolute say of what happens on somebody's personal piece of property. So it's a cautious line we walk. But we do have that divergence of opinion when it comes to some of the conversations I had with those task force members. So I'm just a little concerned as to whether this process is one that we want to continue. In fact, it's not delivering a product for either side. But that's just my opinion. I'm interested if what the rest of the Council has to say. It looks like I'm only going to hear from Councilman Littlefield and Councilman Phillips, but Councilman Littlefield.

[Time: 00:57:27]

Councilman Littlefield: The process is important but what is important is what the result. If it's good, we should support it. If it's bad, we shouldn't. If we end up having a campaign and you think it's good and I think it's bad, then feel free to campaign for it and I will campaign against it and I don't know what everybody else will do. But that's how the system works and there's nothing wrong with that.

Mayor Lane: I'm not saying there's anything wrong with that, Councilman. Councilman Phillips.

Councilmember Phillips: Well, current discussion aside, I thought we were here to have a study session on this General Plan and I had a list of things. I don't know if the rest of the Council has a list of things and I don't know if you want me to go through every one of them because I will be here for a while.

Mayor Lane: Does anyone have anything else to add to the Scottsdale values as is stated here versus some of the amendments, that have been offered by Councilman Phillips? Vice Mayor, is that, and if it's not, then I would ask you to offer it as an amendment of guidance and see where the rest of the Council is on it.

Councilmember Phillips: Thank you, Mayor, I believe that's what we are doing tonight. If I make a suggestion and someone else makes a suggestion, they write it down and consider it. Are we voting on it?

Mayor Lane: No one else seems to have any other issues with the Scottsdale values. What you have suggested as changes, if you could put that in the form of a motion, then we can consider where the rest of the Council is on it.

[Time: 00:59:10]

Councilmember Phillips: Well, what I'm doing is giving guidance to staff. If you want me to make a motion for every single one of the questions that I have, we'll be here even longer than tonight. I don't think it's a point of my suggestion unless the Council approves of it. The point is I'm making this direction to staff and staff can take it or leave it, and that's my direction.

Mayor Lane: Councilman, that's not the way it works. There has to be a consensus of opinion as to



this Council. Solitary or unilateral direction to staff is not what we are here to do. It may take some time, but frankly, that's what we are going to need to do.

Councilmember Phillips: Okay. Well, let's go back to the first one then. I said Scottsdale will thrive by encouraging innovation and prosperity. I would like to include the words fostering tourism. As part of that sentence. So I guess that's a motion to include the words fostering tourism as a part of that sentence.

Mayor Lane: Under which category was that?

Councilmember Phillips: Scottsdale vision and values in the vision statement. If you want to go back to the vision statement on the board.

Mayor Lane: Yeah, please.

Erin Perreault: Slide 11 please, Brian. And I believe Councilman Phillips is referring to the last sentence of this section of the vision itself.

[Time: 01:01:20]

Councilmember Phillips: Okay.

Mayor Lane: And that would be under Scottsdale.....

Councilmember Phillips: Where it says Scottsdale will thrive by attracting and retaining business centers I would like to include the words "fostering tourism" as part of our thriving.

Mayor Lane: Okay. Did you have other changes to the vision statement?

Councilmember Phillips: I did. Did you want to do them all collectively because you might like this one and not the other one.

Mayor Lane: Okay. We will take them one at a time then. Then the motion is to add "tourism" to that last line of the Scottsdale, the first paragraph of the vision statement.

Councilmember Phillips: Correct.

Mayor Lane: The motion is made.

Councilman Littlefield: Second.

Mayor Lane: And seconded by Councilman Littlefield.

Councilman Littlefield: I would like to speak to it.

Mayor Lane: Okay.

[Time: 01:02:33]

Councilman Littlefield: I think, I don't, I'm actually not happy asking us, I don't believe the task force is done with this. I don't believe we should be inserting language until they have produced a product. I gave them my input as an individual, copied to all and I'm sure Councilman Phillips is happy to do that and everybody up here. I don't believe we should be nailing down their language and further restricting their discretion on this, until they have produced a product. They haven't produced a product yet. And so I would be opposed to, I'm not opposed to what Councilman Phillips is proposing. I'm opposed to, I'm opposed to limiting their discretion at this point when they haven't finished the plan. I think if they want direction, we are all happy to do that. I would be happy to say for Councilman Phillips to get up there and for me or anybody else up here who says, well, I think you should do this, this, and this, but I don't believe we should encode it in a motion right at the moment. It may restrict them to the point that they can't do something that they think needs to be done. I believe we should wait until they finish their product before we start wordsmithing it.

Mayor Lane: That's your second. Okay. We are now ready to vote on that. Yes, Virginia. Vice Mayor, go ahead.

[Time: 01:04:06]

Vice Mayor Korte: Thank you, Mayor. Although I believe that this is a product that we need to respond to, I believe that's why we are here tonight, is to respond to the hard work that the task force has brought together. I'm having a hard time with wordsmithing. I know one of the issues with the four who quit the task force, they continue to talk that tourism is not talked enough and in the vision statement. So perhaps the direction could be for the task force to take a second look at the words around that vision statement. And if we could possibly enhance the tourism experience in that vision statement. Maybe that's the direction. To ask for that rather than voting on every word. I guess that a second alternative motion.

Mayor Lane: And that's framed in the form of an alternate motion.

Councilwoman Klapp: I will second.

Mayor Lane: All right. Any comment to the second?

[Time: 01:05:33]

Councilwoman Klapp: Well, I'm not disagreeing with what Council Phillips is suggesting here at all, but I'm uncomfortable with just tagging words on to the vision at this point. I think that it is more important that we get the message to the task force about how we feel about certain things and he feels that we are not putting enough emphasis on tourism in the vision and I'm okay with that. But I

would prefer to let them take a look at the words and see how they can, perhaps, better emphasize tourism in the decision without us actually putting those words forward. And that's why I'm seconding this. I'm not disagreeing with Councilman Phillips.

And what I'm struggling with here is when we had our meeting prior to the last time this went to the voters, the product was brought to the Council, and we were told that there were some things that several people were unhappy with in the General Plan that we were going to act upon when we had our last meeting before the votes, before it went to the voters. And so we attempted, at that point, to find ways to accommodate the problems and the questions that arose when that meeting was held, and so I'm glad we are having a meeting tonight to discuss this, so that perhaps we can send some concerns back to the task force about areas that might need to be changed.

[Time: 01:07:10]

But I also am very concerned that we are going to get into the same situation when this comes back to us in June or whenever the timetable is, that we are still going to hear that we haven't done enough. It's not good enough, and that we're going to, and there's going to be opposition to it because we haven't done it enough. So I'm kind of back and forth on this whole process right now of what's the best approach here because I want to provide direction. I think it's good that we are talking about specifics about some things that need to be addressed, but my fear is that we're still going to get at the end of the whole discussion, and to the whole task force process, this caveat that, well, here's the draft plan, but there's some people unhappy with it. And then we'll have to try to find ways to correct it then.

So, again, because this is going to be going forward into, as other meetings and this is the process that we have right now from the current needs that were held by the task force, I'm not sure I know what to expect when all of this ends. Will it come back to the Council for us to finally decide what we are going to do with the plan. I'm feeling a little skeptical right now, as to what the final product will look like and whether or not, it could be suggested yes, we take it to the voters and let's just see what we think. If we as Councilmen sense that there's a problem before it's ever voted on, I think we have to express that. Why will we punt to the voters if we feel there's a problem with the General Plan. And so that's my general long statement about all of this as to why I think it's okay for us to give some general direction but we need to pin down what are the problems that people are experiencing right now with the General Plan so we can fix them now rather than later.

Mayor Lane: Thank you, Councilwoman. Councilman Robbins.

[Time: 01:09:08]

Councilman Robbins: I agree with you, Councilwoman Klapp, I'm feeling uneasy. We don't have a final product. We need to give some guidance on where we need to go from here but I also feel like, I don't want to feel like we are being, we are going to be blindsided or set up for here we want to make all of these changes and then the community again rejects the plan. And I don't think our job is to send this back as many times as it takes until they pass. I think we need to get the plan right first

and then send it back to the voters because every time we send it back, and they vote on it and vote it down, I think that is further damaging or divisive to your community and I think this whole process is something to unite us together.

And Mr. Kelly's talk at the beginning to lay out what are dominant themes and guiding principles, I think part of this process for me is trying to get it synthesized down, I know it's not an elevator speech. What do you see the future of the community? And not make it so, I think the zoning code is what's supposed to be complicated and specific. This is a General Plan. This is a general broad brushed stroke about what our community looks like and the vision for our community and we are really, really bogged down on detail. And I think longer we massaged it and the longer we look at it and the longer we debate it, the heavier and more of a Titanic it becomes.

And I'm not necessarily, I don't necessarily have an answer to that today, but I, those are my concerns and I don't, I feel like we are, we spend another two years and we will be back in the exact same position we were when it failed the last time and I really, the last time and I really don't want that to be the case. I want a consensus of a community vision that we can all support and obviously with the four that left, that makes it very difficult. So you have a contingent of people that are already ginning up to vote against something or campaign against something, and you are going to have that regardless, I understand. There's going to be opposition to whatever we do up here, but this is supposed to be a unifying effort and it's not feeling like that. And so I'm trying to get us to that point as much as possible. So that's where I am right now. We'll see where this goes.

[Time: 01:11:49]

Mayor Lane: Thank you, Councilman. You know, I think the overriding issue that we have here, and we do have the chairman of the task force who would like to speak in response to some of the issues and Wendy, I would ask for you to hold for just a moment. What we are trying to accomplish. This is a work study. So we are supposed to, wordsmithing is probably not something that, you know, is the thing that we are really looking at. We are trying to look at the broader view of this as to what it's meant to accomplish. A word here or there is not going to change the world. It truly is not. I mean, in fact, tourism is mentioned several times and very important components within this, but, again, that's not to say that that's not a good add. But it is wordsmithing.

What we are here to do, without going into a 12-hour session to try to disseminate and divide this thing is to look at the broader appeal of this, and that's the reason I will brought up the division that I could, I recognized in the conversations with those who had resigned, as to where they wanted this instrument to go, beyond where it had been in the past and then some. So it is a difficult thing to accommodate when you have the majority of the task force that sees it very differently and, frankly, maybe with a different perspective, maybe with different legal considerations or otherwise. So that's my concern.

The democratic process is what we are here about, but condemning the process of which we are somewhat mandated by state statute to go through, as well as our own resolution to follow, to say that it was not, that it's inadequate, and somehow or other folks were cheated out of a voice or

otherwise makes it just an argumentative and just a conflict of positions. I would rather it be something just as Councilman Robbins said and frankly, I think he put it very well. It's a uniting effort rather than something that divides us but we are really looking for the overall direction of the city. Now, I know that there's been a drive to make this very specific and very structured and really to confine your elected officials into a position that they couldn't back away from. They are boxed in or whatever.

[Time: 01:14:11]

That's, that's what has come to me from those who have resigned, and that's not really part of what the state statute of growing smarter was intended to do to override some of the property rights or responsibility we have to protect property rights and at the same time accommodate what we want to see for our city. So it's a balancing act. But in any case, you know, I'm not one that wants to sit here going through every word. I don't want to do that. And frankly, if we took a broader approach to it, that would be one thing. But there's within thing that I'm careful about and we need to be careful about is that even in the study session, we do not have unilateral direction to give to staff.

One of the reasons we have a study session is that we have some consensus of opinion as to what we all agree to, whether, we could, you know, we could vote that we agree to this entirely and move it forward in its current form or we could say this element or that element should either be removed or modified. But not taking or adding a word or two. I think we need to be looking at a broader scope than that. We would hope we have wordsmiths within the staff that can make sure we've got the right article or frankly the right descriptive term about our businesses or otherwise. So with that, I will just take a moment, because Wendy, you have asked to speak in response to some of what's going on here and I think it's entirely appropriate in this work study that you do just that. So, please, if you move to the microphone.

[Time: 01:15:48]

General Task Force Chair Wendy Springborn: Thank you, Mayor Lane and members of Council. My name is Wendy Springborn I am a resident of southern Scottsdale and the proud chair of this great group. I'm not quite sure where to start with all of this. The work study session, I think the product that we were hoping to get from this group was to understand Council's perspective of where things are right now, what you have heard from the community, direction that you can give us as far as comments, questions, concerns about what is drafted at this point in time.

We still have a lot of work ahead of us. We only have really three meetings to kind of mince out all of the comments that we are receiving and we are receiving quite a few comments. It's been rather energizing to see the input that we are getting from the community. And the whole community, not just certain voices. So our intent here is to produce a draft document that will represent all of Scottsdale and it's something that we will feel very strongly about and be able to put our voice and act behind it. So what I'm asking from you tonight is to give us your general concerns or comments, you know, for instance, Councilmember Phillips' reference to tourism that maybe we need to address it a little bit more. But that's what we are looking for right now. Because we've still got a lot to go

through and look forward to your input. I do understand your concerns about whether this will pass or fail or whether it's a dividing rod for the city. However, I believe that the work and the energy that this task force has put in, we feel confident of the positive product that will be brought forward.

Will there will be nay sayers? Yeah. There always will. But I think the positive is going to be outweighing the negative. And I'm not just saying that because I'm the chair. But we have got a good Group and we feel like we are putting together a strong document. Not everybody is going to agree with it. That's the fact of life. But we feel pretty confident that what is going to come forward is something that we can continue to support and get it passed in November.

But what I do have concerns about, and Mayor Lane, you brought that up earlier, is just the fact of elected officials, namely Councilman Littlefield, calling out in the community meeting before the draft is even done that vote no for 2014. I was at that meeting. And I think that does a disservice to this task force and frankly, it's, I think, being disrespectful to the group that's committing the time and energy. So with that said, I believe everybody has an opportunity for a voice and opinion but until a draft document is completed, I think it is, again, disrespectful for any elected official to come out against an incomplete document. Thank you.

[Time: 01:19:23]

Mayor Lane: Wendy, if I might just ask one thing because I think it warrants at least a little bit of public attention to this. And that's the accusations that were made by those who resigned as to the wrongness or the inadequacy of the process and their inability to be heard and the fact that either the people weren't listen to them or whatever, but do you have anything to just, and I realize you did not resign and you are in the, potentially, I suppose, with regard to some views, in the majority. What's your sense about that?

Wendy Springborn: Well, with respect to, you know, anybody can do what they want to do, and make their decisions based upon whatever information they have at hand. As far as the reasoning behind the resignations, I really, I don't have a clear understanding of that. There is a distinct difference between not being heard and not being agreed with. And I think that really was the case. Everybody had an opportunity to speak their mind, to speak their opinion, to present whatever information they wanted to bring forward. Everybody at that task force heard everything that was brought forward. Just because an opinion wasn't agreed to by the majority does not mean that your information was not heard. And I struggle with that because everybody was heard in that task force. So to personally come up with that lame excuse that we are not being heard, I think that does a disservice to the process that was in place.

Mayor Lane: Certainly it causes a challenge to that process and the democratic process, if you will, as we move forward or not. But Wendy, thanks very much for that comment as well as your sharing other thoughts.

Wendy Springborn: Sure enough. Thanks.

Mayor Lane: Councilman Phillips.

[Time: 01:21:25]

Councilmember Phillips: Well, thank you, Mayor. The button was pushed a while ago. You know, the reason we are having a study session, I think, and one of the reasons is because we are doing it in public so the public can see what the Council thinks of the General Plan so far. And that's what I'm trying to do. I could easily take everything I have and send it to staff and nobody will know about it but staff and just be a quiet little thing, Councilman Phillips' ideas on the General Plan. I thought maybe the public wanted to know what I thought of the General Plan. You say it's wordsmithing because you want to change or add a word. Number one, when you change words, it can be a profound difference. You can say may or shall. When you say shall, it will be done. When you say may, it could be something else. So words are very important and wordsmiths make a living off of using certain words to convey a certain message.

So as far as that goes, if you give me a chance, the other things are not wordsmithing, and they are overall general ideas. We haven't gotten to that because we can't get out of the vision statement. We are talking about who likes it, who doesn't, who dropped out who is calling this, who is calling that. The study session for the General Plan. Let's just get on with it.

Now as far as voting on what I have to say, if we vote on it, we get the consensus and the consensus is not to do it, then that's basically directing staff to ignore what I have to say and that's not good. That's not good for me or anybody on the Council. You know? Anybody else, even the Mayor has a suggestion, and we all vote no, that kind of belittles his suggestions saying, well, we don't agree with it, so disregard it.

Mayor Lane: That's what happens.

Councilmember Phillips: But that shouldn't happen because this is a direction to Council. So if that's the way it will happen.

Mayor Lane: Collectively.

Councilmember Phillips: Then I will keep my mouth shut and send it to Council and the public wants to know what I think, they can send me an email.

Mayor Lane: Councilman, if I might, to simply say, I never suggested that what you were saying is not worthy of consideration and frankly that we shouldn't be doing it in the open. We do need to be doing it in the open. That's what we are here for, but what we are missing, I suppose, is whether or not the kinds of things that Councilman Littlefield said he sent to staff and has influenced that. Frankly, it wasn't copied to me, not as far as I know. I didn't receive anything on that. But in any case, be that as it may, those are the kinds of suggestions we need to, as a consensus, we don't vote as individuals on these things to add or delete. We, frankly, just as the task force voted in the majority on these items, we have got to do the same thing. Now, disrespect for wordsmithing or otherwise.

I realized as you point out, that this is quite a task if we can vote on either one of those things. We have an alternate motion. We still have Vice Mayor Korte and Councilman Littlefield with Councilman Littlefield next.

[Time: 01:24:51]

Councilman Littlefield: Well, you know, gee, I thought I was being pretty reasonable saying I would wait until after the task force and the Planning Commission came up with their final product before I decided whether it was good or bad and whether I was going to be for it or against it, and that's still true. I have to say I was going to say something nice about the task force, that I thought they had worked hard to take into account some of the input from the people who were unhappy with the way the draft was shaping up and because of that, I'm willing to wait and see how it goes before I commit one way or the other.

But I think it's interesting, I was trying to think what would somebody who was watching this at home, who didn't spend all day thinking about this stuff think when they saw what happens up here. I think the takeaway I would have is it's interesting. Even people up here who appear to be supportive of the direction of the current draft, it's going to pass the public. I have to say if you, it's one thing for me to say it, but for people who are in support of that to say I'm afraid that if we continue with the process, the public is going to reject it, I mean if you really believe that, then you have to examine what you think you are doing. Or how the process works.

If you believe after all of this work, it's almost certain that something is going to be delivered that will be rejected by the voters, then you really have to stop and reexamine what you thought you were doing. I mean, I don't think that's true at all. I don't know what comes out of here. I don't know what it will look like in the end. I'm concerned about it, but I don't know what it's going to look like. I don't know whether it would be accepted or rejected, but the idea that even the supporters of the plan think it's probably going to be rejected, that just seems odd to me and if that's the case, then why did we bother to do all of this?

Mayor Lane: Thank you, Councilman, Vice Mayor?

[Time: 01:27:06]

Vice Mayor Korte: Thank you, Mayor. So I think that there are some general concerns of things that perhaps were not adequately addressed and I would like to bring those forward and have a discussion about them. So we already talked about the vision and the values and that perhaps tourism was not highlighted enough. It just wasn't enough and so maybe we are past that one.

But there's some or things, and I think, and before I go into those, I think that there's a general disagreement in principle of what a General Plan is. And I believe that the four who quit, and those that Councilman Littlefield have represented in some of his messages to the task force, consider the General Plan as a governing document and that it should be specific in height and density and all of those rules and the guidelines for decision making and things like that. And I don't believe that that's



what a General Plan is.

I believe it is a guiding document and it is the zoning regulations that are specific to height and density and the General Plan directs us to those zoning ordinances and amendments that continue to keep our city one of the best places to live. So with that being said, whether we can ever get past that general principle of disagreement, I'm not sure. And I think, and, well, I'm just not sure. But, let's talk about. So Erin, you have received a lot of input. I think that there are some major categories of concern, whether that's the tier or decision making or whether it's height and density. How has the task force addressed some of those more recently than what we have here? Can you talk about that a little bit?

[Time: 01:29:34]

Mayor Lane: Excuse me one second. Before we proceed, we have an alternative motion on the table, whether we like the idea or not. We really aren't past it. If we are going to consider it or withdraw it, that would mean something else again but we do have it on the table right now as far as consideration of on a broader scope just what you just said, about tourism.

Vice Mayor Korte: Correct.

Mayor Lane: So if you want, we can either agree or disagree to that. We are probably of the consensus that that's not a bad thing to be looking at but nevertheless. Just from the standpoint.....

Vice Mayor Korte: Let's bring that to closure.

Mayor Lane: And I've had problems following protocol.

Vice Mayor Korte: I think we have a consensus.

Mayor Lane: Do you want to restate the motion for Councilman Littlefield.

Vice Mayor Korte: Let's see, the motion is that the vision statement to support our tourism industry to a greater extent in our vision statement.

Mayor Lane: As guidance....

Vice Mayor Korte: As guidance to the task force.

[Time: 01:30:41]

Mayor Lane: And there is already a second on that. So I think then we are ready then to vote on that. All those in favor please indicate by aye. Those opposed with a nay. And Virginia voted against it. No. So it's unanimous on that. Now, I'm sorry. I didn't mean to interrupt your train of thought where you were going, Vice Mayor.

Vice Mayor Korte: Thank you, Mayor. No, I had lifted that issue back to Erin for some insight.

[Time: 01:31:19]

Erin Perreault: Mayor Lane, members of Council, vision and values was a focus on meeting more tourism and we already discussed. That one of the other areas of focus that we often get with a General Plan is the major amendment criteria. So in going through that discussion and the presentation, one new add by the task force is calling out McDowell Sonoran Preserve as its own land use. So they already added that to the, excuse me, a land use matrix, the rest of it remained the same from the 2001 General Plan.

Vice Mayor Korte: Do you think we could get that up on the screen? I have no idea where to find that.

Erin Perreault: Brian, it's slide 27, please. With regard to that amendment criteria, you can see that the Preserve is notated as new and that's a new addition by the task force. There's also been some discussion from the Preserve Commission specifically that that new addition should be broken out into its own grouping. So potentially a Group E, and then it would have its own designation that any change from McDowell Sonoran Preserve to another type of land use would all be major amendments across, reading left to right on that matrix. And also to couple that grouping with natural open space. Again, that's specific from the Preserve Commission. The task force last night chose to retain this as is currently in their discussion. So that's been the discussion on that. We have had some discussion on the Character Areas.

Vice Mayor Korte: Erin, on the McDowell Sonoran Preserve, and maintaining the current system, or the current structure here, am I correct that the Preserve ordinance requires a two-thirds vote to change any zoning within that Preserve or to change the boundary?

Erin Perreault: I believe that's correct.

Vice Mayor Korte: So that's basically what this General Plan major amendment criteria calls for is a two-thirds vote, and that the McDowell Sonoran Preserve is already protected by ordinance?

Erin Perreault: That's correct, it is protected by the city charter and an ordinance. In addition, the only thing that I would call out for you with regard to the way it is in the groupings now is if McDowell Sonoran Preserve was changed from Preserve to anything in its own group, which is Group A, to natural open space or rural neighborhoods. Those would be minor amendments and not major amendments and then it would not be a two-thirds vote to answer your question the way it currently is in that matrix.

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

[Time: 01:34:37]

Councilmember Phillips: Thank you, Mayor. Actually looking at that and it's funny that you suggested that we have a Group E, that really emphasizes the statement that we are taking the Sonoran Preserve and using it as another means to vote on to change land ordinances and I don't think it should be. I don't think it should be in Group A. It shouldn't be in any of those groups because that's basically saying by a two-thirds vote we can change it and we shouldn't be allowed to change it. The voters voted for a Preserve and it has to stay a Preserve. I don't know if that needs a motion. But that would be my direction. So I guess I move that we remove the McDowell Sonoran Preserve from the land use category criteria.

Mayor Lane: The motion has been made. That dies for lack of a second. But I did have, I have a question on this, in any case, and frankly, I'm not sure that as we were talking before, that really the underlying zoning has, there's an awful lot of weight on all of these subjects but in this particular case, there's existing ordinance that would be probably as difficult to change as anything else. Now, I don't know whether this adds direction to the protection of the McDowell Sonoran Preserve. I'm presuming that's what the attempt was. And frankly what the origins might be for what may be considered for use of land in the Preserve. But I don't know that there isn't already a pretty strong zoning and frankly ordinance that applies to the use of any lands and anybody, I don't know, Mr. Washburn or frankly, Erin, can you, whoever wants to pick that up is that not pretty set in any case?

[Time: 01:36:40]

City Attorney Bruce Washburn: Yeah, Mayor in the charter, in order to remove the Preserve designation from any land that's been taken into the Preserve, the Council has the ability by a two-thirds vote to remove the designation from up to 6 acres a year, but other than that, it requires a two-thirds vote of the Council and has to be approved by the citizens at an election.

Mayor Lane: Now you are talking about to change any use of Preserve land?

Bruce Washburn: To remove land from the Preserve designation.

Mayor Lane: I realize this one just keeps it within one Group but it doesn't matter to any other use.

Bruce Washburn: Well, that, the, yes, the charter provision doesn't really relate to the....

Mayor Lane: These categories.

Bruce Washburn: In the General Plan, but in the charter, it does. There are limitations on what can be done with Preserve land but there isn't an ordinance.

[Time: 01:37:35]

Mayor Lane: Now I'm asking for a judgment here. Does this add something to that component or is

that pretty strong right in and of itself right now, as far as any kind of change in land use from Preserve land to any other use? If we need a change in the charter, then it has to go to public vote. I don't think there's anything in our General Plan that requires that.

Bruce Washburn: The General Plan protection for the designation of property, to stay in the Preserve is very strong. Because it requires both the two-thirds vote, except for the six acre exception, it requires a two-thirds vote of the Council and it also has to be approved by the citizens at an election. So it's hard to get much stronger than that. Does that answer the question?

Mayor Lane: I think so and we are talking about outside of what's in the General Plan right now, those are requirements for any kind of change right now. So I don't know that this really adds, Erin, maybe I can ask you, what does this add to that component. What was this meant to achieve?

Erin Perreault: I think from a Preserve Commission standpoint, it was to give prominence from the land use standpoint to the Preserve land, different from our other open space designated lands, which includes currently the Preserve is housed under natural open space, and isn't even considered in the amendment criteria with regard to major amendments. Would we anticipate a lot of applications to change Preserve lands? Probably not.

Mayor Lane: And frankly, there's a fairly suggest restrictions on that anyway, as our good City Attorney just announced. Okay, there's nothing further on that for me. Vice Mayor Korte.

[Time: 01:39:27]

Vice Mayor Korte: Thank you, Mayor. This particular point I want to ask about is on page 44 of 162 of the draft plan. And it's towards the bottom of the page, under General Plan amendment process. And it's the second paragraph, should a minor or major amendment be denied by City Council, the applicant must wait one year before resubmitting the same General Plan amendment to the City of Scottsdale. Is that still within the plan?

Erin Perreault: Last night the task force discussed that particular language in here, and based on some of the legal advice we received, they would be recommending removing that from here because General Plan categories don't align with just one zoning district. So technically someone couldn't come in with a different zoning district and still trigger the same General Plan amendment, but it could be an entirely new case. So that's why the recommendation was made to remove this.

Vice Mayor Korte: Okay. Thank you. Can I just keep going?

Mayor Lane: Sure.

Vice Mayor Korte: Height and density has been a hot topic. Can you describe how the task force has addressed and tried to meet a middle of the road ground here between the four who quit and the 19 who stayed?

Erin Perreault: With, I will start with density first. With regard to the state statutes, it actually requires us to give a general guidance for different land use in the General Plan itself. So the 2001 General Plan already seeks the density. That same density is carried over into 2014 draft plan. So for an example, rural neighborhoods, that land use definition talks about generally one house per acre, suburban neighborhoods tends to be two units up to eight units per acre and urban neighborhoods is usually eight and more. So we already have the density spoken to with regard to the amendment criteria and those land use definitions in the land use. What the General Plan, in terms of the 2001 doesn't do is speak to height.

[Time: 01:41:53]

Some General Plans in Arizona do have generalized height ranges that they give to their community for their community to get an idea of where height and density might occur. The 2001 doesn't have that currently. The task force just last night discussed looking at giving general ranges in terms of numbers of building stories that might occur, depending on what area of the community you are in.

Most of those general ranges, of course, align with whether you are an urban character type or a rural character type or dramatically different, as you can imagine. The draft in front of you, because it was just discussed last night does not have that text. That is what we would be sending forward to you.

Vice Mayor Korte: Thank you. Guidelines for decision making. I have heard that as a hot topic and a concern. I'm not quite sure what that means and if it's something to even address in a General Plan.

Erin Perreault: Mayor Lane and members of Council, when you see cases come forward you make a decision whether it's in support of our existing General Plan and when you make a decision on those cases. The amendment criteria, certainly the decision making, what type of some cases the processes will go through, whether it will be determining as a major or non-major and so do the community members and the exceptions so that. That would be the main decision making focus of the General Plan, with regard to minor or major. In addition, Boards and Commissions, as well as the City Council utilize the goals and policies when considering different options, programs and projects under the General Plan umbrellas as well.

Vice Mayor Korte: Thank you. Thank you Mayor.

Mayor Lane: Thank you, Vice Mayor. Councilman Phillips.

[Time: 01:44:04]

Councilmember Phillips: Thank you. So along the same route here and I think when you talk about height and density and you say it's not in the General Plan, the General Plan is just a guiding thing and it doesn't really import, it's just the idea of what the city is going to go through, I think the reason most residents in Scottsdale look to the General Plan is because every time there's a zoning or amendment comes before Council from an attorney, the first thing out of their mouth is it conforms to the General

Plan. So people grab the General Plan book and look through it and say I don't see where it conforms to it anywhere. So got to try to find ways where it conforms. Now here's a good example. On this land use, 6.3. I don't know if you can bring that up. It's kind of close to where this General Plan amendment was. Page 44. Got it?

Erin Perreault: Land use.....

Councilmember Phillips: Page 44. 6.3. Well, I will just read it, encourage development of commercial land use of similar scale and character adjacent to and within residential areas to encourage walkable connection to commercial. Well, that all sounds good until my neighbor next door says I want to bulldoze my house and build a Circle K and he gets a lawyer and comes to City Council and says, well, it conforms to the General Plan because right here under land use 6.3, it says within residential areas. So that's why we have to make sure about the wording in these things so they can't use that to that advantage later on and that's why people look at the General Plan as more than just a guiding principle because lawyers and attorneys use that to get their zoning. So in reference to that, instead of saying within residential areas, it should say within, specifically identified Character Areas. That way they can't just pick out your residence area and say, you know, well, he wants to build that here and he's got the money and you get the votes, you will get it. So I'm trying to make a point, thank you.

Mayor Lane: Do you want to make a motion to remove it?

Councilmember Phillips: Sure, I can make a motion to say, where it says and within residential areas. Instead of within residential areas it would say within specifically identified Character Areas.

Councilman Littlefield: Second.

Mayor Lane: All right the motion is made and seconded. Councilman Littlefield would you like to speak to it?

Councilwoman Klapp: I'm looking at page 44.

Mayor Lane: Yeah. Okay. No discussion. I would only venture to say here that the way I read this, I don't know that I would necessarily concur that this would be a problem in the sense of how it might be used. It's simply to add with and encourage the commercial land uses of similar scale and character adjacent to and within the residential areas to encourage walkable connections between commercial and residential areas. Or property or zoning. That could be meant to say. I think it's proven to be a fairly positive thing for us to provide these walking areas between commercial and neighborhoods, whether it's possible. So in any case, the motion has been made and seconded. Mr. Treasurer, Mr. Nichols did you have a request to speak on this?

[Time: 01:48:10]

Erin Perreault: Mayor Lane, that was me.

Mayor Lane: We don't have a code for you, Erin.

Erin Perreault: I just wanted to clarify for the Mayor and the Council that the change from a residential to a commercial land use, we would look at the amendment criteria and have to determine that proposal in case for the amendment criteria and then currently that would be going from commercial to say a suburban or a rural neighborhood would be a major amendment. So it wouldn't just be governed by any specific goal or policy in the plan.

Mayor Lane: Thank you. Vice Mayor Korte. Councilwoman Milhaven.

Councilwoman Milhaven: I want to be clear. So if I live in a suburban neighborhood and my neighbor wants to bulldoze his house and build a Circle K, would this allow him to do that?

Erin Perreault: This specific policy would not. We would be looking at the amendment criteria and go that would have to go through a public hearing.

Councilwoman Milhaven: Thank you.

[Time: 01:49:07]

Mayor Lane: We had the motion made and on the table. So we are ready then to speak or to vote on it. All those in favor please indicate by aye. Those opposed a nay and register your vote. No. 2-5 with Councilman Littlefield and Councilman Phillips approving. Sorry in fairness, Councilman Phillips did you have another item or.....

[Time: 01:49:36]

Councilmember Phillips: Actually, I was following down Councilwoman Korte's line of thinking here. Let's see, the next one I have is in the Culture and the Creative element. Two policies, A.C.C., 2.1 and 3.2.

Mayor Lane: I'm sorry, give me that one again.

Councilmember Phillips: The Culture and Creative element and the policy is A.C.C.2.1.

Mayor Lane: What page is that on?

Councilmember Phillips: I have 57.

Erin Perreault: I think it's page 50 for Mayor and Council.

Mayor Lane: Okay.

Erin Perreault: It begins at the top of page 50.

Councilmember Phillips: What I'm thinking with all the policies for the arts and culture, we are making a list of rules, things we should do, damage action plans, blah, blah, blah, we didn't do any of that because we give the Cultural Council \$4 million a year and they do it. We can't tell them what to do. I think when you add this Culture and Creative element to it, then we are basically saying, well, now we have to be in charge of it. So I don't know if that's a conflict of interest there or if we have to look at how we do our Culture and Creative stuff now because once we add that to the General Plan, if it doesn't work.....

[Time: 01:51:15]

Erin Perreault: Mayor Lane, members of Council, the implementation of the General Plan is not just done by the city. It's done by other organizations in the community, including the Cultural Council and the nonprofits. We have worked closely with Cultural staff, recognizing that it's new and trying to be sensitive to their strategic planning. So that they have looked over this and provided comments, not only the Cultural Council of the board but also their different boards as well in terms of performing art and public art have also reviewed this currently.

Councilmember Phillips: So you are saying the Cultural Council, this is a guide line for them?

Erin Perreault: Yes, we did get some comments that the task force will be looking at and incorporating the future draft, but they have reviewed everything that you have in front of you tonight.

Councilmember Phillips: Thank you.

Mayor Lane: Thank you, Councilman. If I might just ask a question on this same section and realizing that it's all new. It just seems to me that this, I think the word was used by the Vice Mayor, as somewhat of a governance document now, when we talk about what we are to do in the management of contracts and this and that. Is this an appropriate item for us to be considering the General Plan? I will ask maybe Legal, is that what the entire, or I should say the intended results or desire intent of the General Plan to develop somewhat what I consider to be a governance or administrative regulations, administrative now within the area of contracts.

[Time: 01:53:12]

Bruce Washburn: The city charter describes the, what the city is supposed to be doing with respect to General Plan. I know it's also provided for in the statute. You know, one of the powers of the city is to adopt and amendment a comprehensive General Plan as provided by Arizona law regarding future physical development of the city to serve as a guide to all future Council actions concerning land use regulations and expenditures for capital improvements. The Council implements the General Plan by developing land use and development regulations including but not limited to an official zoning map and zoning and subdivision regulations.



Then if you go into the statutes themselves regarding, because the charter says we are supposed to be adopting and amending the General Plan, you go into the statutes themselves, the General Plan, the defined term, it means a municipal statement of land development policies that may include maps, charts, graphs and text, that set for the objectives and principals enacted under the provisions of this article or any prior statute.

I bring all of this out by way of pointing out that neither our charter nor the statute itself, I think specifically delimits exactly how detailed or how much, for lack of a better word clout or prevision is supposed to be included in the General Plan as opposed to the implementation of the General Plan through the ordinances. I'm sorry that's not a very definitive answer to your question. I think both the charter and the statute contemplate a General Plan and then the implementation of that plan through ordinances but they don't firmly delimit how specific or controlling the General Plan was.

Mayor Lane: But there was a word that you used and whether it was from the charter or from the General Plan, I think they both actually went to land use and physical development or redevelopment of the city, not necessarily to more contract management and/or social development, more from a physical development of the city, as it might relate to land use as it's indicated several times. This just seems like we are expanding as is often a term that we often use around here, the mission creep into some of the areas that we are now involved the General Plan into, almost a governance or certainly an extension of governance on other issues other than physical or development or redevelopment and land use.

Bruce Washburn: Well, the General Plan statute does have a number of different elements that can be included in the General Plan and because it's in state law, then that would also be incorporated into our charter, the permissible actions on our charter. And probably the people who work every day with the General Plan would be more familiar with those specific categories. I don't know if they care to comment on that part of it.

Mayor Lane: If I might just add to that, to ask the question, are some of these new areas part and parcel to statutory, the new statutory requirements?

[Time: 01:56:31]

Erin Perreault: Mayor Lane, members of Council, the art, Culture and Creative community element and Healthy, Happy community element are not state mandated. So those are two community-created elements. We have three Scottsdale created elements, Character and Design, Economic Vitality and Community Involvement in our 2001 that are also not state mandated, nor were they in 2001 either.

Mayor Lane: So is this is not a new, I mean, these are new provisions but it's not a new section.....

Erin Perreault: This is a new element but it's not state mandated.

Mayor Lane: Okay. All right. Thank you. Councilman Phillips.

Councilmember Phillips: Thank you, Mayor. So then my next one, go down a little further on goals. A.C.C. 3.2, it says foster living areas that are conducive to artist lifestyles and work, so as to encourage a network of artists who live in an area. That seems to me a little far out, far reaching there and you know, we don't encourage, you know, ethnic groups or religious groups to live in certain areas. So I think that's a little too much. So I guess I can make a motion to remove 3.2 as a direction to staff.

Mayor Lane: Would the second like to speak toward it?

Councilman Littlefield: No.

[Time: 01:58:08]

Mayor Lane: Councilwoman Milhaven. I just have a comment on this. I'm wondering about the whole area. I appreciate Councilman Phillips focusing in on 3.2, but, again, this goes a little bit to my concern as to how far reaching, as we go into somewhat of a social policy versus what has been historically, at least loosely connected to the physical development and land use issues within the city, in growing smarter, sort of along the same vein, but, so I'm going to support this, this particular item, but I would also wish that it were a little bit more considering of some of the other items within this category. All seemingly new and I will just ask the question again, is this area, since every element within, well, I'm sorry, 3.2 is not indicated as new. Is that the only item that was, has previously been in the 2001 General Plan, that's to integrate art at various scales into the built environment?

Erin Perreault: Mayor Lane, members of Council, the content that has been brought over from the 2001 General Plan includes policy 3.8, all of goal four and all of the policies except for policy 4.6 and that's on pages 51 and 52 of your document. And under goal 1, backing up to page 49, that goal itself is currently in the 2001 General Plan, as are policies 1.6 and 1.7.

Mayor Lane: I'm sorry. Erin, I was referring right now to the goal 3 in inclusive and I only see 3.8 that category is the only one that looks like it would, is either a carryover or existed previously.

Erin Perreault: That's correct on goal 3 specifically.

Mayor Lane: Okay. Councilwoman Klapp.

[Time: 02:00:34]

Councilwoman Klapp: What's the thought process in the task force for adding this? I don't want to just eliminate something without knowing why it's there.

Erin Perreault: Some is the attraction of arts and culture to the tourism component of our community and the quality of life for the residents in the community. That's been some of the discussion at the task force level. Previously we did hear a little bit from the community last time

during the 2011 plan about possibly making art and culture its own element. Art and culture is one of the four dominant themes in the 2001 General Plan currently and that would presumably be carried forward into the 2014 plan in terms of continuing on with those dominant themes so art and culture has been important from a community standpoint for a long time in Scottsdale.

Councilwoman Klapp: Just as a general comment I wouldn't want to eliminate one item in this list without having the opportunity for the task force to discuss it again. So I wouldn't be for supporting this motion.

Mayor Lane: All right. Thank you. Councilman Phillips.

[Time: 02:01:46]

Councilmember Phillips: Thank you, Mayor. Well, coming back to what the Mayor said, you know, I'm looking down at the rest of my things here and you don't have to go through them all. I will just throw some out there, the 5.5 provide facilities, 6.1 engage with existing artist groups, 6.2 provide direction support and services and work regionally to create artist habitats and provide incentives for products and create artist housing. I think this is way overreaching. So I could change the motion to say, please go back and look over your Culture and Creative element and maybe you can be a little more restrictive.

Mayor Lane: If you are going to revise that motion, would the second.....

Councilman Littlefield: Yes.

Mayor Lane: You know, I would add a little bit to that as well. I'm concerned when we start talking about pushing or directing the city rather to drive, foster, provide incentives integrate, all of these things don't come without a price tag if you are generally either by somehow rezoning and/or requiring the property owners to have their property used in such a way that may or may not be their best interest as well. So I mean, I'm very concerned and I frankly, would have to admit I have not read through each and every one of these new items. But I will support that motion as well. So.....

Councilwoman Klapp: Could I have the motion restated, please?

Mayor Lane: Councilman.

Councilmember Phillips: So I move that Council direct staff to go back over the Culture and Creative element and find a way, find ways to maybe make it a little more restrictive or to cut back on some of the things that they are asking the city to do through a contact with our, a contract with the Cultural Council.

Mayor Lane: Councilwoman.

Councilwoman Klapp: I think there's still a misunderstanding. This relates to the Cultural Council.

I think this has to do, if I'm not mistaken, with our relationship with all artist groups, and not just the Cultural Council. So I wouldn't want to say that we are trying to restrict something that the Cultural Council is doing because this has relationship to all arts and culture of any nature with that, within the community. So I'm still, I'm okay with the task force going back and looking at this, but I don't like the word "restrict." Maybe there's some other word that could be used to reevaluate or something, just so they can come up with some, maybe take a new look at it without making it so specific that we are telling them to cut stuff. I think it bears a conversation but I don't really want to be restrictive.

Councilmember Phillips: I will accept reevaluate.

Councilwoman Klapp: Okay. I will go for it.

Mayor Lane: Yes, Councilman.

Councilman Robbins: Is the motion specifically directed to the Cultural Council or this section of the General Plan?

Councilmember Phillips: This section.

Councilman Robbins: Okay.

Mayor Lane: Thank you, Councilman. We do have a motion and a second on table, as it's been stated and restated. So I think we are ready to vote. All those in favor of the motion, please indicate by aye and those opposed with a no. Tally is 5-2, and Councilwoman Milhaven and Vice Mayor Korte against. Councilwoman Milhaven.

[Time: 02:05:59]

Councilwoman Milhaven: Thank you, Mayor. First, I have been trying to bring my thoughts together after reading the plan and sitting through some task force meetings and being there last night at the task force meeting to understand the last-minute changes and then I went home and there was an email from a constituent saying you need to listen to the Preserve Commission discussions on the General Plan and I listened to that after the task force meeting. I want to start by thanking all of the task force members. I mean, I get, as we wander around town, citizens thank us for our service, but I think the General Plan Task Force may have put more time than we have as Council. So I will thank you for your time and commitment to the community. And I also want to apologize for how difficult this process has become.

I know you are all people who want to do the right thing and have the city be as wonderful as it is in the future as it is today and see this process get ugly is really unfortunate and so I want to apologize for those of you that had personal attacks that happened through this process. Staying broad, you know, the comments I heard from some of the my colleagues earlier that we need to get this right, and that it needs to be simple and clear and easy to understand, I think are right on. And I do think we need to respect the process. In fact, when we did the 2011 plan, there were a lot of things in that

plan that I didn't personally agree with. But I respected the folks who spent their time to develop the plan, and said if this is a citizen driven process, I need to respect the opinions of the citizens who did that and move that forward to the ballot. Although I didn't agree, I respected the process.

Moving forward, and I do have some, I can get into some of the detail here and I want to understand some of why you made the decisions you did, but in listening to this conversation, even up here, there's misunderstanding about the purpose of the plan and what certain things mean and whether we're referring to a specific person. So it makes me pause and say, if we are going to get it right, if we are going to make it simple, clear and easy, how are we going to get there? I don't know that we have an answer to that. I know one of the task force members said please give us specific direction. You heard Miss Springborn say, please give us specific direction. I apologize for not being more specific, but, you know, I think this is something we should continue to try to work toward. So having said that broadly, I do have some questions specifically about the General Plan amendment plan criteria.

And already we have heard conversation tonight about the value of tourism, and not having a heavy, that it needs more emphasis in the plan and so I would like to understand a little bit better resorts and tourism is, why resorts and tourism isn't a separate category in and of itself and why would we want to make resorts and tourism major? And let me just say a little bit more to frame that question. The General Plan in my mind is what do we want to look like in the future? And the things we really want, we want to encourage and signal to say that we really want, and the things we would not see changed, we make it more difficult to change in the future. So we have to think it's a really, really good idea in the future to make the change so we all have to agree and get a supermajority to agree to. So if I'm going to build a hotel in our community, and it's a major General Plan amendment, you are making it more difficult to build my hotel that would support tourism. So it's confusing to me why if tourism is so important to us, we would make it harder for someone to build a hotel in our community. And so, therefore, why is tourism a major General Plan amendment requiring a super majority of Council and making it more difficult to do business in Scottsdale? I'm asking that either to Erin or anybody in the task force. I would certainly ask the task force to answer any questions to understand their support of this so I could understand better why this makes sense. Okay. Then I will move on.

Mayor Lane: The answer for the loss of a question or rather the question for the loss of an answer.

[Time: 02:11:01]

Councilwoman Milhaven: So what I might do is ask the task force to reconsider perhaps making that its own category. Second point I would make is cultural institutional or public use, might make, I think I would like to understand why that's not its own separate category and, again, you know, why wouldn't we want things that are available to the public in every part of our community? Why would that have to be a major amendment. So maybe think about that.

Mayor Lane: Is that a motion?

Councilwoman Milhaven: All right. So I will make a motion to direct the task force to reconsider making resorts and tourism and cultural institutions and public use their own categories, each in their own category. And making, and reconsidering whether it should be major or minor amendments.

Mayor Lane: A motion has been made.

Vice Mayor Korte: Second.

Mayor Lane: Would you like to speak towards that?

Vice Mayor Korte: No. I have something else.

Mayor Lane: If I, okay. I didn't see it up here but in any case, Councilman Robbins.

[Time: 02:11:45]

Councilman Robbins: So Erin, can you explain if that were the case, what would that mean exactly? To our process, if they have their own categories?

Erin Perreault: Mayor Lane, members of Council, they would, we would be looking at any change from resort tourism or cultural institutional depending on what the task force decides in terms of major or minor, we would look at what that does from group to group to group, just like we do with any other land use category. It just would not be grouped with anything else as it is currently, as either of one of them are currently.

Councilman Robbins: Does that necessarily mean that it would be, if it's its own category, does that make it a minor amendment every time, not necessarily?

Erin Perreault: Depending on relooking at examining those major and minor, it could have a change from a task force depending on what their deliberation is. So those could change if they are looking at reevaluating across when you lead left to right.

Councilman Robbins: Okay. Thank you.

Mayor Lane: Councilman Littlefield.

Councilman Littlefield: Just to make sure I understand, the motion is to make resorts and tourism their own group; is that correct?

Councilwoman Milhaven: The motion was to ask the task force to revisit whether or not it would make sense to have it be their own group.

Councilman Littlefield: Well, I think the answer to the question is why would we make it harder for someone to build a hotel or a resort. The issue with tourism isn't how many rooms we have. It's

why would anybody come here to stay in one of those rooms. And so the complaint about this draft not being tough enough on tourism is about making sure that we keep the community a place that people want to come visit. Nobody wants to go to Apache Junction. They want to come to Scottsdale because Scottsdale is a unique and a community you want to come visit and one of the things that the people who are concerned about this issue want, is a General Plan that keeps it that way. Nobody wants, it wouldn't matter how many hotel rooms you build in Detroit, nobody is going to go there on vacation. It's not about the number of hotels we have. It's about keeping the community in a state that people would want to visit it.

Mayor Lane: Thank you Councilman. Vice Mayor Korte.

Vice Mayor Korte: Two things, I support this recommendation to the task force, because I believe that in order for us to maintain our attraction as a tourism defendant in addition, we, destination, we continue to continue to change, and change in those event and resort attractions continue to offer new things and new experiences to meet the changing desires of the visitor. And I think that's what this is all about, is to support change in our tourism and resorts and tourism to continue to meet the needs of that industry. So new question. Help me understand what.....

Mayor Lane: Vice Mayor, if I might, we do have a motion and a second on the table.

Vice Mayor Korte: You are right. I will ask later.

Mayor Lane: And, frankly, to the earlier part of the Vice Mayor's comments, I would concur. And I do concur with this motion. I think it's important enough and frankly it's emphasized by that tourism is a major component on all economic engines and it provides an environment that's attractive to tourists. That's an evolving industry and an evolving issue for us and what we are, and how we can maintain that balance between our historical tourism attraction as well as to be able to make sure that we are attentive to the new needs and the new developments in that area. So I support that. But in any case, with that, let's, Councilman Littlefield, are you on this topic?

Councilman Littlefield: No.

Mayor Lane: Okay. So then we are ready to vote. All those in favor of the motion that has been made, please indicate with an aye. Those opposed with a nay. Okay. Motion passes.

Councilwoman Milhaven. 5-2 would Councilman Littlefield and Councilman Phillips opposing. So that's clear. These are all guidance items. They are not standing on absolutes. What comes back to us. Now, since I interrupted your second part of that, I suppose Vice Mayor, I will go you to first.

[Time: 02:17:52]

Vice Mayor Korte: Thank you. Thank you, Mayor. So help me understand the groupings. They seem to be, well, help me understand the groupings.

Erin Perreault: Mayor Lane, members of Council, these are the groupings decided on in the 2001

General Plan, with the exception of the McDowell Sonoran Preserve. So starting at the top, Group A, rural neighborhoods is our lowest density type of residential land use, and there's a lot of natural open space areas throughout the community that obviously natural open space would be the lowest density we have with no density in it. Those have been grouped together. When you look at Group B in terms of suburban neighborhoods, developed open space, which is often developed as potentially golf courses, although there are other types like Indian Bend Wash, those often go hand in hand with suburban neighborhood developments throughout our community and especially in master planned areas. And then the cultural institutional or public use was grouped along with that. I'm not really sure why back in 2001, I can't speak to that specifically.

In terms of urban neighborhoods and resort tourism, the grouping there, urban neighborhoods is eight dwelling units or higher. So it is our densest type of residential land use. Resort tourism can have a variety per the land use. It can be a stand-alone hotel. It can be accompanied by residential development as well. So we have heard some feedback from different portions of the community with regard to that coupling of an actual hotel or resort with residential development and that's where some of the concern has been expressed. Those were coupled again in 2001 together and then you have your commercial types of uses and/or a mixed use that often has commercial office or an employment type of use with it.

Mayor Lane: Thank you, Vice Mayor. And thank you, Erin. Councilman Littlefield.

Councilman Littlefield: Yeah, there's another item that, let's see what page is that on. On page 44 again, one of the things you have here, major amendment new, no, minor amendment should be denied by City Council, the applicant must wait one year from the date of denial before resubmitting the same general amendment plan application to the application of the City of Scottsdale. New. I understand last night, the task force voted to delete this. Is that correct?

Erin Perreault: Mayor Lane, members of Council, that's correct.

Councilman Littlefield: And the current standard, that was a new item. All right. Well, I would like to make a motion that we direct the task force to put that back in.

Councilmember Phillips: Second.

Mayor Lane: The motion has been made and seconded. If I might ask, Councilman Phillips, would you like to speak towards it?

Councilman Littlefield: Pardon?

Mayor Lane: Councilman Phillips, would you like to speak to it.

Councilmember Phillips: I didn't know that they had voted to remove it. So he got the direction remove it and this is our direction to put it back.



Mayor Lane: Thank you, Councilman. Councilman Littlefield if you could restate that motion for me, I would appreciate it.

Councilman Littlefield: Yes, I would. The motion is simply to provide direction to the task force to put that sentence back in the draft plan and the reason for that is simple, if we deny.....

[Time: 02:21:46]

Mayor Lane: I think the critical component for me, Councilman. Critical component is the sentence that you are referring to.

Councilman Littlefield: Yes, the sentence on page 44. Do you want me to read the sentence again?

Mayor Lane: Well, you tell me where it is. I'm looking at 44. I think I'm looking at 44. Am I looking at the same 44 as you are? That's been removed?

Councilman Littlefield: I think they should wait a year from the date of denial, otherwise, you know, citizens come down here and they oppose something, and the rare case that they actually get that, that their opposition actually makes a difference, there's really no reason to allow the developer to come back and immediately start bugging them again. So I think the idea especially in the case of a General Plan amendment, if somebody gets theirs denied, they shouldn't be able to turn right back around and resubmit it. They should have to wait a year.

Mayor Lane: Thank you, Councilman. So the motion has been made and seconded. Is there any further comment on this particular motion? Councilman Phillips, you are on, okay. So this, to this motion? Okay, Councilwoman Klapp.

Councilwoman Klapp: The same question, why was it removed?

Erin Perreault: Mayor Lane, and members of Council, in discussion with legal and per legal advice at the meeting last night and in looking at this our zoning ordinance requires that an applicant wait if their zoning cases is denied, they have to wait a year. The difficulty with aligning the General Plan is the General Plan land use category, a land use category can fit more than one zoning district. So someone could come in with a completely different zoning application with which they submitted to the city and it could trigger the same General Plan amendment. The thought was that we should remove it because it would be an accurate process. It would be a new case and it's not a resubmittal of what had been submitted.

Councilwoman Klapp: Thank you.

Mayor Lane: Thank you Councilwoman. Councilman Phillips. We still have the motion and the second on the table. If you could help me out by reframing by putting your name up there for the next question until we get this cleared. In any case, I think we are ready to vote on the motion by Councilman Littlefield. Okay. On this subject, obviously. Yes, Councilman Robbins.

[Time: 02:24:18]

Councilman Robbins: So we only have major amendments once a year anyway. So if your major amendment was denied, wouldn't you have to wait a year currently?

Erin Perreault: With regard to major amendments, that's correct. You would be filing a different amendment process. For a non-major amendment, they happen any time during the year.

Councilman Robbins: So this really only effective with regard to minor amendments that would have to wait a year because majors you already have to?

Erin Perreault: That's correct.

Mayor Lane: Mr. Washburn, did you have a comment?

Bruce Washburn: Just to clarify the concern that was raised, we have a concern that was raised. And it was a concern that was raised, there was certainly no requirement from the legal department that this be taken out. But in Section 1.705 of the zoning code it states if a development application is denied by the City Council, or that the application is withdrawn after the Planning Commission hearing, the Planning Commission should have the authority to refuse to accept a proposal within the year of the original hearing.

So there's a provision and the zoning code that basically says any development application, including, which would include the General Plan amendments cannot be brought back within a year except with the Planning Commission approval but it also provides for the Planning Commission to allow that in the proper circumstances. So excuse me, in our opinion, there was a conflict between the existing zoning code and the provision that was contained in the General Plan. So that was basically the recommendations that they needed to be reconciled somehow and, of course, Councilman Robbins has correctly pointed out that major General Plan amendments can only come through once a year because of the statutory process.

Mayor Lane: In order to make it consistent, it was removed?

Bruce Washburn: Yes. So the General Plan would be consistent with the existing zoning code.

Mayor Lane: So it was removed on that basis. Okay. Yes. All right. Thank you. Councilman Littlefield.

[Time: 02:26:26]

Councilman Littlefield: Well, you know this actually goes back to an argument we have been having up here for years and years and what I hear from citizens all the time, controversial zoning case or general amendment case will come up and the citizens will mobilize to oppose it. They will come

down here, and they write their Council, and then they find that the process is designed to make the, to cater to the needs the applicant, the developer, rather than the needs of the residents. So we give the developers almost unlimited continuances. If they see something won't pass, they get to continue it so they don't have to put up with a denial and so what I'm saying is let's seen, you know, let's level the playing field here a little bit. I think this was a good idea and the idea is to say if we have a controversial case, that the citizens oppose it, they come down here and they get lucky and then it actually gets denied, the applicant shouldn't have the option of turning around and starting the process again because that is an applicant developer-friendly policy rather than a resident-friendly policy.

Mayor Lane: Thank you, Councilman. Vice Mayor on this topic?

Vice Mayor Korte: Yes, sir. Thank you, Mayor. You know, we talked about this issue about 15 minutes and I want to remind everyone that this is the second time we visited this. I understand a major amendment requiring a year to come back. I don't support a minor amendment. So if we look at that, and look at our recommendation to take resource tourism out of that grouping into its own grouping, and to make those minor changes, that basically shuts down a resort and tourism project for moving forward and that's not supporting that industry. So I will not be supporting this motion.

Mayor Lane: Thank you, Vice Mayor. Then I think we are ready to vote on the motion to add it back from our previous vote to take it out. Or at least to consider. In any case, those for with an aye and those opposed with a nay and register your vote. The motion fails 5-2, with Councilman Littlefield and Councilman Phillips on the positive side of that motion. All right. Now, starting with new areas of concern, Councilman Phillips.

Councilmember Phillips: Okay. This is less contentious. Happy and Healthy.

Mayor Lane: I thought that went pretty well.

Councilmember Phillips: I'm on page 66, but I'm not following the same plan as you. So you are probably on page 60, I think. It's HC2.5.

Erin Perreault: Mayor and Council, it's page 59. Top of.

Councilmember Phillips: Close. So it says, support gardening and local food production and backyards on green roofs and within private courtyards and communal spaces and I actually agree with that, but I was wondering and maybe this is the City Attorney's question, but in the House Bill 510, didn't that make it illegal to do that? I know you are not supposed to be encouraging it. You are supposed to have FDA stamps on all of your baked good nowadays.

Bruce Washburn: I don't know the answer to that question, Mr. Phillips, although you may be right. I would have to go back and take a look to make sure that is right.

Councilmember Phillips: So maybe just direction to staff to look into that before including that section, although I like it. So that would be my motion to direct staff to look into the legality of HC2.5. It's a good exercise in making motions.

Mayor Lane: The motion fails for a second.

Councilmember Phillips: Why?

Mayor Lane: Councilwoman Milhaven.

[Time: 02:31:03]

Councilwoman Milhaven: Thank you, Mayor: In my continuing quest for simple, clear and easy to understand, I went back and pulled the '01 and '11 plans to look at the amendment criteria and in the '11 plan, it's clearer and easier to understand than the '01 plan, and what's in the '14 plan is a lot of stuff. And one of the things that's in the '14 draft is a reference to Character Area plans, which I understand is an important part of our process. But it's not referred to in the '11 plan, and so I guess my question is, I'm, Character Plans are a good thing. They are part of our planning process. They really should be included and respected in how we do things in the future. My question is: What's its place in the plan, in the General Plan? Is it lending value or is it lending confusion by adding it, and I want to understand the thinking from the task force about why it's included in this version from a way that it wasn't included in the other versions.

Erin Perreault: Mayor Lane, members of the Council, in the 2011 plan, the discussion from the community members and in particular the Planning Commission recommendation was to remove both criteria number three, which is Character Area planning, and water, wastewater criteria number 4 from the 2001 General Plan. With regard to the removal of those, it was a recognition that all of the cases that we had since the 2001 General Plan have been triggered by amendment criteria number one specifically, and to a small extent by the acreage amendment criteria number two. So that was the discussion that happened during the 2011 and hence the removal of that amendment criteria.

The current task force discussion and some community feedback after the 2011 plan process was that Character Areas are important, if we could whittle down the number of Character Areas that we are aspirationally trying to achieve over time in the community. As you saw earlier in the presentation, it was 22, in the 2001 plan. We have only had seven adopted ones. A recognition that we have something that is more reasonable to achieve which was the '11 that you in the proposed plan, there may be more triggers if we have more Character Areas in the future and we should retain that number three amendment criteria.

Councilwoman Milhaven: What's the risk of taking it out?

Erin Perreault: Mayor and Council, the risk of taking it out is if there's a change in a Character Area, that goes against what one of those plans basically calls for that specific area of the community, it could dramatically change the character of that particular portion of our community.

Councilwoman Milhaven: Can you say that again. I'm not sure I understood that.

Erin Perreault: Depending on which Character Area you would be looking at, if a proposal came forward that was dramatically different from what that Character Area plan looks to having in that particular area, it could dramatically change that portion of our community, the discussion and why it's in our amendment criteria from 2001.

Councilwoman Milhaven: So you are saying without mentioning it here?

Erin Perreault: This amendment criteria gives Character Plan Areas more teeth at a General Plan level than it does without having it in there.

Councilwoman Milhaven: Okay. Thank you.

Mayor Lane: Thank you, Councilwoman. Councilman Phillips?

[Time: 02:35:13]

Councilmember Phillips: Thank you Mayor. well, getting back to Happy and Healthy, 6.1.

Erin Perreault: Mayor and Council, that's page 60, towards the bottom of the page.

Mayor Lane: 6.1.

Councilmember Phillips: Yeah.

Mayor Lane: My page numbers are off.

Councilmember Phillips: Well, the fourth bullet point addressing the changing mobility of this segment of the community, they are talking about the senior citizen population. I would like to make a motion that we include and promote aging in place initiatives.

Vice Mayor Korte: I will second that.

Mayor Lane: Would you like to speak to it, the second?

Vice Mayor Korte: Yes, I would like to ask if there is any reference to aging in place in this document.

Erin Perreault: Mayor and Council, there is in the housing element specifically. It would be under goal, housing, housing goal three, policy 3.1 on the bottom of page 66.

Vice Mayor Korte: Then my question, would it be redundant to also put it in the senior citizen population policy HHC 6.1, just to be, have a statement of strength there?

Erin Perreault: Mayor Lane, members of Council, it certainly would repeat something we already currently have in the plan but we do have other things that cross reference between elements in the plan and in between chapters so it wouldn't be unusual.

Vice Mayor Korte: Thank you.

Mayor Lane: Thank you, Vice Mayor. So there's a motion to add an element to encourage and pardon me, hopefully I got this right. Aging in place. I think we are all doing that right now. But any case, the motions are made and seconded. I think we are ready then for a vote. All of those in favor, please indicate by aye. The guidance to consider that. I will take this moment, though, we can clear that tally, but nevertheless, yes. Oh, I'm sorry. It was unanimous. It didn't get up on the screen. The one time I choose not to say it, they don't put it up on the screen.

[Time: 02:39:00]

I think one of the things that is a little concerning, number one, I probably should have said this at the outset, but it's still worthy of real mention. There isn't any doubt that the task force has undergone a tremendous effort in this regard, and it is very much respected by everybody on this Council, what was, what we went through and irrespective of where we end up here with this, it's no way in indicative of any disapproval, I should say of the efforts that were made and frankly, sort of the, I guess, the challenges that occurred during the course of it. So I just want to mention that, absolutely.

So I, but one thing that I'm concerned about is that it's something that was voiced by the opposition, if you will. Those who resigned and then, of course those who followed their concerns and sort of denouncing the process and denouncing the product as it was at that point in time. As we have already talked about. Was that I believe there are some real concerns about the product and I, I know that they are there and Councilman Littlefield was saying, we are worried about the process and whether it wins or loses, it's just really Councilman, we are very concerned about what your concerns are and I'm also concerned about the fact that I don't know who else might have done this but I do think that it's concerning we have these work studies.

If we have something that went to the task force and something that's being considered outside of this, without an open forum on it, I think we have a bit of a problem there and I don't know exactly to what extent that has taken place. I have avoided doing that myself, but nonetheless, if has, it's very important that we are considering this on a consensus basis, as to what changes this Council would be considering. That's why we have this exercise tonight. So I'm, but I do share some concerns about, I think, unambiguous is a name or a term that was used by the opposition to this plan, and, hey, I'm right here with you, Jeff. I mean..... If you want a closer image, we can get you a chair up front.

But no, unambiguous and clear and a couple of other adjectives that I suppose were applied to it, really goes towards transparency in what we are trying to accomplish here. And one of the concerns I have right now is that in being as truly extensive in the coverage, what we have in this product, we

may have complicated it to a point that it's no longer simple, and it's, as I mentioned, before I'm concerned about a little bit of mission creep. And as I read some of the things in here that, you know, even on the goals but it's been in other areas too.

It seems like we are addressing a much broader scope in social and administrative and contract relationship kind of things than was anticipated, I think even by the public when we talk about a General Plan. Councilman Robbins said earlier and this also feeds from what Mr. Kelly said earlier too, is that there was a pretty straightforward approach to it, and there were specific elements that it was meant to cover and frankly, it was understood. I think there was a reference about a 30 second elevator speech on it. What does it mean? I think if those people who are aware of our General Plan, to any agree, I think they anticipate that it is a product of what we expect our physical city to look like. I think the management, the governance, the contractual obligations that we have, I think they are all outside of this.

I will point to one thing that I just wonder, what were we thinking when we decided we had to have, now I'm way off the page now, but essentially what it got into saying, is to officially recognize on a regular basis contributions, the arts makes to the quality of life and the identity in Scottsdale and it's one of only many in here that are sort of calling us to somehow follow some new rule book of how we are supposed to act and sort of demanding that somehow or another we, you know, we do things that we frankly probably do as a matter of course but now we have to follow A.C.C. 1.4 or 1.5 as a new rule or a goal that we are supposed to be attaining.

[Time: 02:44:32]

So we've got to check that one off on a regular basis. But it's only one of many. And I'm concerned that we are in an area that is a mission creep on this. So I may have some real concerns with this product that may differ from the concerns that Councilman Littlefield has expressed to others and frankly apparently in a memo to someone. We've got, other than Council, and we've got folks in the community that, you know, have some real difficulty with this and they are striving for some level of intensity, I think in what's being communicated through our General Plan, that I think goes beyond what we are really looking for.

And as we work through this, and I'm not convinced that we have all of it on the table here today, because obviously Councilman Littlefield is counting on the fact that he's already sent his opinions over to staff to implement separately. So I'm concerned about whether or not we are here in an open forum to discuss those items or whether they will just appear on the next version. So, and that may resolve. It may resolve the issues that Councilman Littlefield has with this plan and it may not, but it may create greater problems for someone else if we don't discuss them here and determine as a majority as to whether this is something we will put in front of general public.

So my concern is whether or not, I don't really want, I'm concerned about whether or not we continue with this process if, in fact, and I'm all for the democratic process. If this isn't meeting any of our needs and so it's a concern for me there. And I'm wondering whether or not we do have an obligation, of course, for the statutory changes that have taken place. And whether that we, if we

don't pass this, this time, obviously there's a deadline, but somebody told me today there isn't any General Plan to police that are going to lock us all up for not meeting that deadline, but the bottom line is we do have an obligation to get a plan to the citizens that's acceptable to certainly the majority somehow or the other, and how it's communicated or how it is accepted by virtue of its provisions.

I think we probably all know that most of the people that vote on this, count on some consistency in how this elected body operates and what advice we might give on the subject. So with that being said, I guess I'm just a bit concerned as to whether or not this is something we want to continue or whether we want to take another direction on and so it moves to the idea of the last time, on the 2011 plan, it was decided that we attempted to try to implement all the changes that were required at the time and that didn't satisfy those folks that were on there and so there was a major effort to defeat it and it was defeated with accusations of improper process or otherwise and so we changed the process. We went through a much more elongated process and those folks who are sitting here in front of me, who were on that task force, went through that process. And to that we owe them a debt of gratitude.

How do we move forward in a positive way and meet our obligations to statutory requirement and have a General Plan in place? And I guess there's a couple of ways we could go. If we continue in this process and this item gets rejected, then we would end up with a situation where we would have no General Plan, we would start the process all over again. I'm not sure how many volunteers we would get, but nevertheless, to amend it and we would be in the same kind of problem.

[Time: 02:48:51]

We do have a General Plan that's in place now that by default would be part of that General Plan as well. It would be continuing the General Plan in the format and the same sort of structure and intent as was originally determined by the population that voted for it. And we could just adopt simply adopt those items that are required by state statute to implement.

And I think we have gone through those particular items and I might just ask to that point if you might come to the podium for just a moment, I'm sorry, Wendy. I'm looking at you. I don't know whether you can see that or not, but Wendy, if you, I'm presuming that the state requirements for amendments are within the body of work that you have accomplished. Is it integrated within the entire element or are they separate elements that we have added by virtue of that requirement?

Wendy Springborn: With respect to the current General Plan, as far as the 2001, there are three new, how many new elements are required now? There's two.

Erin Perreault: Since the 2001 General Plan, there's two new state mandated elements that are required that we currently don't have in the 2001 and but are in the draft 2014 plan as new elements.

Mayor Lane: Okay. Separate elements. Elements that have been discussed and gone through the process. Yes, maybe that is a good question. What are those elements?



Erin Perreault: Energy and Neighborhood Conservation and Preservation.

Mayor Lane: Neighborhood Conservation and Preservation? Okay. So we are talking about neighborhoods? The preserving and....

Erin Perreault: I'm sorry, we have different neighborhood elements that are also required. The new element for neighborhoods is Neighborhood Preservation and Revitalization. The additional new state mandated element is Energy.

Mayor Lane: And, of course this all gets encompassed in growing smarter. So as far as environmental and as far as preservation or redevelopment of neighborhoods, it all fits in under that....

Erin Perreault: That's correct. The state statute outlines what you need to include in general terms for that content in those elements.

Mayor Lane: Well, I will make a recommendation that we, and maybe Mr. Washburn, if you could weigh in, if there's an obstacle in any of that, that we stop the process right now in the 2014 General Plan, and that we give guidance on the overall to the committee to come back and the staff to come back to us with those amended items on our existing plan for right now. And I'm not sure exactly what form that takes. And that we consider moving forward with a modified plan with the 2001 plan with these modifications, with some new process for a later implementation.

[Time: 02:52:32]

Bruce Washburn: Okay. So just to make sure that I understand, you would want staff to, you would want to terminate the current process, which is set out and there is a resolution to adopt it, that basically had a process for this General Plan amendment. So staff would have to come back with a resolution that you could adopt terminating that resolution in the process and then you would want to go forward with a General Plan, with the 2001 General Plan.

Mayor Lane: Our existing plan, right.

Bruce Washburn: Okay.....

Mayor Lane: With the state-required changes.

Bruce Washburn: Right. So with the plan that's in place now, what's, plus the addition of any changes or additions that are mandated by the state, and have that, would the idea be that those, that those changes just be brought forward? I mean, you guys can adopt those changes as General Plan amendments or you....

Mayor Lane: Yeah, you are talking about the Council could adopt those changes.

Bruce Washburn: Yeah, the General Plan amendments but then at some point, something has to go

to the voters again.

Mayor Lane: Now from what I understand, the deadline of 2015 is not necessarily a deadline that is hard and fast or as long as we continue in this process?

Bruce Washburn: Right, the 2015 deadline does not affect the City of Scottsdale. The statute provides for the city to bring the General Plan to the voters to be updated within 10 years and then they extended that until 2015. But the City of Scottsdale already did that and then once you've done that, the statute says if you bring it to the voters and it fails, you have to go back and revise it. You don't have to revise it but you have to bring it to the voters again. We no longer have to worry about the statutory deadline. All Scottsdale has to do is keep moving forward on the statutory requirement that after the General Plan fails once, you have to bring another one back to the voters. So we are okay on the deadlines.

Mayor Lane: Okay. And so as far as proceeding with an eventual General Plan amendment or a new General Plan, if you will, 2015 is not an obstacle.

Bruce Washburn: Right, that's not an issue.

Mayor Lane: Okay. Well, I will put that in the form of a motion then. And I want to reiterate the fact that I think we've got a number of issues here, and we'll see how this pans out but I'm very concerned about the acceptability, almost on all fronts of what we've got right now going forward and particularly with sort of some of the changes that are maybe occurring outside of the public arena here. So in any case, if I could, I would just say that I would discontinue the process on 2014. We would ask the staff to come forward, come back with, be committed to come back with our existing plan, with the modifications that are required by law, for the amended and with the idea that we, and I'm not sure whether this needs to be part of it, but nevertheless, the idea that we would come back at a later date with a new process to go through this and to bring it to a new General Plan, a completed General Plan.

Bruce Washburn: Can I ask just for clarification. So would the direction to staff be to bring back basically General Plan amendments to go ahead and amend the General Plan and add those elements before it goes to the voters and then have the new, you could actually have that amended General Plan then go to the voters or are you just going to, are you just saying we are going to terminate this process and then we will get a new process to bring the existing General Plan with the added elements but not adopt those added elements until it goes to the voters.

Mayor Lane: I understand what you are saying. If you are talking about the first step and that is to have a General Plan amendment to change it for the required statutory changes, I'm not sure that there's a deadline on that, as far as going to the voters. I'm presuming, and this is what I asked earlier, whether or not that's something that is decided here. General Plan amendment for the statutory changes.

Bruce Washburn: Well, you have that process available to you because you can always amend the

General Plan. And so you could, you know, could you go through that major General Plan amendment process, you know, coming up again in of course in October and November of this year. And add those elements at this time, and then we would be operating under the General Plan with those elements added and then eventually it would have to go to the voters or you can just wait until the, it goes to the voters to have the elements added.

Mayor Lane: Let's see if there's any, yeah, but I would favor the idea that we would come here for that decision. Well, that's my motion.

Councilwoman Klapp: Second.

Mayor Lane: A motion is made and seconded. Would you like to speak toward it at all?

[Time: 02:58:17]

Councilwoman Klapp: Well, I do have a question, though, before, did you say you wanted to have the task force continue to work on this or not? I wasn't clear about that one.

Mayor Lane: No. The 2014 process should be....

Councilwoman Klapp: You would not have a task force anymore?

Mayor Lane: I think it's whether or not the task force, and this is something for staff to determine, whether the task force would be vested with putting together those elements that are statutorily required to present this back to us. Since they have been through that process, that probably would be a good place to start with those items. I'm talking about with the task force. So it would be the idea that they would be used in that sense.

Councilwoman Klapp: So you would continue to use the task force to look at the statutory element?

Mayor Lane: Yes.

Councilwoman Klapp: That would be my preference. So I second it.

Mayor Lane: The motion has been made and seconded. Councilman Littlefield.

Councilman Littlefield: First of all, since you made quite a bit of mention of the email I sent to the task force members, I would like to point out that that was at their request. Staff was copied. The attorney Scott who was in attendance at the meeting where the request was made said that was appropriate. And the reason you weren't copied is because our esteemed City Attorney has said many times that we are not supposed to be copying each other on the Council because of a potential open meeting law violation email open law violation, open meeting law violation. I'm sure you don't copy me on every email you send out. I would be quite shocked if that were the case. So I'm always amused to find myself the subject of discussion but that was the direction I gave to the task

force members at the request of the task force members wanting to know what I would be looking at. If it's okay with Mr. Washburn, you are more than happy to look at the email and I will be happy to forward it to you after he allows me to do so, so that we don't have an open meeting law violation. In fact, why don't you do that. Why don't you just, I copied attorney Scott on that email. I'm sure she will be happy to give it to you. Why don't you opine as to whether or not it's okay for the Mayor to read that.

Now, to respond to that, now to the motion that you just made, this is fascinating that earlier on co-chair Springborn said Councilman Littlefield was disrespectful to the work of the company or the task force and now you are proposing to trash the work of the task force and the Town Hall. So I would just be curious, do you consider that to be disrespectful, knowing that everything you have done, we would, the Mayor is now proposing to dump? I shouldn't put you on the spot, you don't need to answer that. The other thing that's more ironic here is this, basically, what the Mayor is saying is that he wants to trash this because he wants to avoid what might, what he describes, I would say all the campaigns we have had in the last 12 years in the city have been divisive, by the way. I don't remember a single Council or issue that we've had where everybody was in harmony.

Basically, what you are saying is you don't believe that what the task force is going to produce is acceptable to the voters. And I find that very interesting, to speaking of disrespect to the task force. You clearly don't believe it will pass. So just find that entire thing, I'm actually not going to support this motion. I actually think we should let the process play out. We should let the task force do what they have been doing and produce their product and then see what the voters have to say.

Mayor Lane: Thank you, Councilman. Councilman Phillips?

[Time: 03:02:15]

Councilmember Phillips: Thank you, Mayor. Well, you know what, I don't remember how long ago it was. It was at least six months ago, I think I sent out an email saying, you know, the way things are going, maybe we should just take the 2001 plan and add the state-mandated elements and send it in. I got some emails from people saying, it's not a good idea, Guy, and we have to go through the process. I have been watching everybody. I have changed my mind on that. Everybody has worked hard. The task force has worked hard. The staff has been great. I think through all the hard work and the efforts that they have been doing through that.

But the people have been excellent and that's one thing about Scottsdale you don't see in other cities. They don't discuss their General Plan. It just comes and goes and they go to sleep and the next morning they have got a new one and that's what I love about Scottsdale. We really care about our city. And, you know this thing from Mr. Kelly, this is just excellent. Never amazing me the input and the intelligence and the dedication that Scottsdale residents have. That's one of the reasons I live here. I did think that earlier, but with all due respect to everyone involved and the hard work that was done, I feel like we have to play this out. Hopefully we do come to a good conclusion. And that's what I'm working for. So I won't be able to go along with this motion.

Mayor Lane: Thank you, Councilman. Vice Mayor Korte.

Vice Mayor Korte: Thank you, Mayor. Well, that was a little bit of a landslide. So I would like to begin by thanking the task force, the 19 of you that stuck through this process. The super majority that continued with the process and believed in the process. Thank you. That is a lot of hard work and it's what makes Scottsdale special. You know, we talk about Scottsdale's cache and its character and then it comes down to our people that makes Scottsdale special. I will not be supporting this motion because I honor the amount of time that's been put into this and I believe that this General Plan, while still in draft form will be a plan that is acceptable to our voters and to our citizens and I believe we can get there. So having said that, perhaps our timeline is a little aggressive. Maybe we look at maintaining this course and say, hey, we don't have to go in 2014. Maybe we move this forward in 2015. And have a little bit, and have more time for that public input and that critical thought and processing.

Mayor Lane: Thank you, Vice Mayor. Councilwoman Klapp.

Councilwoman Klapp: I didn't want to imply by my second that I don't value the work of the task force and I really do. And I valued the work of the last task force as well that worked very hard open the General Plan but all things considered and the way the general process is going today, I think that the Mayor made the best alternative available to us by asking us to take a look at just using the General Plan that we all seem to like very much and that's the 2001 plan and make the state mandated changes and move on at this point, because I think that based on a lot of the personality conflicts that occurred on this task force, as well as the, you know, the fact that four people left the task force, they are certainly attempting to undermine the process since then. I believe this is the best course of action, but I think you so much, Wendy. I think you have done a yeoman's job as the chairman of this group and I think everyone else in the audience that's on the task force today, for all the work that you have done, but I hate to continue to put you through this process and come to the final realization after it's all said and done, is that there's going to be so much opposition to it in the end and it would be better at this point to have a reality check and take a look at using our current General Plan as we have been doing all along and moving forward with hopefully someday coming back to revisit a General Plan.

Mayor Lane: Thank you, Councilwoman. Councilman Robbins.

[Time: 03:07:11]

Councilman Robbins: Thank you, Mayor: Wendy, I want to say thank you. You have done an awesome job. I really appreciate everything you have done, huge sacrifice. It was just amazing to me the amount of hours and time you put into that. So I wanted to say any thanks as well, and I hope that we can grab ahold of this and put together a plan that the citizens want and that they will support because that's really the whole goal of this, it's your plan as the citizens and so I think that's why we are here and I'm really hopeful that we get to that point ultimately when this does go back to the voters. So thank you.

Mayor Lane: Thank you, Councilman. Councilwoman Milhaven.

Councilwoman Milhaven: I'm sensitive to the comments that Councilwoman Korte made, the folks that put in a lot of work and eventually we have to take something to the voters and so, you know, I hear you making a proposal for short-term to meet the statutory requirements to add the elements but what would you imagine would be the process to bring forward something, what would you imagine bringing forward to the voters or the process of getting there to the voters?

Mayor Lane: Is this a question of the Vice Mayor?

Councilwoman Milhaven: Well, the Vice Mayor said it's a matter of timing and wants to honor the work of the task force. You were talking about meeting the statutory requirements in the short term and I guess my question to you is what would you imagine bringing forward to the voters and what do you imagine and what would that process be? Because what do we do with the work they have done so far, I guess is my question. Yes, to you in your plan.

Mayor Lane: Well, I guess the idea would be is that we do have a plan, an existing plan that seems to have been acceptable and it has worked to the benefit of the city. I think in large degree through the course of the years and it's been acceptable. So I think it's one of those, it's an element that has a baseline for it us, that I think add to that, the statutory requirements. So eventually, what I would hope to be able to bring forward in a new process is the idea for us to bring forward in a new process would be some strain, not some modification or some element within that framework, the framework existing with these statutory changes. But that would be up to a new process too, ultimately, I'm hoping it's something that I could easily get accomplished within the next couple of years. Stay on track with it as we are required to.

Wendy Springborn: Can I say something?

Mayor Lane: Certainly. Absolutely.

Wendy Springborn: Okay. I have concerns about totally abandoning the work that's been done. A lot of work, a lot of effort and I have even seen the conversion of individuals who were adamantly opposed to what we are bringing forward and once having an opportunity to sit down and talk with them, they realized that what they were fearing or what they heard they should be fearing was incorrect and that the plans and the goals and the policies that are being introduced into the plan, the draft at this point in time do address those concerns and have proven to be totally opposite of what they are being supposedly indicated on as to why the plan is bad.

So I have concerns about totally throwing out the process. I have concerns about the 2001 plan, that's one of the things that we were hearing through our process is that it is no longer acceptable, but there are holes and issues in the current General Plan that needed to be addressed, hence the 2011 and now 2014 drafts that are being that were put together and are being put together. I have concerns about asking this task force now to sit back and put together one element and whether we

would still have the participation. That's just a personal observation. That's not knowing for sure how people would feel about now, you know, throw away all of this time that you have put in, just focus on one thing. I have concerns about if you are planning to put together the 2001 with the new element to a vote, whether it would pass in its current state, if you are concerned about something passing, and being positive for this community. I think we have an opportunity here to move forward with this document and I think we have an opportunity to show the positive community consensus that could be brought together with this document and to throw it away, you know, whether it's November, whether we push it off to the 15. But to throw away what's currently being done I think would be a mistake. That's my two cents.

Mayor Lane: Well, thank you, Wendy, for that I appreciate it. It's a great communication and there's been a lot that's been learned this evening, not only from your vantage point but also members of the Council. I think I understand now that Councilman Littlefield is an advocate of the process and frankly is positively inclined on the product that's moving forward. So I don't maybe expect the same kind of adamant opposition that he's expressed in the past. So maybe he's one of those converted individuals. So that makes a big difference for me, as far as that's concerned and I think I'm hearing from the same thing Councilman Phillips as well. So if they have changed, if they have been converted to the rightness of the process, and, frankly, the prospect, the very real prospect of accommodation to things that they may or may not agree with, and still be supportive as a majority of this Council putting it on the ballot, that's meaningful. And maybe Bob's, or Councilman Littlefield is looking to confirm that for me right now. So Councilman Littlefield.

[Time: 03:13:37]

Councilman Littlefield: Well, the only thing I love more than being the subject of discussion is having somebody else tell people what I think. All I said, I haven't decided whether this is going to be good or bad. All I'm saying is we went to all of this work. You put the process together. You made them all work for days, weeks, months, I don't know how many hours they put in, let it play out, and I'm just making the other point is I just find it ironic that the message I hear up here from you, Jim, excuse me, Mayor Lane, is that you obviously don't believe that the public will accept this. You are concerned that it will get dumped. You don't even believe, you done even believe in what they are doing. Now, I don't know whether I'm going to like it or not. I'm just saying let them finish their job and put it forward and let's see where it goes from there. That's all I'm saying. Is it going to be good? Is it going to be bad? Is it going to address the issues that I'm concerned about? I don't know. Maybe it will. Maybe it won't. I'm just saying let's give them the job we gave them to do now, if it's the desire of this Council to change all of that, I would be interested to see how this vote turns out.

Mayor Lane: Thank you Councilman. And I know this becomes a dialogue. It sounds like we have Councilman McCullagh back on the dais, nonetheless, with the back and forth. Truly, I'm very concerned about your feelings about the process. I did get a sense that you are now a believer in the process. And one thing, in honoring and respecting all the work that's been done, I'm not looking to try to put anyone through any further heartburn, I suppose it might be or even work and effort, if, in fact, it's not going to be acceptable, really, enough from both sides to support it. But anyway, with

that said, Councilman Milhaven.

Councilwoman Milhaven: Yeah, I'm going back to it's just a matter of timing, you know when you talk about you get a chance to sit down and tell somebody and they can understand it, then what may have been misperceptions that created fear or concern can be overcome, but we have 100,000 people who vote in a general election and it's going to be difficult for us to sit down and have a conversation with each of them. But maybe that means that the public process needs to be even more extensive. Interesting that Councilman Littlefield criticizes the public process when after the vote failed, during a staff briefing about what we do next, he said there was not anything more he thought we should have done to have citizen input. So interesting that he's critical of it tonight. Maybe we take more time and say how do we educate? How do we get out? How do we make sure we have incorporated everybody's and maybe it's a matter of taking the time get it right building on the work of this group.

And so it's not a matter of throwing it away but rather taking the time and tonight it's a matter of asking the task force to let them come back and say what do you think in terms of timing and public outreach and are we rushing this to a point? My concern is that there's some misunderstanding and some misinformation and we want this to be unifying and not divisive and that's my concern is where, I mean the fact that there's no one here tonight to say that there's changes they want when we know that there's folks who want changes, does that say they have given up on the process and so therefore the product we come out with, that the remaining task force members are prepared to object to it anyway? I don't want, this should be unifying. It shouldn't be divisive and maybe it's a matter of timing. This is a difficult spot for all of us to be in. I don't know.

[Time: 03:17:31]

Mayor Lane: Thank you Councilwoman. You brought up a point that it's not too distant from the Vice Mayor's position on it. I'm prepared to withdraw my motion on this, if we can preserve the task force and their work and if, in fact, as you are now telling us, Wendy and frankly, I'm not saying you were withholding it before, but nevertheless, that this has been a re-education, in a positive way to sort of deflect and to reverse some of the negativity and frankly with the resignations and with support of others to prematurely tell the public to vote against it. So maybe there's been a re-education in this process that it warrants a continued review of this. I do think there are some items in it and to the allegation that even I don't think it would be pass, frankly, a got to say that there are some elements on both different sides of this, that may make it difficult and I think we do need to address that and maybe the very things that I think that Vice Mayor Korte and Councilwoman Milhaven are mentioning, maybe that's a way to go. I will withdraw my motion on this, in favor of the prospect that you have an alternative motion and now that would be an initial motion to make on that basis.

Vice Mayor Korte: So I would like to a motion to recommend to our task force to provide the Council a robust public outreach timeline and program that perhaps goes into 2014 and 2015.

Mayor Lane: Could you give us that, just reiterate that motion?

Vice Mayor Korte: That I move to the recommend to the task force to review and provide to the



Council a robust public outreach program that includes a timeline into 2015.

Councilwoman Klapp: Second.

Councilmember Phillips: I already seconded it.

Mayor Lane: Okay. The motion has been made then to....

Councilmember Phillips: Can I speak on the second?

Mayor Lane: Yes, you may. Well, I'm not sure who had the second.

Councilmember Phillips: I seconded it first and then she repeated it.

Councilman Littlefield: He seconded it first.

Councilmember Phillips: She can speak afterwards.

Councilwoman Klapp: It's okay.

Mayor Lane: Would the motion maker please speak to it.

[Time: 03:20:19]

Councilmember Phillips: The thing is I have 20 more questions to go through. So we do have to get going. I will send them in. I heard Councilwoman Korte's comments earlier. If there's no rush why are we rushing it? And the only reason I can think of is probably the task force is pretty sick and tired of this by now and they are probably think oh, God you want us to do this for another year. So maybe along with that, you know, if staff finds a way to stretch it out, then maybe you could have a hiatus during the summer or something, allow them to see their families once again and go that way. If you don't have to hurry, I would definitely go with that.

Mayor Lane: Thank you Councilman. Councilman Littlefield.

Councilman Littlefield: First I have question. Does your motion imply that we would probably not be putting this on the November ballot? Interesting. Okay. Actually I'm okay with that as opposed to a motion essentially trashing the task force. I would just like to make one other observation, a point of personal privilege. The in 12 years I have been on the City Council, I have never heard in a Council meeting so much discussion of one Councilmember's opinions or positions as I heard tonight about me. And fortunately, I have a thick skin. So I don't really mind it so much. I just think people at home ought to wonder what that's all about. And I just find it very odd that I was the issue, that I became an issue tonight and I frankly think it's inappropriate.

Mayor Lane: Thank you, Councilman. So we do have a motion then on the table and for the

guidance issue as has been expressed by the Vice Mayor. So I think we are ready to vote. All of those in favor of the motion, please indicate by aye. It passes unanimously. That essentially elongates the process and retains us in this process that we are in right now. I don't know whether or not we are prepared right now, I will really leave it to the Council as to whether we want to continue the discussion in this study session right now for additional items or not.

**ADJOURNMENT**

[Time: 03:22:53]

Councilmember Phillips: Move to adjourn.

Mayor Lane: I guess that's an answer, isn't it? Okay. All right. Well, thank you. And, again, thank you so very much, Wendy and for your additional information on this. Thank you. Thanks, everybody.