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CALL TO ORDER

[Time: 00:00:01]

Mayor Lane: Good afternoon, everyone. It's nice to have you here. I would like to call to order our April 5th, 2016, city council meeting. We will start with the roll call, please.

ROLL CALL

[Time: 00:00:14]

City Clerk City Clerk Carolyn Jagger: Mayor Jim Lane.

Mayor Lane: Present.

City Clerk Carolyn Jagger: Vice Mayor David Smith.

Vice Mayor Smith: Present.

City Clerk Carolyn Jagger: Councilmembers Suzanne Klapp.

Councilwoman Klapp: Here.

City Clerk Carolyn Jagger: Virginia Korte.

Councilmember Korte: Here.

City Clerk Carolyn Jagger: Kathy Littlefield.

Councilwoman Littlefield: Here.

City Clerk Carolyn Jagger: Linda Milhaven.

Councilwoman Milhaven: Here.

City Clerk Carolyn Jagger: Guy Phillips.

Councilman Phillips: Here.

City Clerk Carolyn Jagger: Acting City Manager Brian Biesemeyer.

Acting City Manager Brian Biesemeyer: Here.

City Clerk Carolyn Jagger: City Attorney Bruce Washburn.

City Attorney Bruce Washburn: Here.

City Clerk Carolyn Jagger: City Treasurer Jeff Nichols.

City Treasurer Jeff Nichols: Here

City Clerk Carolyn Jagger: City Auditor Sharron Walker.

City Auditor Sharron Walker: Here.

City Clerk Carolyn Jagger: And the Clerk is present.

Mayor Lane: Thank you. A couple of items of business.

We do have cards if would you like to speak.

They are available and being held up by our city clerk right here on my right, that white card. If you want to speak on any of the topics or for public comment there's also a yellow card that if you would like to give us any written comments on any of the items on the agenda, they are there for your comments and we will read those during the course of the proceedings.

We have Scottsdale police officer, Tom Cleary and Dave Schurr, between 11 and 12:00 in front of me.

They are here if you have need for their assistance. And we also have for any medical emergencies, please see our Scottsdale firefighter or paramedic right here in front of me, about 1:00. If you have a need for assistance in that area. Thanks. The areas behind the council dais are reserved for council and staff but we do have rest rooms under that exit sign over there for your convenience.

PLEDGE OF ALLEGIANCE

[Time: 00:01:36]

Mayor Lane: And we'll start this afternoon or this evening, possibly with the Pledge of Allegiance. We have Boy Scout Troop 911, scout master, Patrick Iannone and assistant scout master Andrew Armstrong. Gentlemen, if you come forward. You want to face the flag so you will be on that side of the mic. And when you are ready, if you can, please stand.

Boy Scout Troop 911: I pledge allegiance to the flag of the United States of America, and to the republic for which it stands: One nation under God, indivisible, with liberty and justice for all.

Mayor Lane: Thank you, gentlemen. If you would like to introduce yourself, please, you can turn that microphone around and face the crowd. And give us your name, the school and what maybe your favorite subject is.

Brennan Iannone: My name is Brennan Iannone. I go to Chaparral High School and my favorite subject is algebra II.

Ryan Taylor: My name is Ryan Taylor. I go to Cocopah Middle School. My favorite subject is math.

Aiden Wittington: My name is Aiden Wittington. I go to Desert Middle School and P.E. is the bomb.

Jack Husband: My name is Jack Husband. I go to Cheyenne and math is probably my favorite subject.

Chris Hanson: I'm Chris Hanson. I go to Chaparral and my favorite subject is history.

Thomas Janzen: My name is Thomas Janzen. I go to Cocopah Middle School and my favorite subject is probably P.E. too.

Jake Armstrong: My name is Jake Armstrong. I go to Shepherd of the Desert and my favorite subject would have to be history.

Mayor Lane: Thank you very much, gentlemen.

INVOCATION

[Time: 00:03:51]

Mayor Lane: This evening, we have our former councilman Dennis Robbins who will be presenting the invocation. Dennis, nice to have you back.

Former Councilman Dennis Robbins: Good evening, Mayor and Council. Thank you for having me here. Let us pray. Good evening, God of all creation. We thank you for this day and the many blessings that we have received. We thank you for the people whom have touched our lives, our family, our friends, and for those we have just met. We thank you for the ability to use our minds, to discern your will and work to create a strong and healthy community. We thank you for our community of Scottsdale and for those who serve it. For those who teach and support, for those who clean and who repair, for those who work in parks and those who work on roads, for those who plan and for those who make plans happen. For those who heal and those who council, for those who govern and those who elect, for all who live into the best example of what it means to be a citizen, we thank you for our community. Please bring peace and healing to those who are hungry, homeless or live in violence. For these and all the burdens of our community, lord, hear our prayers.

Lord God, shortly before his death, Chaplain Winfield Scott said, I leave you my work in Scottsdale. I had planned to do much this winter with you, but God has called me. If you take this work and do it, and enlarge it as God gives you strength, you will receive my blessing and his. Dear God, let us continue Chaplain Scott's work with your blessings. We ask this as your community, confident in your goodness and love. Amen.

Mayor Lane: Amen. Thank you, Dennis.

MAYOR'S REPORT

[Time: 00:05:50]

Mayor Lane: A couple of items to announce. This is National Library Week, April 10th through the 16th and Scottsdale public library has over 90 programs going on throughout its five libraries. Eureka Loft, Scottsdale Space and Vista Del Camino during the national library week. Please refer to the online calendar for www.Scottsdalelibrary.org for more information.

It is also Volunteer Week. And the same week of April 10th through the 16th, and for that occasion, we actually have a proclamation we'll be presenting here in a moment. But this is in recognition of all the folks who volunteer to help the city and, frankly, help our citizens across our community.

The proclamation reads whereas Scottsdale volunteers play a critical role in assisting will city of Scottsdale to execute the mission of simply better service for our world-class community; and whereas, the city volunteer program is a citywide program that enlists the assistance of citizens who wish to make a difference in our community and provide enhanced services to the citizens and visitors to our community; in 2015 more than 6,000 citizen volunteers contributed over 175,000 hours of services to the community; and whereas citizen volunteers contributed a value of work that equates to

nearly \$4 million in savings without the additional cost to taxpayers; and whereas citizens that volunteer benefit from the experience of giving back, while knowing they made a difference in the community; and whereas, national volunteer week has been celebrated each week at a national level since 1974, by presidential proclamation and by every president each year since, therefore, I Jim lane, Mayor of the city of Scottsdale do hereby proclaim April 10th through the 16th, 2016 as volunteer week.

I encourage Scottsdale and all of our citizens to join in celebrating the kindness and generosity of citizens that volunteer for our service in our community. Let's give them a hand, please.
Do we have a presentation?

PUBLIC COMMENT

[Time: 00:09:13]

Mayor Lane: Okay. Next order of business is our public comment, and public comment is reserved for citizens comments regarding non-agendized items which no official council action is to be taken on these subjects or can be taken on these subjects at these proceedings. The speakers are limited to three minutes, each with a maximum -- with a maximum of three minutes and for five speakers only. There will be another opportunity at the end of the meeting if there is additional requests to speak for public comment.

And we'll start with Michael Fernandez. Mr. Fernandez, I thought you would be standing right by! It's nice to see you back.

Michael Fernandez: The place looks nice. If I can have one second, please. I took the liberty of having somebody kind of do a scale model of what light rail would look like down the middle of downtown Scottsdale Road in the downtown area.

My name is Michael Fernandez. Here we go again. Councilman Korte is gearing up to request her annual open dialogue on the virtues of the crime delivery system, also known as fixed rail transit for Scottsdale. Albert Einstein said the definition of insanity is doing the same thing over and over again, and expecting a different result. Ms. Korte knows full well the open dialogue for rail has been open for discussion in Scottsdale for over ten years because she alone has refused to let it go. She also knows she has refused to cooperate or listen to the top experts from around the United States who have overseen and opened the rail lines in places like Portland, Los Angeles, Baltimore, all concluded streetcar or light rail was not conducive to Scottsdale. Those conclusions were reconfirmed as late as last year, yet Ms. Korte still refuses to accept their conclusions even though she is also well aware the majority of Scottsdale citizens do not want any part of rail. But let's not confuse her any further with the facts. One can only hope dark money is not clouding her judgments.

Fixed rail is an antiquated system whose time has come and went a century ago. I realize Phoenix and Tempe bought into rail years ago and nothing has changed for the better. It's only increased traffic congestion and bigger budget deficits. The bottom line is it's all about social engineering, how is that working for them. Let's come full circle today, to today's realities with all the rapid

innovations and advancements in technology and the ever increasing use of Uber and Lyft and driverless cars rapidly becoming a reality. Those who share the Korte mentality -- well, let me put it like that, that train has left the station. Either get on board with today's transportation realities or vacate your seat on the city council to someone who is based in reality and capable of planning Scottsdale's future transportation needs. I might add that also applies to Paul Basha and the transportation department.

Citizens of Scottsdale, pay close attention. The only way a special interest rail lobby can fatten their wallets is to have their councilmembers sway two other councilmembers to further betray the taxpayers' trust and shove another phony light rail open dialogue down your throats.

Mayor Lane: I'm sorry, please. We have do not applaud here, no matter which way the sentiments go. We try to refrain from applause and booing. Thank you, Mr. Hernandez. In fact, I should reframe that. We don't allow applause or booing.

So next will be David Szafranski.

[Time: 00:14:17]

David Szafranski: My name is David Szafranski, I'm representing approximately 150 concerned citizens who signed a petition regarding the night traffic and subsequent noise and environmental impact of the Scottsdale airport. I will say a few words followed by John Nolan, a citizen of Scottsdale. There is a saying that you can't fight city hall. We are not here to fight city hall. We are all part of this community. We are concerned for the welfare of our families impacted by the air traffic of Scottsdale airport. So here we are today to ask for your help.

Our request is a very simple one, to place on the agenda a discussion on the impact of Scottsdale airport on -- and the recent changes flight paths by the F.A.A. over the homes of Scottsdale and Phoenix. We encourage the city council to discuss the following: Enforcing existing noise abatement procedures currently in place for flights arriving and departing from the Scottsdale airport. Number two, commission a noise, health and environmental impact of study of the Scottsdale airport on residents, schools, day care centers, senior citizen centers in and within of corporate and commercial jets departing Scottsdale airport. This study would update the study that was done back in 2005. Number three, conduct a town hall meeting with concerned citizens, Scottsdale airport authorities, F.A.A. authorities to openly discuss the issues that the concerned citizens have regarding the Scottsdale airport. John?

John Nolan: Good evening, I'm John Nolan. A resident of Troon Village and lived here for 16 years. The clock is ticking. A couple of quick comments. We have people from a lot of the different areas of Scottsdale. We have McDowell Mountain Ranch, D.C. Ranch, Troon Village, Desert Mountain, Grayhawk, and a large contingent just west of the airport in Scottsdale. So we're not talking about complaints from a couple of areas. We are talking a wide range.

Could I refer you to Exhibit a, which you should all have in front of you which is a map with two time

frames. One is the -- the top map is pre the F.A.A. next gen employment and the bottom map is February of 2015. What I'm trying to show here is not the volume of traffic. We know there's more in February than there is in September. It's before next gen, after next gen, red is inbound. Blue is outgoing. You can see if you look at the top where Troon Village is, at the top map, there was very little activity inbound pre next gen. Post next Gen, you can't even see where the little house is because there's so much activity. I guess I'm cut off.

Mayor Lane: Well, thank you very much. I'm sorry, I didn't catch your name, though.

John Nolan: John Nolan.

[Time: 00:18:07]

Mayor Lane: Thank you. Next welcome Mark Stewart.

Mark Stuart: Mayor, if you could give me a few seconds to get organized, I would appreciate it.

Mayor Lane: I will start the clock when you start.

Mark Stuart: Thank you, sir. So let me see if this is correct. So if I want this piece of paper to show up on this, do I put it on this screen or this screen?

Mayor Lane: You put it on the Elmo.

Mark Stuart: How does that look? It's about the best it will do. My dear fellow citizens, my name is Mark Stuart. I have lived in Scottsdale for 13 years. I come here today motivated by a desire for change. Over the past decade, our city council has been moving this city in the wrong direction. We have moved from a position of fiscal strength, where we can easily fund all of our city's needs, to a position of fiscal weakness. Now we have to borrow money in order to pay for the replacement of the our public assets. Now we pay higher taxes and user fees because of past fiscal mistakes. It's time to elect new people to the city council. New people who will focus on the core mission of the city council, ensuring public safety and sound fiscal management, managing our city's budget to provide for current needs without creating fiscal problems for future taxpayers.

I created a presentation for the meeting today and anybody should be able to access it by going to the city clerk's office. The title is economic development, illusion versus reality. Every fact cited in the presentation is verified with court testimony or public records. The presentation illustrates two problems plaguing our city. Scottsdale councilmembers and high level city staff actively mislead the public about the fiscal ramifications of economic development projects. And two fiscal blunders cost the taxpayers. It deprives the general fund of revenues that should be used for the broad benefit of the public, paying policemen and repaving roads and repairing and upgrading parks. Failed projects like the TPC Scottsdale have created the need to borrow money in order to fund the needs of the broad public. 30 years ago, Mayor Drinkwater and the city staff knew that this project would cost the taxpayers and enrich their cronies. They didn't care because future taxpayers would be left holding

the bag. That's us. It still permeates our city council and high level city staff today.

If we want to change the direction of this city, we need to elect a Mayor who will work to solve these problems. We don't need a Mayor who will mislead us or work to push these issues out of site. Two men with more than 12 years of experience or running for Mayor. It's time for a change. If we want to change the culture of the city council and the city staff, we need to elect councilmembers who will actually work to effect these changes. Mr. Littlefield, I have the utmost respect for you, but I'm asking you not to run for Mayor. It's time for someone new, someone focused on the core mission of the city council. Someone who will actually take the necessary steps to bring transparency to our city government, someone who will take the steps necessary to put our fiscal house back in order. Mayor Lane, I'm begging you not to run again. You could very easily have changed the culture of deception among city staff if you wanted to. We can't afford any fiscal disasters like the TPC Scottsdale. Our city can't afford to keep kicking the can down the road, leaving the future generations to pay for past mistakes.

Mayor Lane: Mr. Stuart, you are out of time. If you could wrap it up.

Mark Stuart: I will in 30 seconds. Mayor Lane, I urge you.

Mayor Lane: Is that a request? Is that a request?

Mark Stuart: Yes. Can I finish?

Mayor Lane: All right.

Mark Stuart: Thank you. Mayor Lane, I urge you to return --

Mayor Lane: 30 seconds. You said 30 seconds and that was your request.

Mark Stuart: Are you denying my question?

Mayor Lane: No, I just said that was your request.

Mark Stuart: 30 seconds when I start speaking again, okay? Is that fair. Thank you.

Mayor Lane: You have already used some of the 30 seconds but go ahead.

Mark Stuart: Thank you. Thank you for your generosity.

That's why there's so many people here today because of this generous attitude that somehow we work for you, rather than you working for us. Mayor Lane, I urge you to return to live among us. Give your vast war chest out to new Mayoral candidates so that others may participate in our elections. Scottsdale has not been well served by political dynasties. Political dynasties serve the needs of special interests, not the voters. Freedom grows and prospers when we encourage new

people to participate in our political process.

Mayor Lane: Thank you, Mr. Stewart. In fairness to everyone who abides by the three-minute rule, please, I'm sorry. Thank you very much. Thank you. Mr. Stewart, I would ask you, please. Okay. Thank you, Mr. Stewart. Next is Mr. Jim Duncan.

[Time: 00:24:22]

Jim Duncan: Good evening Mayor Lane and council, my name is Jim Duncan. I'm here this evening representing SRP. My purpose in being here tonight is to congratulate both the city and Scottsdale public art on a very successful canal convergence event. As an event, it's the single largest event that occurs on the SRP canal system. The SRP sponsors many events but this event is special. The relationship between SRP and the city of Scottsdale and the cultural council within the city goes back many decades. We have those relationships with other cities but this event is a special event in that it literally brings people to the canal and produces international works of art literally in and around the canal. This affords us SRP the opportunity to help educate the public, visitors to the city, residents and our customers about the importance of water management, where your water comes from being and how important it is to manage that water from water shed to end user.

So, again, I would just like to take the opportunity to say that although SRP on its own finds creative ways to educate the public about the importance of water, Scottsdale public art has brought an extra level of creativity to the table and has produced an event that I have been involved from the beginning and in four short years on a Saturday morning, which brought a few hundred people to the canal bank, I believe the last event brought just over 56,000 people to the downtown Scottsdale area to the banks the Arizona canal and giving us the opportunity to, again as I said educate people about the importance of water. This event activates the downtown area and continues to foster a relationship between SRP and the city of Scottsdale. So, again, my congratulations for the support the city provides to Scottsdale public art. SRP looks forward to a long relationship to continue to support canal convergence as a very, very unique public art event that's mixed with working infrastructure. Thank you.

Mayor Lane: Thank you, very much, Mr. Duncan. That completes our public testimony at this time.

MINUTES

[Time: 00:27:10]

So our next order of business is a request for the approval of our minutes, our special meeting minutes of March 1, 2016, regular meeting minutes of March 1st, 2016, March 15th, 2016, and executive session minutes of March 1st, 2016. Do I have any questions or comments on it or if not, do I have a motion to approve?

Councilman Phillips: So moved.

Councilwoman Klapp: Second.

Mayor Lane: The motion has been made and seconded. We are then ready to vote. All those in favor, please indicate by aye and register your vote. Aye. The minutes have been approved unanimously. Thank you very much.

CONSENT AGENDA

[Time: 00:27:49]

Mayor Lane: Next order of business are consent items which are items 1 through 19. And we have a couple of changes to that consent agenda in that the staff has requested item 5 which is a request to adopt number 10387 and ordinance 4243 both relating to Aire on McDowell to be continued to May 3rd. And item 23, a planned shared development text amendment, be continued to the May 17th council meeting as a regular agenda item. And item number 7, 8, and 9, have been pulled at the request of Councilman Phillips for discussion and separate vote. And item 16 has been removed at the request of staff. So I do not have any requests to speak on any of the items on consent.

And so I would be looking for -- if there's any questions here from the council, or if there was a motion to be made to approve the consent items 1 through 19, absent 5, 23, 7, 8, 9, and 16. I'm sorry. Not 23. That's regular agenda item. So it would be 5, 7, 8, 9, and 16. I have no indication on number 4. I have no indication on that. Okay. Then 4 is continued as well to April 19th, 2016. So now we have a consent agenda items of 1 through 19, absent, 4, 5, 7, 8, 9, and 16.

Councilmember Korte: So moved.

Vice Mayor Smith: Second.

Mayor Lane: The motion has been made and seconded. I'm sorry. The city clerk is on my screen. Is that by absence of 4 or is that --

City Clerk Carolyn Jagger: Your Honor, I -- I want to clarify, if you don't mind. On item 5, I have a memo from staff that asks to have it continued to May 17th rather than May 3rd and if we could clarify with staff whether it's the 3rd or 17th, that would be helpful.

Mayor Lane: I did get a last-minute adjustment to that to indicate the 3rd but maybe we can get clarify on that from staff.

City Atty. Washburn: My understanding was that the -- that item -- that the -- the last item, wasn't it 23 that was going to May 17th, and the -- and item 5 was going to May 3rd.

Mayor Lane: Yeah.

Clerk Jagger: Thank you for the clarification.

Mayor Lane: Certainly. So as stated, for item 5, the 3rd and for item 23, which is a regular agenda item the 17th. All right. So we do have that motion and second on the table and seeing no further -- I'm sorry. Councilman Phillips, have you decided that you do not want to have items 7 pulled?

Councilman Phillips: Yes.

Mayor Lane: So there's a change on that. All right. So no longer at the request of Councilman Phillips is item 7 -- that will not be taken off the consent. Last minute change there.

So now I will revise it by saying the consent items 1 through 19 absent 5, 8, 9, and 16. The motion still stands -- the motion maker and the second.

Councilmember Korte: And 4.

Mayor Lane: Actually -- yeah. Yeah.

Vice Mayor Smith: The second is agreeable.

Councilmember Korte: Okay.

Mayor Lane: Okay. So we've got that motion made and I think correctly stated. And we then have a second on that and so we are ready to vote, all those in favor of the motion items as indicated, please indicate by aye and register your vote. Aye. That motion passes unanimously. All right.

ITEM 8 – ENGINEERING SERVICES CONTRACT FOR THE THOMAS GROUNDWATER TREATMENT FACILITY

[Time: 00:32:25]

Mayor Lane: So we now will move on to the regular agenda which have added items of 8 and 9. For presentation and separate vote as a regular agenda item. And just for the record, number 8 is the engineering services contract for the Thomas groundwater treatment facility. It's a request to adopt resolution 10317. It authorizes contract 2016-008-COS with water works engineers in the amount of \$1,780,660 and item from fiscal year 2015/16 budget appropriation transfer in the amount of \$18 million from the Chaparral water treatment plant, pretreatment C.I.P. project. Mr. Worth you are here, any presentation or explanation?

Public Works Director Dan Worth: Mayor, Council, good evening. The Mayor just mentioned this action is to consider the award of an engineering services contract for \$1.7 million to water works engineers for master planning and design services for a new treatment facility. The location is on the graphic. Northwest corner of Thomas Road and Pima.

You may remember that we came to you about ten months ago with a separate action to acquire a portion of this property from a private owner that still owns the parcel to the east of the site that's shown on the graphic. The intent of the acquisition was to do two things, to use a portion of that property for storm water retention basin and the rest of the property for this project, for a water treatment plant. The plant is a reverse osmosis plant. It will be built adjacent to the existing central groundwater treatment facility, which you can see to the northwest of the parcel that's highlighted.

The central groundwater treatment facility treats well water to safe drinking water quality standards, the intent of the reverse osmosis plant is to further treatment that water or a portion of that water to resume -- to reduce hardness and dissolve solids in the water to make it more palatable, frankly, and aesthetic improvements, make it taste better and reduce scaling which is a serious issue for a lot of the facilities and the customers in south Scottsdale.

The funding for the action, it is a \$1.8 million design services contract, requesting you, in addition to approving the contract to approve the creation of a new capital project. The capital project would be created with a transfer of \$18 million from a project that currently is in the approved five-year C.I.P. That project is a Chaparral water treatment plant, pretreatment project. It was approved in the 2015/16C.I.P. for \$28 million. We have spent a sum of money, at least \$7 million out of that sum to make some improvements at the Chaparral treatment facility and those improvements have worked. They have yielded good results.

We're observing and further gathering data if we need to make additional improvements but we feel safe in taking money away from this project now and using it to build this facility at Thomas and Pima Road. There's no net increase. It's a transfer from one project where we have money available, and no net increase to the total budget amount in the water resources budget. It's entirely paid for by water rates. No general fund money and does not have any impact on rates.

Prior to this award, we have contracted to do a conceptual design report, and as I mentioned, we purchased the land just a little bit less than a year ago. We conducted a competitive solicitation for this contract. We had four respondents and our selection panels selected water works as the most qualified respondents to do the project and with that, I will answer any questions you may have.

[Time: 00:37:11]

Mayor Lane: Thank you, Mr. Worth. Councilman Phillips, it's your issue.

Councilman Phillips: The reason I pulled this is whenever we have \$20 million in a consent agenda, I think the public needs to understand what we are doing. I think this needs to be on the regular agenda to explain what is going on here.

I do have a couple of questions. You have halved explain it. When you say that the appropriate transfer in the amount of \$18 million from Chaparral water treatment plant pretreatment, you had \$28 million and we used \$7 million and now everything is fine and now we can take \$20 million from

that and put into this one. That's great that we have that kind of money, but it's -- what happened back then when we said we needed \$28 million for that one or did you just pile up \$28 million in there? And if that's the case and we can take \$20 million from one project and put it into another, where else is there \$20 million laying around (how many have excess money laying around waiting for another project to transfer to?)

Public Works Director Dan Worth: Mayor, Councilman Phillips, the Chaparral water treatment plant, pretreatment project was approved for \$28 million. We spent about \$7.9 million as of the end of last fiscal year. Most of that was to do conceptual design and then to implement in a phased manner some of the improvements that were called for to achieve the results that we were looking for. For the initial improvements, the initial phases are essentially being piloted, tested, we are observing and it will be a period of time to gather the data to assess whether or not we need to go back and replace this funding at a future -- at a future date. It doesn't -- it wasn't funded to an excessive amount. It was funded to what we thought the high end of the requirements. Might be. If we had to avoid all phases of that project, we had enough funding to do it. We will be reevaluating it and we may need to come back at a future date and put more funding back in to do some initial phases of that project, but we may not. We have to do an evaluation.

As to your second question, where we are hiding another \$20 million, I would like to tell you that we are not. We -- as with the Chaparral plant project, there was a legitimate need and we costed it appropriately to make sure we covered all the potential anticipated costs before we presented it to you for approval in the project. We try to do that before we do all of our projects.

Councilman Phillips: I'm not sure if I used the words where are we hiding. If I did, I didn't mean to. We set aside \$28 million for the project and we only used \$7 million for it and we are using \$20 million for another project that you say it may be needing this. It's kind of robbing Peter to pay Paul. Maybe we budgeted \$10 million for it that we will only use \$2 million for. So I don't know how -- I can't wrap my mind around how we budget that much money in the event that we might need but then we only really needed a third of it. So I just don't get it, I'm sorry. It seems like that's a lot of extra money left over.

And I don't know how you can answer that, but it just seems strange to me that we can take \$18 million from another project to use for a new project and \$1.8 million for manning and design seems like a hell of a lot of money too, but maybe that's what the people charge governments nowadays. We need this project. I understand that.

And I just want to point this out and I want the public to see what's going on. I'm not going to stop it. It's just we've got to watch this in the future and see where the money goes and how much we put into C.I.P. projects when we know we need other projects. We just had a bond election with a shortfall of money. We are really short of money, we just had it in another project that you have maybe already planned to use for this one. I don't know. Maybe there's another more important one somewhere else. These are the things we have to think about, especially when we are coming up on a budget and we are budgeting the money and how we'll use it.

So, I mean, I can make a motion. I don't know if anybody else has any questions but I will make a motion to adopt resolutions 10317.

Mayor Lane: I will second it. And I will speak to it as well.

[Time: 00:42:04]

Mayor Lane: Mr. Worth, if I just might, just for clarification purposes, obviously these are funds that are required for the entire water system, they are not? Are they on a project by project basis? When we apply for MPC bonds through user fees, through the water system, is that something that is -- is it generally to a specific project only or is it to the system in general?

Public Works Director Dan Worth: Mayor, I don't want to get too far into the treasurer's business of the MPC debt. But the MPC can be applied to more than one budget.

Mayor Lane: But it's backed by water rates and water development fees and it's not directly tied in any way shape or form to our regular general fund budget it's specifically to the water system.

Public Works Director Dan Worth: Mayor, that's correct. It's covered entirely by revenues in the water enterprise.

Mayor Lane: Thank you. The motion has been made and seconded. I'm sorry.

Acting City Manager Brian Biesemeyer: Mayor, if you don't mind, I would like to clarify the original budget was done for the Chaparral treatment plant as a result of the forest fires in northern -- in eastern Arizona, and the tremendous sediment load we got into the plant. And so it was initially budgeted for that, and we did some initial design, about \$7 million. We stopped that at that point to determine if we needed to go further or if we had sufficient treatment online now.

The decision was made to stop now and analyze that and give the plant some time to run with the current treatment facility as constructed and then based on that, we were able to -- and requesting this move to a new project. It's not just trying to hide anything. We had money budgeted and tried to be fiscally conservative about what we have been spending and look at another project that might be more appropriate at the current time. And then we have to wait and see as far as the treatment facility as it goes on.

We haven't had another forest fire that's really impacted us as such, but we have much more capability now. Thank you.

Mayor Lane: Thank you. Okay. Thank you on that one. Mr. Worth, since you are standing there, I assume 8 -- oh, I'm sorry. We have the motion and the second. So let's go ahead and vote on that before we go to 8. All of those in favor please indicate by an aye. And opposed a nay. The motion passes unanimously.

ITEM 9 – ENGINEERING SERVICES CONTRACT FOR THE DESIGN OF A COMPRESSED NATURAL GAS SLOW-FILL AND FAST-FILL SYSTEM

[Time: 00:45:03]

Mayor Lane: So then moving on to item 8, which is a request to adopt -- this is the engineering services contract for the Thomas groundwater treatment facility and request to adopt resolution 10317 --

Public Works Director Dan Worth: Item 8 is the one we just did, this is item 9. We just did item 8

Mayor Lane: Okay. Then 9.

Public Works Director Dan Worth: The action is to consider an award of an engineering services contract in the amount of \$117,000 to applied engineering incorporated for design of a new compressed natural gas filling station at our solid waste transfer facility and you can see the solid waste transfer facility on the graphic. It's located near Pima Road and the 101, immediately adjacent to the C.A.P. water treatment facility and the water campus, part of that municipal complex west of Pima road, north of the freeway.

The purpose of the project is to provide a more efficient means of refueling the city's growing fleet of compressed natural gas vehicles in particular our c & g solid waste collection vehicles. This also provides an operational backup. We are continually expanding the c & g fleet particularly on solid waste. We only have one facility that we can take the vehicle to fill them. It's located at our municipal yard near Via Linda and 90th Street. And vehicles that service the northern part of the city, that bring their loads to the transfer station, they have to travel out of their way to get to that facility to refuel cuts down on time and mileage and saves additional fuel. And as I mentioned, it gives us an operational backup if there's an issue with the dispensers, that the corporation yard facility will have the ability to keep that fleet on the road.

This project is currently in the 2015/16C.I.P. It was approved in the C.I.P. process a year ago. It's funded entirely by fleet rates and solid waste rates similar to the previous project. There's no general fund money in this project. It's funded by our internal service fund that pays for fleet projects and actually the bulk of the funding comes from the solid waste enterprise.

Previous work, we are just beginning the execution of this project. We have done the solicitation for the design project. We had seven respondents and applied engineering was selected as the most qualified respondent for the effort. With that, I will answer the questions that you may have.

[Time: 00:48:06]

Mayor Lane: Thank you, Mr. Worth. Councilman Phillips, your item again.

Councilman Phillips: Thank you, again. Dan, if you humor me one more time. You know,

engineering services contract, \$117,000, I mean, compared to the other \$1.8 million, I mean that's a drop in the budget. Can't we do this in house? We don't have engineers that can design this pump?

Public Works Director Dan Worth: Mayor, Councilman Phillips, not the specialties that are requires for this project.

Councilman Phillips: Okay. Is this pump -- is there something like this on the mark or is this a whole new idea that the city has come up with and we will urge somebody to do it and make it -- is it like Godzilla, that we will make our own thing and then someone else will start using this pump.

Public Works Director Dan Worth: Councilman Phillips, this is a fueling station. It's pumps and it's commercially available. It's also the infrastructure. We have to build the civil engineering work for the site to get access for the vehicles to fuel up. We have to build the pipes to bring the gas to the facility. And that beings for much of the cost of the project, it's more than just the purchase of the pumps.

Councilman Phillips: So you are saying the purchase of the pumps. It's for a slow fill, fast fill system.

Public Works Director Dan Worth: Correct, it's a filling station.

Councilman Phillips: Okay. So we just don't have one right now? I mean, what's slow fill/fast fill as opposed to any regular pumping station.

Public Works Director Dan Worth: Slow fill versus fast fill, if you have to get a truck turned around and get it back on a route you don't want to let it sit overnight for a couple of hours to fill. If we have the capability to let it sit overnight for a couple of hours, it's -- we're not taking time away from the operator during the daytime, we can service more vehicles, and it's a less complex piece of equipment and it doesn't require the same pump pressures. It's the simpler alternatives.

We want to have both and we have the existing facility at our corporation yard off of Via Linda that has both the slow fill and the fast fill. We use those for our current fleet of solid waste vehicles. We have trucks filling up every night, but they have to go out of their way. Trucks that are dropping their loads at the transfer station never had any other reason to come down as far south as our corporation yard. With this project, they will be able to fill it the same place where they are dropping their loads, it gives us greater operational efficiency and it does give us the capability.

It's not just for the solid waste vehicles. We have over 70 compressed natural gas vehicles in our fleet citywide. We have a number of utility vehicles, bi-fuel vehicles that can take advantage of compressed natural gas. Usually there's a pretty significant cost savings for us if we do that. It's been less so in the last few months, but I think that's changing as we speak.

Councilman Phillips: Okay.

Public Works Director Dan Worth: So you are not really designing a compressed natural gas slow fill/fast fill. You already have it. What you are doing is designing the station for that one up north spa it's the fueling station with the pumps and both capabilities and the pavement, the access in and out, to handle the volume of trucks that we expect to fill at this facility and we have got to fit it in a fairly tight spot. So it's -- it does entail some fairly high level design work that we don't have the capability to do with our in-house staff.

Councilman Phillips: I appreciate the explanation and I think the public should be happy to know that we are using compressed natural gas and we are saving thousands of taxpayer dollars doing so. Thank you for that, Dan.

With that, I will make a motion to adopt resolution number 10318.

Councilwoman Littlefield: Second.

Mayor Lane: The motion has been made and seconded. Would the second like to speak toward it? Seeing to further comment, I think we are ready to vote on this item. So all those in favor, please indicate by aye and those opposed with a nay. Aye. It passes unanimously.

That completes the items moved from consent to the regular agenda. So we will move to the regular agenda as it is right now.

ITEM 20 – NAJAFI RANCH AKA RANCHO PARAISO CONDITIONAL USE PERMIT (4-UP-2013)

[Time: 00:52:51]

Mayor Lane: The and the first item on the regular agenda items is item 20, the Najafi Ranch, a/k/a Rancho Paraiso, conditional use permit, 4-UP-2013. We have Meredith Tessier here to present. Is that a no? So Ms. Tessier.

Planner Meredith Tessier: Yes, sir. Good morning Mayor Lane, Meredith Tessier. Sorry about the delay. Again, I'm Meredith Tessier with the planning department and the case before you is Najafi ranch a/k/a Rancho Paraiso. 4-UP-2013.

The subject site is located at the southeast corner of East Cactus road and North 68th Place and is surrounded by residential uses and equestrian lots. The site is zoned R1-35 single family residential district which permits ranches with the conditional use permit. In results, the application request is not to rezone to a commercial zoning district. It will remain R1-35. Before you is the 2001 general plan map which designated it as a rural neighborhood and its designation will not change by this request. So it will remain a rural neighborhood.

In conclusion, the applicant is requesting a conditional use permit for a ranch that will consist of two barns, horse stalls, training arenas, and turnout pens. I will keep it on the site plan slide for you. But since the planning commission hearing, the applicant has met with neighbors and prepared

amended stipulations which is now on your dais. So that concludes staff's presentation. The applicant will now come up and present the most recent amended stipulations and notifications with the neighborhood.

Mayor Lane: Thank you, Ms. Tessier.

[Time: 00:55:51]

Applicant Representative Wendy Riddell: If I could get you to pull up the PowerPoint. Thank you Mayor, members. Wendy Riddell with Berry Riddell. I will give a brief presentation and I know my client would like to say a few words as well. It's my pleasure to be here today on behalf of Francis Najafi, not only as a lifelong resident of Scottsdale but also as a lifelong equestrian.

And you need only look at the great seal that sits behind you all at the dais to know that we as Scottsdale residents value our horses, and that Scottsdale has a deep and rich equestrian heritage. It's part of what makes Scottsdale unique. But as our community has evolved many of these ranches have been lost, McCormick Ranch, Scottsdale Ranch, Bruce Alley, Pretty Penny. This is a chance to regain some of that heritage with Scottsdale. And to do so in a location that is ideally suited for this particular use. The slide you see before you, each of those yellow stars, those are horse properties, existing horse properties today. We are also located on Cactus Road, a designated truck corridor.

I also think it's important for the council to understand, for the community to understand that we are here today seeking a ranch use permit. This is a definition -- this is an ordinance established by the city of Scottsdale. This is not a description we have given ourselves. The definition that the city of Scottsdale has used for over two decades, defines a ranch as having individual training or training of small groups of 8 or fewer students, boarding only of horses and only the horses involved in the training program are allowed to be boarded as well as allowing housing for ranch employees. We are very comfortable that we fit within the confines of this definition. By comparison, of the city of Scottsdale, again, your own ordinance, defines what is commercial and defines a commercial stable that is one that's open to the general public, that can have horses involved that are not involved in the training program, can have large-scale groups of eight or more students and scheduled events in these types after recent -- of arenas.

What we are proposing at Rancho Paraiso is not commercial, by the city's own definitions, the city's own ordinance. What we are seeking is a conditional use permit. This is not a zoning case. The underlying residential zoning will remain and as this council knows, the C.U.P. must be granted if the criteria are met and Rancho Paraiso not only meets but exceeds ex-of these criteria as demonstrated by the city staff and been acknowledged by our most staunch opponents.

Just briefly to touch on those use permit criteria, again the granting of the C.U.P. will not be materially detrimental. It doesn't say any impact, materially detrimentally. If you look on each of those points, noise. We are going to have no outdoor speakers, no amplified sign. We agreed to this. No smoke. The stalls are regularly cleaned. The manure stored in enclosed sealed containers, regularly removed. Dust driveways, trails arenas treated to ensure dust is suppressed. Vibration,

no vibration. And illumination. We have agreed no arena lighting, only low level security lighting on site. That the C.U.P. also will not be again, not standard, materially detrimental to the public health, safety and welfare and it talks about if there's an unusual volume of traffic.

Here when you compare what could be built on site today, just looking at a subdivision, we actually have 21 less trips with this proposal than if the site were to develop as strictly residential. We also worked hard to add an access directly on to Cactus Road so trucks will be accessing on to cactus, a designated truck route. And, again, that the characteristics of proposed conditional use are reasonably compatible with the types of uses in the surrounding area. We are on the equestrian trail. We are on Cactus Road. We are surrounded by numerous horse properties in the area.

I also want to make sure that this council knows that we have listened to these neighbors, that we have worked hard. We have sat in living rooms for over the last two years working on this application. What you see up is the original application that began in 2013. You will notice that it was oriented to paradise drive into the neighborhood, and by comparison through all the evolutions what with you see in front of you now in 2016, reoriented towards cactus road. These are just some of the conditions that we significantly -- a significant number of conditions that we have agreed in an attempt to address the neighbors' concerns. And while it may not be enough for everyone, it certainly has been enough by many, as evidenced bring the folks have you here today.

I think most importantly, we have agreed to modify the driveways into the site there. Will be no traffic from this property into the neighborhood. We have designed the driveways in a way to discourage anyone turning left into the neighborhood from 68th Place and, again, all the trucks exiting on to Cactus Road, a designated truck route.

And I know that there's been much discussion also about the maximum number of horses. First of all, we have already significantly decreased the number of horses from where we started. And we have agreed yet again to reduce that number to a maximum number of horses of 48. We have gone a step further. We have agreed to limit the number of horses to 38 for the first year of operation to give us a chance to prove compliance, to prove that we can mitigate any perceived concerns, any perceived impact that will be on the neighbors. And once compliance is demonstrated, only then the maximum number of horses is increased to 48.

And it's because of these stipulations that we do have the support of the vast majority of abutting neighbors that we have been working with. Finally, in conclusion, I respectfully request your approval because Rancho Paraiso exceeds all the use permit criteria, because we have worked hard with the neighbors for over two years. We have 226 signatures in support. Would everyone who is here in support, please raise your hand. There's significant support. Not only from the neighborhood, from the equestrian community for this application.

And finally, because Rancho Paraiso provides a unique opportunity to retain and promote Scottsdale's equestrian heritage. We would like to ask Ms. Najafi to step forward.

[Time: 01:03:45]

Dionne Najafi: Thank you. My name is Dionne Najafi, my husband Francis and I own 12011 North 68th Place, 6911 East Cactus Road and 6912 East Paradise Drive, Scottsdale Arizona, 85244. Horses have been a part of my life and have been a part of the passion in my heart since I was a little girl. I moved to Arizona to go to A.S.U. in 1987 and I brought my horse with me. Over the last 30 years, I have boarded my horses at Scottsdale ranches, including Bill Bridwell, Sand Spur, Bar A, Camelot Farms. I compete at WestWorld and I have shown at the copper state horse show which is run by one of our wonderful neighbors Anna Lewis, one of the neighbors to this property.

My husband and I bought this property three years ago. This has always been a dream of mine to have a ranch and this property was ideal. For years, I drove by this property and watched horses jumping and people taking lessons on this very property. This neighborhood was the perfect blend of residential, as well as ranches.

We had a neighborhood meeting about two and a half years ago and to be honest, we were quite shocked at some of the opposition we received. We decided not to bring it to council and we sat down for over two years meeting with our neighbors and listening intently to their concerns. Wendy acknowledged all the concessions that we have agreed to make. And including working with transportation diligently to get that right-hand turn for service vehicles so there would not be traffic. There was a lot of misinformation that was going around in the neighborhood. I sent out a myths vs. facts and I was overwhelmingly surprised at the support I received from the neighbors who actually were just concerned to voice their opinion because of some of the opposition.

I just want to say these animals, they are my family. These people I ride horses with, they are my friends. This facility is not a commercial facility. It is a private ranch for my family, my friends and our animals. And my trainer. I may not lay my head at this ranch, but this is where my heart is.

I would like to thank staff. I would like to thank the public transportation planning commission and the immediate neighbors who are 80% in favor of this dream, as well as all the neighbors that I have had support from. Thank you for your time.

Mayor Lane: Thank you, Ms. Najafi. With that, we are going to go ahead and try to attend to some of the public testimony that's been requested here. We have over 50 cards, requests to speak and on that basis, we generally do ask that people try to combine their time if they have a significant statement to make and we have a couple of those instances. But for the most part, they are individual cards. So I'm going to restrict the time to one minute. Hopefully you can get whatever statement it is you would like to have on this and if you -- I don't know if there's any combining that can be done but we will give time for those who have donated time to someone to speak.

So I will start -- I will start with Judy Flynn Tornabene. To be followed by David McLaughlin. This will take some time to process, so I will try to give at least two names out as they come out.

[Time: 01:08:47]

Judy Flynn Tornabene: Hi, my name is Junie Flynn Tornabene. I would like to thank you for taking the time to voice my opinion. As a former businesswoman in Scottsdale, Arizona, and a resident, I feel a duty and obligation to weigh in on. Current petition that allows Scottsdale to continue to develop and maintain horse properties as part of our community. I chose to locate my business in Scottsdale, Arizona which employed in upwards of 250 employees, not because it was home to many large businesses, strip malls and subdivisions, but because it was home to traditional values, innate charm and true character. Scottsdale was and still is striving to be a reflection of a simpler time and a richer life. Our zoning needs to be protected against the influx of mismanaged commercial development. Scottsdale remains the destination point for many winter visitors, small businesses, and corporate conferences.

Because of its innate charm and incredible connection to the Smalltown western heritage. It is impossible to deny that much of the charm that attracts people and commerce to Scottsdale is our enthusiasm for our equine community. We have incorporated our large four-footed friends into our very identity. Our city seal emphasizes that. Actually, horses have been an integrate part of designing who we are and why we are successful since 1888. I was initially delighted to hear about the plans to build this fabulous facility that houses these magnificent animals. It seemed like the kind of place I would want to stop and allow my children to get out of the car and embrace a side of life that is quickly becoming extinct in most parts of the world. To deny a well-intended family an opportunity to improve upon the traditions and the very identity that defines our town seems almost disingenuous on the part of our elected officials. I will have confidence that the city council will continue to support our community values --

Mayor Lane: If you could wrap it up.

Judy Flynn Tornabene: I'm done. Thank you. I said it.

Mayor Lane: And I apologize to the fact that -- when this gets long, it becomes -- we want to really make sure that everybody gets an opportunity to speak. So, you know, I will give a little bit of slack, but at the same time, I really would appreciate it if we could keep -- I understand. Thank you.

David McLaughlin. And then will be followed by Steve Sullivan.

[Time: 01:10:30]

David McLaughlin: Hi, I will try to keep this short since we have a lot of people and a lot of comments. I have lived in this area for about 20 years. I don't ride horses. In fact, the most uncomfortable vacation I can remember is going to a dude ranch with the kids. But I have had the opportunity over a number of years that I was working to work with all types of organizations throughout the world. I have worked with the World Bank. I worked with the boy scouts. I worked with profit-making companies like general electric, and we could spend a lot of time talking about why a community in an area works, but this one does.

The greater Phoenix area has grown and been in the top 10 parts of the world, in the country, the two

decades that I have been here. And while it involves things like infrastructure, there wasn't a 101 when I came here or a light rail or many other things we could talk about. It also involves taxes and many things, but after 20 years -- 20, 30 years of experience working in this general area, I have come to believe that there are two things that are very, very important that are hard to sort of quantify. One of them is how do you preserve the sense of community? And community is not just the town --

Mayor Lane: Mr. McLaughlin. We have restricted time. If you could wrap up, I would appreciate it.

David McLaughlin: It's not just the town. It's also those cross network of people interested in things, including the equestrian area. And beyond that, it is very, very important that an area be dynamic and continue to grow and be faithful to its traditions and the horse is one of those traditions that we can preserve. I have given up on the stage coaches.

[Time: 01:13:06]

Mayor Lane: Thank you, Mr. McLaughlin. Next is Steve Sullivan. He will be followed by Katherine Noe.

Steve Sullivan: Yes, thank you very much. I understand I have one minute?

Mayor Lane: Yes.

Steve Sullivan: I submitted a letter dated January 27, 2016, I believe the council has it in front of them. I would appreciate that being entered into the record and considered. This will be very brief, of necessity, of course. I strongly believe this is a commercial use and that any reasonable interpretation of the zoning statute requires and mandates that that be the conclusion and therefore to grant this petition, this application would -- would be tantamount to be a violation of the zoning ordinance. The city has a legal responsible to abide by its own zoning ordinances. The zoning ordinance also mandates that the city consider the public health, safety and welfare of the citizens of city of Scottsdale based on everything that I have seen, that has not been adequately done. My letter goes to some of those issues. To my knowledge, other than a flawed traffic report, there have been no expert opinions on this. There have been no investigations. No professionals that are qualified to really address these issues. So it is -- it's my position that there is no issue on this. This application must be denied as it currently stands. Thank you very much.

[Time: 01:14:50]

Mayor Lane: Thank you, Mr. Sullivan. Katherine Noe. Followed by Dr. Flores.

Katherine Noe: Thank you as well for the opportunity to speak. I would like to say some words in support of the ranch. My interest of this is as a homeowner in Desert Estates. My property is about four blocks from the intended ranch and that's my connection. I'm also, I should disclose, a horse owner. I am, of course, very motivated in keeping this a residential neighborhood and not a

commercial neighborhood, but more importantly, I'm motivated to keep this a residential equestrian neighborhood which it has always been since it was developed 50 years ago. And I would say that that means 50 years of successful commingling of people and horses with the potential for flies, dust, manure, everything else. I think that the neighborhood operates well and I would like it to continue to do so, for all of us in the neighborhood that have horses, that want to stay in Scottsdale, and that means that the council and the city needs to continue to support us as homeowners. I'm thrilled to see a business coming in that expands and supports the equestrian community without horse-friendly businesses, none of us can stay in the city, I think it's a huge loss to us culturally and to the culture of the city. I appreciate your thoughts and support of the ranch. Thank you.

[Time: 01:16:16]

Mayor Lane: Thank you, Ms. Noe. Dr. Flores.

Dr. Diego Flores: Good evening, everybody. Mayor, Vice Mayor, councilmen, councilwomen. I'm in support of this project. At the beginning I was a little bit concerned about the project itself, but I think that the horses are part of the community. You can see it on the logo, the city of Scottsdale. That's basically where we are. Horse community, I play Polo for enjoyment and I think that if I was doing this project, I would be finding the same opposition in the same area. I will a little bit hypocrite. I was also again it initially, mainly for rezoning and other things but not for the horse property itself but the amendment changes. I support this. I live two blocks away from this property and I think it should be an excellent project and I understand the concern from the neighbors but it is -- I'm supportive of this project right now. Thank you.

Mayor Lane: Thank you, Dr. Flores. I would ask that the speakers state their name for the record and, of course, for our audience, both audio and visual, your name and your address when you come to speak.

[Time: 01:17:37]

Mayor Lane: Next would be Bob Littlefield, councilman -- former councilman Bob Littlefield and next behind him is Christopher Heller.

Bob Littlefield: So as one of the earlier speakers said, it's wrong for you guys to be bypassing the zoning ordinance by trying to have this done as a C.U.P. It's not only wrong. It's probably illegal. I will be interested to see if anybody sues. But here's the real problem that nobody has mentioned. The conditional use permit by giving them a conditional use permit, all ever those stipulations that were up there are completely toothless. In the 12 and a half years I was on the city council, and in the year and a half since I left, this council and previous councils has never revoked a single conditional use permit and it's not that we didn't have plenty that violated their terms, but I remember many times when I was sitting up there and I would try to get my fellow councilmembers, many of whom are still up here to even consider revoking the conditional use permit of an applicant who had egregious violations, and you guys wouldn't even consider it, much less revoke one. So all of those stipulations, completely meaningless. If they put 100 horses on here, someone will complain and you guys won't

revoke the conditional use permit. That's the problem. History has made it clear, you have no interest in enforcing these. The lawyers know this. I'm sure Wendy has told her applicant, you know, you guys can agree to anything up here because you will never be called to account if you violate it. And that's what's wrong with approving this as a conditional use permit.

Mayor Lane: Thank you, Mr. Littlefield. I will say again, please if you would state your name and your address when you come to speak.

Councilwoman Milhaven: We all know who you are, Bob.

Mayor Lane: There are very few people out there that don't know of Bob. Mr. Heller.

[Time: 01:19:46]

Christopher Heller: Thank you, Mr. my name is Christopher Heller, 6249 North 78th Street in the Arroyo Verde development. I support this project enthusiastically, even though I was never a horseman. I learned golf at 12 and gave up the horse. I support this project because it preserves an important part of Scottsdale's DNA. It's one of the reasons I came -- I moved here even though I'm not a horseman. I like the aspect. I like the cultural context. I like all of the things that it represents about this community, and it's too bad that it's going away absent projects like this. This project also represents, in my view, an effective way to solidify Scottsdale's authentic western culture. Beyond the limits of old town, which seems to be where things aggregate. And this respect, it compliments and reinforces western spirit. Scottsdale's Museum of the West. And this would be another step in the right direction in my view. Equally important, I support this project because of Mr. and Mrs. Najafi. They have demonstrated a willingness to listen for two years, more discipline than I have, and adjust their plans significantly based on feedback from the surrounding community. I'm not sure what else they can do to placate and still do a terrific enterprise there.

Mayor Lane: Mr. Heller, your time has expired.

Christopher Heller: Thank you.

[Time: 01:21:24]

Mayor Lane: Next is Nora, I believe its Trulsson. Followed by Joe Greenwell.

Nora Trulsson: Hello. My name is Nora Trulsson, and I live on North 67th Street in the neighborhood. I have owned and occupied my home here for 23 years. I live about a five-minute walk when I don't have a cast on my leg from the property. Despite the fact that most of us in this neighborhood live in modest homes, we are not a bunch of uneducated, uninformed yokels that can be hoodwinked by the Najafis and their attorneys, publicists and friends into believing that this project is good for our neighborhood. I asked all of you, if you woke up one day and discovered that their neighbor was going to turn their property into a commercial stable with 48 horses. We love horses in our neighborhood. Don't get us wrong. According to the zoning laws, as I understand them, I

cannot legally run a business out of my home with employees, clients and deliveries, coming and going, right? Then how is the Najafi ranch able to slip under the radar and do this? This is a commercial business as one of their supporters even said. Plain and simple with no owner occupancy, paid employees and up to 48 clients coming and going, not to mention traffic pressures, dust, flies and disturbance to our neighborhood. The only people profiting from this are the Najafis. The project does not belong here. By approving this C.U.P., we will have set a dangerous negative precedent for our residential neighborhood and for all the neighborhoods in Scottsdale. I oppose this project. Please keep our neighborhood with its current zoning of low density residential. Thank you.

[Time: 01:23:46]

Mayor Lane: Thank you Ms. Trulsson. Mr. Greenwell, followed by Sarah Saglam.

Joe Greenwell: Hi, my name is Joe Greenwell. I live at 6712 East Cactus, one block west and across the street from the proposed project. I have lived in Scottsdale since 1967 and I mean, even as one of their supporters said, it's a business. The typical 1 acre horse property has one or two horses. This is 6 acres, roughly, we are looking at maybe 12 horses. I mean, the concessions are 48 horses instead of what would normally be up to 12? I don't really consider that a concession. I would prefer that, you know, the density would stay the same. I would prefer that it stay truly residential. You can get attorneys to call it whatever you want. It's a business. They are not living there. It's my understanding that they live in Paradise Valley. I used to work for the planning department in Paradise Valley. Probably the reason they are not doing that there is because they are so incredibly strict in Paradise Valley with their zoning. I know. And that's why they are not doing it there. I oppose the project. I hope that's how you vote. Thanks.

[Time: 01:25:07]

Mayor Lane: Thank you, Mr. Greenwell. Next is Sarah Saglem, followed by Bryn Defusco.

Sarah Saglem: Hi, I'm Sarah Saglem I live at 13269 North 101st Place in Scottsdale. Hi, Mayor Lane and the councilmembers. My son Jordan was 9 years old and a very special friend of ours gave him the gift of riding lessons at a riding center in Scottsdale off Cactus. What impact did that gift have to him? He learned discipline, patience, responsibility and a strong feeling the community and acceptance. Jordan lost his sight five years ago and I know the experiences he got with horsemanship and this gift and this sense of community helped him deal with his disability when he became a man. Sorry. I get emotional. He's now 22 and he's getting his master's at A.S.U. And that very special friend that gave Jordan that gift was Dionne Najafi. Think about what neighborhood is. It's where you want to feel a sense of belonging, acceptance, and kindness. It's where memories are made that can shape you for a lifetime. So vote in favor of the Najafi Ranch, is a vote enriching the lives of our community and the young people. Thank you.

[Time:

Mayor Lane: Thank you, Ms. Saglam. Next is Bryn DeFusco.

Bryn DeFusco: Good evening, thank you. Congratulations to your son. No one questions the aesthetics of this facility. No doubt it will be beautiful and offer first-class facilities. The issues in my mind are the scope and the magnitude of the operation. Setting aside the fact that this is a commercial endeavor, covered up by a C.U.P., every concern presented could be mitigated by simply limiting the number of horses. The unwillingness to decrease the number of horses is only one indication that this is truly a commercial facility. We're trying to preserve our residential neighborhood. We have compromised as a neighborhood from our position of not wanting the ranch at all, to supporting it with a reasonable amount of horses. The majority of us accept the C.U.P. with a limit of 36 horses, or even possibly 38. I know that's a number that's been thrown out as well. The proposal for an increase to 48 after a year is unacceptable. This council will approve 48 horses regardless of the evidence presented in opposition. Simply put, today's proposal means 48 horses in one year. And 52 to 48 is not a compromise. It's a conditional use permit. Conditions like the number of horses should be in place on this since it is, in fact, zoned residential. As our city council, you have all promised to protect our neighborhoods. You have received votes from our neighbors, as well as active support for your elections as well as for your initiatives, you have supported such as the recent bonds. We have made deep and good and good faith significant compromises to accept what is clearly a commercial stable. As this is currently proposed, it is unacceptable.

Mayor Lane: I'm sorry, your time has expired.

Bryn DeFusco: We fully expect your support. There's no reason why this council can't and shouldn't restrict the number of horses to 36.

Mayor Lane: Thank you.

Bryn DuFusco: Do you need my address? You have it on the paper.

Mayor Lane: It's 11601 North 66th Street.

Bryn DuFusco: You read well.

[Time: 01:29:12]

Mayor Lane: Thank you. Next is Anita Thiesen. Followed by -- I think it is Danielle -- is that -- what? Okay.

Anita Thiesen: Mayor Lane, councilmembers, Anita Thiesen, 4725 North Scottsdale Road. So much has already been said. We have made a major investment in Scottsdale. Our move from Phoenix has been fantastic. It's exceeded our expectations and part of what has exceeded it is exactly that mix that you have, fashion square and Mercedes-Benz of Scottsdale and you have the equestrian heritage. As more equestrian land gets redeveloped for housing, we lose something important and unique in Scottsdale and we become more like municipalities across the southwest. That mix of

urban rural is exactly what makes Scottsdale so special. I also have had the privilege of spending time at Promontory, the development that the Najafis have done in Utah. It's beautiful, thoughtful and very delicately sited on the land, the way they responded to the conditions there. It's really a wonderful thing. I think they would absolutely do the same thing here. I hope that you will support their conditional use permit application. Thank you.

[Time: 01:30:48]

Mayor Lane: Thank you, Ms. Thiessen. Danielle, you'll need to say your name for the record, please.

Danielle Werstler: Danielle Werstler, 8231 N. 74th Place, Scottsdale, Arizona. I have been a Scottsdale resident and equestrian for 25 years. I have a barn in my home and have boarded horses all throughout Scottsdale. Scottsdale, the west most western town is a place with a long tradition of weekending and supporting the horse community. Rodeos, Polo, horse shows, these were the horse ranches and horse communities many of them right in the middle of residential areas. Horses are part of Scottsdale's image and their culture. We are losing our tradition of welcoming and supporting the horse community. Horse ranches are leaving, equestrian properties are being subdivided. Many people keep their horses on their property, in fact, many of them board and some of them train. There's a community horse arena at Mescal Park and the internal trail system. Throughout the neighborhood, the horse properties are being replaced with homes you can find anywhere in town. The area and the danger of losing its unique history and identity. I like the vast majority of the adjacent and abutting neighbors to Rancho Paraiso, believe that this ranch of 48 horses will have a positive impact on the neighborhood. A considerably investment in the horse community, and I believe if you approve this tonight, as the planning and zoning commission is, it will be a statement that the city is interested in preserving the horse culture. Thank you.

[Time: 01:33:04]

Mayor Lane: Thank you, Danielle. Next is -- the last name is Aliza. Aliza. How close was I?

Cepand Alizadeh: My name is Cepand Alizadeh, 7144 E. Stetson Drive, and I'm here speaking on behalf of Mike and LeAnn Bishop who could not make it tonight. "Dear Mayor and city council and staff as we are unable to attend the city council hearing we are writing this letter to voice our support for the Najafi Ranch project. Our property shares the southeastern property line of the Najafi property, and therefore, we are one of the most directly affected neighbors. First, we believe that private property rights are the most basic right and freedom. It is our belief that private property rights afford a property owner the right to use their property as they wish, as long as it is legal, allowed by law or code, and it does not severely impact its neighbors in a negative way. There's a legitimate debate regarding the opinion of how this will negatively or positively affect the neighborhood. Many times over the last two years we met with the Najafis and their counsel in a collaborative effort to find solutions. It's our experience that the Najafis while holding to their vision have made every effort to allay our concerns. Therefore we respectfully request that they approve the Najafi plan. Respectfully Mike and LeAnn Bishop." Thank you.

[Time: 01:34:31]

Mayor Lane: Thank you. Next is Ashley Porter. Followed by Barbara Vale.

Ashley Porter: My name is Ashley Porter of 6750 E. Camelback Road. I'm here to speak on behalf of Terry Derbet who is not here to speak today. She lives at 9378 East Davenport Drive. "Scottsdale city councilmembers my name is Terry Derbet and I'm writing in support of Rancho Paraiso. I feel this will be a great asset to the community around this area in Scottsdale. My daughter enjoys horseback riding and many of her friends and neighbors ride on a regular basis. Horseback riding has been a part of the culture and the history of Scottsdale and one of the things that gives the city the unique flavor. I have seen in my daughter and her friends how horseback riding provides an environment where you can have to work hard to achieve goals you have set for yourself. I believe that the Najafi ranch home is a good project and one that will be great for the community around 68th Place and Cactus Road. I'm in favor of this project and hope to see it approved."

On a personal note I have known Francis and Dionne Najafi for several years and they are the best example of good citizens. I have seen them donate their name and resources to help the community. They are impeccable with their actions and their word. They are a family with strong values that really care about making it world a better place. I feel fortunate to know them and I wish we could have more citizens like this.

[Time: 01:36:07]

Mayor Lane: Thank you, Ms. Porter. Barbara Vale. Followed by William Scherer.

Barbara Vale: My name is Barbara Vale. I live at 6712 East Cactus Road. I live one block away from this proposed property. I don't care how you slice it or dice it, it's a business. I'm a business owner. I know what it looks like. It is business. It's for profit. I strongly oppose this. I have to live next to it, and it's extra traffic, noise, dust, you can't tamper down dust, smell. My family has to live next to this. I'm sure they're wonderful people. This is a business. And it doesn't have any business in a residential community. Sure, preserve the horse community, absolutely. But to 48 horses? It's ridiculous. So I strongly oppose it.

[Time: 01:37:12]

Mayor Lane: Thank you, Ms. Vale. William Scherer, followed by Chris Schaffner.

William Scherer: This is a total breach of residential character in this neighborhood. I have lived there for 50 years and this is the greatest attack I have seen on our residential area. The word "home" is horribly misused as --

Mayor Lane: Mr. Scherer, if you could speak into the microphone, that would be helpful.

William Scherer: I'm sorry S. that better?

Mayor Lane: Yeah.

William Scherer: Okay. Start over or far enough?

Mayor Lane: I tell you what, give a start.

William Scherer: Let me say that again. There's no residential as envisioned in the norm other than too many resident horses. This is a total breach of the residential character of the neighborhood. It's a commercial venture. The word "home" is horribly misused in the name of the ranch home. It will be a horrible downgrade to the neighborhood. I look forward to your rejecting it.

[Time: 01:38:32]

Mayor Lane: Thank you, Mr. Scherer. Next is Chris Schaffner. You will be followed by David Calvin, I believe it is.

Chris Schaffner: Good evening Mayor, members of the Chris Schaffner, 7346 East Sunnyside Drive. I'm speaking tonight on behalf of the Coalition of Greater Scottsdale board. We have reviewed this case at great length and have met with the residents involved as well a number of times. First and foremost, most of the board have been equestrians lifelong, myself included. I grew up in Scottsdale riding horses. I rode for Sally Horse Ranch for about ten years under Andrew Propiell, who I'm sure many of you in this room know who he was. The issue here is not whether people like horses or not, or whether horses are appropriate for Scottsdale or not. This is about this type of use and does it fit. And the issue at stake is clearly the number of horses. We know that because the neighbors at five horses would be perfectly fine and if the Najafis were asking for 500, you would be laughing. So somewhere in here there's a number that's effective for the ranch and it's also appropriate for the surrounding neighbors. I don't think 48 is it. The neighbors overwhelmingly agree on that. I would encourage you -- I see my time is up but I would encourage you to work with the neighbors and the applicant, perhaps a continuance and see if a reasonable number can be reached between the two and go from there. Thank you.

[Time: 01:40:10]

Mayor Lane: Thank you, Mr. Schaffner. David Calvin, followed by John Martinson.

David Calvin: Good evening. My name is David Calvin. I live at 6831 East Paradise Drive, which is directly across from the proposed project. Luis Gonzalez is my neighbor and I'm speaking for him, as well as myself. We don't know the Najafis. I have met them a couple of times so I'm not their friend advocating this project because of that. I ran an operation in Colorado that had 45 horses. Which was a first-class operation. I think people are ill informed when they think that it's not clean or well kept. Our facility was immaculate. When you have the resources to run an operation like this. One thing I want to mention that disturbs me a little bit, is that neighbors that go up and they

don't know these people think that their words and their commitment are disingenuous or a lie. Where do we get that kind of thought that we mistrust people like this? I mean, they give their commitment and we're not to believe it? I don't understand that kind of attitude. And into I'm a little embarrassed that I'm in a neighborhood that people act like that. The last thing I would like to say is I have ridden around the neighborhood and there's people that live so far away, they should be more concerned about an earthquake affecting them than this project. And that's all I have to say. I'm in support of the project. I'm glad I made you smile.

[Time: 01:42:08]

Mayor Lane: Thank you Mr. Calvin. Next is John Martinson. Followed by Ryan Liebenritt.

John Martinson: My name is John Martinson and I'm here tonight to speak in for the of Francis and Dionne Najafi who wish to build Rancho Paraiso. As cofounder of China Mist Tea Company, I'm proud to call Scottsdale the head of our business for 34 years. Scottsdale's affluent western lifestyle and the reputation as a great place to do business was key to Dan's and my decision to build our business here and we proudly display the is being name on our packages and cartons. We have formed a unique identity and the city has been label to progress in the 21st century while incorporating elements of its western heritage. This is the west's most western town. We own a ranch at 11025 East 68th Street, abutting, Mescal Park. Many characteristics make up Scottsdale's identity but some of the strongest are the horse properties that one can find all over. Personally I'm grateful for Francis and Dionne who are seeking what will be a world-class facility at 68th Street. Supporting Rancho Paraiso, an equestrian center will be a wonderful addition to our city and we should not pass up an opportunity to embrace our western roots and I would encourage you to vote yes for the Rancho Paraiso. I would like to add I have known Francis Najafi for 37 years. He's been an outstanding community member. Thank you.

[Time: 01:43:56]

Mayor Lane: Thank you. Ryan, I believe this is Liebenritt. Followed by Tom House.

Ryan Liebenritt: Good evening. Thank you for listening and giving me my 60 seconds. My address is 6928 East Jenan Drive. I have two properties located within 500 feet of the Najafi ranch. It's nice that you have lots of supporters here and I'm glad one of our voters said, yes, let's talk to a lot of the people live in our neighborhood. I don't know how many people with the yes badges live in neighborhood. I would say most of them don't. 85 letters in the last 24 hours asking you guys to not do this and oppose the ranch in its current state. And that's just in the last 24 hours. I know because I have been flooding your inboxes. 90% of the neighbors oppose this in the current state and we're talking neighbors that are in the close proximity to this ranch. 90% oppose it. You have a couple of people up here that do agree with it and that's fine. I respect your opinion but I'm representing the neighborhood of the 90% that oppose this. We tried to work them. 36 is a number. We will work with the Najafis and welcome you to the number to 36. Please limit the number of horses to 36 and we can all move down the road instead of going into lawsuits and battles that are going to continue for years to come.

[Time: 01:45:37]

Mayor Lane: Thank you. Tom Howes followed by Mike Domanico.

Tom Howes: Mayor Lane, councilmembers my name is Tom Howes I reside at 11429 North 70th Street. Thank you for this opportunity. We all know that the Najafi ranch will have an impact on desert estates neighborhood. Of the question here seems to be how much impact. We also know that our neighborhood was not designed for addition a traffic impacts, and was specifically designed without street lights or sidewalks. Any additional traffic becomes a safety issue to the residents. I am not sure that everyone reviewed the applicant's traffic letter. It was hard to find. I had to come downtown to get it because it was not part of the planning package. I hope everybody has read it. I would like to point out the flaws. There's no weekend traffic pattern. I would assume the traffic pattern would be different for the weekends rather than the weekdays. Further report, there are a total of eight visitor, student rider, therapy client trips per day with 49 horses, seven lessons per day, therapy clients, that number is not believable. Generations number are calculated based on conversations and information. No one took a physical study of comparable operations. Trip generations -- trip generation comparisons based on the hypothetical seven residential units were to exist and the odds of changing to seven are improbable at most. Our streets are critical, major part of our rurally designed neighborhood.

Mayor Lane: Mr. Howes, your time has expired. Please wrap it up.

Tom Howes: I guess that's all I get to say. Thank you.

[Time: 01:47:40]

Mayor Lane: Thank you, Mr. Howes. I believe it's Mike Domanico. To be followed by Paul Nolte.

Mike Domanico: Well, what an evening. My name is Mike Domanico. I live at 6700 East Jenan. I lived there for, oh, about 20 years and I really enjoy the neighborhood. I was going to come and talk about horse manure and urine and flies and all of this good stuff that we all know about. But after listening to everybody here, I think what the big problem is we're losing respect. We're losing respect for each other. The people that want these facilities have a certain amount of respect they have due and the people that don't want them have respect, they need to have respect for what they want and what they want to hear and we vote for the people on the city council to do what the laws tell us they are supposed to do. And we respect you to -- we respect and support you to do these things. Now, when we see these limited uses coming out that we can't figure out, and the lawyers tell us it's one thing in front of us and we can't understand it or believe it, commercial operation is a commercial operation. I think everyone needs more respect for each other. Find out what is going on. What would be a real reasonable number of horses to have. What would do the neighborhood some good and we would also allow you people to respect the laws that you are supposed to be working over for us. So basically, all we have -- we all need to respect each other a little more. Both sides.

[Time: 01:49:36]

Mayor Lane: Thank you, Mr. Domanico. Paul Nolte followed by Tony Werstler.

Paul Nolte: My name is Paul Nolte, I live at 11828 North 78th Street, which is two blocks away. This is a business. They are going to get paid. They will have employees. How can we allow a business in a residential neighborhood? And that's about what I'm concerned about. It is a business. I have had a business here in Scottsdale for 25 years and lived in my house over there for 17. And no matter what you cut it, it's still a business and still a residential neighborhood. Thank you.

[Time: 01:50:23]

Mayor Lane: Thank you, Mr. Nolte. Tony Werstler. Followed by John.

Tony Werstler: Good evening, Mayor, council. My name is Tony Werstler. 8270 North Hayden Road. I have been a resident of Scottsdale for 36 years, and it is truly sad the slide earlier, you see those ranches that have diminished. It's truly sad the charm of Scottsdale has gone a different direction. I fully support this phenomenal project. I would like to read a letter, if I may, from a woman that's in our community of the Scottsdale. Her name is Marguerite Streetwiser. She's on East Weathersfield Road. "Mayor Lane, I have been an equestrian enthusiast my entire life. I'm speaking here before you to urge to support the creation of Rancho Paraiso. Scottsdale is the west's most western town. We have a museum -- we even have a Museum of the West and visitors marvel at the equestrian offerings that take place at WestWorld. As Scottsdale has grown, many of those horse ranches which played an important role in forming the city's identity unfortunately have disappeared. Now Dionne and Francis Najafi, want to stem the side of equestrian facilities. Both have spent years thinking about and considering what it will take to create a world-class horse ranch. With years of equestrian experience, both know what it will take to make Rancho Paraiso one of the finest. Its amenities are quite unique and have no comparison in Arizona. Please support the Najafis as they seek to build Rancho Paraiso." Thank you for your time.

[Time: 01:52:21]

Mayor Lane: Thank you. John Werstler, followed by William Jachimen.

John Werstler: Thanks, Mayor and council, my name is John Werstler. I live at 8231 North 74th Place. Very quickly, a woman earlier said, would you live across -- would some of you in the room live across the street? I absolutely would live across the street from this facility. I know Francis and Dionne and they will build a fabulous facility. If you approve it and it gets built, I guarantee you, you are going to wish you were one of the horses living on that property. Another woman said that it was a business. If you build one of these facilities and you operate, anybody that's been involved in this know you do not make money. It's pure passion. If you are in the horse business, it's not for business. Lastly, the planning and zoning commission voted 6-1 to approve it, after taking in all 69 concerns -- of the concerns of the neighbors and spent a lot of time looking very

carefully at this. They voted 6-1 and I hope that that has an impact on your decision. Lastly, if it's not approved and they decide to do something different, keep in mind that it could become a charter school. And if the neighbors think that a horse facility is going to be a facility that's going to be tough to live with, a charter school or something along those lines certainly is going to be far worse. Thank you.

[Time: 01:53:51]

Mayor Lane: Thank you, Mr. Werstler. William, I think it's Jachimen. With an additional card from Katherine.

William Jachimen: I live at 7002 --

Mayor Lane: Two minutes.

William Jachimen: East Paradise Drive, which is one house over from the proposed ranch. I recently tore down the old house and spent over \$1 million building a new house last year. So I have a substantial investment in the area and then I also own a property a couple doors down that's a 2-acre home K. I ask everyone who is in support of the ranch to raise their hand. Can I ask everyone who has their hand raised if you live over 8 blocks away to put your hand down. If you live over eight blocks away put your hand down. I guess that's not too many neighbors. Anyway, there's a lot of people who own car dealerships and space rockets. Scottsdale doesn't have a limit on horses. Towns that have actually done something and studied this, like Cave Creek has five horses per acre for first five acres and then one horse per acre after that. Paradise Valley where they live, it's two horses per acre. Park City, Utah which came up, it's two horses per acre in the city. When we bought our place, there was a barn there with eight stalls. It's 2 acres. My wife looked at it and said, whoever had these horses were cruel. How can you fit eight horses on 2 acres? Well, there's limits to what people want. The horses weigh about 1400 pounds and if you put them in this 12 by 14 stall 20 hours a day, it's actually cruel. They are meant to run wild, be free and then you take this animal and shove it into a stall, and I think because the city of Scottsdale doesn't have zoning that actually prevents the amount of horses, it's your job to make a decision how many horses per acre should work, and also we have commercial versus residential.

If you go to the bank and you live at the place, you get a residential loan. You go to the bank and you say I don't live there and I have a horse facility, you have to get a commercial zone. It's the simplest definition in the world and I asked the city planning commission for the last week to give me the background on how this ordinance and definition between ranch and commercial stable came about. I want the history of the legislation. I haven't gotten anything. And not a response, not a phone call back.

Mayor Lane: Sir, your time has expired.

William Jachimen: Thank you.

[Time: 01:56:55]

Mayor Lane: Next is Karla Krall, and has two additional cards. Up to three minutes.

Karla Krall: Good evening Mayor Lane, councilmembers. My name is Karla Krall. Our home is at 12012 North Paradise Drive. I was the only property without the gold star that is right adjacent to the Najafi property. We have lived this for close to 20 years and everybody that -- I like -- I always enjoy the people that talk about what is done on the properties. For the last 20 years, there's been a total of 11 horses on those three lots. As you can imagine, I am opposed and the reasons are mostly because of the commercial components. I'm unable to speak on all of that, because I'm still waiting for the city to answer all the questions and clarifications regarding some inaccurate information on the application, as well as clarifying of definitions.

You know, everybody in the neighborhood that lives there moved in knowing there's horses and they love horses. I have horses on my property. Nobody is opposing the horses. But it's the size and the scope, and the Najafis make it sound like it's been a very laborious two plus years. It has been because I met and sat with -- Wendy is a good friend of mine. She's leasing a pony of mine right now. So this has been quite interesting.

You know, I respectfully request a continuance until all the information can be made available to the neighborhood residents that are opposed to this project. We have made very clear that a decrease in the numbers would work without the option of rising to 48. It would -- I would agree to 36 to 38 horses for the lifetime of the C.U.P. and I crunched numbers, Mr. Najafi and that will make it work for what he described in a meeting just recently with me. I really think that's about all I have to say.

You talk about the loss of the heritage that that little seal up there kind of falls off and gets put back up and dusted off on a regular basis. Mayor Lane, I believe you were on the council when our public easement -- public utility easement trail had been opened for decades was closed down and you would not vote in favor of keeping that open for the equestrians. You denied it being a dedicated trail and it had been in the master plan for years, since the '80s. So maybe down there in the true cactus corridor, maybe -- maybe the city has always supported equestrian uses but certainly not in our neighborhood and that's proved. Is the time up? I don't see the clock.

Mayor Lane: If I could just confirm that you indicated a different address than you have on the card here.

Karla Krall: Yes. And that's also interesting because I have been in several of my meetings with councilmembers asked about my personal life. I'm currently residing -- renting a home in Ahwatukee so I can be closer to loved ones. I wish they would ask the Najafis how often they will be -- on the residence or in the state.

Mayor Lane: I'm just trying to correct the resident.

Karla Krall: I wanted to put my accurate address. Our home is at that place. Our horses are there.

I'm there at least four days a week.

[Time: 02:00:54]

Mayor Lane: Okay. Thank you very much.

Karla Krall: Thank you.

Mayor Lane: Next is Patricia Hill. Followed by Todd Eden.

Patricia Hill: Thank you, Mayor Lane, members of the council. For the record my name is Patricia Hill. I live at 6844 East Cholla. One of my primary concerns that has not really come up here is storm water runoff and the EPA has a number of concerns about that as well. And what brought it up was the pyrethrin that Najafis are proposing to use. They classified it as organic, which it is classified in the EPA. Just because it's organic doesn't necessarily mean that it's safe. Pyrethrin is considered a restricted by the EPA. The concern I have is who will oversee this? Because it's a residential property. 68th Place carries a lot of storm water runoff. It's not unusual to see it run curb to curb. I have seen it many times. I have been at that address for 25 years and it runs into Mescal Park and will actually find its way into the waterways. The other concern I have with respect to this is there's a lot of unknowns about it. I did some research on it because the issue came up in an unrelated discussion. The use of pyrethrins has increased with the declining use of organophosphate pesticides which are acutely toxic to birds and mammals. And it has introduced certain new issues, for example, residential uses of pyrethrins, potentially exposing aquatic life to harmful levels if water and sediment. And additional research shows that there's some potential health concerns with this. And since there's a lot of water running right next to my home, I'm concerned about.

Mayor Lane: Thank you, Ms. Hill.

Patricia Hill: Thank you.

[Time: 02:03:18]

Mayor Lane: Mr. Todd Eden, followed by I believe it's Kathy Orr.

Todd Eden: I'm Todd Eden, I live on east Cortez and I spent a lot of time on this matter with a lot of people. I can't tell you -- well, I communicated a lot with just about everybody, neighbors, not necessarily the Najafis and their proponents but with all the neighbors and with you, and we have tried to make this fit. We have met with the Najafis. We met with Ms. Riddell and we put up a list of stipulations that we felt were in the best interest of the neighborhood, that could make this what we truly believe is a commercial facility fit within our residential neighborhood. My single biggest concern to start with, was the safety of the neighborhood because there's no sidewalks. There's no lights. I understand horse traffic. I'm the first president of Scottsdale community college Rodeo club. I have rode bulls. I have been sideways on horses in the desert, chasing cows. I get it. It's

no big deal but we just wanted it to fit. I'm only majorly impacted because of the traffic. But there's other people that are significantly impacted and I care about my neighbors. And so I chose to stand up and take the bulls by the horns. We provided a list of stipulations and we got? Great responses back. And then we were handed this today, which is a list of stipulations. Which have been revised, I believe by the planning commission and perhaps -- I don't know who else.

Is this part of the conditional use permit? Have these stipulations been agreed to, to be a part of the conditional use permit?

Mayor Lane: Right now, Mr. Eden, I will tell you that your time is up, as far as that is concerned. But I have to say, as far as that is concerned, it will have to be demonstrated in the presentations. And so that -- those questions will be raised.

Todd Eden: I don't understand that.

Mayor Lane: Well, if there are stipulations in the submittals, that's where it will come.

Todd Eden: I don't understand that either.

Mayor Lane: All right. You just said are these -- are these considered in the stipulations --

Todd Eden: Are these stipulations in the conditional use permit.

Mayor Lane: And whatever is in the council packet right now is what's -- is what's going to be submitted.

Todd Eden: Is it in it.

Mayor Lane: I don't even know what you are holding. So if you want to give that to the staff, we can confirm that for you.

[Time: 02:06:23]

Mayor Lane: Next is Kathy Orr followed by Jim Haxby.

Kathy Orr: I'm Kathy Orr and I live at 11825 North 70th Street. I'm one lot over from the proposed ranch. And I moved into my house in that neighborhood 35 years ago because it was equestrian and animal friendly. And I'm in favor of anything that keeps it equestrian and animal friendly. So I'm in favor.

[Time: 02:07:04]

Mayor Lane: Thank you, Ms. Orr. Jim Haxby, followed by John Reggio.

Jim Haxby: This will be a little off. I'm Jim Haxby, 7376 East Sunnyside Drive. I live on the east side of Scottsdale Road on this project. I don't think that anybody is objecting to horses but this is way too big. We are putting a public -- a commercial public nuisance in the r1-35 residential area. Somebody earlier today said the average horse is 1400 pounds. Well, according to Penn State University, 1,000-pound horse will have 37 pounds of feces, and 2.4 gallons of urine, 15 to 20 pounds of bedding. So if they have 54 horses, they will have 542 tons of manure a year and will create 49,275 gallons of urine. And the traffic on 68th Place, if it's coming in, that means that monthly, there's got to be 50 tons of feed and 50 tons of manure removed from this property. And I don't think 68th place, when put that kind of big, heavy duty trucks let alone to mention the trucks and trailers to bring the horses in and out we -- we just don't have that. The dust, the flies aren't going to affect just the local area. They are not going to be contained in the ranch. They will affect areas for miles over. If you go into the --

Mayor Lane: Your time has expired, though. If you could wrap it up.

Jim Haxby: The environmental conditions of the dust that causes irritation and breathing problems, we've got three assisted living places within a half mile of this place. So I'm opposed to it. I think you ought to turn it down.

[Time: 02:09:20]

Mayor Lane: Thank you Mr. Haxby. John, I think I heard --

John Reggio: Reggio

Mayor Lane: Sorry about that. >> Followed by Kristen Black.

John Reggio: Mayor Lane, councilmembers, I have lived in Scottsdale for 30 years and there's no argument that the -- that the tone of Scottsdale is definitely a western town, but I think quite honestly, the problem is I don't think the full impact of this commercial endeavor has been considered. Has anybody driven on Scottsdale Road and cactus at around 4:30 in the afternoon to see? Now picking up on what Jim has said, between feed, manure, traffic in and out, I mean, the impact on the neighborhood, I think, is going to be negative. So I would ask the council to either table the motion or vote against it. Thank you.

[Time: 02:10:34]

Mayor Lane: Thank you, Mr. Reggio. Kristin Black, followed by Rebecca Warner.

Kristin Black: My name is Kristin Black and I live in the neighborhood at 10617 North 68th Street. I would like to start out by saying that I respect you all and I'm grateful to have the chance to speak to you. I grew up and currently live in this neighborhood. My family moved into the neighborhood when I was 8 years old. I have ridden horses all over this area. I got my start riding horses in the 4-h program that used to be out of WestWorld. And I continued my time working in the horse

industry until I was able to work as a professional in ranches in Arizona, Texas, and Nebraska. When I was a young girl, a good friend of mine boarded her house on the east property line of the Najafi Ranch which used to be one breeding, boarding and training facility with a quarter horse stud named scarlet impressive stood. There are many people that board horses and receive payment for it. It has been this way for decades. Arabian green currently on the southwest corner of 64th Street and cactus used to be a large horse facility as well, where horses were raised and trained.

Here is an aerial photograph of the beautiful horse property that used to be where the housing development now is, that has nothing to do with horses. And the photo, you can see it had an arena, turnouts and a barn, all of which is the same thing the Najafi Ranch would. Twin acres on the southeast corner of 64th Street and cactus is an also an equestrian facility. It's sad that these historic and area-defining areas would not be accepted. They are buying up land, tearing down horse properties and changing the nature of the equine area. The Najafi Ranch maintains a semblance of this equine nature and opposition of Najafi ranch is a clear indication that you are against the equine nature of the historic neighborhood.

Mayor Lane: If you would, your time has expired.

Kristin Black: Yes, sir. I worked at Pretty Penny Ranch when I was a high school student at Chaparral and it contained more horses than the Najafi would. I was shattered when it was turned down and torn into a housing develop. I would ask that you please stop things like that from happening and vote to support the ranch today.

[Time: 02:13:08]

Mayor Lane: Thank you, Ms. Black. Rebecca Warner, next, and then I believe it's Bryan Sheets.

Rebecca Warner: Good evening. My name is Rebecca Warner. I live at 21320 North 56th Street, Phoenix. I am a horse trainer the Najafis asked to train on their property. I'm an avid equestrian. I have spent my whole life working with the love of my life, horses. I have been fortunate enough to train horses in Scottsdale for decades. I have known Dionne Najafi for years. We have a mutual love and appreciation for the horses and all that entails. That's what I want to talk to you about for a minute. And that's why I want you to consider when you are making your decision, the horses. I have not devoted my life to horses for money or glory. I have devoted my life to horses because of the passion, the demand, and nothing less. I take great pride in putting what is best for the horse first. There are many people here who feel the same way I do about horses but our numbers are dwindling. The city has become less friendly to equestrians and we have had to in the city of Scottsdale and most of us have been pushed to the north Cave Creek and Rio Verde. They have taken two years to build a place where friends and family can come and ride. And the people who have spoken about feed trucks and dump trucks and everything coming in, people don't understand that the feed come in once in a blue moon or you can provide it for once a month, twice a month. The manure trucks come in maybe twice a week. We are not going to have all of that traffic as people say in and out every day. The customers, they come in and they go out.

Mayor Lane: Ms. Warner your time has expired if you please could.

Rebecca Warner: I just wanted to thank you very much for taking consideration Dionne and Francis and myself in considering your vote this evening.

[Time: 02:15:21]

Mayor Lane: Thank you, Ms. Warner.

Rebecca Warner: Thank you.

Mayor Lane: I believe it's Bryan Sheets followed by Anna Lewis.

Bryan Sheets: Hello, my name is Bryan Sheets, I live at 6623 East Paradise Drive, just a few blocks down from the proposed ranch. I saw all the yes votes and I looked around and thought, there's no way! There's a lot of money here! There's a lot! I don't know what I can say or what I can do. I have lived there for 13 years. My concern is future development. The people who are saying yes up here are kind of burying themselves. They are saying, a, we were threatened by a charter school. B, we're saying that it's okay to do some of the ranch just not at the capacity. My concern is developer. Developer. You have done extremely well. Once this conditional use permit comes to play, what next? Thank you.

[Time: 02:16:32]

Mayor Lane: Thank you, Mr. Sheets. Anna Lewis, followed by Betty Drake.

Anna Lewis: Hi, my name is Anna Lewis and I support the proposal. I have lived at 6801 East Mescal Street for 17 years. I love our neighborhood and I would like to support the equestrian usage. I was a professional horse trainer for almost 20 years and I worked in some first-class operations including for the captain of the United States equestrian team many years ago. So I was thrilled that the Najafis wanted to build an equestrian facility in our neighborhood. Their trainer has an excellent reputation and they have the desire and the resources to build a beautiful world-class facility and I would be proud to live near such a facility. Many of the neighbors that I have spoken to about this are neutral or supportive. I'm not sure what those who oppose it will happen to this property if you don't approve the C.U.P. I'm afraid it will be developed and lost forever for horse use. How can we lose this opportunity? This is the best thing that could happen to this property and the equestrian neighborhood. Thank you.

[Time: 02:17:56]

Mayor Lane: Next is former councilwoman Betty Drake, followed by Christo Visser.

Betty Drake: My name is Betty Drake, 8003 East Del Tonasol in Scottsdale. I have had horses in Arizona for almost 50 years and almost that entire time I kept them in Scottsdale. There used to be a

lot of places like this nestled in neighborhoods all over the place. In fact being I lived right across the wall from one for many years and it's not a problem. It was great having a horse over at sand spur, where I could just go ten minutes and get to my horse and take a lesson and there's -- there are pockets of these all over, and as they are replaced with McMansions or whatever else is built, we are losing -- the equestrian people are moving out to Rio Verde and Cave Creek and it's sucking the horse life out of Scottsdale. Please support this project. Please stop the erosion of the horse culture in Scottsdale. I think it's an excellent project. Becky is a super dooper trainer, and I know the Najafis. This will be like the grand palace of the horse world.

[Time: 02:19:26]

Mayor Lane: Thank you, Ms. Drake. Next is Christo Visser, I believe it is. Followed by Katherine Visser.

Christo Visser: Good evening, Mayor, and councilman councilwoman, thank you for the opportunity. My understanding this evening for all the neighbors and all of us here is your charge is to -- thank you. Address is 11627 North 68th Street and for those who are wondering how close that is to the property, roughly 720 feet. Three houses if I was to walk around the corner, as the crow flies. It's very close. Your job here is to ensure that the conditional use permit requirements being met. From everything from the Najafi family, from the neighborhood and I do appreciate both sides, all of those conditions are being met. Concerns about traffic abatement and semitrucks, tractor-trailers, the number of livestock, animal units, et cetera, not that they are unwarranted, but 68th Street is a freeway in our neighborhood. 68th place for the Najafis farm is going to be, or ranch is not going to be a freeway. The other piece is the livestock density. What is it 36 horses or 48 horses or 52 horses, it's the management of the horse, it's the management of the facility. I trust and understand and appreciate that they put a lot of energy and a lot of effort in into this project and I welcome themselves into the community. I'm certainly in support of the project. Thank you.

[Time: 02:21:07]

Mayor Lane: Thank you, Mr. Visser. Katherine Visser, and followed by Chuck Theisen.

Katherine Visser: My name is Katherine Visser and my address is also 11627 North 68th Street. We're close enough that our property showed up as one of the horse properties on one of the slides in the previous thing as people that are close to the property. We are in -- or I'm in support of the Najafi Ranch. I do not see that the projected activities will have any noticeable negative impact on almost everybody in the neighborhood. My family moved to this neighborhood from a living commercial livestock operation. At times we had over 1,000 head of sheep and a few cattle and one very loved horse which is why we moved into the neighborhood here. Sometimes these animals were confined to an area about the size of the Najafi property, all 1,000 of them. One of our immediate neighbors trained horses on a track that ran down the fence near my house. And we also had over 100 acres of plowed fields on the other side of us. Neither we or our neighbors did a whole lot of dust abatement to control the dust on the property and I dare say we had way more dust on our house now every time somebody revs up a leaf blower, I dread it because there's so much dust on my

property in Scottsdale as compared to Wilcox, Arizona, with the wind blows everything everywhere. So we have also heard the argument, we'll have tractor-trailers racing up and down Cholla and 68th Street. I don't see it happening. I did see a tractor-trailer attempt to navigate the traffic circle one day. It wasn't a pretty sight.

Mayor Lane: If you would, your time has expired.

Katherine Visser: I'm thankful the Najafis chosen our neighborhood for their ranch. And I can see nothing but good that can come from their presence. I only see a positive benefit to those of us in the neighborhood.

[Time: 02:23:29]

Mayor Lane: Thank you. Chuck Theisen, followed by Dr. Dan Klinski.

Chuck Theisen: I'm Chuck Theisen. I grew up in Scottsdale with Parada Del Sol, and going to the all Arabian show, eating at the Pink Pony. I mean, I'm well aware of the horse aspect of Scottsdale, and love it. Our business, one of the reasons why we chose to locate in Scottsdale was the diversity, really, of activities in Scottsdale and I would very disappointed if horse properties disappeared. I'm not really here to talk about that or to talk about horses or any of the other things that are involved with it. I want to talk about the character of Najafi's development. I have spent a lot of time up at Promontory and I have known him and I believe that it will be -- if it's anything like the equestrian center they have up there, it will be a very quality project, and he will keep the stipulations that they agreed to. That's what I'm here for. Thanks.

[Time: 02:24:40]

Mayor Lane: Thank you, Mr. Theisen. Next is Dr. Dan Klinski, followed by Janet Knight.

Dan Klinski: First off, disclaimer, they are not my clients. I have been a horse vet in Scottsdale for almost 40 years now. If you go back to the '80s, the area where this ranch is to be located, across the street was Chuck and Pat Morgans. They had Arabians, packed place! The Gordon Schoenberg's place which is now pretty empty, packed with horses. The facility or the property where the facility is to go in, also packed with horses. If you had the overall density in those three properties, which is geographically about the same square footage, way more than 50 horses, folks. This is back in the '80s. Now, you talk about changing the character of the properties, do you remember chuck and Pat Morgan's place?

Mayor Lane: I'm sorry.

Dan Klinski: Anyway, we will keep going. The density is there. You guys worry about 4 horses verse us 40 horses. It all depends on the care and the custody. There are places that I go to that are nastier and more fly infested with just a couple of horses because why? The people don't clean up after them. You are worried about the pesticides. They are not sprayed out into the

environment. They are sprayed in the individual stalls which do not flood. That debris is taken out to landfills. That's where it goes. You know, usually, if you think back through time from the original pretty penny ranch that was at the base of camelback to the one that went up on Thunderbird to Brusally Ranch, et cetera, et cetera, et cetera. Why did we lose them? It's financial. These folks are building something. They are not going to make a load of money on this place. They are investing in the area. So -- okay. There you go.

[Time: 02:26:45]

Mayor Lane: Thank you, doctor. Thank you, doctor and I'm sorry. Excuse me. Excuse me. You can meet afterwards if you need to. Janet Knight, followed by Patrick Davis.

Janet Knight: Hi, my name is Janet Knight and I reside at 8625 East Yearling Road. Hello, Mayor and Scottsdale city councilmembers and staff. I'm here tonight to urge you to support Dionne and Francis Najafi in building Rancho Paraiso, a state-of-the-art equestrian facility in the cactus corridor. I love living here in Scottsdale and I especially love the equestrian element of the city. Both the horses themselves and the people who love them. Horse ranches are a key component of our unique heritage here and Rancho Paraiso is a very exciting and prestigious development that will serve to enhance this heritage. In fact, with years of equestrian experience, the Najafis will make Rancho Paraiso one of the finest horse facilities in Arizona. They have also painstakingly designed the property in order to minimize the impact on immediate neighbors to the ranch. I'm a horse owner and I have been an equestrian enthusiast my entire life. Some of my fondest memories are participating in riding competitions at west world and other equestrian activities. I will hope you will work with the Najafis to create this exciting and prestigious facility. Thank you very much.

[Time: 02:28:20]

Mayor Lane: Thank you, Ms. Knight. Next is Patrick Davis, followed by Susan Wheeler.

Patrick Davis: Mayor, council members I'm Patrick Davis, I live on North 74th place and have lived there for 25 years. As Tim can vouch for over here, I was the chairman of the Board of Adjustment for five years. So I have some unique insight into this facility and this hearing we're at today. I'm here. I don't know the applicants. Very unfortunately I'm not being paid to be here today. I'm here because of my wife. My wife has asked me to appear because we have watched over the 25 years that we raised our children here the decline and the departure of the equine trails and ranches in Scottsdale which is why we came here in the first place. I looked at Scottsdale website today and in the about Scottsdale section, towards the end, it says "Scottsdale has become a study in contrast. It is now counted among the 100 largest cities in the nation, but retains its connection to its small town western heritage." We are one of the only communities in the world where Broncos and Bentleys live comfortably in the same neighborhood. Unfortunately, contrasts also create dispute, which everyone here has witnessed today. But I think we need to remember without contrast and diversity, we lose what is special about Scottsdale and without projects, like the proposed -- proposed by the applicant tonight, we will lose what makes Scottsdale unique and why people come. Thank you very much for your time.

[Time: 02:30:22]

Mayor Lane: Thank you, Mr. Davis. Susie Wheeler, followed by Daniel Rosenfeld.

Susan Wheeler: Good evening, Mayor and city council, I live in the cactus acres which is part of the cactus corridors that goes along Cactus to 108th Street and goes down to 110th Street and goes to Shea Boulevard and goes across Mountain View. So the cactus corridor includes a lot of properties and those were the horse ranches. I looked at the project and we have 13 use permits in the city of Scottsdale approximately or more. And I have been involved in seeing use permits put on property over the past 20 years, and this is one of the nicest projects I have ever seen. This is a no-brainer. It's on Cactus Road. It does not go into the neighborhood. Your own ordinance says that these ranch use permits are to be put in neighborhoods, and this is a neighborhood. It's a horse community. So I urge you to support this because if you can't have it here, there will be no place in Scottsdale where you can have a use permit ranch. Thank you.

[Time: 02:31:42]

Mayor Lane: Thank you, Ms. Wheeler. Last is Daniel Rosenfeld. But not least.

Daniel Rosenfeld: Somehow I'm always the last one. I registered for the bar and I was the last one speaking at 5:00 in the afternoon. I'm Daniel Rosenfeld. I'm here tonight as the vice president of the Arizona State Horse Council. I happen to be an equine ranch lawyer. So I may state for the record that the Najafis are not now and have never been clients of mine. They have no connection to the Arizona State horse council. We are here strictly to be a fact checker. We are called on by the various state and government agencies to do that on a regular basis. So I'm going to limit my comments very, very briefly tonight to the proposal as I have seen them regarding fly treatment and manure and so on. If the ranch does what it says, it's state-of-the-art and 99% above and beyond what the people in the state do. That's where it is. Likewise, the traffic, if they do it -- I understand what they are proposing to do, traffic will not be a particularly big factor. As for the number of horses on the property, we have lots and lots of projects in Scottsdale that have much higher concentrations of horses. These are show horses. These are not ranch horses. They don't live in big spaces that they get taken out at a few at a time. You can argue as to whether you think it's right or not, the fact is it's commonly done and it certainly doesn't raise any eyebrows on the state board council on things. Accordingly, we don't see any issues from the interest of the horses in that respect. As for whether it's appropriate or not for the neighborhood, as I said to the president of the horse council chip Wilson who is a councilmember in Apache junction and sitting in his meeting tonight, I'm glad I'm not sitting in your seat. I will leave that to you guys.

Mayor Lane: Thank you, Mr. Rosenfeld. What I would ask is if the applicant would like to -- I will give you a few minutes to discuss anything that maybe needs clarification from what has been said. Or a response.

[Time: 02:34:09]

Applicant Representative Wendy Riddell: Thank you, Mayor and Council. I will tell you not in my life did I think I would be standing up here providing a density calculation for horse ranches. But one of the things after hearing the discussion tonight regarding the number of horses that we did is go and look at some of the facilities over in the cactus corridor and when you compare them and we treated it here just like you would a density calculation, when you compare the number of horses per acre, you will see that we are lower than the majority, and certainly well within the range of these type of facilities.

Ms. Wheeler was kind enough to provide me a list of all the use permits. I went through each and every one that I could find and not on a single one is there a limitation on the number of horses. This is the first limitation that my client is willing to offer here, to prove in goodwill what they are willing to do to honor their commitments. Just down the road two, existing horse facilities. 15 horses per acre, 13 horses per acre. We went in and checked, there is not a single complaint, not a single violation. There are zero issues associated with these facilities. They are good neighbors. Just as the Najafis will be.

We have also, as this council, I believe, knows been negotiating in good faith for a very long time with these neighbors and we have put forth with the help of city staff proposed ten additional stipulations. They were what was shown earlier to address what we believe are the vast majority of the concerns that have been raised. Even more recently, right up until the council, we know that the issue regarding the number of horses we were asked to try to include an objective third party, somebody to look at this from outside even the city. So if it is the pleasure of the council we'll even go a step further from what has been proposed and included in the packet that's been provided which is we would not only limit this facility to 38 horses for the first year, but we agree, after that year, to have an objective review, not only by the city of Scottsdale but by Maricopa County and the reason we have suggested Maricopa County here is because this is a process that the county undertakes. When you have a special use permit in the county, they after one year go out and inspect. They review for all of the stipulations. They confirm compliance with the ordinances, with the codes, and the use permit is allowed to continue. We have not only gone above and beyond allowing the city of Scottsdale to be in that position but also suggested that Maricopa County could step in as an independent third party.

We have agreed in these stipulations to objective criteria to objective standards to measure dust from ADEQ. We acknowledge that there's a noise ordinance in place. We have eliminated lighting. We have done everything in good faith with these neighbors to create a proposal that's acceptable tonight. We respectfully request your approval and I would be happy to answer any questions that you may have.

[Time: 02:37:31]

Mayor Lane: Thank you very much for that. And so noted. I believe that what you have got up there on the screen is what we also have here in hand.

Applicant Representative Wendy Riddell: Mayor Lane, respectfully, I think if there's a minor

deviation and less staff -- there is in addition to what you have there in hand.

Mayor Lane: Okay. I have two copies. One has an update to stipulation 9. Is that so marked? Is that the updated version?

Planner Meredith Tessier: Mayor Lane, if you have the draft that says stipulation number 9, that is the replica of what Wendy is projecting on the projection as well.

Mayor Lane: Okay. So I can disregard this other one that we have?

Applicant Representative Wendy Riddell: Thank you, Mayor.

Mayor Lane: Okay. Throw it away. Well, we had a lot of testimony. I want to thank everyone for testifying and giving their opinions and thoughts and frankly to the best we could complying with the time constraints. We are trying to make sure that everyone is heard in their statements and sometimes we lose a little something when we go on for hours. I have think we got that accomplished in just under an hour and 40 minutes. So we are -- that's not too bad. -- but I do appreciate the cooperation as far as that goes.

And now I would ask that council, if they have got questions to what has been proposed and frankly to the update of the stipulation that we have on the screen and in front of us. The screen is lighting up. And, yes, I know this isn't what you really wanted Councilman, but I will say Councilman Phillips is starting us off.

[Time: 02:39:26]

Councilman Phillips: Nobody wants to be first. Hello, I'm Guy Phillips. I lived at 7131 East Cholla Street. I say that because I'm two blocks away from this street. I see all of these stickers here that say Rancho Paraiso, whatever. It reminds me yes for basis. The attorney got everybody together with their green stickers and said yes to basis. It's a great marketing tool.

I have to applaud the H.C. I'm a member of that. I think they have done a great job for the community. I have lived in this neighborhood for 21, 22 years. The one thing I loved about it was the horses. I remember when I moved in, Scottsdale Road was two lanes and we didn't have a traffic light on Cholla. When we moved in, we saw horses all the time and I wish I could have afforded one but we never got to and I have are the property and the stall to put one and we could have done it.

So, you know, we tried change our character area to remove the horse designation and we fought it and won, and we got to keep the horse designation. I spoke out about blocking those trail easements also. I know, I spoke for the Mescal Park arena when that was put in and I also helped in the memorial when Tracey House passed away. So this is a horse community and I think most neighbors realize that. Since then in the last 20 years a lot of people have bought the houses and redone them and went from \$200,000 properties to \$1 million properties. There's nothing wrong with that. We are all acre properties. You know, half acre, an acre and a quarter properties. You can do with it

what you want with it. We have learned to live together and I think it's been a pretty good community for the most part.

What I have a problem with in this 5 acres, actually 6 acres is it's not really 5 acres. It's three lots and these three lots add up to 6 acres. So they are asking for a conditional use permit for that reason because you don't have a 5-acre parcel. Now, if you go to 112th Street south of Shea, there are 5-acre horse ranches there and they are for sale. I can only begin to guess why you didn't want to buy one that was already like that. There are properties where you don't have to tear down properties or anything.

They chose this site. So they want the C. U.P. Well, the C. U.P. doesn't allow you to build across property lines. It doesn't allow you to build across property lines in a land use ordinance. So they are actually using two different devices here to build this thing. And what happens once you build across a property line, with the C.U.P., if we revoked it, they would to tear it down. I can't ever see that happening.

But what really worries me about this is that it sets a terrible precedent and the reason I bring that up is anybody here, next door neighbor can buy the house next to them, and they can have a -- say a drug rehab and they can buy the house next to them, buy two houses next to them, tear them down and put in a parking lot and get a C.U.P. with the land use ordinance, and run a business as a drug rehab. I mean, I don't want to see neighborhoods torn apart like. This you know, I love the horses and the idea of the horses. I just don't like the way we are going about this.

You know, my neighbors, you have over 200 supporters which is great, and most of them don't live nearby. We have over 100 neighbors who do live nearby that oppose it and so I have to stand with my neighbors on that. I think we are very close. You were talking about 38 horses and then going up to what was it 48 in a year if everything works out wonderful. The neighbors seem to have agreed with 38 and they were the ones that know more about horses than I do. So I don't want to force my will upon somebody if the neighborhood could live with it and if it's a wonderful project that you have going there, then that's good. I feel that we are almost there but I don't feel we are there.

[Time: 02:44:17]

Councilman Phillips: And I know I'm the first one speaking but I will make the motion to have a continuance to allow us to work on this just a little bit longer and see if we can't come up with a little bit better solution to this and continue to work with each other as neighbors and support our neighborhoods. Thank you.

Mayor Lane: Thank you, Councilman. Motion dies for a lack of a second --

Vice Mayor Smith: Actually, I will second that.

Mayor Lane: Okay. Do you want to speak toward it then?

[Time: 02:44:51]

Vice Mayor Smith: Yes, I will speak to it. You know, it's unfortunate that this discussion has turned out to be so divisive for the neighbors and for the neighborhood on many of the things that are being talked about and criticized are really not the subject here. I mean this is not, obviously in any way a criticism of Mr. and Mrs. Najafi or their -- whether they can be trusted or whether they are good citizens and good neighbors, whatever. And it's nothing adverse to any horses, certainly. It's not against the western town tradition.

By the way, you can probably sit down if you would like, but you are also welcome to stand there. I just didn't want you to -- I'm not going to -- I don't have a question for you.

And it's also not a question of what the quality of the facilities will be. I'm sure that everybody feels and agrees and knows in their heart that these are going to be top rate facilities if as and when they are built.

It is in the minds of many, just a question of whether this is a business and whether we are allowing a commercial enterprise by whatever name you give it, to be constructed and run in the midst of a residential neighborhood. And it -- maybe it's hard to define for somebody what a business is. It's not hard for me to define. I mean, if you hold out a product or service for sale, and receive revenues for it, it's a business. It doesn't have to make money. It probably won't make money. It's compounded also if it's a business that has, you know, a number of employees, which this will certainly have.

I think the statement has been made that this is going to be actually a private facility with limited invited guests, but a significant part of the facility is going to be force horse rehabilitations, horses that are injured in their various activities and I rather had the impression that this is not going to be just friends bringing their damaged horses in, that this will be a commercially available service, whether the customers come out of people that are bumped into at WestWorld or, what. I don't have any idea. The point is, it's not a hobby. I don't think it's intended to be a hobby. I think it's intended to be a business which if it doesn't make a profit, at least it will minimize its losses but it will certainly be a business that provides services to employees for the benefit of paying customers.

And I think it's -- to do this with a C.U.P. is -- is awkward. Frankly, the more appropriate way to accommodate a business coming into pay neighborhood is to say it's zoned r1-35 but we want to change the zoning to commercial and then all hell would break loose because the -- you know, that's a major plan amendment and you go for a whole year and so on and so forth. But to do it under the C.U.P. and to do it as a ranch definition stretches the notion of credibility.

And one of the conditions -- I mean, somebody made the comment that we have to allow it if it -- if it meets all the definitions. Nobody has really mentioned that one of the principal definitions for getting a conditional use permit definition, item b is that the characteristics of proposed conditional use permit are reasonably compatible with the types of uses permitted in the surrounding areas. And the answer to how this is met is the characteristics of the proposed ranch, reasonably compatible

with the types of uses permitted in the surrounding areas and if that sounded like an echo, it was a bit of an echo.

The truth of it is, I don't think anybody in this surrounding area, certainly not the neighbors with the stars on their properties or whatever, they don't have eight horses per acre. They don't have 4 horses on a 6.25 piece of property. They don't offer horse rehabilitation services, hospitals, whatever you want to call it with saltwater treatments and exercisers or whatever they are.

I freely admit, I don't know anything about horses. I rely on the neighbors who do know something horses to give me whatever little education and guidance I have here, but it just seems to me that it's a stretch to suggest that what's being proposed here is compatible with the types of uses permitted in the surrounding areas because we don't permit any businesses in the surrounding area. You can't even throw up a law firm office behind your house. That's because everyone wants it to remain residential. So to me, it's an awkward definition and an awkward fit with the conditional use permit.

But I really -- I respect the citizens that they have, I think at least the ones that have spoken to me have genuinely tried to figure out a solution. I mean, everybody knows that it's going to be commercial so let's ignore that. Everybody knows that it's going to be denser than most other properties around there in terms of horses per acre or whatever, but we'll ignore that. And the neighbors that have spoken and some of them have spoken here tonight have said, you know, I will tell you what, if you can just hold it to 36 horses, if you can just make six horses per acre, we'll embrace you into the neighborhood, even though it's a commercial enterprise and even though it's like nothing else in our neighborhood. And we can't get there. We can't get there because I think -- I think because it won't make as much money, which, again, leads me back to wondering is this something done out of love or out of hobby or is this something done to make money? And that's why I seconded the motion.

I -- because of all of the favorable things that can be said about the property owners, their interest in the property, their interest in developing the property, their love for the property, and what has been said by the neighbors, their willingness to embrace this project. I really don't want to see the project die. I don't think a lot of neighbors want to see the project die. I have think a lot of the neighbors want to see this use over any other use that they can envision will come in there, but they are saying meet me on this one objective.

And by the way, somebody made the comment -- and I think it's true -- to put in a stipulation that says they will go for -- whatever it is, 38 for a year and then 48 on good behavior. I mean, folks, it's going to be 48. I mean, I think we should forget this stipulation if the majority of council decides to approve this project, it should not be with the stipulation. It should just be 48 and be done with it. I would not be in favor of 48. I would love to -- I mean, I do side with the neighbors who say they could live with -- and I guess the number is ambiguous whether it's 36 or 38, but let's not pretend that we are actually going to look at this diligently a year from now and go out and count horse flies and dust pebbles and everything else. It's not going to happen.

Let's bring this to closure at the time we grant approval, if we grant approval. But it is for those

reasons that I seconded the motion to say, let's defer this to a future date. Thank you, Mayor.

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

[Time: 02:53:42]

Councilwoman Milhaven: This has been one of the hardest issues I had to grapple with on my six years in the city council. I guess I never imagined myself to be in a position to mediate among neighbors. I have met with neighbors who have begged me to approve this permit. And I have met -- I have talked to neighbors who have begged me to vote no on this permit. I tried to meet with the Najafis and the neighbors trying to craft a compromise and heard everybody's opinion.

90 days ago, I could recognize a horse. Since then, I have learned an awful lot about horses and how we maintain them. I have gone to learn about pesticides and found out the EPA regulates those. I have gone to find out what the regulations are around removing manure at the county level and the county regulates that. I looked at traffic and truck routes and traffic counts on cactus and the impact that this would have.

And it's challenging, and it's also interesting that we all get elected based on our opinions and then we get asked to make decisions based on our opinions, but then I think this case is about fact. And so it's interesting. This is a permit. So the fact is that the city code says that you can -- this operation is legal in a residential area. Fact. Not opinion. That if you want to do the activities that they are asking for, you need a permit. Fact.

If you meet -- if you meet the conditions of the permit, and the staff has said in their professional opinion they meet the conditions of the permit, then you are compelled to say yes. It would be very similar in my mind if any of us came to the city and said, I want a permit to improve my home. And you look at all the city's codes, you comply with all of their codes, and if you comply with the codes, you should be given a permit. If we deny you a permit for a reason other than what's in the city code, we are being arbitrary and capricious as one person suggested. So I think to say no based on personal opinion is inappropriate and unfair.

And to the gentlemen who said we elected you to do what the laws tell us, in my opinion, the laws tell us that they have met the conditions for this permit. I know you disagree, sir. But that's the hard part, again. Some neighbors say please say yes. And some neighbors have said please say no.

To the gentleman who said, how far you live from the project should qualify your voice, I agree. And the neighbors who live closest to this project, most of the neighbors who live closest to this project have asked me to vote yes.

I think it comes down to -- and we heard over and over and over again was it's the number. If we go -- 38 is okay but 48 isn't. I heard the Vice Mayor say, sure, this is a great use, but it's only good at 38. In my conversations with the Najafis, if they don't get 48, they will walk away. I don't think they are bluffing. I believe them. I take them at their word. So for the folks would say, let's just

approve it with 38 and then we get this beautiful facility and we will only have 38 horses, I don't think that's a reasonable option. If we don't grant them the conditions, there's no doubt in my mind that they will walk away and sell their property.

So to that end, I believe we have a responsibility to approve this permit. I think that they have made every effort to mitigate the impact of these horses on the neighbors. I have also driven this community and looked at some of the ranches oh, my God, I wish my house was as neat and clean and as beautiful as some of these barns and I trust that will be the case here.

[Time: 02:57:54]

Councilwoman Milhaven: I know I will disappoint many people that I have gotten to know over the last few weeks but I will make an alternate motion to approve resolution 10360 approving the conditional use permit for a ranch on 6.25 acres site located at the southeast corner of Cactus and 68th Street.

Councilmember Korte: Second.

Councilwoman Klapp: Second.

Mayor Lane: A motion has been made and seconded by I believe Councilwoman Klapp.

Councilwoman Klapp: May I speak to it?

Mayor Lane: Yes, if you would like.

[Time: 02:58:22]

Councilwoman Klapp: Well, briefly, because we only gave you a minute a piece. I agree with what Councilwoman Milhaven said. In essence, I don't agree with the comments that a C.U.P. is not appropriate. I think it is appropriate. I think the finding that this is a ranch is appropriate. It's not a commercial enterprise. I feel that it's a good use for the neighborhood.

I'm glad to support the equestrian community. I believe that the provision that was added in stipulation 9 was done in good faith. I don't think it's a joke. I don't think we just disregard it. I think there is an effort here to prove to the neighborhood that when the year is up, there will be an objective third party take a look at the property and determine whether or not the conditions have been met. So for all of those reasons, that's why I second this.

I think that the -- there's been a great effort to listen to the concerns, to address concerns, find ways to provide mitigation of all kinds of potential problems with flies and manure and, et cetera. So for that reason, I want to support the alternate motion because I think it's the appropriate way to deal with this. There's no reason to continue this case. Thank you.

Mayor Lane: Thank you, Councilwoman. Councilwoman Korte.

[Time: 02:59:57]

Councilmember Korte: Thank you, Mayor. Well, I agree with Vice Mayor Smith in saying that one of the most unfortunate aspects of this is the divisiveness in the neighborhood. Kind of keeping count. It was really about a 50/50 split. So I know which ever -- I know my decision. I'm going to be on the winning side of about 50% of you and I will be on the losing side of the other 50.

I have met with many, many neighbors on both sides of the issue and spent many hours. Sometimes I felt a little bit like a punching bag and I agree with Councilwoman Milhaven in saying that this is a very difficult case for me.

I own horses. I have owned horses for too long, sometimes they feel like a black hole, but they are a love of my life as many of you sitting here today.

And some of the arguments, well this is a commercial use. Well, it fits into the definition of ranch. And it's by our own ordinance that it is defined as ranch and ranch uses allow training and breeding and boarding and lessons.

Another argument is it's too dense, and what is the difference between 36 or 48. I don't know if there's a significant difference there. But when we look at the densities within other ranch properties and look at the densities of horses on those ranch properties and understand that that's the way they work, then I'm okay with 38 or 48.

You know, Susie Wheeler talked about 13 C.U.P.s in Scottsdale. Well, she's a very accomplished horse person herself, and also a very accomplished equestrian real estate person. She knows this stuff and she has decades of experience, and she knows that this mechanism of using a conditional use permit for ranch uses is the very mechanism that -- that has been used for decades in Scottsdale. That's how we created these ranch uses, and it's also used in many other communities.

And historically, as Dr. Klinski so creatively presented, reminded us that these horse ranches have been anchors for Scottsdale's equestrian culture. They have been the very anchors. Without these horse ranches, we wouldn't have what is left of our equestrian culture, period. And so for us to have this opportunity to build one again and create another horse anchor for our equestrian community I think it's critical and I 100% support it. Thank you.

[Time: 03:03:24]

Mayor Lane: Thank you, Councilwoman. There's a lot of history in this neighborhood with regard to horses and frankly, even as it relates to our great Mayor of the past, Herb Drinkwater lived right there in this neighborhood on Cholla. This is not a neighborhood that's not very far from me. I'm on the other side of the Scottsdale Road from this and it's somewhat of a mirrored image of a neighborhood, but frankly, we haven't been able to have the same kind of success that this

neighborhood has had through the years. And part of it is because of Herb's history in that area, with Mescal Park and the establishment of Mescal Park and the arena and whether we light it or not, and whether we have the trails.

The horse trail wars of about ten years ago now. I mean it was quite a situation, and frankly, you had a split community then. People just simply didn't want anybody wandering down trails behind their homes and this was a lot of blockage that had occurred, and some TV was allow -- some of it was allowed and some was just taken. We established it would take millions to fix it.

This neighborhood has struggled for a while to reestablish or to maintain its equestrian community. I think that's an important component for us to be thinking about and, you know, what -- what steps do we take? There's no definitive steps, but when you -- you allow something that's equestrian to be in a neighborhood, in accordance with -- and this has been said by others, and this has been the struggle as I have sort of muscled my way through some of this as well, the definition of a commercial stable versus a ranch.

And it's very plainly and clear when you talk about the definition within the zoning code, this does not go to the stipulations and it does not go to that area of the code. This is in the definition section and I mean, a lot which is primarily for breeding of livestock and individual training or training of small groups of 8 or fewer students, practice Polo courses, arenas, boarding of horses, mules or ponies, directly involved with current breeding and training activities and auxiliary sales. And previews of livestock. And it also goes on to say that the permit of housing and ranch employees should be permitted as an accessory to the ranch. So it's no feed lot shall be permitted. I'm not sure how that gets defined but I don't think it falls into that category. That's the ranch.

And the city of Scottsdale, we are in a positive way as we consider conditional use permits with these kinds of designations we put on specific stipulations to protect anybody from the exercise of some something that we have within code to do, to make sure that it's within a realm of acceptability, commercial stables are an entirely different thing, open to the public and it goes into a lot of other things that certainly that includes some of those but go far beyond that as well. So I certainly think that when we are -- we are vested, not with our opinions -- well, I mean, I'm not trying to take that away from whoever said that, but nevertheless, we do have opinions, but we basically still have to exercise the law and we have to respect people's rights on all sides and certainly when it comes to zoning, which is a unique element of control that municipalities have over property, and property owners, we have to exercise with real judicious care. So it's something that we have to consider.

We talked a little bit about the cactus corridor and the character area, the loss of it as Councilman Phillips talked about and remember when we went through that struggle too. Frankly, my neighborhood, we lost it. It was almost said to be lost in this area too. This might be an opportunity. There's nobody that as a better speaker towards this subject than Susie Wheeler as it relates to that and frankly, there have been times we haven't been on exactly the same side of things, Susie, but I appreciate your view when it comes to horses and equestrian affairs, I hold new high regard. In any case, I think there's a moment here that we have to potentially keep that equestrian nature.

Somebody else talked about the diversity of things that we can do here in Scottsdale and how we may even honor our past as an equestrian community. Honoring it in part is being able to maintain some of that character and some of that issue. We were always talking about character of certain areas. This is an opportunity, not to depart from it, but to potentially enhance it and maybe in a very, very positive way.

You know, I'm -- I think that there's an awful lot of time that's been put in. I know by all sides. Most of the people that spoke tonight, you know, have entered into some form of discussion on this, either by letting us know how they feel, or actually interacting with both sides to see what they could do. I would take significant interest in something that was sent to us on Sunday, this past Sunday. And it's from Todd Eden who did speak to us today. And he talked about the fact with some reluctance they were interested in having some kind of agreement of 38 horses or 36 horses, I don't know whether it's a misprint or otherwise. I understood that it was 38, that they would qualify to add more horses by passing a third party testing to assure air quality and reasonable tolerances. And it goes on to say that unfortunately, they refused to meet us on this requirement. I think what we see right here is a fairly close -- in fact, if it's not right on top of what has been asked of that point, and it's been accepted, it's by presentation. So I'm sure that there was some real serious consideration about that.

But one of the things that was changed even from what was originally talked about is the fact that it wasn't going to be just the city staff looking at it. I'm not sure why the city staff is not trusted in that but I know there's some concern about that. But to get to a measurement, a matrix, a -- some element of testing that could really be relied upon, and, of course, what was considered is not only the city follow-up -- in follow-up, but the county who routinely do this, with regard no their conditional use permits in similar situations. I think there's a real reason to believe that if, in fact, there's total compliance and I think there's a confidence by the Najafis that they will comply, and I think -- you know, no matter where everyone stands, I mean, there is -- I'm a big believer that if you believe in people, they come across right. If you don't believe them, that's when you end up with a different sheet of music.

But in any case, I think that this goes to the idea of how it can be confirmed that compliance with the stipulations is going to be adhered to, number one and tested in a third party manner before there's the ability to move to 48 horses. And I know that that was in some level of agreement. I think this form that it has here has given me confidence that it should be a good -- a good way to go.

And I'm very, very concerned as I already said but I like the idea of something -- that -- area is not necessarily a model of order in that, but it could really set a much nicer scenario in that area than exists right now and I'm through that area quite a bit. In fact, I was accused by some of the folks in that area that I too am cutting through their neighborhood. So I didn't realize they dedicated the roads somehow or the other.

But in any case that being said, I support the motion that's on the table. Thank you. Councilwoman Littlefield.

[Time: 03:12:20]

Councilmember Littlefield: Thank you, Mayor. I would like to say a couple of things, please. I agree with my colleague Councilwoman Milhaven. This has been extremely difficult. I can tell you for a fact, Mayor, this is not a feed lot, nor is it a stock yard. My dad, among many of his businesses, ran a stock yard and a feed lot this ain't it!

Mayor Lane: I know.

Councilmember Littlefield: But I have some major concerns and the concerns are regarding not whether or not the Najafis would do what they say. I believe they will. I don't know them. I have never met them before other than at the meeting the other day. But I believe that they will. They just strike me as the kind of people who will do what they say and honor their agreements. That's not the question other the problem that I have.

And as I read through all of this paperwork that we got, all of the details of this thing, I learned more about horse manure that I wanted to know and feeding and pesticides and all of that, just like you did. And finally, I said, you know, this is kind of hard. So I will go to their website, and see what they had to say. And I did. They have another location in Utah. They have horses that are boarded there for a regular fee. Some will be trained and in different types of training, different levels of training. Some are in rehab treatments with water treatments, therapeutic treatments, even wound management, as ordered by a consultant vet. On the training side they paid professional trainers there to address the needs the participants at all levels of riding styles and specialties. They have paid professionals to exercise the horses, keeping them in top physical shape and for proper individualized training programs, because both horses and riders need to be schooled for these special events. And I understand that. I used to ride.

I went to their website, and I -- and I wanted to know, what am I missing here? What am I not seeing. I couldn't find anything that was what I was looking for. I think they are planning much the same kind of thing that they have at their other location. I was surprised to see that they are already advertising the Scottsdale site as our second location in the Scottsdale cactus corridor. So they are pretty sure about getting the C.U. P. and opening their facility. They buy and sell horses. They list the fees that they would charge for that. You can buy equipment. You can buy show dress for a fee. For the horses that are in show and the people I assume. They can do halter and lead ropes, show sheets, schooling, jumping pads, saddles, bridles, Martingales and the under pads for all of that and there are listed rates for all of these things, the horse show payments, if you take your horse to a show, they will help you with that, grooming payments and day care payments. Various levels of care, and these are just some of them. I didn't even list all of them. These are some of the products and services and fees and it's all commercial.

I learned one thing, that having a horse has not gotten cheaper over the years. If you own a horse and you want to show it professionally, this is the kind of facility to which you would take your horse. You would pay the professional trainers and riders to work with you and with your horse as the owner rider to bring you both up to professional quality, to do well in the shows that you would want to

participate in. You would pay for that professional training, skill and advice, just as you would for any other professional training, skill or advice that you would hire for yourself. You would also pay for the physical care of your animal, including the housing, food, tack, medical attention and any other service and equipment that you might need. Just as you would for any service business that you contracted with for services and equipment that you wanted. This is a completely professional, commercial, business that could and would do all of these things for you, and I would think that the Najafis do this as a commercial business and I believe they would do it professionally and they would do it very, very well.

I am not concerned that they would not do what they say they will do for the stipulations that have been listed. I'm not saying this is a bad business. Or one that equestrians who wish to show horses do not need. I'm saying it's a commercial business usage in a residential area.

I have a problem with that because it's not the proper use of a C.U.P. It's not meant to take the place of a rezoning of land voted on and approved in the general plan by the citizens of Scottsdale. A C.U.P. is not meant to be a tool to do an end run around the citizens, the zoning code or the general plan. By denying the rights of the citizens to do a legal protest, if they object to a commercial business moving into their residential neighborhood. It sets a precedent to lower the quality of life of every residential neighborhood in Scottsdale by allowing the quality of life manipulation of Scottsdale's high standards and development without allowing the citizens' right of legal protest. And you cannot deny that that is exactly what's happening here. Look around the room, if you do.

This is not about the Najafis. This is not about their personality or their business plan, if it's good or bad or indifferent. This we tonight do a commercial business in a residential neighborhood, they need to ask for a rezoning, and I am very sorry because I support the equestrian lifestyle here in Scottsdale. And I'm very sorry to have to say no on this. Thank you.

Mayor Lane: Thank you, Councilwoman. Councilman Phillips.

[Time: 03:19:15]

Councilman Phillips: Well, I want to reiterate about Susie Wheeler, and the land. I guess we are making her famous.

We have 5-acre ranch parcels and you get your C.U. P. and you do your ranch on your horses. This is not a five acre parcel. These are three separate lots with three separate houses on it. They are getting a conditional use permit and using a land zoning ordinance to build across property lines and I have to say when this passes and you already have your four votes is that every other developer and applicant that sees this is going to say, I can do the same thing and they will go around the neighborhoods and they will buy up houses and they will get a C.U.P. and they will use the land use ordinance and they will do drug rehabs or whatever business they want to run.

And this is just setting a bad precedent and it's too bad and it's kind of sad for our neighborhood.

I have been there 20 years. I know all of any neighbors. I have known them for a long time. I know they are opposed to it. This is not a hard thing for me. It seems like everything that we talk about is always between development and residents. And I always stand on the side of residents. I'm going to stand on the side of my residents and the side of my neighbors. I think this is the wrong way to go about doing this.

As Councilwoman Littlefield says if you do it the proper way, have it rezoned as such. It takes away the residents' right to dispute it. That's what good lawyers do. It's too bad but I hope Mr. Najafi has a good business. I hope that in the long run things will work out and we won't notice it and it might turn out that everybody enjoys it. Thank you.

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

[Time: 03:21:18]

Vice Mayor Smith: Thank you, Mayor. Well, I still think we ought to be delaying this decision. But, you know, I'm probably not going to prevail on that. So I feel compelled to tell you why I think we should be delaying it. It's just awkward when you are handed stipulations shown on the screen here, read them quickly because this is what we are voting on, and, you know, I mean the neighborhoods haven't had an opportunity to read this or even know what we are voting on here tonight. I think something good could come out of additional discussions with the neighbors.

Somebody made the comment that, you know, the applicant is not bluffing. Well, I'm not bluffing either. I won't go for 48. Probably many of the other property owners won't go for 48. But everybody always says they are not bluffing when they want to get their own way.

I think a deferral would be a great way to bring a more satisfactory conclusion to this matter. I don't know how to make it any more clearer for anybody that this is a commercial enterprise.

The Mayor took time from his remarks to read you to the definition of what a ranch is and how you get a ranch C.U.P. And it talks about breeding of horses and training and -- and boarding of horses. And then the applicant's statement, they say themselves in addition to providing boarding and training, the site will be a rehabilitation facility for performance horses. That's not in the definition of a ranch.

And if somebody wants us to abide by the law, we wrote the law and we sure never talked about doing rehabilitation facilities as being part of a ranch. And I don't have any fundamental objection to that, except it is a commercial activity. The whole thing is a commercial activity. And we're just going about it the wrong way.

And I'm sorry for the neighbors if you lose tonight, because I think you have been disenfranchised, unfortunately, from having your voice heard. I would love for you to have another opportunity to sit down and negotiate a more equitable solution but we are where we are. And I will be opposing the motion of approval.

[Time: 03:23:57]

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

Councilmember Korte: Mayor, I call for the question.

Mayor Lane: Is there a second on the call for the question?

Councilwoman Klapp: Second.

Mayor Lane: Okay. All those in favor of calling for the question say aye. [Chorus of ayes] I think we have got -- I think we have the majority on that. Mr. Washburn.

City Attorney Bruce Washburn: I wanted to clarify on the motion that it includes a finding the conditional use criteria have been met and it includes the adoption of the amended stipulation 9 as shown up on the board.

Mayor Lane: Okay. So that -- who was the original motion maker? He wants for us to accept that we need to indicate.

Councilwoman Milhaven: I had not originally included in, that but I heard people say, what was the point? But Mayor, if that's important to you, I will include that in the motion.

Mayor Lane: Yes.

Councilwoman Milhaven: Yes.

City Attorney Bruce Washburn: When I said I wanted to clarify. I wanted to clarify whether it includes it, that's up to you.

Councilwoman Milhaven: Yes it does. Thank you.

Mayor Lane: Is the second okay with that?

Councilwoman Klapp: Yes.

Mayor Lane: Okay. So then no further comments are being taken on this and we are then ready to vote. All those in favor please indicate with aye and register your vote and those opposed with a nay. Aye. Motion passes 4-3 with Councilwoman Littlefield, Vice Mayor Smith and Councilman Phillips opposing.

I want to thank everybody for all the input and all the commentary. I wanted to at least say one thing. I think that everyone was heard. I hope that nobody feels disenfranchised because that's not

the intention in our process. Thank you very much for participating. And thank you to staff as well.

Mayor Lane: Please, if you would exit quietly, we have further business to do but thank you very much. Please exit quietly. We have run a very long time. I would appreciate if you could leave –

ITEM 21 – TERMINAL AREA REDEVELOPMENT PROJECT LEASE AGREEMENTS

[Time: 03:27:12]

Mayor Lane: Let's move on to the next item of business. This is item 21. Terminal area redevelopment project lease agreements. We have Mr. Mascaro here to explain.

Aviation Director Gary Mascaro: I will make this brief. I know we have a lot of slides but I'm going to go through the first half very quickly. And then I will talk about truly final concept. The purpose of this meeting tonight is to simply approve three lease agreements for the initial stages of the overall terminal area redevelopment concept. We will be back again for preconstruction design phase service contract for a contractor if this gets approved, as well as the full construction project. And that would both come back to the council but we have to take one step at a time.

Today we wanted to give you a whole background since I know that was a question a few months ago when we talked a little bit about rates and fees and tell you where we are at. So back in May of 2015, this council approved the airport master plan, which articulated several needs we would have over the next 20 years. Currently right now, we are currently available, that's what I wanted to focus on was the conventional hangar situation where it says we have 23,000 square feet of hangar. We actually have a need now because of the way the Scottsdale airport has grown, the uses of the aircraft operating in the airpark are wanting to come on to airport property. So we are looking in really reinvesting on the airport to see what we can do to better the needs of the existing tenant base.

So with that, we are looking at our terminal area, which I will define very quickly to basically enhance the services of the Scottsdale airport and to maximize the site that we have to really better the needs. We are full. I mean, that's the best way to describe it is our hangar facilities are completely full and we are on a waiting list went and we have more customers that want do come and operate here. We have entities in the airpark which are the private properties that would like to base their aircraft on the airport property and work with the city directly.

So with that, we will really focus our project goals as to -- to make it an efficient use of the terminal area to make a fundable project which is very critical. We want to make sure that the aviation fund can maintain the cost of whatever the development may be. Make it a very modern and sophisticated design, very similar to the Scottsdale corridor like feel. Provide larger hangar facilities because we don't have large hangar facilities that are available any more at the Scottsdale airport. The hangar facility. The last one that was built at the airport, was in 2001, create a campus fee, be environmentally sustainable and to maximize the view.

I mean, I think we have all had an opportunity to come to the Scottsdale airport. It's a beautiful view

and we want to continue to showcase what Scottsdale is all about. We treat Scottsdale as the gateway of folks coming in and out of the airport every year.

So this is our area that we are going to be talking about to create a potentially new campus. If you are familiar with this area, our terminal building is number one. We have a building just to the north called the aviation business center. That used to be an old F.A.A. building that the city of Scottsdale leased back in the '70s is very old and antiquated and the offices that are in there are based on how much pay each F.A.A. official was making during that time frame. We have since released it out to a small flight school, U.S. Customs operates out of there, as well as other smaller tenants and then the two parking areas.

So this is an inventory of what we have today. What I wanted to focus on was the bottom right number which is the 30,000 square foot number. So we have about 30,000 square feet of building space that we're utilizing right now. Basically in a nut shell and we have 256 parking spots. The goal of the airport is not to have office complexes. We are not an office facility. We are an airport and we want to capture the needs of the airport.

So what we looked at is when we envisioned the new redevelopment is how can we minimize the office space to meet the needs of the existing customers that are with us today but also maximize the use for the aircraft parking. Oops, I went a little too far. So what we did is we had an executive charrette with our capital project management people and then we talked about what the potential needs are and then we talked to all of our current tenants today. We have a small community college inside the terminal building on the first floor, a flight school, obviously restaurant and the catering offices and three rental car facilities and the folks at the U.S. custom and border protection and we talked about other tenants in the airport on of the airport property, listening to their needs of hey, we need places to park our aircraft.

So we did all of this evaluation and we came out with what we called the preferred alternative, not the final alternative which again, I will push through these quick to get to the final alternative. But basically we recreated that office buildings that we have had that have been existing since the '70s and '80s and created two potential hangar facilities a small office complex and a parking structure to meet the needs.

So the facility requirements for the hangar, we needed to go out to a competitive bid process because we marketed it significantly, particularly at the national business aviation association conference, and we had significant interest from both folks on airport as well as folks off project. We received two full bids. Both wanted to capture both hangar facilities and we had an evaluation community that concluded the aviation department staff, an off airport manager, as well as the capital project management folks and we selected unanimously Gemini air group Inc. They requested two 30,000 square foot hangars, plus 5,000 square foot of ancillary office space attached to the hangar. The term was 20 years with a ten-year option.

So I will talk to you a little bit about Gemini air group. The gentleman who is president is Tim Carpe. He's been operating out of the Scottsdale airport. So he as an existing tenant right now since the

'90s. He had a fantastic proposal that was presented to us and he's willing to do business with us. He has a fleet of aircraft, but they are scattered throughout different hangar facilities. His goal is to consolidate his fleet and grow it with new management type aircraft.

So the proposed hangar facility. I will be happy to answer any questions, through a concept budget request, through our engineering and D.W.L., is to do an evaluation of what the needs are and what the potential probable costs may be. It's a 30,000-foot look at what the potential costs may be and as we drill deeper through this program, we will have more details and a better number and such, but we wanted to give you a high level look. So this is the example of what we would propose. It would be able to fit the larger aircraft that we have needs for today, as well as smaller aircraft. There are two executive-style hangars. It will have apron space right out front with direct access and then the ancillary support facilities for their office complex as well.

So the initial program summary and I will skip through this because it has changed is working with the existing tenants, the flight schools, the customs, the restaurant, the rental cars and such and create a brand new facility about 20,000 square foot facility for offices and then the two hangar facilities. That is smaller than what we currently have today, bust, again, we are trying -- but, again, we are trying to maximize the space for the aviation component and minimize the space for the office component because we don't want do compete in the office world. That's not our goal.

As we work through this process during the initial program, here is an example of what we are looking at with the building. So here's some conceptual renderings. At this point, it was going to be a three-story structure. Where currently we're as two-story structure. We will follow the LEED guidelines. So we are looking to LEED gold or better. So we will have a solid Scottsdale corridor type view and we'll have a clean modern design.

[Time: 03:36:03]

So these are the examples of conceptual renderings for the three story and then the component which some of you may have heard, the former chair of our airport commission, Steve Ziomek is interested in bringing an old World War II fighter aircraft to partner with us to create a monument about how it used to be Thunderbird 2 field and we would partner with the folks at the art department to do that. We are working through those details very 30,000 square foot view of it. And then a three level parking garage because in order to meet code requirements and the needs of what we would have for the restaurant and such, we would need a three level parking structure.

So the summary of the initial program was about \$27.7 million. I'm going to skip through this quick. So that being said, here is the final concept, because things changed as we were tightening it up because one of the goals that I committed to the city manager's office and the council is we want to create agreements and this is the purpose of tonight's meeting is to get blessings on lease agreement so we have revenues to support the debt service when we get to that path of having to issue the debt. So we wanted to get these folks on board first. One we want to work with the potential operators. Two, create the facility that they need because we are doing build to suits for these individuals.

So in talking with the rental cars a little bit more, they started dragging feet. They were getting a little nervous and they weren't sure if they wanted to continue operating which was totally fine.

What we learned through this process is office space construction is extremely expensive. Hangars aren't as expensive based on the economies of scale. So losing tenants in the office complex is not a bad thing frontally for the aircraft and it's not a bad thing for the existing tenants. They are okay with not operating out of there because they may be operating at a different location or they have a rental car location of different areas. So that being said, go rentals, national rental car, hertz and southwest centers dropped out.

Now things have changed since yesterday, where enterprise -- national is talking about potentially coming back again. That would be a separate lease that we would bring back in the near future, if we can come to an agreement. So we reduced the total office space by 2500 square feet.

We reduced the parking by about 90, which is significant, because the parking structures are expensive, but the hangars will remain the same. This is truly our final concept. It looks exactly the same as what I showed you before with the parking garage, basically where the terminal parking is, the two hangar facilities abutting our apron, which will be our new building. The new building would be a two-story building.

So here is the total facility requirements. It won't walk through the details here but you will see what the lease agreement and the options are for each of the agreements that we're asking for council approval tonight. And you can see our total building, office building square footage is now 21,000 square feet. Instead of what we have today, 30,000 square feet, 21,000. So we feel like we maximize the ability in working with our colleagues.

So our building looks very similar to the three stories, just two stories now. The first floor westbound smaller administrative offices and we have leasable office space. The CBP is the customs and border protection. So they have come to an agreement with us too because they need expanded office space as well since they have the second customs agent. They had about 300 square feet and we are giving them about 1100 square feet, which is what they need, and is not a problem. On the second floor we have the restaurant which is currently existing today and the banquet, which we also are going to substitute as a meeting facility. So I will talk to you a little bit about that.

[Time: 03:40:06]

The banquet meeting facility will be completely controlled by the city, the aviation department and any time the restaurant wants to utilize that banquet facility, they have to pay us a fee to do so and we have worked with the restaurant folks based on a questionnaire that we asked them to provide, basically a mini RFP and then we did a bunch of homework with other banquet halls around here that would be comparable to what is around here and what they would charge. So we did a basic pro forma. We will have that facility for all city uses and the place for the airport commission meetings and public workshops and such.

We would reduce the parking garage to two levels. It wouldn't be three. We would build it to what we need. We don't want to build any more spaces. So the final cost, the revised concept at this point, which, of course, it will be changing as we go through the full design, is about \$25,200,000.

With that being said, we needed to make sure that we have enough revenue from the lease agreements to offset the cost of the construction because that's the commitment we wanted to make to you at this point. The probable construction cost is a high level look through using estimating through conceptual budget report that D.W. dial did a great job on. We have contingencies into that, and as we dive deeper with the design and getting the contractor on board with that, that number will be reduced as it goes. It should not get any higher. It will certainly get reduced.

So with that, the revenue proportion, this base rent is basically the fixed rent that are created by the lease agreements. So if you drill down, you will see the two numbers for the catering offices, the restaurant, it's about \$121,000 on an annual basis and the annual income, for renting the facility itself is \$856,000. Now the additional revenue or the miscellaneous revenue as we called it was based off of the pro formas from the hangar facility. For all the business permit fees or the taxes with we charge the airport to operate, as well as the percentage gross from the restaurant based on their pro forma and the banquet rental space.

So this is the additional fees that are directly impacting. The U.S. custom service revenue is from the additional staff. When this council approved the second staff person, one of the requirements that the government said is you need to expand space. They don't have enough room. So we kept going, let's look at this process. Will you work with us and delay, delay, delay. We need to build something, we have to expand something. We are taking into being the additional revenue we are receiving from the second agent above and beyond just the fact that we are growing and utilizing the U.S. custom service. These are conservative, low revenue calculations because we wanted to make sure that we are fully covered to meet the needs.

So with all of that being said, our folks at the enterprise, Gina Kirkman helped us do the budget numbers on the budget deficit scenario but the issuance of debt for an MPC bond, this is how it would play out at the end of the day with the total project costs being at 36 million, that's the interest included with that. A lot of caveats to this, but, again, I want to stress one more time, very high level look at numbers all on a spreadsheet, but as we drill down to get to the details, we will be back to this council twice, one for preconstruction based services for the contractor and one for the full construction costs, the big dollar amount at which point we'll have full details on what the bond is going to be and such. Again, I wanted to bring this to your attention up front.

Timeline. We took it to the airport commission last month. They approved it unanimously, 7-0. We are here today to talk about the approval just these lease agreement today. We will start death sign because we already have -- we will start with the design because we have already have D.W.L., and then we will bring the phase services contract back to the council and then we will come back for the \$25, \$26 million contract and more specifics about the debt service. Everything goes well there, we will expedite construction because everybody is going to leave the facilities all at the same time.

We will have a trailer for U.S. customs to operate out front so we can demo very quickly and build very quickly, grand opening April of 2018, and that is it at this point.

So really, your action tonight, Mayor, members of the council is to approve these lease agreements so we can continue the process forward. I will be happy to answer any questions and I hopefully did that as quickly as I possibly can for you folks.

[Time: 03:45:14]

Mayor Lane: Thank you for that, and it's very comprehensive and a great direction. So you jumped right on board and we'll start with Councilman Phillips again. He's liking that position.

Councilman Phillips: Just rolling things along. Well, that's a very ambitious project. I think it's pretty cool. It will bring our airport to the 21st century. I hope this thing moves out.

I move to adopt resolution 10368, and agreement 2016-028-COS and 2016-030-COS and 2016-031-COS.

Councilwoman Littlefield: Second.

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

Councilwoman Littlefield: No.

Mayor Lane: Vice Mayor, do you have a question or a comment?

Vice Mayor Smith: A question if I may. Maybe it's to the city treasurer, when we look at the revenues from these terminals and restaurant or whatever, are these new revenues or net revenues? We are already getting revenue from -- he's going to let you answer this.

Aviation Director Gary Mascaro: Vice Mayor -- Mayor and Vice Mayor Smith, these are new revenues. I anticipated that question and we wanted to make sure that the revenues that we created are all brand new revenues and not something from some other part of the aviation enterprise fund.

Vice Mayor Smith: Okay. And the same would be true for the hangars, these folks are not currently in some existing hangar and they are moving over to this new one and that is --

Aviation Director Gary Mascaro: That's correct, Vice Mayor.

Vice Mayor Smith: Okay. Thank you.

[Time: 03:46:55]

Mayor Lane: Thank you, Vice Mayor. Yes, Councilwoman Korte.

Councilmember Korte: Thank you, Mayor. Gary, what happens if the cost of the construction exceeds budget and how do these numbers work out? Do we continue to cover our costs by, what is it 2%, 1.5%?

Aviation Director Gary Mascaro: Mayor, Councilwoman Korte, honestly, we do not anticipate the costs to exceed the budget that I'm showing you today because of the amount and the level of detail in the concept budget report. If I may, I can drill into a little more details. This is a very comprehensive -- which I believe you have the slide talking about the contingency factor. If for some reason magically the number comes off higher when we bring our contractor on board through the see more process. We would have two options. One, we top the project or two, we renegotiate our agreements with our existing tenants.

Worst case scenario the project dies but the commitment made by the aviation department and certainly council's will is to make sure that we don't tap any additional revenues from the aviation fund that continues to support the airport. That we create this as a whole subsidiary of the project.

Councilmember Korte: Thank you.

Mayor Lane: Thank you, Councilwoman. To that point, Gary, I don't know which slide it was where you were comparing the revenues generated to the cost. I think that's it right there. If I'm reading that right, you are talking about -- yeah. Over the 20-year period of time, an additional \$2.7 million over what projected costs are for it? I'm talking about finance costs.

Aviation Director Gary Mascaro: Over the 20-year period, we would be in the block \$2.7 million after the 20 years is up.

Mayor Lane: After having paid for debt service?

Aviation Director Gary Mascaro: That is correct.

Mayor Lane: Okay. Very good. All right we have a motion and a second on the table. I'm seeing to further comments. I think we are ready to vote. All those in favor please indicate with an aye. Those opposed nay. It's unanimous. Thank you very much, Gary. I hope you are not disappointed that all of those folks did not stay.

Aviation Director Gary Mascaro: I was so disappointed!

ITEM 22 – PROPOSED CITY CHARTER AMENDMENT

[Time: 03:49:21]

Mayor Lane: Thank you. We'll move on to -- as it will be, item 22, proposed city charter

amendment. And Mr. Washburn is going to make the presentation.

City Attorney Bruce Washburn: Thank you, Mayor. My purpose here today is to request the council to consider initiating the process to amend the city charter in order to bring the election law provisions into conformance with the city practices, and to clarify the charter language so that the citizens will be able to understand what the city is doing when it comes to the elections. The purpose of the requested changes are to correct outdated charter language so that it will accurately reflect when Scottsdale holds its candidate elections and also to change the charter language so that it will accurately reflect when the Mayor and the council begin their terms.

Let me emphasize that we are not proposing any changes in the current practice. I know for the -- as long as I have been at the city, and I'm getting ready to start my 14th year now, the councilmembers have been elected at the same time as state elections are held and the councilmembers take their seats in the first regular meeting in January.

The problem that we are trying to correct is that a citizen reading the charter would not be able to discern when it is that the city's elections are supposed to be held. The charter language with respect to the -- when elections will be held says that they will be held at the earliest time provided for in state law unless one of several contingencies remove it from that and which point it will be held at some other period. And frankly, you could read that all day long and have no idea when the elections are actually going to be held.

We would like to change the charter language so that it says the city will hold the election in even number years at the same time as state holds its elections both the primary and the general. And then with respect to the -- when the councilmembers are seated, right now, the charter says that councilmembers are seated in the first regular meeting after the date of the general election. Well, the general election is not canvassed by the first meeting after the election. As a literal matter we don't know who is won until the election has been canvassed. The practice is to have them seated at the first regular meeting in the January after the election is held and the amendment to the charter would essentially make that the -- consistent with the charter language.

So the ordinance number 4247 is basically the ordinance in which the council says to the voters we want to put before you these two amendments to the city charter. And then resolution number 10404 is the resolution that calls a special election for the same time as the primary but also says that if a primary is not held this year, that the city clerk will take actions necessary to have this on the ballot at the same time as the general election. So the request is that the ordinance and the resolution be adopted by the council in order to get this process initiated. Of course it will be up to the voters ultimately whether or not to approve the charter changes.

And I will be happy to take any questions.

[Time: 03:53:11]

Mayor Lane: Thank you, Mr. Washburn. Councilwoman Milhaven.

Councilwoman Milhaven: I make a motion to adopt ordinance 4247 and resolution 10404.

Councilwoman Littlefield: Second.

Mayor Lane: A motion has been made and seconded. Any comment from the second? Okay. Seeing to further comments. Thank you, again, Mr. Washburn for the presentation. I think we are ready to vote. All those in favor, please indicate by aye. Those opposed with a nay. Aye. The motion is unanimous.

ITEM 23 – PLANNED SHARED DEVELOPMENT TEXT AMENDMENT (7-TA-2014)

[Time: 03:53:37]

Mayor Lane: That brings us to item 23, which we are intent on continuing. We need to take a vote to do just exactly that.

Councilwoman Milhaven: I move to continue 23.

Mayor Lane: To May 17th?

Councilwoman Milhaven: Yep.

Councilwoman Klapp: Second.

Mayor Lane: The motion has been made and seconded to continue item 23, to May 17th and it has been seconded. No further comments seen on that. I think we are ready to vote. All those in favor, please indicate by aye. Those opposed with a nay. Aye. The motion passes unanimously.

**ITEM 5 – AIRE ON MCDOWELL NON-MAJOR GENERAL PLAN AMENDMENT AND REZONING
(4-GP-2015 AND 15-ZN-2015)**

Mayor Lane: Ms. Jagger, just a point of -- just a question, I suppose. Item 5, since that was a request of staff, is that still something we need to vote on?

City Clerk Carolyn Jagger: Yes, Your Honor, because we need it continued to a date certain and what we had done in the original motion was just remove it from the consent motion.

Mayor Lane: Right. Yes. Very good. So I do need then a motion to continue item 5 to May 3rd.

Councilwoman Klapp: So moved.

Councilmember Korte: Second.

Mayor Lane: Moved and seconded. No further comments seen. I think we are ready to vote. All those in favor, indicate with an aye. Those opposed with a nay. It's unanimous.

ITEM 24 – RECEIPT OF CITIZEN PETITIONS

[Time: 03:55:02]

Mayor Lane: All right. So we have got the one petition. Arizona citizens for quiet skies. Oops. Pardon me. As I pollute the skies around here. The presentation was made by Mr. Szafranski earlier. Is there a motion by any member of council, for direction to the city manager?

Councilwoman Milhaven.

Councilwoman Milhaven: I make a motion to direct the city manager to respond to the concerns expressed in the petition and copy the city council.

Councilmember Korte: Second.

Mayor Lane: A motion has been made and seconded on the petition in question and has been seconded. All those, I think -- I think we are ready to vote. All those in favor please indicate by aye. Those opposed with a nay. Aye. 6-1 councilwoman little field opposing.

ADJOURNMENT

[Time: 03:56:18]

Mayor Lane: I think that pretty well covers it unless we have any other items that someone would like to bring up. I will entertain a motion to adjourn. The motion has been made to adjourn and it has been seconded. We are adjourned. Thank you very much.