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CALL TO ORDER

[Time: 00:00:02]

Vice Mayor Whitehead: I will call the November 23rd city council special meeting to order. Mayor Lane has asked that I conduct tonight's council meeting as the Vice Mayor and let you know he will not be in attendance as he had surgery earlier today. We wish him well and we look forward to having him return to the office soon. With that, City Clerk City Clerk Carolyn Jagger, please conduct the roll call.

ROLL CALL

[Time: 00:00:28]

City Clerk City Clerk Carolyn Jagger: Thank you, Vice Mayor.

City Clerk City Clerk Carolyn Jagger: Absent.

City Clerk Carolyn Jagger: Vice Mayor Solange Whitehead.

Vice Mayor Whitehead: here.

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: City Manager Jim Thompson.

City Manager Jim Thompson: Here.

City Clerk Carolyn Jagger: City Attorney Sherry Scott.

City Attorney Sherry Scott: Here.

City Clerk Carolyn Jagger: Acting City Treasurer Judy Doyle. I know she's here because she answered earlier. We'll count her here.

City Clerk Carolyn Jagger: City Auditor Sharron Walker.

City Auditor Sharron Walker: Here.

City Clerk Carolyn Jagger: And the Clerk is present. Thank you.

[Time: 00:01:13]

Vice Mayor Whitehead: Tonight, I would like to recognize two employees for their work on something that will impact the entire state.

Anthony Floyd in our office of environmental initiatives and Lori Glover in the facilities department made us aware that the Arizona Corporation Commission was voting on a new energy rule that did not include energy efficiency incentives. The elimination of these incentives seemed likely to pass. Energy efficiency is the foundation for any effort to reduce greenhouse gases and dependence on

non-renewable energy sources. Energy efficiency creates jobs and, of course, saves the city and our residents money. If energy efficiency incentives had been eliminated, it would have been a big step back for the environmental initiative in Scottsdale and across Arizona. That did not happen because Anthony and Lori made the City aware of the potential impact and Scottsdale stepped up. We were the only city in Arizona to speak out about this issue. I'm proud to say that our efforts were effective and energy efficiency incentives were added to the new energy rule and adopted by the Arizona Corporation Commission.

Thank you to my city council colleagues for your support and thank you again to Anthony Floyd and Lori Glover for your work on this very important issue.

PRESENTATIONS

[Time: 00:03:35]

Vice Mayor: And with that, I will move on to a presentation by Scottsdale Arts. A few months ago, this council approved the allocation of \$1.5 million of the City of Scottsdale Cares funding to support local art and culture organizations. Recently City staff has worked with its partner Scottsdale Arts to develop a grant making process to ensure distribution of these funds to the arts and culture nonprofit sector in our community, which was heavily impacted by the current crisis. Please let me introduce Dr. Gerd Wuestemann to tell us more and to share a video. Dr. Wuestemann

Dr. Wuestemann: Good evening, Vice Mayor whitehead, dear councilmembers and I want to send my sincere greetings and speedy recovery issues to Mayor Lane in his absence. Thank you for allowing me to speak to you tonight.

I'm happy to report that Scottsdale Arts has been hard at work reconnecting our community through art and culture with its vibrancy and the daily lives. Next slide, please. As always, our six branches have continued to stay extremely busy throughout this crisis, from the Center of Performing Arts to SMOCA to our public art branch and our learning education branch, preparing for another arts festival in this frame, and, of course, canal convergence which we just successfully concluded less than a week ago and as a matter of fact all the images you see in this presentation are from this year's canal convergence. It was a wonderful success for us and the community alike. Next slide, please.

2020 we will be remember as a year of vision versus hindsight and thankfully we had at the beginning year of a two-year overall and as a result we had managed extraordinary financial responsibility which allowed us to manage this crisis well. We were able to retain all of our staff throughout the pandemic and develop new V.R. tools and new distance tools, blogosphere and many other utilities that allowed us to speak to our community and delight them throughout this crisis, even remotely and virtually. Next slide, please.

We also decided early on that the right thing to do was to put the we before the me. So we stood shoulder with our colleagues in the arts and the other nonprofit sector to serve this community better and deepen our partnership with the city to make sure that everybody throughout this difficult time had some respite and some delights to look forward to. We never stopped working. Our workload increased if anything, and we were able to prepare for programming to come out in the fall, with a full-fledged season. Next slide, please.

And of course, this was also a year of safety was the absolute paradigm. So we decided early on to focus on developing protocols that would allow us to safely return to work as quickly as humanly possible so we could invite the public once again into our facilities and serve them to performances, exhibits and so much more. We stockpiled PPE gear whenever possible and developed sanitation protocols and worked with city staff to install and upgrade facilities, such as HVAC improvements and sneeze guards and many other updates. Next slide.

This brings us together. We are the only arts organization in the state that is fully operational, fully staffed and we are the only major institution that's fully presenting a season. We are currently running three to four shows every week in our performing arts venue and have our museum opened all safely distanced, all time sensitive, and so forth so we could continue to serve this community to the best of our abilities. Next slide.

So while these are dark times, Scottsdale's cultural life is glowing through them through a full-fledged season in and a new exhibit at SMOCA and a new exhibit coming in February as well, to public arts installations. Recently, you may have noticed the recycling bins along the waterfront or the installation in front of SkySong, a magnificent large-scale piece we were able to install just last week. And we are working with 35,000 students in the public schools to make sure that everyone in our community still has access to great arts experiences. Next slide.

By the numbers, I wanted to give a quick snapshot. I mentioned financial stimulation. Through improving our over-extracted endowment, we recovered \$1.3 million in endowed funds over the course of the last two years despite this pandemic. We carefully reduced administrative expenses to better focus our expenditures on serving our mission first and foremost and saw a tremendous balance sheet growth as a result of that, despite the pandemic. Again, giving us a much stronger platform to survive and thrive in difficult times. On top of that, we have seen a minimal post COVID drop in attendance. Overall, our attendance is only down about 15%. We have managed to rebook more than 135 shows and events to still be able to produce a season, and our 175 full-time and part-time staff are still fully employed allowing us, again to create this platform of cultural life. Next slide.

Again, I'm here to say that the arts in Scottsdale are faced with a very bright future. Next slide. And what probably best represents that is the current work that's gone underway to renovate our civic center plaza. This has been discussed and I'm thrilled that we are out of the gate with this work. The City hired a wonderful team of designers and architects to move the work forward. And next slide.

And we are incredibly excited about the fact that this will -- what is currently already a very beautiful public space, this will transform it into a place that is constantly engaging our community. It becomes the beating heart of our community through concerts, picnics, movies, small performances, exhibitions, and any kind of outreach and engagement that we can provide for everybody in our community. We are very excited about these plans going forward and to be a significant partner in seeing this project through. We live in an ecosystem of arts and culture which makes life in Scottsdale so special and wonderful. Next slide.

In speaking of ecosystems, the ecosystem extends to all of our partners, the many, many vibrant and important arts organizations throughout our community, that have been so deeply impacted by this crisis. We were thrilled when the City approached us months ago to help distribute this very generous

allocation of monies to art and culture organizations. We congratulate you and thank you for your vision and the depth of foresight you have in allocating these monies. I'm happy to report that we successfully and quickly and equitably distributed more than \$1.2 million in phase one of this money to 15 organizations across our city. We wanted to give everybody a chance to thank you in person and to we prepared this little video for you. If you can cue that up, I would appreciate it.

Gerd Wuesteman: I wanted to take a moment to thank you for going through this grant making process and helping us distribute \$1.1 million to arts and cultural organizations across Scottsdale. There were 15 organizations that are recipients and it's just been an extraordinary blessing for us to be able to do so much good on behalf of this community.

Ellen Versen: Thank you, Mayor Lane. Thank you, Councilmembers, and thank you, Scottsdale Arts.
Gerd Wuesteman: Thank you.

French Thompson: I just want to thank the City of Scottsdale, Scottsdale Arts, the city council, the Mayor, for the opportunity to help these arts organizations within the city.

Terry Temple: These grant monies are just invaluable to us to keep our staff employed, and because of grants like yours. So, again, can't be more appreciative of your generosity and your work on behalf of the arts.

Maureen Watson: The fact that we are all trying and we're trying new things and we are being creative, is a testament to how important the arts are. So thank you, Mayor Lane. Thank you, city council, thank you, Gerd. Thank you, Scottsdale Arts. We will be here.

Dave Alford: And I appreciate it and thank everybody that's involved in and giving me the opportunity to chat with people.

Michael Fox: The CARES Act grant, I would not be in a position to have done what we did at the beginning yesterday, to get back in business.

Sam: The whole world, I say thank you to Mayor Lane, to Scottsdale Arts to city of Scottsdale. So, thank you. Thank you from the bottom of my heart and from the -- every member of the detour.

Fariba Ansari: So, I would like to really, really thank you. Thanks to the Mayor, to the city council, to you, Scottsdale Arts for choosing us. It was a fantastic grant and it really helps us.

Dawn Shurr: First of all, thank you very much to the city of Scottsdale and for you and your leadership to afford us this grant.

Sr. Julia Moore: On behalf of the word, we would like to express our deep gratitude to the city of Scottsdale, Scottsdale Arts for this vital relief support.

Stuart Graff: This Stuart from Taliesin West. I am happy today to express our appreciation today for the support we have received from the City of Scottsdale Steve Randall: I'm president of the Scottsdale Historical Society and the society is very grateful for the support we received from the Scottsdale Arts

Program with funding provided by the City.

Allan Naplan: I would like to express our sincere thanks for facilitating the generous CARES Act funding we recently received. And I would also like to thank the City for the important cultural and the economic value of Scottsdale's nonprofit arts sector as part of the CARES Act program.

Trudy Hays: I would like to thank the city of Scottsdale, Mayor Lane, the City council and the Scottsdale Arts as your support awarded through the Scottsdale cares grant.

Carol Skjaerri: We want to thank Mayor Lane and all the Scottsdale councilmembers, the Scottsdale Center for the Arts, especially Gerd and his staff, who have been tremendous to help us and the partnership to be performing at the center.

Lisa Sampson: I would like to deeply thank the Scottsdale Arts CARES Act funding through Scottsdale Arts and the City of Scottsdale financial support, you have provided relief to Scottsdale Arts nonprofits. Such a valuable service.

Gerd Wuestemann: To close it out, let me just add my own thanks first to Mayor Lane, councilmembers, and city staff. I want to give a really big shout out to Karen Churchard, who has been our city partner through all of this and has worked tirelessly to advocate for this large piece to go to the arts and culture communities. I think we all owe her a big debt of gratitude. So, Karen being thank you from the bottom of our hearts.

Vice Mayor Whitehead: That was excellent, Thank you, Dr. Wuestemann.

Gerd Wuestemann: Thanks for having me. I hope you saw how much we all appreciated the extraordinary support. This is very kind and it will ensure that art and culture remains extremely vibrant in Scottsdale.

CONSENT AGENDA

[Time: 00:15:01]

Vice Mayor Whitehead: Excellent. Thank you. Next, we will move on to the consent agenda items 1 through 22. Please note that we have a request from staff to continue item 7, Stage Coach and Windmill rezoning to November 30th and before I ask for a motion, I want to hear from any of my colleagues that have questions or would like to speak on any of the other items.

Councilwoman Littlefield: Yes, Vice Mayor.

Vice Mayor Whitehead: Yes.

Councilwoman Littlefield: I would like to pull item number 8, Solitude for presentation and a separate vote.

Vice Mayor Whitehead: So, we will keep it on consent, but we will go ahead and vote on that item last,

and the applicant is here.

Councilwoman Littlefield: Thank you.

Vice Mayor Whitehead: So, with that, may I have a motion to continue item 7, consider item 8 after the vote, and approve items 1 through 22 on the consent agenda.

Councilwoman Littlefield: Vice Mayor?

Vice Mayor Whitehead: Yes.

Councilwoman Littlefield: Kathy Littlefield. I have on my page that item 9 has also been continued by the staff.

Vice Mayor Whitehead: Yes. That's correct. So, the -- the item is already continued based on the agenda. I don't think we have to call that out specifically, unless somebody wants to correct me.

Councilwoman Littlefield: I wanted to make that clear to the audience who might be listening

Vice Mayor Whitehead: Oh, thank you.

Councilwoman Littlefield: Thank you.

Vice Mayor Whitehead: All right. With that, we will extend item 7 until November 30th. I'm looking for a motion from items 1 through 22, with the exception of item 8.

Councilwoman Littlefield: Move to approve. Kathy Littlefield.

Vice Mayor Whitehead: Make a motion. Okay. Thank you.

Councilmember Korte: Vice Mayor. Virginia Korte, I second.

Vice Mayor Whitehead: Second from Councilmember Korte.

City Clerk Carolyn Jagger: This is Carolyn. That's correct. I wanted to make sure that that motion included the continuance of item 7.

Megan Lynn: I wanted to alert you we do have a hand raised by city attorney Sherry Scott.

Vice Mayor Whitehead: Okay. Sherry, you have the floor.

City Attorney Sherry Scott: Thank you so much. I was just going to say what Carolyn just said we need to clarify the motion it's fine if you take it in one but I just wanted to clarify that it includes a specific motion to continue item number 7 until November 30th.

Vice Mayor Whitehead: Okay, Councilwoman Littlefield, would you like to restate the motion?

Councilwoman Littlefield: Yes, I move that we approve consent items 1 through 22, with the exception of item 8, which has been moved, and item 7, which has been pulled and will be presented on November 30th at that council meeting.

Vice Mayor Whitehead: Okay. And I believe Councilmember Korte's second still stands.

Councilmember Korte: Yes.

Vice Mayor Whitehead: So, with that, we'll take a roll call vote, and I will ask our City Clerk City Clerk Carolyn Jagger to announce each councilmember for their vote.

City Clerk Carolyn Jagger: Thank you, Vice Mayor. Vice Mayor Whitehead.

Vice Mayor Whitehead: Yes.

City Clerk Carolyn Jagger: Councilmember Korte?

Councilmember Korte: Yes.

City Clerk Carolyn Jagger: Councilwoman Klapp?

Councilwoman Klapp: Yes.

City Clerk Carolyn Jagger: Councilwoman Littlefield?

Councilwoman Littlefield: Yes.

City Clerk Carolyn Jagger: Councilwoman Milhaven?

Councilwoman Milhaven: Yes.

City Clerk Carolyn Jagger: And Councilman Phillips?

Councilman Phillips: Yes.

City Clerk Carolyn Jagger: Motion passes 6-0. Thank you.

City Attorney Sherry Scott: Vice Mayor Whitehead, this is Sherry Scott. I am wondering if we can just go ahead and get a second motion on item number 7, just to make it clear that there is a motion to continue that item until November 30th.

Vice Mayor Whitehead: Okay. So we can do that. So, I would like to have a motion that -- let's see, a request to continue item 7, Stage Coach and Windmill rezoning to the November 30th, council meeting.

Councilwoman Littlefield: I so move, Kathy Littlefield.

Councilmember Korte: I second. Virginia Korte.

Vice Mayor Whitehead: Okay. Thank you. I guess we will have a roll call vote from our City Clerk.

City Clerk Carolyn Jagger: Vice Mayor Whitehead?

Vice Mayor Whitehead: Yes.

City Clerk Carolyn Jagger: Councilwoman Klapp?

Councilwoman Klapp: Yes.

City Clerk Carolyn Jagger: Councilmember Korte?

Councilmember Korte: Yes.

City Clerk Carolyn Jagger: Councilwoman Littlefield?

Councilwoman Littlefield: Yes.

City Clerk Carolyn Jagger: Councilwoman Milhaven?

Councilwoman Milhaven: Yes.

City Clerk Carolyn Jagger: And Councilman Phillips?

Councilman Phillips: Yes.

City Clerk Carolyn Jagger: Motion passes 6-0. Thank you.

ITEM 8 – SOLITUDE REZONING AND ABANDONMENT (17-ZN-2019 AND 10-AB-2019)

[Time: 00:20:42]

Vice Mayor Whitehead: Thank you. Now let's move on to consent item number 8, with -- which is Solitude and it looks like staff is ready to go, so I will hand you the floor.

Senior Planner Meredith Tessier: Thank you. Good evening Vice Mayor Whitehead and councilmembers. I'm Meredith Tessier. And the case is 17-ZN-2019, and 10-AB-2019 Solitude. Next slide, please.

The subject site is located at the southwest corner of East Happy Valley Road and North 92nd Street as highlighted in yellow. Next slide, please. Before you is a close-up aerial of the subject 20-acre site, which is surrounded by residential development to the north, west and south, as well as a place of worship and residential to the east. Next slide, please.

As part of the proposal for development of the site, the applicant is requesting to abandon 20 feet of right-of-way along East Whispering Wind Drive, next slide, please. The applicant's request conforms to the 2001 general plan description of rural neighborhoods which allows one dwelling unit per acre and the applicant is proposing 17 lots which equates to less than one dwelling unit per acre. Next slide, please. The applicant is requesting a zoning district map amendment from single family residential, environmental sensitive lands R1-190 ESL-HD to environmentally sensitive lands R1-43 ESL. Next slide, please.

The development proposal includes a request to rezone the property for a new 17 lot single family residential subdivision. Access to site is provided from an existing gated entry along East Happy Valley Road and the developer has agreed to construct and dedicate right-of-way along the west half of North 92nd Street, as well as dedicate a public non-motorized access easement along North Happy Valley Road to accommodate a sidewalk. Next slide, please.

Before you is the NAOS exhibit, where the site plan is designed to protect major washes that bisect the site within drainage and natural area open space easements. Next slide, please. Some of the key items of consideration for this case are the conforms to the 2001 general plan, the applicant is dedicating a buffer setback along east Happy Valley Road and excess NOAS, access to the site is not impeded or excuse me, impacted by the abandonments and lastly planning commission heard this case and recommended approval. That concludes staff's presentation and I believe John Berry has also prepared a presentation. Thank you.

Vice Mayor Whitehead: Thank you, Meredith. John?

[Time: 00:23:35]

Applicant Representative John Berry: Vice Mayor Whitehead, members of the council, for your record, John berry, 6750 East Camelback Road in Scottsdale. Staff gave a thorough presentation and given this is on the consent agenda item, I will be mercifully brief. In terms of the site plan, just a little bit of additional background on it. This is actually phase two. You will see off to the left there, Solitude phase one. Now this is an mirror image of phase one. Phase two was -- as you can see, is 17 single family luxury homes with an average price of about \$3.3 million. Now phase one of this project was approved back in August of 2018 unanimously by this council except for Vice Mayor Whitehead who was not on the council at that time.

You will note on the right side of your screen the red, which is the existing church. Happy Valley Road is finally being widened to four lanes. These will all be one-story homes and as staff pointed out, we are not getting close to the general plan, which will allow 20 homes on this property. We are only doing 17.

Let me just go to the conclusion, which is the developer of this property is Sonora West Development which is owned by lifetime Scottsdale resident, Scott Pfeiffer, they do luxury home and custom homes. Conforms to the general plan and, in fact, it's 15% less dense than the general plan allows. As staff noted this is a 20% increase in the natural area open space or preserve desert on this site. This scenic corridor and trail along Happy Valley or in a tract. They are not easements across somebody's yard. They are, in fact, dedicated tracts that the H.O.A. will be required to maintain and have liability for. This project has 23 letters and signatures of support in your packet, and that, that next bullet point it says phase two. That should actually be phase one. Phase one was unanimously approved by the City

Council back in 2018. And as staff noted, the planning commission did unanimously recommend approval. Vice Mayor Whitehead and members of the Council, I'm happy to answer any additional questions you may have. I had a longer presentation, but I would be happy to hit the highlights and answer any questions.

Vice Mayor Whitehead: Thank you Mr. Berry, Any questions or comments.

[Time: 00:26:05]

Councilwoman Littlefield: Yes, Vice Mayor, Kathy Littlefield. I just have a concern. It's not particularly Solitude, but it's a concern for what we have been doing over the past year or two in general by rezoning and then subdividing so many of our large lots in the north of Scottsdale, like this one before us tonight. We will, by this action even by the actions which we have been taking and will take, be driving out the equestrians and we will be destroying much more the unique character and charm that people come to north Scottsdale to find. It can never be replaced, those large lots, more sub one acre lots are neither unique nor do they add an equivalent economic benefit to the City. So I see this as a question before us of is the reduction of this kind of special uniqueness and character worth it to Scottsdale over the long term? I don't believe it is. I think we lose more than we gain. Thank you. I'm done.

Vice Mayor Whitehead: Thank you councilwoman Littlefield. Are there any other comments or questions? Okay. I hear none. So I will add a few are there any remaining equestrian lots in and I concur. But in this particular area, I see this project as a fit for what already exists. And I'm not aware that close to Pima if there are any remaining equestrian, other than closer possibly to Pinnacle Peak. Mr. Berry, or staff?

Applicant Representative John Berry: Vice Mayor Whitehead, members of council, John berry. I'm not aware of any equestrian facilities in this area south of Happy Valley over to Pima on the west. I'm not sure there's even any down to Pinnacle Peak, but that's just my recollection from looking at aerials in the area. The large lots that occur in the area, tend to be very, very large lots with very expensive homes that do not have equestrian facilities.

These will be lots with only very expensive as opposed to very, very expensive homes on them.

Vice Mayor Whitehead: And I will say I have a concern and both staff and the applicant responded, there is an unofficial path that runs from Happy Valley all the way through to Pinnacle Peak, and I did not want that access to be blocked because we like to have pedestrians whether it's equestrian, bicycles or people walking and that will be preserved with this project. So they will continue to be an access without going to Pima Road. With that, I will entertain a motion.

Senior Management Associate Megan Lynn: Vice Mayor?

Vice Mayor Whitehead: Yes.

Senior Management Associate Megan Lynn: This is Megan. I apologize for interrupting. We do have a hand raised by Councilwoman Milhaven.

Councilwoman Milhaven: I agree with the comments that this is entirely consistent with what is surrounding it and I also agree in the desire to preserve as much of our equestrian culture as we can, but I'm not sure that this is the place for that, with the surrounding as Mr. Berry said very , very expensive homes. I will go ahead and make a motion to adopt ordinance number 4477 and adopt resolution 11965.

Councilmember Korte: And I will second that motion, this is Virginia Korte.

Vice Mayor Whitehead: Thank you. We have a motion and a second. I will turn it over to our City Clerk City Clerk Carolyn Jagger for a roll call vote.

[Time: 00:28:37]

City Clerk Carolyn Jagger: Thank you. Vice Mayor Whitehead?

Vice Mayor Whitehead: Yes.

City Clerk Carolyn Jagger: Councilwoman Klapp?

Councilwoman Klapp: Yes.

City Clerk Carolyn Jagger: Councilmember Korte?

Councilmember Korte: Yes.

City Clerk Carolyn Jagger: Councilwoman Littlefield.

Councilwoman Littlefield: No.

City Clerk Carolyn Jagger: Councilwoman Milhaven.

Councilwoman Milhaven: Yes.

City Clerk Carolyn Jagger: And Councilman Phillips.

Councilman Phillips: Yes.

City Clerk Carolyn Jagger: Motion passes 5-1 with Councilwoman Littlefield dissenting. Thank you all very much.

ADJOURNMENT

[Time: 00:30:36]

Vice Mayor Whitehead: Okay. Moving on, I would now entertain a motion for adjournment.

Councilwoman Klapp: I move to adjourn. This is Councilwoman Klapp.

Councilmember Korte: Second. This is Virginia Korte.

Vice Mayor Whitehead: Excellent. All those in favor, I don't think we need to do a roll call. Just do an aye. [Chorus of ayes] Vice Mayor Whitehead: Okay. We are adjourned. Thank you.