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#### **CALL TO ORDER**

[Time: 00:00:05]

Mayor Lane: Call to order our August 31<sup>st</sup>, 2016 city council meeting. It's approximately 5:00. We'll start with a roll call, please.

#### **ROLL CALL**

[Time: 00:00:13]

City Clerk Carolyn Jagger: Mayor Jim Lane.

Mayor Lane: Present.

City Clerk Carolyn Jagger: Vice Mayor Kathy Littlefield.

Vice Mayor Littlefield: Here.

City Clerk Carolyn Jagger: Councilmembers Suzanne Klapp.

Councilwoman Klapp: Here.

City Clerk Carolyn Jagger: Virginia Korte.

Councilmember Korte: Here.

City Clerk Carolyn Jagger: Linda Milhaven.

Councilwoman Milhaven: Here.

City Clerk Carolyn Jagger: Guy Phillips.

Councilman Phillips: Here.

City Clerk Carolyn Jagger: David Smith.

Councilman Smith: Present.

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. Just a couple of items of business. Excuse me, for those who haven't been with us before, as well, we have cards if you would like to speak on any one of the items on our agenda or the white card that the city clerk is holding up over her head. And the yellow card for written comments for any of the agenda items that you would like us to review during the course of the proceedings this evening.

We have Scottsdale police officers Tom Cleary and Jason Glenn that almost in front of me here if you need any assistance from them. The area behind the council dais are reserved for council and staff, but we do have rest room facilities under that exit sign over there for your convenience.

**PLEDGE OF ALLEGIANCE**

[Time: 01:01:22]

Mayor Lane: Today we have the great pleasure of having Junior Girl Scout Troop 2245 and their leader Amanda Casalli here to do the pledge. If you would move to the microphone. And if you can, please stand.

Junior Girl Scout Troop 2245: 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, ladies. It looks like you are ready for the routine. You reversed the microphone. If you could introduce yourselves and let us know where you go to school and what your favorite subject is.

Elena: I'm Elena. I go to Sequoia elementary school, and I'm in fifth grade and my favorite subject is reading.

Sophia Crissali: I am Sophia Crissali, I am in fifth grade and I go to Phoenix country day school, and my favorite subject is math.

Mali Klem: My name is Mali Klem and I'm in fifth grade, I go to Sequoia elementary school and my favorite subject is math.

Chloe Edwards: My name is Chloe Edwards. I go to Sequoia elementary school, and I'm in fifth grade and my favorite subject is writing.

Elise Hanson: Hi, my name is Elise Hanson. I'm in fifth grade and I go to Sequoia elementary school and my favorite subject in school is math.

Joelle Nuara: Hi, my name is Joelle Nuara and I go to Sequoia elementary school and I'm in fifth grade and my favorite subject is social studies.

Anna Moracca: My name is Anna Morocca, and I go to Sequoia elementary school, and I'm in fifth grade and my favorite subject is math.

Mayor Lane: Very good. Thank you very much.

## **INVOCATION**

[Time: 00:03:34]

Mayor Lane: Thank you, ladies. For an invocation this evening, we have Pastor David Joynt of the Valley Presbyterian. Pastor?

Pastor David Joynt: Yes, sir. Let's take a moment to bow our heads and to pray together. Heavenly father, we thank you for the blessing of living in a place where summer never quite ends, where there are pools to swim in and mountains to climb and fields and parks to play on. We thank you for all who maintain these beautiful spaces and places. We thank you for the communities of faith that aid and provide help to so many that are needy and struggling and who shape ourselves for our faith and love. We thank you for the leaders here tonight, who are elected by the people and who spend our resources wisely and plan purposefully and have the courage to represent us and guide us forward as a community. We lift up our Scottsdale unified school district with the 27,000 students and 1800 teachers, its bus drivers and custodial staff, administrators and cafeteria workers and counselors and give them diligence in creativity as they prepare leaders for tomorrow today.

Finally, heavenly father, you are the only one who can heal our yesterdays and bless our todays. Move us now forward toward our tomorrows. The days you have for us, help us to approach them with joy and anticipation as we do this evening. We pray this in your great name, and all God's people said. Amen.

#### **PRESENTATIONS/INFORMATION UPDATES**

[Time: 00:05:01]

Mayor Lane: Thank you, Pastor. I do not have any specific report for this afternoon. But we do have a presentation from Greg Bestgen, human services director. Back to school event.

Human Services Director Greg Bestgen: Good evening Mayor Lane, members of the council, I have the distinct privilege to speak to the back-to-school program that we just completed about a month ago, with all of your support. We all kind of remember the dog days of summer, right, when it was time to return to school, and oftentimes we probably said, I'm really not ready. And most likely that probably meant how about just a few more days of play time before summer is over, right? Well, for once, of course, you know, mom says, you're going back!

Once you get over that reality, then the anticipation and the excitement kind of sets in. So you think about, oh, my gosh where is my desk going to be in the classroom. What will the teacher be like? You know, will I see the same friends that I saw last year before the summer break? How will I do on the dreaded return, you know, essay? What did I do over the summer? Did I do enough? You know, was it as exciting as my classmates. We all remember that, right?

But for some students, it's not like that. And that's why we have the back-to-school event. For some, the anticipation of the new school year brings more stress and perhaps even a little bit of frightening reality that, you know, I'm not sure I have the new outfit to wear. I'm not sure I have all the school supplies that I need. And that old backpack that I dragged around with me last year, it looks pretty bad.

And so Rosa and Eugenio are going to say what the back-to-school event was this year. Before we do that, I'm going to actually -- we have a video for you to take a look at here.

>> There are almost 6500 low-income students enrolled in the Scottsdale unified school district who struggle to meet daily needs.

[Video Presentation]

[Time: 00:09:18]

Human Services Director Greg Bestgen: Oh, sorry.

Mayor Lane: I presume that was after the event?

Human Services Director Greg Bestgen: Just a little excitement, folks. Okay. And now I present Rosita.

Human Services Representative Rosa Pinedo: Thank you, Greg. Mayor Lane, Vice Mayor Littlefield, members of the council, since the making of this video, we have enrolled more families and now have a total of 990 students to date. We can go to the next one. Oh. Just a few thank yous from the families. There you go.

We have set aside 50 more backpacks and school supply sets and shoes for crisis cases throughout the year. So this number is sure to go up. It's a point of pride and a strong sense of community as the Scottsdale residents, city, nonprofit business and faith organizations came together to help students start the new school year equipped with all new clothing, backpacks, school supplies, and shoes on July 27<sup>th</sup>.

As we saw in the video, the Scottsdale unified school district has almost 6,500 students from low-income families. There are low-income students in every single one of the 31 schools in Scottsdale unified school district. We helped almost 1,000 Scottsdale school children this year. That is an accomplishment for us.

While there are other back-to-school programs in the valley, Scottsdale program is unique in several ways. First every family that enrolls is individually screened for eligibility. And given an appointment time for the day of the event. Secondly, the supplies that are given are high-quality and are plenty. Grade level is taken into consideration, and we don't run out of items. Also the clothing is new and shopping is done to make sure everyone has enough of their size to choose from. So it's a shopping experience for the family rather than a handout. Families are treated with dignity and respect throughout the event. Scottsdale stands out from other programs because of these details.

The families that attend have different reasons for needing help, while some families have lost jobs other families have medical debts and others may be homeless. Poverty is stressful and parents must sometimes choose between paying rent or buying food or purchasing school supplies. Because of the back-to-school program, participants started the school year with new clothing and school supplies that put them on a more level playing field with their peers. Community specialists from the

Scottsdale unified school district screened about half the families that participated.

One the committee specialists had this to say about our program. The families I registered were all so, so appreciative. So many of them did not know how they were going to buy back-to-school clothes. They had to juggle between the absolute necessities and clothes last on the list. But worry that their children would not have something new for the first day of school. This program is amazing. Bringing big smiles, hope and comfort in knowing that there are caring communities who give their time, generosity to families in need. This comment is a testimony about the caring community that is Scottsdale.

Mayor Lane, councilmembers, on behalf of the 990 students and their families, thank you for your continued support of the back-to-school program. Eugenio will conclude the presentation.

[Time: 00:13:15]

Human Services Manager Eugenio Munoz-Villafane: Mayor Lane, Vice Mayor Littlefield, members of the council, added to the presentation, I wanted to thank the city of Scottsdale council for supporting our back-to-school 2016. You know, we really appreciate, by the way, Mayor Lane and Councilwoman Klapp, I'm putting you on the spot, but thank you for being at the event and last year we actually had other councilmembers that came and donated as well. We acknowledge you as well. Thank you so very much for that.

The success we are describing would not have been possible if it wasn't for 24 months ago. One such partnership is that between concerned citizens and community health and Vista community center. They averaged about 450 students per year or less depending on funding. And so that effort has successfully graduated, if you will, to Scottsdale stadium and a broader partnership with the organizations you see on the screen. So actually, let me get those for you there. These some are of the levels and the partners we had for the event and then talking to you about concerned citizens for community health right now. And so last year, we assisted 832 students from the average that I mentioned to you a couple of seconds ago, to 832. You know, warmest thanks for director Bestgen and our director Bill Murphy for setting the bar higher for us and we achieved that.

So as you have heard, the program is 990 students. We are shooting for that 1,000 for next year. I know I'm going on record. So anyhow, that increase was due in partly with the collaboration with Scottsdale unified school district. That was huge for us this year. We now operate under the four cities umbrella with partners such as Scottsdale firefighters association, Noah, Scottsdale Charros and many, many others in building collaboration in building the greater Scottsdale community.

A dedicated partner for the program has been the police officers association, the Scottsdale association, who annually purchase all of the athletic shoes for our students. This year they purchased 1,000 pairs of shoes. So we made it to 990. We have the ten pairs of shoes in by this semester is mid-way, they will be gone, if not more.

Anyhow, I would like to recognize our community donors, our sponsors, faith and civic organizations,

volunteers and other city staff for their invaluable contributions of time, money, and goods and those of you viewing tonight's council meeting thank you so very much on behalf of Vista, the city of Scottsdale. I would like to recognize the Salt River, Pima Indian community, for supporting the backpack program. Thank you to the neighbors to the east. That concludes our presentation and we would gladly answer any questions you may have.

Mayor Lane: Thank you very much, all. It was a great presentation. Great work and we want to thank you on behalf of the entire council and frankly, the city of Scottsdale for your work. Thank you very much.

**PUBLIC COMMENT**

[Time: 00:16:43]

Mayor Lane: Next order of business is our public comment period. The public comment is reserved for citizen comments regarding non-agendized items for which no action will be taken on any of these items. Speakers at this time -- the speakers are limited to three minutes each and with a maximum of five speakers, there will be another opportunity at the end of the meeting if there's need for public comment. This time, we have one request to speak and it is Darlene Petersen, if you want to come forward, Darlene.

Darlene Petersen: I'm Darlene Petersen. I live in Scottsdale. Mayor Lane and members of the council, I don't plan on coming every month, but I might. Today I want to discuss your construction department. We have two houses on our street that we have been waiting, hmm, four years for one house, three years for another house, and don't tell me to talk to staff. Been there. Done that.

I shouldn't tell this story on myself, but one time my supervisor said to me, you didn't follow the chain of command! And then about a week later, one of the doctors said, Pete you are a blank, blank, Rule follower. Well, I did talk to staff. Evidently, these two houses did not get permits, and a big dumpster was parked on the street. Well, I have lived here 58 years and I didn't know that a dumpster was not supposed to be parked on the street. So when they moved away, my little dog Pebbles and I -- after getting a nail in my tire, decided that we would look on the street and found all of these nails on the street. So I called staff and I said, what are your rules? Are you supposed to take a magnet and roll around it?

Well, find out the dumpster was not supposed to be in the street. It was supposed to be in the yard. Then I found out if you are downtown, they recommend that you use a magnet every day so that your people downtown don't get a nail in their tire. Well, there's got to be some kind of communications here, and there has to be something done when people leave their stuff on the street. I can say that I'm really disgusted because staff said, oh, no. We don't tell them they have to have a magnet. I'm asking you guys to talk to staff and write a thing in your -- your planning department that they have to have a magnet to clean up the nails in the street.

Now, just to change the subject, P.S., last night I forgot to say we may have passed a bond to build a

fire station, but we didn't pass a bond to have you waste our money on a lawsuit! Thank you very much.

Mayor Lane: Thank you, Ms. Peterson. I'm sorry, please. We do not operate with applause or booing. So we would appreciate you keep order. Thank you, though. They don't look very appetizing. That was our one and only request to speak in public comment.

## **CONSENT AGENDA**

[Time: 00:21:53]

Mayor Lane: We will move to the consent agenda and that's 1 through 12a. And we have an added consent item. It's just added as a note. Okay. So items 1 through 12a, but we do have a request by Councilman Phillips to pull item 7. That's to move it to regular. So we'll pull that off of our consent items. And we will move that to regular.

One other item. I just -- one other item on consent that I would request some explanation of. Not necessarily to take it and separate it from consent, but item 12a which is the Internal Revenue Service settlement agreement, if I could ask the city attorney, Mr. Washburn some background on that.

City Attorney Bruce Washburn: I would happy to. This item arises from a bond issuance that the MPC, the Municipal Property Corporation did on behalf of the city in 2013. In February of 2014, the city was informed by the I.R.S. that it was doing an examination of the \$65 million bond issuance and after they had done their examination, they determined that \$31 million of the bonds which had been used to prepay the lease for the Nordstrom's garage were in the money of the I.R.S. not eligible for tax exempt status. The bonds were issued tax exempt. The city, through an extensive process of interaction with the I.R.S. took the position that, in fact, everything it had done was legal, and that the bonds met all of the requirements of the I.R.S. in order to maintain their tax exempt status.

However, at this time, I'm recommending that the city enter into a settlement with the I.R.S. The primary purpose being to assure that the city's bond rating is not damaged through this dispute. It's very important to the city that we maintain our excellent bond rating and rather than have it jeopardized in any way, we need -- well, it would be beneficial to the city in my opinion to go ahead and enter into the settlement.

I would point out by prepaying the lease for the Nordstrom's garage, the city over the life of the lease has saved an estimated \$31 million. This is a matter of public record at the time that we entered into that agreement and also by issuing the bonds as tax exempt over the life of the bonds we saved an estimated \$3.15 million.

So from a financial standpoint this has turned out to be beneficial to the city. It's unfortunate that we have been unable to convince the I.R.S. of our position. We have not been able to do so, but in order to protect the city's bond rating that's why we are bringing this settlement forward at this time. I would be happy to take any questions.



Mayor Lane: Thank you, Mr. Washburn. The reason I asked for the explanation is because of the magnitude of the settlement. Through this process there's no assignment of guilt to the city of Scottsdale.

City Attorney Bruce Washburn: Yes, the closing agreement will say that the I.R.S. has made a determination that the bonds and taxes are not tax exempt but the city is not required to agree to that position -- does not agree with that position.

Mayor Lane: Thank you very much. I appreciate that explanation for everyone's purposes. Okay.

Then we -- that is included, of course in our consent items 1 through 12a, absent item 7. And I would ask unless there are any further comments, which I see none, I would ask for a motion to accept consent items 1 through 12a absent item 7.

Councilmember Korte: So moved.

Vice Mayor Littlefield: Second.

Mayor Lane: A motion has been made. Councilwoman Korte and seconded by -- or Vice Mayor Littlefield. Thank you. We are then ready to vote. All of those in favor, please indicate with an aye. Those opposed with a nay. It's unanimous that they have been accepted.

If you are here for any of the concept items, you are welcome to stay, otherwise, I would ask that you leave quietly. Moving open to the next item, which is item 13, and this is a medical --

Councilmember Milhaven: Seven.

**ITEM 7 – CHRISTIAN BROS AUTOMOTIVE-SCOTTSDALE REZONING AND CONDITIONAL USE PERMIT  
(21-ZN-2015 AND 14-UP-2015)**

[Time: 00:26:25]

Mayor Lane: I'm sorry. Now we move to item 7. It's now on the regular agenda. So item 7 and ask for a presentation. And this is the Christian Brothers Automotive Scottsdale rezoning and conditional use permit, 21-ZN-2015 and 14-UP-2015. It's a request to adopt an ordinance 4269, approving a zoning district map, to amend the development plan by eliminating all zoning stipulations from zoning case, 44-z-88, and so on. So.

Planner Meredith Tessier: Good evening Mayor Lane, councilmembers. I am Meredith Tessier of the planning department. The case before you as you just said is 21-ZN-2015 and 14-UP-2015, Christian Brothers Automotive Scottsdale. This is located at the northeast corner of north Frank Lloyd Wright and East Desert Cove Drive -- excuse me, avenue.

Currently the site has been operating as a plant nursery since 1993, and is surrounded by multifamily to the east, commercial to the west, and additional commercial to the south. We designate this land as commercial as designated in the pink, that you will see is kind of small in there. You see it right in there and it's now going to be -- oops. Sorry. I jumped ahead there. Oh, I lost a slide. It's going from commercial and then is going to be zoned -- I'm sorry.

It is zoned commercial and it's commercial. So the designation is not changing. The subject site is currently zones z3, which is highway commercial, and this application, again, is not changing that commercial zoning district. So it will remain c-3 pcd. They want to eliminate the map amendment, from 44-z-88 which limits it to open space and parking.

And also, the applicant is requesting a conditional use permit application for vehicle repair. Currently the site is accessed through the existing driveway along East Desert Cove Avenue and the applicant has oriented the new facility, the new building along the northern portion of the site away from the existing multifamily. The bay windows are facing inward and away from any street view. Just so you know, they are also proposing some desert landscape in and around the perimeter of site which includes trees, ground cover and shrubs. Ultimately, they are trying to get a conditional use permit and district map amendment for this vehicle repair.

Planning commission did approve this on July. So that concludes staff presentation and the applicant is now here to present briefly and staff is here if you have any questions afterward.

[Time: 00:30:00]

Mayor Lane: Very good. This request for this to be moved to regular agenda, as Councilman Phillips, we will go ahead with the presentation -- from the owners. Unless -- Councilman, if you have some specific questions that you would want to address even to staff.

Councilman Phillips: Yes, this is more about the staff. The owners want to give a presentation but I don't really need it. It's up to you guys. I mean, it's not about you and what you are doing. It's about the property.

Mayor Lane: So it's optional if you would like to give a presentation as the owners, that's fine. If not, his question right now is to staff. So why don't we stand by on that. Do you want to stand by for just a minute and let -- if you want to go ahead and answer the question?

Councilman Phillips: So the question to staff is: A know there's a history of this property in the past, is there a property owner on this -- that this property went up for sale? Or for lease?

Planner Meredith Tessier: Mayor Lane, Councilman Phillips, I would have the applicant respond to that question to talk about the ownership.

[Time: 00:31:15]

Mayor Lane: Okay. Then I would ask that the applicant then move to the podium, if they would then.

Applicant Architect Sake Reindersma: Good afternoon, Mayor Lane and councilmembers. My name is Sake Reindersma and I'm the architect of record and also the applicant for this project. To answer your question, Mr. Donovan is here. He's back in the back. He does own the property. Charles Donovan.

Councilman Phillips: I'm sorry, did you say that the -- this property is owned by somebody?

Applicant Architect Sake Reinsderma: Yes, it is. It is owned by Mr. Donovan and his family.

Councilman Phillips: Okay.

Applicant Architect Sake Reindersma: Yes. So quickly, I pulled up the site plan for you guys so you can see it right, there so you can see the two buildings. Thank you for giving me the opportunity to speak with you today this has been a difficult project for us to get through. There's quite a number of hurdles through it, not only is it a triangular site, but it also has three high-power lines on it, very tall, and -- and these tension lines are running -- actually, you can see in the plan right here, they are running in that direction.

And there's an easement that is covering the entire property because of these towers and these lines. We have gained approval from APS who owns one of the towers and that's the one that the cell tower is on and then the other two towers are owned by SRP and SRP and APS have given us encroachment easements. So that we are allowed to encroach on this property, underneath these easements with these buildings and we have gained approval from them in order to present this project.

We have worked with staff for about a year and a half, and we have come up with a great site plan that will beautify this site from its current condition. And we have the buildings placed along Frank Lloyd Wright and actually, obviously, a mentor of ours as architects and to beautify that location from the condition that it's in right now. And then the site, accordingly is in great repair -- and is in need of repair and there's trees going through the tower and SRP wants to remove those. We will do that for them.

There is a concern. I think this was a letter written about the concern, and that will have our -- the owner of the property -- not the owner, excuse me. The Christian Brothers representative come here and speak to you about any of the conditions and answer any other questions that you may have. So thank you.

[Time: 00:34:03]

Christian Brothers Automotive Development Director Jonathan Wakefield: Thank you, Sake. My name is Jonathan Wakefield. I'm with Christian Brothers Automotive. I represent the company as if

I'm the owner, vested with that authority.

The letter that was written in opposition, there's actually two sections, if you break it down. The initial -- the entire first page has to do with what I believe Councilman Phillips is trying to address, the land and the land use, what can and cannot be allowed there. One of his first stipulations that he mentioned, Sake, if you don't mind. It was structured within the right-of-way or the easement area. This is current condition. So everybody can see that all right. That is a structure. So there's already structures there.

I would ask where was the outrage in 1993 through today about the structures. How permanent are some of the structures? Fairly permanent from the looks of things. I think you can see it a little bit better on the large screen.

How hard has Christian brothers tried? I think this illustrates it pretty well. The green area is hatched. This is C.A.D., Crayola aided design. I didn't engage these guys for this. I did it myself. The green area is easement area. No structures are allowed. The two blue sections are the only place where vertical structures of any kind can go, and that's exactly where we have gone. If you look over here, that's our dumpster. I will swing this over, if you don't mind. Our office is here. And our nine-bay facility is here.

We are on Frank Lloyd Wright boulevard. So obviously, my Texas style building would not work. I realize that the architecture is under review. I want you to have an idea of how far we have gone with staff. Frank Lloyd Wright would be proud of the building we are putting up. If he was designing an automotive facility. That's in front of DBR or will be tomorrow.

I think once again, it will be something that is going to be a vast improvement over what is existing. What the letter is proposing, nothing happens. And if you have driven past that site, I don't think that nothing is a good option.

The other major -- major point, which is most of, I would say the first two paragraphs of the second page has to do with noise, or in my industry, it's noise, vibration and harshness, NVH. And if I can get my thumbs to work. And Meredith, how do you zoom in? Can somebody zoom in on this section right here? Somebody who is more technically savvy than I am? I try to stick to paper, but this is our site. One of the questions is, are we going to -- thank you. I'll take the assist. I will get the class next time.

It's not very clear, but you are looking at our site overlaid in red. One of the concerns is that we are adjacent to residential. Residential being the equestrian apartments. We are at the closest point, 210 feet building to building. There is an advanced auto tire and service center that is .2 miles to the south of us. It's literally four minutes walking distance. I talked to staff and asked them if they had any noise complaints at all. They could not recall any at all, whatsoever. That's important because their closest neighbor is about 50 to 60 feet away. The next closest is 115 feet away. Our closest point is 210 feet away. They have had no complaints in their entire existence of operation. So by logic, with the additional 100 feet to play with, I don't think we are going to be a problem. If you

would like me to go into the technical side of things I have an acoustics study that very plainly shows we are down to 50-decibels even running our air hammers which is taking tires on and off at about 100 feet. So at 210, it's kind of like dropping a stone in the water. It dissipates just like a wave. So by the time it gets to the apartment complex, I can assure you that their loud neighbors above them are going to be much more distracting than we ever possible could. But I don't know if Mr. Watoilla is here, he's the author of the letter. He certainly deserves a voice. We wanted to address all of his concerns in totality, whether he's present or not, and to satisfy council and the people of Scottsdale that we have done everything that we can do to mitigate not only reality but also perception so that we can be a great neighbor.

The Frank Aziz are actually here. If you can just stick your hand up in the air. We are not a McDonald's. You don't buy a franchise and then have somebody else run it. These folks will be in that office at least 50 hours a week, working and living in your community. They are who you are. The vehicles that they service will look just like the vehicles out in the parking lot, right here. So that's my addressing of the letter specifically.

I have about half a ream of other things that I can go over, but if you have any questions, you will be happy with that.

[Time: 00:40:43]

Councilman Phillips: Do you know if you or staff, if you -- if part of your application is you have to notify everybody within 750 square foot?

Christian Brothers Automotive Development Director Jonathan Wakefield: Yes, sir.

Councilman Phillips: And you have done that?

Christian Brothers Automotive Development Director Jonathan Wakefield : Yes, sir. We held a neighborhood meeting based on that. What was the attendance on that again?

Architect Sake Reinersma: It was zero.

Christian Brothers Automotive Development Director Jonathan Wakefield : So I -- I don't know how to professionally say nobody seemed to care but at that level no one seemed to care.

Councilman Phillips: Hmm.

Christian Brothers Automotive Development Director Jonathan Wakefield: Mr. Watoilla according to a line of -- from Commissioner Larry Kush, there is an association that he has with the advanced auto service center. I can't speak to relationships there but he's the only one who seems to be in angst.

[Time: 00:41:33]

Councilman Phillips: Yeah, I haven't heard anything about that, as far as the business competition goes. I know that there is one right around the corner but I know that this property has been a point of contention for a long time and it just surprising me that all of a sudden the city says everything is fine and let's put an automotive shop there. At the very least, you have hazardous waste. You are going to build a concrete structure that's going to be there, you know, and to allow a cup to cover that, I think is a little bit shocking also. But I can't remember when this was but it was a while ago. It must have come up. You have probably been working on it for a long time.

I got a lot of flak from people, and from the businesses and the property owners that says nothing should be allowed to be built there and it went away and died and then it's on the agenda and I think that's why nobody is here tonight. It just popped up. And I don't think people really know that this is even happening. I know once they find out that it's happening, they will be pretty upset. Generally, that's the case when things happen.

Personally, I know of property owners in the area that said nothing is supposed to be built there. They complained what they had the nursery there. And the idea with the nursery was that nothing permit was supposed to be bill and you show the building that they kind of put there, but -- this property is just -- was not supposed to be anything being built on it. Everybody knows that, but somehow, somewhere along the line, somebody got to somebody and said, let's just push this stuff aside and let's talk to the proper people and get this cleaned up and allow us to build here.

I can't tell you where to build or as far as, you know, what the best location for you to build is. There's some people here tonight that have kind of that same idea of where to put things, but I would think you could have found a better property. So that's why I was kind of wondering why this particular property came up, how you heard about it, if it was up for sale in a listing and you saw it and said this would be perfect.

You've got all of that easement you condition use. And like you said the trash is on the other side. You will have trucks coming in and out. You will have tire repairs and what other products you will have to be automotive. It's a fairly busy business. And I just think this is -- this is too busy and too big of a business to be here.

So my personal opinion is I will not be voting for it. I won't make that motion because I don't know what the rest of the council feels but when the motion is made, I will not be voting to approve this project.

Christian Brothers Automotive Development Director Jonathan Wakefield: Well, to -- unfortunately, completely disagree with your supposition, sir, we had Christian brothers internal legal team, our local legal team, the legal teams for both utility companies, our title company and our lender have all torn this document apart. They would not lend the money. They would not allow us to do this if it were not legally allowed. If somewhere along the way somebody decided just simply because they are in the neighborhood and they don't want anything to be built there, does not make that true.

Regardless, the legality --

Councilman Phillips: Thank you, sir. We'll just have to agree to disagree on that. I think your best comment is they tore the document apart and you got all the legal authority to do it. So -- I'm just telling that you I'm not voting for it.

Christian Brothers Automotive Development Director Jonathan Wakefield: I can certainly appreciate that, sir but I do feel I have the right to rebut your statement. I would be more than happy to address anything else that anybody else has to say.

[Time: 00:45:21]

Mayor Lane: Thank you. Yes, we do have -- I just have one quick question.

Christian Brothers Automotive Development Director Jonathan Wakefield: Yes, sir.

Mayor Lane: And this would actually to be our staff. That doesn't mean you need to leave from there because there will be other questions -- there seems to be, anyway. Is there some indication -- any official indication that nothing was ever to be built on this property? Is that anything within our code, anything within the city? I mean, what -- where is -- where is that information coming from?

Planner Meredith Tessier: Council, Mayor Lane, looking at the case history this was zoned 44-Z-88, to R1, to C-3 PCD. A development review came as part of the Anacala Village. That was part of that shopping center and it was tore shopping -- excuse me, parking and open space, considering the site constraints of the utility companies.

Mayor Lane: Understand.

Planner Meredith Tessier: So it is zoned for commercial for the purpose essentially for the commercial center to the south.

Mayor Lane: And it has been for sometime?

Planner Meredith Tessier: Yes, since 1988.

Mayor Lane: So there's nothing that has come through in any kind of official capacity that the public would be led to presume that nothing would ever be built there?

Planner Meredith Tessier: Correct.

Mayor Lane: Okay. Thank you. Councilwoman Klapp?

[Time: 00:46:57]

Councilmember Klapp: I don't live far from there and I thank you for developing this land. It's currently an eye sore.

Christian Brothers Automotive Development Director Jonathan Wakefield : Yes, ma'am.

Councilmember Klapp: And in my estimation, what you are putting there will be a vast improvement over the conditions that we have lived with in that neighborhood for many years.

Christian Brothers Automotive Development Director Jonathan Wakefield : Yes, ma'am.

Councilmember Klapp: Even including the garden center that was there and then not there. It was empty and then they come back, and so it's been off and on a commercial establishment for some time. It looks like you have spent a lot of time in putting together a plan that works on the -- on a very difficult piece of land, which some people would not develop, because of all the power lines over it. But because it's surrounded by commercial and it's on commercial, I don't think this use is something that would be a detriment to the neighborhood. There's other automotive-type properties nearby. So this essentially fits into the context of the Frank Lloyd Wright area and the neighborhood area and the commercial area. So I just welcome you to that little corner of Scottsdale.

So with that, I will make a motion to adopt ordinance number 4269, approving a zoning district map amendment, to amend the development plan by eliminating all zoning stipulations from the zoning case 44-z-88, and with highway commercial plan commercial planned community district C-3PCD and adopt resolution 10527, approving the conditional use permit for vehicle repair.

Councilmember Milhaven: Second.

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

Councilmember Milhaven: I also want to express my thanks for redeveloping. We think about the northern parts of our city as being new, but they are also aging and so to have people willing to come and make investments in our community to keep them vital and have successful businesses, it helps our economy, our community and it's really good for sales tax collection. Thank you and I wish you all the best of luck.

Christian Brothers Automotive Development Director Jonathan Wakefield: Thank you, ma'am.

Mayor Lane: Thank you for the first and second. Thank you, Councilwoman. Vice Mayor Littlefield.

[Time: 00:49:08]

Vice Mayor Littlefield: Thank you, Mayor. I too do have some concerns when I read this.



Christian Brothers Automotive Development Director Jonathan Wakefield: Yes, ma'am.

Vice Mayor Littlefield: And primarily it had to do with the power lines across the project. I personally would not want to live under those power lines or work under those power lines.

Christian Brothers Automotive Development Director Jonathan Wakefield: Fair enough.

Vice Mayor Littlefield: And I was interested in the letter and some of the things that said -- I did call staff and they said it was approved by staff, that it was all right and that the utility companies said they were okay with it. I did call the utility companies. I will be very honest and asked them and they said that they had approved this, and that it was all right with them, basically. I still feel a little weird about it because those are very large, very powerful power lines going across that property. And I'm sure that's part of the reason why it's had a lot of trouble getting developed.

I did have a question, however, I would like to ask staff, Meredith, from something that you had just said that this goes in front of D.R. tomorrow? Is that correct?

Planner Meredith Tessier: Mayor Lane and councilwoman Littlefield, they just submitted the D.R. today, its not scheduled for D.R. tomorrow. It was a tentative date for tomorrow, but the submittal wasn't received until today. So D.R.B. date is to be determined.

Vice Mayor Littlefield: Can I ask why we have this in front of us before the D.R. pronounces on it?

Planner Meredith Tessier: Certainly because we want to make sure that the conditional use permit and the zoning map amendment is approved before the development review approval.

Vice Mayor Littlefield: Thank you.

Mayor Lane: Thank you, Vice Mayor. Before -- I think we are then ready to vote but let me also add to the point that I certainly, I'm aware of the area. It's not necessarily near where I am at, but nevertheless, I'm very much aware of it and I too would like to thank you for developing it and in this kind of way. And also to have a company that has such a fine reputation as Christian brothers to be here with us in the city of Scottsdale. So thanks so very much for taking this on and being here with us in Scottsdale.

Christian Brothers Automotive Development Director Jonathan Wakefield: Thank you, sir.

Mayor Lane: Thank you. I think we are then ready to vote on the motion and it's on the table. All those in favor with an aye. Those opposed with a nay. The motion passes 6-1, Councilman Phillips opposing.

Christian Brothers Automotive Development Director Jonathan Wakefield: Thank you, folks.

**ITEM 13 – MEDICAL MARIJUANA TEXT AMENDMENT (8-TA-2010#3)**

[Time: 00:51:32]

Mayor Lane: Thank you. Now we move on to our regular, regular agenda item. And that's a medical marijuana text amendment, 8-TA-2010 number 3. And we have Bryan Cluff here, a senior planner to go through this for the city. Bryan, welcome.

Senior Planner Bryan Cluff: Good evening, Mayor Lane and members of the council. Again, I'm Bryan Cluff with the city's current planning department and this is the medical marijuana text amendment case 8-TA-2010 number 3. The specific request is a request by the city of Scottsdale for a text amendment to the city of Scottsdale zoning ordinance Sections 1.403.L and 1.403.M, regarding the conditional use permit criteria for medical marijuana uses within the city. We did initiate this at the May 17<sup>th</sup>, 2016 meeting for the purpose of ensure compatibility with surrounding uses. And the planning commission did hear and recommend approval of the proposal at their July 27<sup>th</sup> meeting.

Just a brief overview of what the existing conditional use permit criteria is within the city. It is limited to only three zoning districts. The I-1CO and SC districts. I will just highlight the operation requirements because that's mainly the topic of this text amendment. Currently, there's only two protected uses. That's residential and schools and those require a separation of 500 feet from medical marijuana use. There's also a separation between other medical marijuana facilities and that's currently set at a quarter mile. This map here is a map citywide showing -- applying that existing conditional use permit criteria where medical marijuana facilities might be able to locate. And that is illustrated in green on this map here.

At the May 17<sup>th</sup> meeting, there was direction to increase the separation between the medical marijuana facilities and also increase the required separation between protected uses. In addition to that, you had requested to add three new protected uses which would include churches, public parks and day care. Based on that direction, we drafted a text amendment.

You can see the three new protected uses, churches, public parks and day care. And on the right column, the increase in separation requirements from what was previously 500 feet, to 1500 feet, and that carries over into 9 new protected uses, and in addition the separation required between facilities increased from a quarter mile to a half mile. In addition to what is shown here and it is detailed in the text in your packet, there are also provisions allowing for existing uses to continue operation, including extensions and renewals of their existing use permits, subject to applying the existing conditional use permit criteria. So that would allow them to continue their operation for approved facilities.

This map here is the citywide view of the new criteria applied and also on this map identified in green would be the areas that do meet the separation requirements. And for a closer look here, this is a zoomed in view of the airpark area, existing versus proposed, and this area, the city was the most saturated area of green, and that shows you the difference between the existing and proposed criteria.

Public involvement did have the interested parties list and, we conducted two open house meetings on June 14<sup>th</sup> and 16<sup>th</sup>. There was a pretty low turnout at those meetings. Staff didn't receive any formal opposition to the proposal, and just received a few comments that are included in your packet. We included the legal ads in our newspaper.

Again, here's a summary of the request, and, again, planning commission heard and made a recommendation for approval at their July 27<sup>th</sup> meeting. That concludes staff's presentation. I would be happy to answer any questions.

[Time: 00:56:34]

Mayor Lane: Thank you. We do have one request to speak on this, Bryan. So we will go to that, but I'm certain that we will have some comments or requests from there. If I could have Mr. Ryan Hurley.

Ryan Hurley: Ryan Hurley with the Rose Law Group, 7144 East Stetson Drive. I'm here on behalf of Harvest of the Scottsdale and Monarch dispensaries. We are supportive of the language as is, as staff has recommended and I want to thank both you and staff for being open and transparent and communicative throughout this process. So we are supportive as is, and I'm happy to answer any questions if you have any.

Mayor Lane: Thank you very much, Mr. Hurley. We do have at least one request to speak on this. So if you -- you may stand by but we'll see. Councilmember Korte.

Councilmember Korte: Thank you, Mayor. Question to staff. So in our staff report, talking about the planning commission recommending approval, they also -- they said perhaps additional direction for the city council was to place a hard cap on a number of medical facilities allowed within the city limits. So perhaps this is a question for our city attorney to talk about a total cap versus just regulating with distance -- with distance. Thank you.

City Attorney Bruce Washburn: Under the laws enacted by the voters in the initiative, the city is allowed to have reasonable zoning regulations for the medical marijuana uses. So the question would be: Is a hard cap, x number of medical marijuana facilities in all of Scottsdale, is that a reasonable zoning regulation? If it's not a reasonable zoning regulation, unless you can point to something that establishes that whatever the harmful effects are of having medical marijuana that five of them don't have harmful effects but six of them do. We don't have any information or any studies like that. I know other cities have done this. I don't know what it is that they are relying upon to establish that it's a reasonable zoning regulation. I looked into that and I haven't found anything, but I assume they have something. We don't have that and so I do not believe that's a lawful regulation for the city of Scottsdale.

Councilmember Korte: Thank you, Mr. Washburn.

Mayor Lane: Thank you, Councilwoman. Councilman Smith.

[Time: 00:59:14]

Councilman Smith: Thank you, Mr. Mayor. To staff, in your presentation, you showed what the current allowance and the future allowance would be for the airpark area. Is that the only area of town that has a future allowance? It's not the only area that has a current allowance as I recall.

Senior Planner Bryan Cluff: Mayor Lane, Councilman Smith, based on the mapping that -- that we conducted through the review of this process, it does appear that that would be the only area, however, the mapping is based off of what we have currently in our system, and it's really a snapshot in time of what current uses are established throughout the city. So those potentially could change if new protected uses come or go, other green areas could go away or open up throughout the city.

Councilman Smith: Interesting point and I will get to that in a moment. For the moment, what you are telling me and I think this is what I presumed. With the new regulations in place, and I don't recall, you might put that picture back up again, whatever slide that was, but there was only one tiny green area remaining in the airpark area; is that correct?

Senior Planner Bryan Cluff: Mayor Lane, Councilmember Smith, that's correct.

Councilman Smith: So then turn now to the question that you alluded to before, which is what if a new use comes in, or a new use disappears? A church -- I guess there are actually two tiny green areas on the map, if people are looking at the allowances that would remain under the proposed ruling. But what happens if a church, let's say, locates or leaves. Is this a constantly changing map in its allowance?

Senior Planner Bryan Cluff: Councilmember, Smith, yes, it would be. If the protected uses as they come and go would potentially change the green areas on the map.

Councilman Smith: So let's hypothesize that someone comes in and opens a medical marijuana facility in one of the newly allowed proposed green areas and a week later, a church opens there. Must they should down then?

Planning and Development Services Director Randy Grant: Mayor Lane, Councilmember Smith, they would be grandfathered. In it would be legal non-conforming uses.

Councilman Smith: Interesting. Speaking of the grandfathered in, how would the provisions be written regarding the existing facilities that grandfathers them in? Will they simply have all applications of their C.U.P., the same as any other new medical marijuana facility, except that the limitations will be the old 500 feet limitations?

Senior Planner Bryan Cluff: Mayor Lane, and Councilman Smith, that is correct. In the ordinance there is a date where the date is set at September 30<sup>th</sup>, 2016, which is the effective date of this

ordinances. So any uses that are currently established before that date would continue to operate under the old criteria which in this case, this ordinance is only changing the separation requirements and adding those protected uses. So all the other criteria are mirrored and would still be valid.

Councilman Smith: And obviously, we are only talking about medical marijuana facilities because that's all that's allowed by law but we all know that this November the citizens are going to vote on recreational marijuana. So that a whole different sort of rules if that would pass this in other words this is not -- is this specifically medical marijuana or just marijuana?

Senior Planner Bryan Cluff: Councilman Smith, and Councilmembers, this text is specific to medical marijuana as our ordinance currently is. If recreational marijuana were to pass, that would be an additional item that we would have to consider and we would likely require an additional text amendment to accommodate provisions for recreational marijuana.

Councilman Smith: And so none of these restrictions would necessarily apply? I mean, we will just start with a clean sheet of paper and write the rules should that happen?

Senior Planner Bryan Cluff: That's correct.

Councilman Smith: Thank you. Thank you, Mayor.

[Time: 01:04:04]

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

Councilman Phillips: Thank you, Mayor. So to our city attorney, this medical marijuana text amendment before us tonight, you, in your opinion, feel that this is legal and binding and we can go ahead with this?

City Attorney Bruce Washburn: Yes.

Councilman Phillips: Thank you. In that case, I will move to adopt ordinance number 4271 medical marijuana text amendment, 8-TA-2010 number 3.

Vice Mayor Littlefield: Second.

Mayor Lane: The motion has been made and seconded by the Vice Mayor Littlefield, and seeing there's no further comment at this point in time, I think we are then ready to vote. All those in favor, please indicate by aye and register your vote. Aye. And it's unanimous approval. Thank you very much for the presentation and for the input from the public.

No further public comment. We don't have any citizen petitions and the mayor and council items but we do have and we'll move to our boards and commission and task force nominations. And for that purpose, I will turn it over to the Vice Mayor Littlefield to proceed with that. And these are

nominations only.

### **BOARDS AND COMMISSIONS**

[Time: 01:05:27]

Vice Mayor Littlefield: Thank you, Mayor. This evening, the City Council will be nominating Scottsdale residents interested in serving on citizen advisory boards and commissions. The nine boards and commissions that currently have vacancies are the:

Airport Advisory Commission, Building Advisory Board of Appeals, Human Relations Commission, Human Services Commission, Judicial Appointment Advisory Board, Library Board, Loss Trust Fund Board, Neighborhood Advisory Commission, and the Tourism Development Commission. Those nominated will be interviewed at the City Council meeting on Tuesday, September 13th, 2016, and appointments will follow each set of interviews. Ahead of time I would like to apologize for any mispronunciation of names that I may make. I'm sorry if I do so.

### **AIRPORT ADVISORY COMMISSION**

[Time: 01:06:21]

Vice Mayor Littlefield: Our first board is the Airport Advisory Commission. It has three openings. The Airport Advisory Commission consists of seven members who assist staff and advise the City Council on aviation related issues.

Ken Casey's term expires September 31<sup>st</sup>, and he's not eligible for reappointment. Michael Goode's term expired July 7, 2016, and he is not eligible for reappointment. William Schuckert's term expired July 9, 2016, and he is not eligible.

There are three vacancies and 12 applicants. The applicants are: John Berry, Larry Brow, Nolan De Graaff, John Dinovo, Bret Krossschell, Cory Little, Kevin Maxwell, Charles McDermott, Henry Olsen, Steve Ramsthal, James Smith, Renee Wittrock.

I will now entertain nominations for the Airport Advisory Commission. Each councilman can nominate three applicants. We will begin with Mr. Phillips.

Councilman Phillips: John Berry and Cory Little.

Vice Mayor Littlefield: Councilman Smith.

Councilman Smith: Thank you. I will do Kevin Maxwell, and Charles McDermott and Renee Wittrock.

Vice Mayor Littlefield: Councilmember Korte.

Councilmember Korte: No further additions.

Vice Mayor Littlefield: Mayor Lane?

Mayor Lane: John Berry and Kevin Maxwell.

Vice Mayor Littlefield: Councilwoman Klapp.

Councilmember Klapp: No further.

Councilmember Milhaven: No additional.

Vice Mayor Littlefield: I will nominate Larry Brow and Charles McDermott, Cory Little.

Vice Mayor Littlefield: John Berry, Larry Brow, Cory Little, Kevin Maxwell, Charles McDermott and Renee Wittrock have all been nominated and will come to us on the 13<sup>th</sup> of September for interviews: Thank you.

#### **BUILDING ADVISORY BOARD OF APPEALS**

[Time: 01:08:50]

Vice Mayor Littlefield: Our next board is the Building Advisory Board of Appeals. It has four openings. This board has the jurisdiction to recommend that minor variances in the electrical, plumbing and mechanical application of the Building Code be granted and that alternative construction methods or materials be allowed. There are no special qualifications, however, members appointed to this board should be qualified by experience and training on matters pertaining to building construction.

Mike Bergfeldt's term has expired and he is not eligible for reappointment. Bill Schweikert's term has expired. Raymond Texiera resigned October 4, 2015. David Valencia's term expired December 8, 2015, and he did not submit an application for reappointment.

There are four vacancies and one applicant. The applicant is: Scott Rothman. I will now entertain nominations for the Building Advisory Board of Appeals. We will begin with cCouncilman Smith.

Councilman Smith: Thank you. I will nominate Scott Rothman four times, I guess.

Vice Mayor Littlefield: Since there's own one applicant, we will nominate him and move on to the next commission.

#### **HUMAN RELATIONS COMMISSION**

[Time: 01:10:11]

Vice Mayor Littlefield: The Human Relations Commission has two openings. This commission advocates and promotes all dimensions of diversity and the Commission acts as an advisory body to the Mayor, City Council and staff to make recommendations on way to encourage mutual respect and understanding among people.

Laurie Coe's term expires September 10<sup>th</sup> of this year and she is eligible for reappointment and has submitted an application. Andrew Song's term expires September 10<sup>th</sup> also and he's eligible for reappointment, however, he's not committed an application.

There are two vacancies and the applicants are: Laurie Coe, Susan Mellinger, Marie Mendoza, Nadia Mustafa, Stuart Rhoden, Janice Shimokubo.

I will now entertain nominations for the Human Relations Commission. Each Councilmember can nominate two applicants. We will begin with Ms. Korte.

Councilmember Korte: Laurie Coe and Janice Shimokubo.

Mayor Lane: Susan Mellinger.

Vice Mayor Littlefield: Councilwoman Klapp.

Councilwoman Klapp: Nadia Mustafa and Stuart Rhoden.

Vice Mayor Littlefield: Laurie Coe, Susan Mellinger, Nadia Mustapha and Stuart Rhoden and Janice Shimokubo.

Councilman Smith: And for the record, I have no further nominations.

Vice Mayor Littlefield: Oh, I'm sorry! I apologize. I'm just going to end here.

### **HUMAN SERVICES COMMISSION**

[Time: 01:12:12]

Vice Mayor Littlefield: Human Services Commission, one opening. The Human Services Commission provides advisory recommendations to staff and the City Council on human services priorities and programs. Enid Seiden's term expired July 7<sup>th</sup> of 2016, and she's not eligible for reappointment.

There is one vacancy and seven applicants. The applicants are: Michael Cavanaugh, Mark Culbertson, Jayne Hubbard, Robert Jones, Nadia Mustafa, Greg Pierce, Edmund Portnoy. Each councilmember can nominate one applicant, and we'll begin with Mayor Lane.



Mayor Lane: Edmund Portnoy.

Councilmember Klapp: Greg Pierce.

Councilmember Milhaven: Jayne Hubbard.

Vice Mayor Littlefield: Mark Culbertson.

Councilman Phillips: No further.

Councilman Smith: No further.

Councilmember Korte: Robert Jones.

Vice Mayor Littlefield: We have five nominations, Mark Culbertson, Jayne Hubbard, Robert Jones, Greg Pierce and Edmund Portnoy. Thank you.

#### **JUDICIAL APPOINTMENTS ADVISORY BOARD**

[Time: 01:13:33]

Vice Mayor Littlefield: Next, we have the Judicial Appointments Advisory Board. There is one opening. This board makes advisory recommendations to the City Council regarding the appointment and reappointment of full-time City Judges. The special qualifications for this seven member board, will consist of two active judges, one representative from both the State Bar and the Scottsdale Bar Association, and three citizens appointed by the City Council who are not judges in any official capacity nor retired judges, nor members of the State Bar of Arizona. Per Ordinance No. 3254, the Council must appoint/reappoint members who are recommended from the Scottsdale Bar Association or the Arizona Superior Court.

Sandra Schenkat's term expires September 10, 2016, and she is eligible for reappointment and has submitted an application for consideration. There's one vacancy and the applicant is Sandra Schenkat. I will now entertain nominations for the Judicial Appointments Advisory Board. Each Councilmember can nominate one applicant. I will begin with Ms. Klapp.

Councilmember Klapp: Sandra Schenkat.

#### **LIBRARY BOARD**

[Time: 01:14:54]

Vice Mayor Littlefield: We will move on to the next one. The Library Board has one opening. This board advises the City Council on general policy relating to the programs, services and future development of the Scottsdale Public Libraries. Halette Fealey resigned May 19, 2016.

There is one vacancy and five applicants. The applicants are: Patricia Bauer, Sheila Collins, Shiela Reyman, Joseph Rubin, Barbara Truelick. I will now entertain nominations each councilmember can nominate one applicant. Beginning with Councilwoman Milhaven.

Councilwoman Milhaven: Patricia Bauer.

Vice Mayor Littlefield: Joseph Rubin.

Councilman Phillips: Barbara Truelick.

Councilman Smith: Sheila Collins.

Councilmember Korte: No further.

Mayor Lane: No further.

Councilmember Klapp: Shiela Reyman.

Vice Mayor Littlefield: Oh, I'm sorry. You have to be quick with me! All applicants have been nominated. So we have five applicants for this board.

#### **LOSS TRUST FUND BOARD**

[Time: 01:16:07]

Vice Mayor Littlefield: The Loss Trust Fund Board has two openings. Required by the State, the Loss Trust Fund Board makes recommendations to the City Council regarding the administration of the loss trust fund. As specified in the Scottsdale City Code, the City Council shall appoint five joint trustees, of whom no more than one shall be a member of the City Council and no more than one trustee may be a City employee.

Pauline Hecker resigned January 26<sup>th</sup>, and Matthew Kleifield's term expires September 10<sup>th</sup>. He's eligible for reappointment, however, he has not submitted an application for consideration.

There are two vacancies and one applicant. The applicant is: Russell Mosser. I will now entertain nominations for this board, beginning with me. And I will nominate Russell Mosser. That is completed since there is only one applicant.

#### **NEIGHBORHOOD ADVISORY COMMISSION**

[Time: 01:17:16]

Vice Mayor Littlefield: Neighborhood Advisory Commission has two openings. The Neighborhood

Advisory Commission consists of seven members who advise and make recommendations to the City Council on policies, plans, strategies and programs for the preservation, improvement and revitalization of Scottsdale's housing and neighborhoods.

Jordan Ledbetter resigned April 11, 2016. Joe Meli's term expired July 9, 2016, and he is eligible for reappointment and has submitted an application for consideration.

There are two vacancies and six applicants. The applicants are: Anne Marie Chiapetta, Joe Meli, Carol Miraldi, Rachel Putman, Caroline Rossi, Kay Sperduti. I will now entertain nominations for this board. Each councilmember can nominate two applicants. Beginning with Councilman Phillips.

Councilman Phillips: Joe Meli and Carol Miraldi.

Councilman Smith: Kay Sperduti and no other.

Councilmember Korte: No other. No additional.

Mayor Lane: Anne-Marie Chiapetta.

Councilmember Klapp: No further nominations.

Councilmember Milhaven: No additional.

Vice Mayor Littlefield: We have five nominations for this board, Anne-Marie Chiapetta, Joe Meli, Carol Miraldi, Kay Sperduti. I had no additional. Actually, I had Rachel Putnam.

#### **TOURISM DEVELOPMENT COMMISSION**

[Time: 01:19:12]

Vice Mayor Littlefield: The Tourism Development Commission has one opening. This commission advises the city council on matters concerning the expenditure of revenues from the Transaction Privilege Tax on transient lodging, bed tax, designated for tourism development. As specified in the Scottsdale City Code, the seven members of this commission shall consist of representatives of the tourism industry in Scottsdale, including a minimum of four Scottsdale hoteliers, one member of the Scottsdale Convention and Visitors Bureau, and a balance from the other elements within the tourism industry.

Ace Bailey's term expires September 21, 2016, and she represents a hotelier position. Ms. Bailey is not eligible for reappointment.

There is one vacancy and one applicant. The applicant is: Frank Ashmore who is from the hotelier business. I will now entertain nominations, beginning with Dave Smith.

Councilman Smith: Frank Ashmore.

Vice Mayor Littlefield: Since there's own one politic and he has been nominated Mr. Ashmore will continue on for interviews on the 13<sup>th</sup>. Thank you.

This concludes our nomination process for this evening. City staff will contact those who were nominated and provide them with additional information about the interviewing process which will be held during the council meeting on September 13<sup>th</sup>. I would also like to take this opportunity to thank all of you who applied to serve on a citizen advisory board or commission and to donate your time and efforts to our fair city. Even if you were not nominated this evening, your application will remain on file for one year, and will be considered at a future date, if additional vacancies arise.

I would now like to turn the meeting back over to the mayor. Mayor Lane?

**ADJOURNMENT**

[Time: 01:20:59]

Mayor Lane: Thank you, Vice Mayor. Appreciate it. Nice job. And that does conclude our regular meeting this evening. Seeing no further items for us to consider, I would ask for a motion to adjourn.

Councilmember Klapp: Move to adjourn.

Councilmember Korte: Second.

Mayor Lane: The motion has been made and seconded. All of those in favor of adjournment, please say aye. We are adjourned.

Thank you, everyone, for the work and the input. Have a good evening.