



**CITY OF SCOTTSDALE
NEIGHBORHOOD ADVISORY COMMISSION
REGULAR MEETING
MINUTES**

WEDNESDAY, JANUARY 26, 2022

MEETING HELD ELECTRONICALLY

PRESENT: Rachel Putman, Chair
William James, Vice Chair
Jonathan Budwig, Commissioner
Larry Hewitt, Commissioner
Louise Lamb, Commissioner
Carol Miraldi, Commissioner
Bridget Schwartz-Manock, Commissioner

STAFF: Adam Yaron, Commission Liaison
Brandon McMahon, Associate Planner
Luis Santaella, Deputy City Attorney

Call to Order/Roll Call

The meeting of the Neighborhood Advisory Commission was called to order at 5:07 p.m. A formal roll call was conducted, confirming members present as stated above.

Public Comment

No comments were submitted.

1. Approve Draft Summary Meeting Minutes October 27, 2021

Chair Putman called for comments/corrections. Commissioner James stated that the records should reflect the Commission's intent to combine award years 2020 and 2021, with the award to be presented in 2022.

VICE CHAIR JAMES MOVED TO APPROVE THE MINUTES OF THE OCTOBER 27, 2021, MEETING AS AMENDED. COMMISSIONER HEWITT SECONDED THE MOTION, WHICH CARRIED SEVEN (7) TO ZERO (0) WITH CHAIR PUTMAN, VICE CHAIR JAMES, COMMISSIONERS BUDWIG, HEWITT,

LAMB, MIRALDI, AND SCHWARTZ-MANOCK VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

2. Neighborhood Advisory Commission 2021 Annual Report

Adam Yaron, Commission, Liaison noted that no public comments have been received on this item. He briefly discussed the annual reporting, which reflects the activities and accomplishments of the Commission over 2021.

COMMISSIONER LAMB MOVED TO APPROVE THE NEIGHBORHOOD ADVISORY COMMISSION 2021 ANNUAL REPORT. COMMISSIONER MIRALDI SECONDED THE MOTION, WHICH CARRIED SEVEN (7) TO ZERO (0) WITH CHAIR PUTMAN, VICE CHAIR JAMES, COMMISSIONERS BUDWIG, HEWITT, LAMB, MIRALDI, AND SCHWARTZ-MANOCK VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

3. Neighborhood Advisory Commission 2021 Annual Bylaw Review

Mr. Yaron noted that no public comments have been received on this item. Annual review and approval of the Commission bylaws is required.

COMMISSIONER LAMB MOVED TO APPROVE THE NEIGHBORHOOD ADVISORY COMMISSION BYLAWS. COMMISSIONER BUDWIG SECONDED THE MOTION, WHICH CARRIED SEVEN (7) TO ZERO (0) WITH CHAIR PUTMAN, VICE CHAIR JAMES, COMMISSIONERS BUDWIG, HEWITT, LAMB, MIRALDI, AND SCHWARTZ-MANOCK VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

4. 2022 Election of Officers

Mr. Yaron noted that no public comments have been received on this item. He provided an overview of term limits for Chair and Vice Chair, adding that due to such term limits, it was necessary to hold an election for a new chair.

COMMISSIONER MIRALDI MOVED TO NOMINATE WILLIAM JAMES FOR CHAIR. CHAIR PUTMAN SECONDED THE MOTION, WHICH CARRIED SEVEN (7) TO ZERO (0) WITH CHAIR PUTMAN, VICE CHAIR JAMES, COMMISSIONERS BUDWIG, HEWITT, LAMB, MIRALDI, AND SCHWARTZ-MANOCK VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

CHAIR JAMES MOVED TO NOMINATE JONATHAN BUDWIG AS VICE CHAIR. COMMISSIONER MIRALDI SECONDED THE MOTION, WHICH CARRIED SEVEN (7) TO ZERO (0) WITH CHAIR PUTMAN, VICE CHAIR JAMES, COMMISSIONERS BUDWIG, HEWITT, LAMB, MIRALDI, AND SCHWARTZ-MANOCK VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

Newly elected Chair James assumed the chair for the remainder of the meeting.

5. Vacation Rental & Nuisance Party Ordinance Amendments

Mr. Yaron noted that no public comments have been received on this item.

Luis Santaella, Deputy City Attorney, presented updates to the Ordinance, which were adopted by City Council and went into effect on January 7th, 2022. State law allows the City to require property owners to provide emergency contact information to be on file for short term vacation rentals. The City has adopted an ordinance that requires both an emergency contact as well as a complaint contact. Upon notification by the City regarding an emergency, the emergency contact must physically respond to the short term vacation rental location within one hour. The unruly gathering ordinance has also been amended and applies to all properties, regardless of occupancy, whether owner-occupied or short term rental. The ordinance has also been amended to provide a definition for excessive noise. It includes a rebuttable presumption that if the noise is above 68 decibels between 10 p.m. and 9 a.m., it is presumed to be excessive. In addition, if the C scale base measurement is over 70 decibels, this is also presumed to be excessive.

When originally instituted, the Nuisance Party Ordinance assessed a police service fee, if police were required to respond. This was found to be ineffective and the City moved to a citation system. In order for the owner to be found responsible for a nuisance party, they must intentionally, knowingly or recklessly have permitted the nuisance party or unruly gathering. Unruly gathering may consist of underage drinking and illegal drug use. Citations are issued through City Court and may include civil fines. Habitual offenders may eventually be prosecuted for a criminal violation. With use of the police service fee, there were no repeat violators by renters. Repeat violators were more likely to be the property owners, who allowed their property to be repeatedly used for parties and disturbance of the neighborhood. Owners may earn reduced penalties, if they take mitigation steps, such as installation of noise monitoring software or participating in classes on best practices.

Commissioner Putman asked about follow-up with the complainant on any actions taken. Mr. Santaella stated that when calling the police the complainant is asked whether they wish to have follow-up contact after the call. Complainants also have the option to submit complaints through the code enforcement hotline number. Information on short-term rental locations throughout the City is available online. It provides contact information on City-registered short-term vacation rentals.

Chair James noted that county registration is also required. Mr. Santaella agreed, noting that rental property must be registered with the county assessor's office. Short-term vacation rentals must provide emergency contact information to the City. The City Code Enforcement staff actively enforces the county requirement.

6. Spirit of Scottsdale Awards Program Nominations

Brandon McMahon, Associate Planner, presented the nomination results of the 2021 Spirit of Scottsdale Award Program, noting that staff has not received any public comments on this item.

Mr. McMahon provided a brief history of the program. Due to the COVID-10 pandemic, the 2019 award program was paused and later rolled into the 2020 awards cycle program, with both being awarded last March. In 2018, NAC revised the program to include all of Scottsdale and narrowing the focus to recognize those with active years of service involvement, strengthen neighborhood identity, champion community dialogue to produce constructive recommendations to address needs of a specific neighborhood and those that provide unique contributions of time, effort, skills and/or financial resources to a neighborhood.

The 2021 workplan was approved by the NAC on June 23rd, 2021. The process duplicated that of the 2020 program, recognizing one individual and one business or organization throughout all of Scottsdale. The program was promoted via web, social and print media, including the nomination process. Submissions opened on June 24th and closed December 31, 2021. Upon NAC's selection of the winners, staff will notify the winners and the nominators of their recognition and provide them with the opportunity to attend virtually or in person the March 1st, 2022 City Council meeting, where formal recognition will take place. For 2020, 17 nominations were submitted, with five for individuals and 12 for organizations. In October of 2021, NAC Commissioners requested that unused 2020 nominations be considered for the 2021 cycle. For 2021, there were ten new nominations, five individual and five organizations. There are a total of 19 nominations for consideration. The nominations were listed and briefly summarized:

Individuals

- Janair Johnson
- Monica Nicodemus
- Cynthia Wenstrom
- Bryn DeFusco
- Larry Paprocki
- Sherrie Poinsett
- Lisa Randall

Business/organization

- Scottsdale Elks Lodge #2148
- Scottsdale Coalition of Today & Tomorrow
- Scottsdale Desperados
- Chaneni House
- Technical Solutions
- Coronado Foundation for the Future
- Scottsdale Community Partners
- Scottsdale Historical Museum
- Siena Arte Portraiture: Bob & Connie Zimmerlich
- Mountain View Little League
- Pinnacle Peak Ace Hardware & Paint
- Paula Jacqueline Cakes & Pastries

Commissioners deliberated the nominations. Commissioner Putman commented that there is some overlap in the nominations, where individuals have been nominated, however their names were put forth in terms of the operations and activities of their business. This is the case for Monica Nicodemus as a business

owner of JoyRidesAZ, who has been active in assisting community members in a variety of ways, particularly by bringing visitors to business that have been impacted by the pandemic. She suggested moving the nomination from individual to company or organization and she put forth Ms. Nicodemus and her company as a nominee. Commissioner Lamb agreed with Commissioner's Putman comments and said she was also in favor of the nomination.

Commissioner Schwartz-Manock nominated Cynthia Wenstrom for her history of engagement in the community with the Citizen's Police Academy, Neighborhood Block Watch, Scottsdale Leadership and Scottsdale Sonoran Preserve Commission. Chair James concurred with the nomination.

Commissioner Miraldi nominated Sherrie Poinsett for her dedication to the community, especially in terms of impacts of the pandemic.

Vice Chair Budwig nominated Larry Paprocki as someone who has served his community for 28 years.

Each member of the Commission put forth their vote, with Sherrie Poinsett garnering the most votes.

Discussion ensued regarding organization nominations. Commissioner Putman nominated Monica Nicodemus as a business owner of JoyRidesAZ. Commissioner Miraldi nominated the Elks Lodge for their 60 years of service focusing on children and veterans. Schwartz-Manock nominated the Scottsdale Historical Museum as an organization that gives residents a sense of pride and history. Chair James nominated Scottsdale Community Partners, a social assistance organization that works with the Scottsdale Human Services Committee and provides services to at least ten Scottsdale groups since the 1970's. They provide food and shelter and other assistance to seniors.

Each member of the Commission put forth their vote, with Scottsdale Community Partners garnering the most votes.

COMMISSIONER HEWITT MOVED TO AWARD SHERRIE POINSETT AS THE WINNER FOR THE INDIVIDUAL CATEGORY AND SCOTTSDALE COMMUNITY PARTNERS AS THE WINNER FOR THE BUSINESS OR ORGANIZATION CATEGORY. COMMISSIONER LAMB SECONDED THE MOTION, WHICH CARRIED SEVEN (7) TO ZERO (0) WITH CHAIR JAMES, VICE CHAIR BUDWIG, COMMISSIONERS, HEWITT, LAMB, MIRALDI, PUTMAN AND SCHWARTZ-MANOCK VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

Discussion ensued regarding appointment of the Commissioners to present the awards at the upcoming City Council meeting on March 1st. Commissioners Hewitt and Lamb volunteered.

CHAIR JAMES MOVED THAT COMMISSIONERS LAMB AND HEWITT PRESENT THE AWARDS AT THE CITY COUNCIL'S UPCOMING MARCH 1, 2022 MEETING. COMMISSIONER MIRALDI SECONDED THE MOTION, WHICH CARRIED SEVEN (7) TO ZERO (0) WITH CHAIR JAMES, VICE CHAIR BUDWIG, COMMISSIONERS, HEWITT, LAMB, MIRALDI, PUTMAN AND

SCHWARTZ-MANOCK VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

7. IDENTIFICATION OF FUTURE AGENDA ITEMS

Commissioner Lamb identified a presentation from Code Enforcement as an item previously recommended. Mr. Yaron noted that a new director has just started; they will try to have this item on the agenda next month.

8. Staff Updates

Mr. Yaron stated that the next Commission meeting is scheduled for February 23, 2022. He thanked former Chair Putman for her leadership and recognized Commissioner Hewitt for his first meeting. Commissioner Hewitt introduced himself and provided a brief background.

9. Adjournment

With no further business to discuss, being duly moved by Vice Chair Budwig and seconded by Commissioner Miraldi, the meeting adjourned at 6:16 p.m.

AYES: Chair James, Vice Chair Budwig, Commissioners Lamb, Hewitt, Miraldi, Putman and Schwartz-Manock.

NAYS: None

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