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CALL TO ORDER

[Time: 00:00:03]

Mayor Ortega: Hello, everyone. I call the January 12th, 2021, city council regular meeting to order. Deputy City Clerk Cathie Butteweg, will you conduct the roll call.

ROLL CALL

[Time: 00:00:23]

Deputy City Clerk Cathie Butteweg: Mayor David Ortega.

Mayor Ortega: Present.

Deputy City Clerk Cathie Butteweg: Vice Mayor Solange Whitehead.

Vice Mayor Whitehead: Here.

Deputy City Clerk Cathie Butteweg: Councilmembers Tammy Caputi.

Councilwoman Caputi: Here.

Deputy City Clerk Cathie Butteweg: Tom Durham.

Councilmember Durham: Here.

Deputy City Clerk Cathie Butteweg: Betty Janik.

Councilwoman Janik: Present.

Deputy City Clerk Cathie Butteweg: Kathy Littlefield.

Councilwoman Littlefield: Here.

Deputy City Clerk Cathie Butteweg: Linda Milhaven.

Councilmember Milhaven: Here.

Deputy City Clerk Cathie Butteweg: City Manager Jim Thompson.

City Manager Jim Thompson: Here.

Deputy City Clerk Cathie Butteweg: City Attorney Sherry Scott.

City Attorney Sherry Scott: Here.

Deputy City Clerk Cathie Butteweg: Acting City Treasurer Judy Doyle.

Acting City Treasurer Judy Doyle: Here.

Deputy City Clerk Cathie Butteweg: City Auditor Sharron Walker.

City Auditor Sharron Walker: Here.

Deputy City Clerk Cathie Butteweg: City Clerk Carolyn Jagger.

City Clerk Carolyn Jagger: Present.

PLEDGE OF ALLEGIANCE

[Time: 00:00:57]

Mayor Ortega: Thank you, I ask Ms. Vice Mayor Whitehead to lead us in the Pledge of Allegiance.

Vice Mayor Whitehead: 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 Ortega: Well, thank you very much.

INAUGURAL REMARKS

[Time: 00:01:27]

Mayor Ortega: I am part of the new crew of Scottsdale city council, and I would like to offer to our new colleagues an opportunity to just tell us about -- to make some remarks. Will you start councilwoman Tammy Caputi.

Councilwoman Caputi: Wow, it's great to be here. I'm humbled by the trust and the faith you have placed in me. I'm excited about the important work at hand. I want to thank everyone who worked hard with me, especially my family who made great sacrifices this year. I intend to be a positive, forward-thinking member of this council, who will make diligent, fact-based decisions. I will work collaboratively with my fellow councilors to achieve the best outcomes from our city. The way to get positive results is to compromise and seek common ground.

I know our new mayor and the rest of our council are committed -- council are committed to these principles as well and I look forward to working with you all to achieve meaningful results for our citizens. I spent the last few weeks getting to know the city department heads and much of the staff and I spoke to thousands and thousands of residents listening to their hopes and concerns. What I heard from everyone is people are looking for leadership and stability, and my goal will be to provide these qualities on this council.

Scottsdale is an amazing city. We have tremendous opportunities in front of us, and I'm ready to get to work to help move us forward. Thank you.

Mayor Ortega: Terrific. Thank you. Councilman Durham, please.

[Time: 00:03:17]

Councilmember Durham: Thank you, Mayor Ortega. I'm humbled and honored by the responsibility that the citizens of Scottsdale have given to me and I'm thankful to the staff who have been very, very useful in helping me to learn the ropes and figure out what we need to do as councilmembers. And beyond that, I'm ready to go to work. So I -- I will keep it short and sweet. Thank you.

Mayor Ortega: Thank you. Councilwoman Janik.

Councilwoman Janik: Well, thank you and I'm humbled to be here in the Kiva. It's quite an honor to work with all of you and I think by working together and welcoming everybody to the table, we will solve the many problems that face us, and we will do it with compromise and with mutual respect for each

other. And I work to represent everybody, welcome all ideas, just contact me and I think the big environment thing I would ask -- biggest thing I would ask is everybody do their share to try to get the COVID virus under control by following the recommendations that have been made. Wear a mask. Wash your hands. Try to socially distance. We don't want all the sick and dying in our hospitals from COVID. We want our schools opened and we need to work towards that. So thank you very much.

[Time: 00:04:47]

Mayor Ortega: Thank you. Well, it's my great honor to serve the citizens of Scottsdale as mayor, and I will dedicate each and every day to making our city a place where families can thrive, where businesses will be successful, and where people will have a voice in their government. Very much looking forward to working with our new city council, certainly continuing members as well. If we act wisely, our community can be healthy. And our economy will rebound from the COVID pandemic. We will listen and lead humbly as we reflect on the residents' voices.

With that, we will -- thank you all and as we move forward. So we have Scottsdale police officers, Mike Melicka and Tony Wells, as well as deputy fire chief Bruce story from the Scottsdale fire department. If anyone requires assistance. I have a brief announcement, as part of the inauguration and I did sign an emergency proclamation to help continue the measures that we have to halt the spread of the COVID. And so that is enters of record, and you will see that later.

PUBLIC COMMENT

[Time: 00:06:31]

Mayor Ortega: Now, as far as public comment, I would move to that area next. Public comment is reserved for citizens to comment on non-agendized items that are within the council's jurisdiction. No official council action will be taken on these items and the speakers are limited to three minutes to address the council. Begin by stating your name and your address for the record and then proceed with your comment. When you have one minute remaining, you will hear an alert tone. When your time is up, you will hear probably two tones. A second alert and then you must conclude your remarks. Staff will mute you once again, and you will either stay in the meeting, to listen, or you may leave by hanging up the phone. Citizens remotely attending council meetings shall observe the same rules of order and decorum if they are physically in attendance inside the city hall and with that, I will just make another reminder, as long as it's not on the agenda, while we are open to these public comments. So with that, I will give it over to the tech to tell us about our non-agendized public comment. I believe the first one is from Valeri Marsh.

Management Associate Shane Stone: Thank you, Mayor. This is Shane Stone. We have three public commenters, as you mentioned. The first is Valeri Marsh. Valerie, I will unmute you on our end. Please press star six to begin speaking.

[Time: 00:08:28]

Valeri Marsh: Hello. Thank you so much. So this is Valeri Marsh, 7674 east Sutton drive and I'm so excited to welcome and thank the new councilmembers. Even before they were sworn in, they have already been pouring themselves out, getting up to speed on issues that they face alongside you veterans. Their commitment is already obviously. Some of them attended a Zoom meet with several experts last week to discuss the problems in the 4g/5g rollout, including the projected 20% devaluation of our properties and the resulting decrease in property taxes. This would be a huge football hit -- financial hit that our city can with stand. We discussed the unmonitored and unsustainable excess power being radiated through the air at levels millions of times greater than what is lawfully required for five bars on a cell phone. This power is allowing unconstitutional privacy violations, including surveillance of law abiding citizens, as well as a harvesting and selling of personal data across state lines. There are also documented health effects happening to Scottsdale residents already and potential lawsuits.

Mayor Lane assured the council at the September 15th study session that the local wireless companies are self-insured. This is technically correct, however, what was not mentioned is that every single one of those policies contains a pollution exclusion. This means they will not cover injury from radiation harm, leaving Scottsdale as the venture partner liable for lawsuits that could bankrupt our city. We have discussed a number of workable, legal solutions that we wish to present to the council as a whole. For example, because the actual operations of wireless facilities are not preempted, it's completely within our policing powers to solve a number of those problems by simply turning down the power being emitted from antennas. This is compliant with HB-2365 and every single federal law. Even more exciting, an expert attorney who has helped many cities solve similar problems is willing to speak with our city attorney for 30 minutes to explain how Arizona with its unique set of legal limitations can implement this solution. And this solution, rather than potentially bankrupting our city includes lawful policing fees that instead could bring in significant revenue. There's so much more to discuss and we respectfully are requesting an opportunity to do so before the month is out. Please see the Zoom recording and PowerPoint from that meeting which I have submitted into public record and let us know how we can assist you in taking the next steps to protect our public safety by fixing this problem. Thank you so much.

Mayor Ortega: Thank you. And I believe the next speaker is Kristen Graham.

Management Associate Shane Stone: Yes, Kristen, you are unmuted from our end. Please press star six to begin speaking.

[Time: 00:11:40]

Kristen Graham: Hello.

Management Associate Shane Stone: Okay.

Kristen Graham: Hello. This is Kristen Graham of 552 east drive of Scottsdale, Arizona. As a

professional healthcare provider, I see many people with chronic disease, including with those with electromagnetic activity. This is a serious issue that warrants your immediate attention. 5g or fifth generation wireless is adding new frequencies of pulsed modulated microwave radiation and wavelengths ranging from 20 inches down to .1-inch. Radiation of these wave lengths is hazardous because it's naturally absorbed by humans, animals and our valuable pollinators. It's one of the most studied phenomena in science. They studied the effects of radar and other microwave weapons in the years leading up to World War II. Through 2020, over 20,000 studies document the adverse biological effects of microwave radiation on biology, but these effects are being ignored by the FCC, ANSI, and NCRP and other agencies. Harm occurs at intensities far below any FCC or international maximum exposure guidelines.

At present not a single wireless facility in Scottsdale is being monitors for safe levels it causes insomnia, ADD and memory loss and opens the blood/brain barrier so that toxins easily enter the brain. It increases blood pressure and causes DNA damage leading to birth defects and damage and the red blood cell's ability to uptake oxygen. This will result in certain harms and lawsuits. Local government cannot shirk its duty to public safety. The metric that matters most is how much microwave radiation affects veterans. There are antennas 2500 feet away and 200 feet off the ground to the radiation. A small cell with antenna 30 feet away. These facilities are pumping into our homes 25 million times more power than needed for five bars on a cell phone. This inordinate harmful and wasteful amount of power goes against the general plan goals of sustainability. We need a potential ordinance in Scottsdale that will turn down the power.

One final note, I want to speak to you not only as a medical professional but also as a resident who suffers from many of those symptoms caused by pulse microwaved radiation. These sometimes are affecting families and residents abilities to run their businesses and keep our economy healthy. I urge you to make this an immediate and high priority in the new year. Thank you. I express a mere matter of concern and this is to the best of my personal and professional knowledge. Thank you very much for your time.

Mayor Ortega: Thank you.

Management Associate Shane Stone: Our third speaker with public comment is Meryl Jane Lefman. And Meryl, you are now permitted to speak. Please hit star six to begin your comment.

Meryl Jane Lefman: Hello, can you hear me?

Mayor Ortega: Yes.

Meryl Jane Lefman: Hello, can you hear me?

Mayor Ortega: Yes.

[Time: 00:15:07]

Meryl Jane Lefman: I was born here in Scottsdale and I have been a resident a long time. I'm actually also calling about the cell towers. We are long past the precautionary principle earned concerning human health. I was reading through a declassified military document this morning from the 1970s. It listed a great number of biological harms which have been added to over the decades and to repeat, harm from non-ionizing radiation which is well-established in non-industry science. Now Scottsdale has the ability to limit power and so to protect the citizens but so far is shirking the responsibility to do so. I'm appalled at the recklessness and the concentration of this exposure to our most vulnerable citizens, our children. I heard the mayor talking about family and we are radiating children. So wherever children are found, you know, schools, parks, churches and Scottsdale is turning up the radiation, without consent or limitation or credible oversight. That is not the way democracy is supposed to run. The Scottsdale council is charged with protecting the public from harm and there is reckless and unprecedented radiation.

My health is on the market. I'm shielded by neighbors who are bearing the high brunt of the radiation, however, I can't drive anywhere without being exposed, even at the intersections. And every time I go by the parks and I see the towers there and I see them at the schools, I just -- you know, I want out. I'm getting out. So I have a relationship with Thunderbird schools. And I was visiting the school before the levels were dramatically upped a little bit ago and already at Sutton and 76th, the radiation is 5,000 microwatts. A significant distance from the school, where the closer you get, the more exposure. So these kids are at that school 24/7, taking classes and sleeping are being dosed by unbelievable amounts of radiation. So it's a common thing in these towers. The people effects have no control. And the people who don't live there are raking in tens of thousands of dollars selling them out. I call them radiation pimps, except the people they are radiating out have not consented to the role and I ask you respectfully, please, stop what I consider to be hazardous waste sites all through Scottsdale, leaking a carnage. Thank you.

Mayor Ortega: Well, thank you. And now I will close public comment.

MINUTES

[Time: 00:18:25]

Mayor Ortega: So moving on, we will now consider approval of the minutes, and I request a motion to approve the minutes as posted. Councilwoman Littlefield?

Councilwoman Littlefield: I move to approve the minutes as posted.

Councilmember Milhaven: Second.

Mayor Ortega: It's been moved and seconded. And is there anything to add? Okay. All in favor? Say yes.

Councilmember Milhaven: Press the button.

Mayor Ortega: Oh, press the button. Okay. Thank you. Press extra hard if you agree. Thank you.

CONSENT AGENDA

[Time: 00:19:27]

Mayor Ortega: Well, next we have the consent agenda. Items 1 through 30. And we did not receive any requesting for public comment on the agenda. However, we do have a request by Councilwoman Milhaven to recuse from item number 27. So at this time, I will take a motion excluding item number 27 on the posted agenda.

Councilmember Milhaven: I make a motion that we accept or approve consent agenda items 1 through 30, absent 27.

Councilwoman Littlefield: I second that.

Mayor Ortega: We have a motion and a second. Any other further discussion? All in favor, so note. Okay. I voted yes. Once again we have succeeded.

Councilmember Milhaven: Mayor, I will recuse myself for item number 27.

Mayor Ortega: Thank you. So for the record, Councilwoman Milhaven has recused. I will entertain a motion for item number 27. Councilwoman Whitehead.

Vice Mayor Whitehead: Sure. I will make a motion that we vote to approve item number 27 on the consent agenda.

Councilwoman Littlefield: I second that.

Mayor Ortega: Thank you. I also have a second, Councilwoman Littlefield. All of those in favor, so indicate. Thank you. I will give word that Councilwoman Milhaven may return.

Councilwoman Littlefield: Mayor, could I say something, please.

Mayor Ortega: Of course.

Councilwoman Littlefield: I would like to thank our acting treasurer, Judy Doyle for the work she did. I think she did a fantastic job for the city. Thank you.

Mayor Ortega: Thank you. So noted. Okay.

ITEM 31 – DC RANCH NEIGHBORHOOD PARK MUNICIPAL USE MASTER SITE PLAN PHASE I (14-UP-2020)

[Time: 00:22:27]

Mayor Ortega: We will now move to the regular agenda. Item number 31. And the presenter is Meredith Tessier, the senior planner. Hello, Meredith.

Senior Planner Meredith Tessier: Hi, good evening, Mayor Ortega and councilmembers. I'm Meredith Tessier with the planning department and the case before you is 14-up-2020, DC Ranch neighborhood park. They express support and concerns regarding traffic, drainage and timing of improvements. The purpose of the MUMSP is to find that it's of general community interest and to ensure that the public has opportunity to comment on the use and design. Next slide, please.

The subject 14-acre parcel is located at the southwest corner of East Trailside View and North 91st Street as highlighted in yellow. Next slide, please. Before you is a close-up aerial with surrounding uses that include a commercial shopping center, and multifamily to the north, single family residential and light industrial office to the east, industrial office to the south, and vacant, undeveloped industrial land to the west. Next slide, please. The subject site is zoned open space, planned community district OS PCD which allowed municipal and park uses subject to approval of a conditional use permit. Next slide, please. Before you is the phase one MUMSP site plan, where access to the site is provided along east Trailside View and phase one improvements are comprised of a 1.5-acre lake, a meandering path along that lake. A pump enclosure and Ramada at the southwest corner of the lake and a landscape buffer along north 91st Street. Next slide, please.

Some key items of consideration are first, the MUMSP is consistent with the 2001 general plan. Next, the Parks and Recs Commission, Development Review Board and Planning Commission all recommended approval. Public comments received express support and concerns regarding lake maintenance, smell and noise, timing of improvements and phasing. And lastly, subsequent to city council approval of this MUMSP, the site plan, building elevations and landscape plan will return to the development review board for separate review and approval. Next slide. Lastly, I will conclude my presentation with this action slide which is adopt resolution, 1193 approving the MUMSP and CUP for a neighborhood park. Thank you.

Mayor Ortega: Thank you. With that, I would open up public comment on this matter, and turn it over to staff to relay those comments.

Management Associate Shane Stone: Thank you, Mayor. We have four public commenters on the item. The first is Chris Irish. Ms. Irish, I will go ahead and permit you to speak. Please hit star six to begin your comment.

[Time: 00:22:27]

Chris Irish: Can you hear me?

Management Assistant Shane Stone: Yes.

Chris Irish: Thank you. This is Chris Irish. Address is 20551 North Pima Road, Suite 180. I serve as director of public affairs for DC Ranch community council and I'm speaking tonight on their behalf. For those of you that are not familiar with DC Ranch, the community council is the highest governing body and represents the more than 7,000 Scottsdale residents who live in DC Ranch.

I would like to congratulate and welcome Mayor Ortega. I look forward to the day when we can meet in person and I hope to establish a positive and productive working relationship with each of you. I also want to thank Councilmember Milhaven and Vice Mayor Whitehead for their help in delaying this agenda item from the December 7th meeting to tonight. So the public can be provided with more details on the lake and to allow the public to provide input on those details. We feel this extra month's time was very well spent.

A significant amount of feedback was generated and city staff and their design team have implemented many of the public suggestions into the design project, which made much better projects and we're very grateful for that. However, the DC Ranch community council has a safety concern that the city has not addressed. The project includes a 12-foot deep lake that will be accessible after dark, and no lighting is provided. Low-level lighting needs to be included around the lake and path to ensure the public safety. We have worked well together to ensure that the lake is a park amenity that the public will enjoy. I think it's equally important to work together to make sure that it's as safe as possible. Thank you.

Management Associate Shane Stone: And our next commenter is Alex McLaren. Mr. McLaren, I will go ahead and permit you to speak. Please press star six to begin your comment. Mr. McLaren, if you press star six on your phone, it should unmute you. I'm still showing you as muted.

[Time: 00:28:13]

Alex McLaren: Can you hear me now?

Management Associate Shane Stone: Yes.

Alex McLaren: Sorry about that. This is Alex McLaren, 7624 East Osborn Road. Just to clarify, I am not speaking as a representative of the bond oversight committee. I am speaking as a 36-year resident of the Scottsdale. I'm also speaking as a civil engineer who worked for the city of Scottsdale for 21 years from 1985 to 2007. I was an engineer involved in the planning and the construction of much of the infrastructure for this -- that was installed north of the CAP canal. I'm speaking as a city staff member who is involved in developing the numerous bond projects in 1989 and 2000 bond programs. In addition, I followed and have input into the projects that were approved by the voters in 2019. I'm I have a strong supporter of all the bond 2019 projects.

When this was found at the location of Bell and 94th Street in the vicinity of WestWorld, this was language that called out the construction of a retained water system in order to irrigate the fields. The bond language for the project called out the installation of an irrigation system. When the desire the project was taken, different options and alternatives were investigated in order to supply the necessary water for the ball fields. It was determined that the most practical solution was the proposed lake on the park side. The park side is suitable to the location and elevation. The park had been dedicated to see when DC Ranch was zoned and approved. There's many other parks in the city that have been used for storage of irrigation water. The water is reclaimed water that is used for irrigation in many areas north of the CAP canal. I urge the approval of the municipal use master plan. This will be for all of our residents and the lake is an enhancement to the facilities. I would concur that it needs to be safe. In addition, the lake will be a source of irrigation, water for the ball fields. Thank you.

Management Associate Shane Stone: And our third public commenter is Mike Leary. Mr. Leary, I will go ahead and permit you to speak. Please hit star six to begin your comment.

[Time: 02:28:13]

Mike Leary: Mayor and city councilmembers, thank you for the opportunity to speak. I would like to welcome the new members and wish nothing but the best with your work for the next few years. I also want to thank the existing councilmembers for having continued this case for a month. Like Chris had mentioned, that month meant a lot from the standpoint of an issue that I had raised prior to your last meeting, and that matter is drainage. Back in 2008, there was a master drainage plan done for the state land department property, which identified a severe flooding potential down on bell road near the 101. The staff has relooked at that issue because the solution to that over -- over topping was to be a detention basin in the park. Staff has gone back to the -- the DC Ranch park designers and they have done a reevaluation of the drainage and have determined that there is no longer a need for mitigating the flood potential on the DC Ranch park site and that the drainage area can be handled with the existing culverts under bell road. That is absolutely huge news because we were always aware of the problem that was going to be by having to have a shared facility with the park. I just wanted to make sure that this was made into the public record that staff has said that they can -- we can rely on future developers, the state land department, the downstream property owners can rely upon the Gavin and Bakery park and the state land. I would be remised if I didn't express my concern about having a remote reclamation pond and from the standpoint of it being unmonitored and I -- I just think it would be more appropriate if it, indeed would be on the parks -- on the Bell Road Sports Complex. That concludes my comments and, again, thank you very much for your service.

Management Associate Shane Stone: And our next public comment will be from Mike Norton. Mr. Norton, I am permitting to you speak now. Please use star six and begin your comment.

[Time: 00:34:00]

Mike Norton: Good afternoon, Mayor and city council. Thank you very much for allowing me to speak and congratulations to each of you on taking your seats today as our new elected city leaders. I am a

27-year resident of Scottsdale. I'm currently the executive director of the Athena Foundation Scottsdale, which is a follow-on C3 that's dedicated to fact-based development and policy making opportunities for the city and for the local community. I was also the cofounder and the cochair of -- for the Best Scottsdale political action committee. We campaigned on behalf of those bonds. In part, I was motivated to campaign on behalf of the bonds because I believed in the projects. I thought it was a good use of the city's bonding authority and the general obligation bonding authority. I also did that because I wanted to see the city restore some faith and confidence in our city council, and our ability to govern without conflict and without fear that gamesmanship was going on in the management of the city. And perhaps that was a bigger objective for me than the question of how we spent.

This project brings a special question in had front of a brand new city council and it's going to provide a challenge to you to maintain credibility and voter faith and confidence as you move through a more complicated question than whether or not the engineering is proper and the water flows well from the wastewater treatment plant. DC Ranch neighborhood park is held by the city under a special deed, with perpetual restrictions and covenants that requires it to be used only for a park and it may not be used for any purpose other than a public park. If we were building a park that had a lake or a pond, it wouldn't be a debate. There's a lot of lakes -- a lot of parks that have lakes. We're building a park that will also have other developments, other improvements associated with the park that are not covered by the general obligation bonds.

The general obligation bonds that would normal fund this project cannot be used for any purpose other than those stated in the bonds, which included athletic fields that would be used for parking for major events and the development of irrigation and water supplies, but not a park. If we just treated the wastewater holding pond as the single installation that was going to go in at 91st street, the bond funds could be used but it would be violating the deed. If we treat the pond as part of a lake. The pond development can be developed through the bond program but the remainder of the development of the park can't be funded through the general obligation bonds. It could be funded through the general funds but we have a really tight budget. I urge you to reconsider how we move forward with this project and how we fund it.

Mayor Ortega: Thank you.

Mike Norton: With appropriate authorization, we are going to hurt the credibility of a brand new city council. Thank you for my time.

Management Associate Shane Stone: Mayor Ortega, that concludes the public comment on this item.

Mayor Ortega: Thank you. For the record, I close public comment on agenda item 31. Do we have a motion for regular agenda item 31?

Vice Mayor Whitehead: Should we speak first or --

Mayor Ortega: Sure. I recognize Vice Mayor Solange Whitehead.

[Time: 00:38:04]

Vice Mayor Whitehead: Okay. So normally on a project like this, I like to thank the residents first because the residents make our projects better, but tonight I'm going to reserve the first thank you to assistant city manager -- sorry, assistant city manager Bill Murphy. I'm in awe of what Mr. Murphy has done on this project. What we have done is taken multiple different areas and created in a short term area another gem, another area of our city that is just spectacular and people sometimes complain that government is inefficient. I would argue that this project, every aspect of this project serves so many different needs. We are recycling water. My goodness, we live in a desert. We are creating fields that we need and our rev new generators we will create a beautiful park and that's where we need to thank the residents. I personally do this and there's a lot of people that do it either by horse or walking or jogging or bike, we are creating this entire connectivity set of paths from WestWorld, all the way north, now up into the park and around this new lake. So I am just -- I can't believe where we started which was a afternoon concept to where we are today. Now I want to thank the residents. You guys did a great job. I can't believe how much I learned and how much this project -- it's the little tweaks and the little decisions that we make that really add value to our city as a whole, and so thank you for taking me up to one of our beautiful parks that bill Murphy was in charge of building, that I had not seen up in the north, and I'm very sited to approve this project but I do want to ask a few questions.

So now that I thanked everybody, here's my asks. Mr. Murphy, is it possible and staff, is it possible to have no low level lighting around that lake to have some safety?

Executive Assistant Strategic Projects Kroy Ekblaw: Mayor Ortega and Councilwoman Whitehead, this is Kroy Ekblaw. We will identify the low-level lighting around the lake. I did want to advise, we do have a short presentation that will address some of the questions and comments a little bit of process that happened over the last 30 days as well, if the council would like. I think it would address some of the questions that might be out there, but I'm happy to defer to the mayor's direction here.

Mayor Ortega: Excuse me. I'm just expressing my prerogative. I would prefer to start with a motion and then, yes, second and then move on that way.

Vice Mayor Whitehead: It's the new guy in town.

Mayor Ortega: So please read the new detailed resolution.

Vice Mayor Whitehead: Cave. It was item -- hang on one minute.

Councilmember Milhaven: Mayor, I would like to make a motion to approve number 31, DC Ranch neighborhood park municipal use master site plan phase one, 14 live up-2020.

Vice Mayor Whitehead: And I will second that with.

Councilmember Milhaven: With the additional of low-level lighting around the lake.

Vice Mayor Whitehead: I will resecond that.

Mayor Ortega: Well, it's been moved and seconded and we will have discussion. The resolution is moved and seconded, resolution, 11993. So is it -- I believe I heard that we would like a more detailed presentation and looking specifically at lighting element as well. Proceed, Mr. Murphy.

[Time: 00:42:26]

Executive Assistant Strategic Projects Kroy Ekblaw: Thank you, Mayor Ortega. This is Kroy Ekblaw. I do have Bill Murphy in the conference room with me and he can answer additional questions. Kelly, you can advance the slide. Again, there's a relationship of this project to the 2019 bond, specifically, the reclaimed water and the improvements to service the fields, and the next slide shows you the context of location of the projects. The central green road site, Bell Road was approved last month by the city council. The one to the south will be a future application at WestWorld. These were all part of where the fields will be located and then the site tonight is the DC Ranch neighborhood park, and as you have already heard, irrigation at this site.

Next slide shows you just a relationship. Water will be delivered from the water campus, to this site, and then this site and the DC Ranch park site and the bell road sports complex will be irrigated by this area. And the next slide is just the historical, that when this site was dedicated by D.M.B. and DC Ranch in 2003, this site plan was approved by the city council at that time. A very generic bubble plan with active, passive landscape and parking uses.

The next slide shows that there were two stipulations with that case. And the one of importance is the one highlighted in yellow saying the final location of improvements are to be submitted to the council on the planning commission for approval and that is now the process that is before you this evening. The next slide takes the same site plan from 2003 and overlays the bubble conceptual idea of the lake and the pump station on that to show the context of the passive use with this public plan, and in August of this year, we began the public process with the next graphic slide that really evolved that plan and showed the 2003 bubble plan with the lake and the pump station being included in that. With that, we opened up a process from August through December and this next slide is the one that Meredith already touched on, that was updated here in December.

This is based upon input from neighbors and this next slide shows kind of boundaries of the phase one itself, as the lake, the landscape buffering, the trail, and access is occurring. And then future phasing will be dependent upon input from the neighborhood and the community-wide, to determine what's most appropriate for this location. And so that will be an upcoming process that will address the future amenities that would be added to this park. This next slide just reiterates that this, indeed is a park site with a lake amenity. It's always been the intention. There's no water treatment occurring here. And the water is previously mentioned will be used as an amenity for the lake and water the landscape plan you see on this site, and the sports complex further to the south.

This next slide shows that you DC Ranch already has three lakes in their community that are very similar. They have -- they are fed by the same water source we are talking about. They will be maintained by the DC Ranch association. The park site we are talking will be fully maintained by the Scottsdale parks department and our staff and our contractors. The next slide identifies that noted public process, and in that six months that we have been going through over 200 comments on the park site itself have been received, and so we have been making revisions and amendments really based upon that.

This next slide highlights that the -- the location of the lake and the pump station were intentionally, strategically put as far away from existing residents as possible. Over 650 feet set back, and as required in any situation, the pump equipment is behind a 9-foot wall, higher than any of the equipment and will buffer the sound from that area. The next slide just speaks to the fact that we paid attention to lake edge treatment, the safety protocols as just noted address additional look at lighting in this area. This next series of slides shows some of the revisions that were made. This was a previous plan. Showing some adjustments made in meandering the trail and adjusting the path and the width of the turf. And this was some comment about the lake itself, and the symmetry of the lake. The more symmetrical we keep that, that helps us maximize water move element so that we -- movement so that we don't get stagnant water and that reduces the possibility of mosquitoes in that area. And this is the southwest view of the site. And this next slide shows you a visual sketch of laying in the Ramada and the lake on this location. And then additionally, this next slide points out the location of the Ramada near the pump station area, and this next slide shows the character sketches of that and the pump station and the landscaping surrounding that.

Next slide identifies some of the trail amenities that we focused on, connections from the neighborhood into the park site, and having a trail system that will allow one to walk around the entire park. The next slide then identifies that 91st Street is a -- has a bike path on it and therefore no parking is allowed on the street and then the other concern was that the parking lot on this next slide is that there will be gates that restrict parking to house use of a park only. The other comment is that we use some of the soil from the lake excavation in the areas. Turf and the trails to further create some undulation and interest in that the next slide is a summary of the Bell Road traffic study.

We had a traffic study done by an outside consultant. The majority of that really focused on aspects on Bell Road, 94th Street and 91st and they addressed all of the collision analysis and the majority of improvements associated with that are associated with the Bell Road project. This first phase of DC Ranch park is not creating any additional traffic. We would do traffic analysis and improvements necessary to compliment those improvements and that we will continue to look at pedestrian facilities that would connect this park to the neighborhood to the west at that time.

This next slide is just a reminder then that this shows both the Bell Road Sports Complex further south and DC Ranch to the north. All of these elements are funded in the budget and the expectations is that these improvements will be in place. And specific to that, this next slide highlights that the -- to Mr. Leary's comment that there would be no regional drainage detention is required, and that was as Mr. Leary points out from plans from 2008, information in 2020, 2021 is that things have changed with other improvements and with better understanding. Hydrology and there is no regional draining

detention required on this site and as Mike said, that was very good news for all involved.

This next slide, then highlights that field reservations for sports use are for the end of this year. And with that, we are looking to have the turf installed this summer in order to support activity by that time. This next slide really reiterates something that Meredith already presented to you about compliance with elements associated with the municipal use process. So I will not repeat those for you. And then the final slide here is our -- in support of the parks commission, the development review board and the planning commission, the community services staff are requesting your approval this case. We are happy to answer any questions you may have. Thank you very much.

Mayor Ortega: Thank you. We heard the enthusiasm of Vice Mayor Whitehead. So please continue.

[Time: 00:52:43]

Vice Mayor Whitehead: Thank you, Mayor. Yes, I thank you, Kroy. I would like to add you to the list of people that have -- that will be behind making this area really fantastic. There was a question about -- orientation for view purposes. Can you touch on that?

Executive Assistant Strategic Projects Kroy Ekblaw: Yes, Mayor and Vice Mayor, the -- some of the comments coming from citizenry right now, they are very interested in maximizing view sheds as one is in the park site around the lake. As we move into more finite or detailed grading plans, we believe that we can do some adjustments to orient the lake -- the configuration would stay the same but a slight adjustment of that would help to maximize the view sheds and we will address that as we get into the final design plans.

Vice Mayor Whitehead: Perfect. Thank you.

Mayor Ortega: Thank you. Councilwoman Caputi. Please.

Councilwoman Caputi: I first want to agree with Councilwoman Whitehead, fantastic project and thank you to everyone on staff who has helped to get this together. I want to make one point. I heard from some people and members of the bond oversight committee, whether it's appropriate to use bond money for this project and just in nature of the transparency for everyone, if we could have maybe the city attorney or the city manager just address this so that we can put that confusion to rest and the residents know that we are being very transparent here.

City Attorney Sherry Scott: Mayor Ortega and Councilwoman Caputi. Sure, this is Sherry Scott, the city attorney. I'm happy to clarify that. When the bond project that's being discussed went forward, it was clear from the materials affiliated with that bond question -- and I'm reading directly from those materials, that costs included in this bond project purchasing land, designing and constructing necessary reclaimed water, sewer and drainage improvement to accommodate water delivery to the recreational

fields. So that is an appropriate of that bond money. When we get to beautification of the park site, I don't believe that staff is intending to use bond money, and that's coming from a different fund source. The action tonight is to approve the municipal site master plan for this anticipated project.

Councilwoman Caputi: Thank you.

Mayor Ortega: Sure. Councilmember Durham?

[Time: 00:55:44]

Councilmember Durham: Yes, I wanted to ask Mr. Ekblaw, there were some concerns expressed about the Trailside View intersection with Pima, which I drive by that very often and I know it's not a very safe place. Is there any consideration to doing something with that intersection in the future in case this park generates more traffic for that area?

Executive Assistant Strategic Projects Kroy Ekblaw: Mayor Ortega and Councilmember Durham, this is Kroy. In the simplistic sense, this park is not increasing traffic and so therefore, it was not creating an additional burden to that situation, but we do have our Transportation Director Mark Melnychenko, we have been studying that and mark can speak to the status of that if you would like.

Councilmember Durham: I don't think that's necessary today, to vote -- to vote on the municipal use site plan, but I think it is an area of concern that I would like to be -- to hear more about in the future.

Executive Assistant Strategic Projects Kroy Ekblaw: We can certainly do that.

Councilmember Durham: Okay. I'm very much in favor of this project, because I think the essential concern of irrigating the fields was definitely contemplated by the bond funds and since they will make a pond there, it makes sense to make the best out of that, and to develop this into a community amenity. As Ms. Whitehead and Councilmember Whitehead and Ms. Irish have stated, there have been very many improvements to this over last few months. I have been watching the progress on it and I think it's become a much better project so I will vote in favor of it.

Mayor Ortega: Thank you. Councilmember Milhaven.

[Time: 00:58:10]

Councilmember Milhaven: I wanted to follow up on the question about the bond monies and Mr. Norton's concerns as well. So we're using bond money just to build the water retention and irrigation. The other improvements, like the landscaping and the lighting is not being paid for out of bond money. I think Mr. Norton -- if I understand the point that Mr. Norton was trying to make, if you use money, it's for irrigation -- if you use bond money it's for irrigation, you can't call it a park. And so if you call it a park, then you can't use bond money if I'm following his logic. And I guess what I would say to Mr. Norton, I think it can be both. We can create irrigation and build a beautiful park around it.

I don't think it's mutually exclusive. I think it's certainly in keeping with the intention of the bond and the improvements are coming from other sources. So thank you for letting me share that.

Mayor Ortega: Thank you. Councilwoman Littlefield.

Councilwoman Littlefield: Thank you. That was part of what I was going to say also, Councilwoman Milhaven and I totally agree with what you commented on and what you said. I have one quick question, probably for legal. Sorry, Sherry. Just to make sure from the very beginning of this, there were a number of emails and questions from residents regarding whether or not by doing this park we are satisfying the original terms of the original contract with DC Ranch, and when he this let us use this dedicated land. I want to make sure that that has been collected on and we are satisfying the terms and conditions of that contract with DC Ranch.

City Attorney Sherry Scott: Yes, Sherry Scott from the legal department. We have looked at that deed restriction quite closely and it does require that the park be used as a park use, which this is going to remain fully a park use, even though some of the water may go to a different park site. But we are very satisfied that the terms of the deed restriction will be complied with as this project has been explained to you today. It did contemplate amendments and changes to the site plan through the process that you are going through tonight. So that I think that we are fully complying with the deed restrictions that have been put into place for this site.

Councilwoman Littlefield: Thank you. I wanted to ask that question in the interest of openness. Thank you very much.

City Attorney Sherry Scott: Thank you.

Mayor Ortega: Well, terrific. With that, I would just conclude comments by saying that I believe that Scottsdale has 41 city parks, and this will be 42, which is a nice number and a great culmination of good planning. With that, I will call for a vote on the resolution which is number 11993. All in favor, so indicate. Thank you that passes.

City Attorney Sherry Scott: And just for the record, for those who can't see the screen, just clarifying that that passed unanimously.

Mayor Ortega: Oh, thank you. Yes, unanimously.

ITEM 32 – PRESERVE AND DESIGNTE CITY PROPERTY ABUTTING THE CANAL IN DOWNTOWN

[Time: 0:01:46]

Mayor Ortega: Well, moving on to -- item number 32. Thank you, council. I brought this item for discussion moving forward, just to clarify this has to do with our sterling downtown area. The focus of the canal convergence, the focus of a lot of activity and investment, and the purpose of my motion is

to -- in fact, I have some overhead slides just to be very clear about this area.

If you could put up -- let's start with this shows the area of the Salt River project license runs. It indicates a triangular area towards camelback, and then along the south bank is what I'm referring to. You can go to slide b. Slide b indicates further along the canal -- actually, this is way south near where the rose garden is. So this just indicates the city right-of-way. It's usually about an 18-foot-wide alleyway and it is right next to the right-of-way of the Salt River project. This shows another bit of patch work where you can see the yellow or orange yellow portion and you can see how significant that would be in the width of the convergence. So I just wanted that to be brought to the attention. And if you would go to -- that's the first part of the motion, just to try to have staff identify those assets that the city has and how the impact might improve things and this particular one, just before the Goldwater bridge, you see that it does narrow significantly because we have an underpass there. So that area is significant.

Why not go to the next slide. Okay. This slide refers to -- I call it kind of a postage stamp. It's a small park area, that I would say is right under our nose. That's with the Soleri Bridge, for the summer Solstice and, of course, the other lower part of the triangle would be the part that has a lot of significance with our holiday ornaments and other things. So I'm asking that the city bring forth information to us, so that we can look at the significance of the assets and for that reason, as I say, it's kind of like a -- maybe it would be the 43rd park in our town. So, I'm -- I'm asking for a motion. This is not a rush item that has to be brought forth immediately, but we do want to -- as we evaluate whatever improvements are, made on the south bank area, and also consider the park designation. So I would make that as a motion.

Vice Mayor Whitehead: Mayor, I would like to make a motion to approve item 32, preserve and designate city property abutting the canal it downtown.

Councilwomen Janik: I second that motion.

Mayor Ortega: Thank you. And seconded by Councilwoman Janik. We have -- we are now open for comment. Councilwoman Milhaven?

[Time: 01:06:08]

Councilmember Milhaven: I'm certainly open, always, to considering and understanding what our options are. It's just not clear to me here -- we're going to ask them to give us a list of the property we own along the canal and I'm not sure for what purpose or why we would make this a park. So I would certainly look forward to more conversation there. For the property -- and generally, my first reaction is, yes, we want as much open space as we can have, but I know we have been -- and some of the projects we have done, what we have been able to do is sell the city property so the city makes money, and then we collect tax revenues on the property and we can require the adjacent property owner to maintain that as open space, so we get the money for selling the property and we get the taxes for going back in the tax base and then we require the property owner, who is usually an adjacent property owner to pay to maintain that space and leave it as open space.

I'm a little -- I'm certainly willing to explore and discuss but I'm a little reluctant to, since this is an area where we are looking to redevelop, and there may be better ways to look at. That's just my initial reaction to that. I'm certainly willing to consider -- I would like to know more about what you would like to do with these areas. Thank you.

Mayor Ortega: Let's go to the city attorney if you have some comments.

City Attorney Sherry Scott: I just wanted to clarify the motion and I may just not have heard it correctly. But this is a motion to direct staff to study, evaluate options and bring forward a future agenda item to do one and two, which you have described, try to maintain remaining city property interests along the canal in the downtown for public recreational or open space, and potentially designating open -- the open recreational area near Soleri Bridge to become a formal city park potentially named Solstice park. So it's for a future agenda item is the main thing I want to clarify with the motion.

Mayor Ortega: Thank you. Councilwoman Janik.

Councilwoman: Janik: I no he there -- I know there's some confusion of when a park is a park. I think by getting more information and clarity, we can do a better job of defining the area that does represent a formal park. So I think this is a very good idea to proceed with. Thank you.

[Time: 01:08:41]

Mayor Ortega: Thank you. And I do want to clarify the concern expressed by Councilwoman Milhaven, that as she mentioned, there is some -- there are many options on the property and you have been on council, you know, longest and you have experience with that, but I want us to all be aware of the assets that we have. And certainly, improvements by adjacent developers is just part of what is required in Scottsdale, whether it's a half street or alley or whatever. So there are many things to discover here and even the potential of having even somebody underground -- underneath -- not visible, but still giving us the openness that the convergence needs. So with -- I see Vice Mayor Whitehead. Thank you.

Vice Mayor Whitehead: Mayor, I wanted to clarify, perhaps my motion for the record, that we are -- that I'm making pay motion to approve item 32, which is a request to -- that directs staff to study, evaluate and bring forward an agenda item where we study the preserve and designate the city property abutting the canal in downtown as a park.

Mayor Ortega: Thank you. And is that clear for the second?

Councilwoman Janik: Yes.

Mayor Ortega: Thank you. With that -- oh, Councilwoman Caputi, please.

Councilwoman Caputi: I'm good with approving to bring forward to a future agenda item, but it feels way too vague at the moment and there's just so many unintended consequences that we're not aware

of yet. I would just -- I'm okay approving to bring it forward to a future agenda item, but I definitely would need a lot more information from staff before I would be able to be comfortable making a decision about this. Just for the record.

Mayor Ortega: Certainly. With that, we can note your vote. All in favor, say aye or note. Okay. The results are 7-0.

ITEM 33 – GENERAL PLAN TASK FORCE

[Time: 01:11:01]

Mayor Ortega: Continuing with the posted agenda, we will go to item number 3 -- 33, excuse me. General plan task force. I yield to Councilwoman Littlefield.

Councilwoman Littlefield: Thank you, Mayor. First, I would like to thank the current citizen review committee for all of their time and all of their hard work. I have watched several of the meetings that they held and I was impressed by their dedication, their determination, and their love of our fair city. That came through very loud and very clear. Thank you. But although I like and agree with some of what they have done, especially in the later chapters, I cannot support the draft plan as it stands now. I truly believe it has some very serious weaknesses.

Therefore, I would like to move to agendaize for the January 19th council agenda the appointment of a new seven-member task force to review the revised general plan as presented and submit an updated plan and recommendations for the council review. This will be an open application process. Members of the task force will be appointed from applications submitted from the general citizenry and represent all parts of the city.

Because of the time factor, I ask that if council agrees to this request, all citizens who are interested in submitting an application for the council review will do so as soon as possible. This task force will be charged with reviewing the entire plan, receiving citizen input, and then presenting it as modified to the council for review and a vote. Finally, although I would like to be able to submit an approved plan to citizens this coming November for their approval, it is more important that we get it right than we do it quickly. If we can't make the deadline dates, we can continue with the plan we currently have as long as is necessary until we do get it right, and then submit it for a citizen vote. Thank you. I so move.

Mayor Ortega: Thank you. The chair recognizes the motion and the second by Tom Durham. Do you wish to speak to your second? Otherwise, we will go into public comment. Councilwoman Janik.

Councilwoman Janik: Can I speak now?

Mayor Ortega: Yes, please.

Councilwoman Janik: I fear as we currently see the general plan, that there's substantial opposition

from parts of our community and it's not just one particular section. It's basically all the way from north to south. And I agree with -- north to south and I agree with Councilwoman Littlefield, that it's way more important that we get it right, that it represents the vision of the citizens for their city rather than do it quickly. We will try to accomplish the deadline and the dates that have been set, but in the event that we can't, we should be willing to extend those deadlines so that we make sure it represents what the citizens want and that we have a very, very good chance of it being approved. I don't think we want to present another general plan, that the citizens turn down. So I think we can work together on this and I think we can come up with a -- a plan that would be very -- that most of the citizens would be very pleased with. Thank you.

[Time: 01:14:47]

Mayor Ortega: I would ask that we get information before we have more discussion, just about what the status is about the -- of the general plan right now. And perhaps we can get that from a staff member?

City Manager Jim Thompson: Mr. Mayor, members of council --

Mayor Ortega: You might need your mic.

City Manager Jim Thompson: Excuse me?

Mayor Ortega: I didn't hear it on the mic. So --

City Manager Jim Thompson: Can you hear now?

Mayor Ortega: Yes, that's better.

City Manager Jim Thompson: I had it on. Datewise and time-wise, if there's no hurry, many of these dates don't apply, but where we are at, we have concluded the outreach element associated with the group that was brought together, which was comprised of many of your boards and commission chair people, and members, who comprised that board. So that's concluded.

And so where we are at now is the general -- January 8th, the 60-day notice to other jurisdictions. Of 60 days before 15-day notice of the planning commission meeting, which would be henceforth and then January/February time frame is usually community open houses with the draft plan and then February 10th and March 10th, you would have the planning commission would have multiple study sessions for which no public testimony, information only could be received. March 9th would be a 15-day notice of a planning commission meeting, which would be public engagement, as well as March 24th, and it goes on and on, all the way through to November 2nd, when the election is. I can walk through it all if you desire. But to hit the timeline of November 2nd, general election, you would have to start the process now and if you wish to deviate, we then would be looking at next year potentially for your consideration of the election, which is, again, council's choice.

But there are multiple public engagement periods along this way. You could even ask council when it comes forward to you, the city council's work study sessions plan in February, March and April, could you add to those or add additional meetings if you desire as well. You could also do as this evening if you are considering to come back and put an item on for council's consideration to appoint an additional board or commission for further review, and public outreach as well. If you did that, this would stop where we are at today, and we would have to insert that in front of this, because this is following state statute, which is required here. If you did that, you would then have a period of time to locate or appoint those board members and have them do whatever you desire them to do and then start this process again. So if you could conclude by the end of -- well, probably around October or so, you could put it on the primary election for 2022, or you could have it on the general election for 2022, which would be the November time frame if you are done by the end of the year. So we could start the process again on January 8th with the 60-day disclosure period. So those are what you are looking at.

Mayor Ortega: Thank you. I appreciate that overview. Vice Mayor Whitehead?

[Time: 01:18:25]

Vice Mayor Whitehead: So I just want to agree with Councilwoman Littlefield, in that I have -- I'm surprised actually -- I sent out -- I receive a lot of emails from the residents. And with newsletters I put out and I say, hey, what are your top five for next year. What do you want me to do for next year and three of them came back with the general plan. Again, I think that speaks to the residents. Our residents are so engaged, and so the last general plan was 2001. And so are there any -- other than the added time, are there any reasons, any legal reasons with the state that if we ended up bumping it out there would be some repercussion to the city?

City Attorney Sherry Scott: Mayor and Councilwoman Whitehead, so the state statute is unclear about exactly what happens when the city adopts a general plan, which we have adopted a new general plan and sends it to the vote -- to the voters and they reject that. I think as long as we are trying, as long as we keep trying, I think we're on solid legal ground to meet our requirements to adopt a new general plan every ten years. So our current general plan that we are operating under is a 2001 general plan and we are past that time period, right, but it's not for lack of trying. I think we are meeting the spirit and the intent of the statute.

The problem is not everybody sees it that way. The perception is sometimes that we are in violation of the statute. I have heard others say that, and so that becomes the -- the difficulty. I'm not concerned as the city attorney, but there is a perception issue that we're in violation of the state laws.

Vice Mayor Whitehead: Okay so I just -- and I'm not sure what the proper path is, but I appreciate that you have pointed out that there's wiggle room and that we're certainly trying, and kind of like the park. You know, if it's -- it's the little details. Use of different words. I think the plan that this group put together is a very good starting point. I certainly am not advocating throwing out their work, but I think I would like to add possibly -- or have a discussion about adding a different -- additional layer where we go from good to great. So that's -- I would support her Councilwoman Littlefield's motion.

Mayor Ortega: Councilmember Durham.

Councilmember Durham: Yes. I support councilwoman Littlefield's motion also. I think the citizen review committee did some very good work in adding additional elements to the plan, which were necessary and important, such as the tourism interview -- the tourism section, and I also appreciate their time and effort in bringing this plan forward, but I believe that more work is necessary and we need to get this right, as Councilmember Whitehead just said. More work can get it from good to great, and I don't think we should settle for anything less than great when it comes to the general plan. And it's more important to get it right than it is to get it on the ballot this November. So let's get it right and then proceed to a vote on it.

Mayor Ortega: Councilmember Milhaven.

[Time: 01:22:24]

Councilmember Milhaven: Thank you, Mayor. I'm -- well, I don't -- I don't know where to start. So a year ago we agreed on a process to develop the plan, and three of us were part of that decision. And I read in the paper Councilwoman Littlefield talked about wanting folks who were not involved in government contributing to this, but we had 13 citizens and I know Councilwoman Janik talks about listening to the residents and listening to the citizens, but we had 13 citizens who were members of boards and commissions who volunteer their time. I'm sure there's some concern about they may be jaded by the fact that they were appointed by the last council, but these people sit on the preserve commission, historic preservation, tourism, the airport commission, environmental advisory, the library board, parks and rec, and I said neighborhood advisory, human services and human relations and to say that these folks' opinions -- thank you for acknowledging their good work.

We acknowledged the process, but I don't like the plan they came up with, is really not respecting their work. I do agree that the more input we can get, the better, so I'm absolutely all for opening up to find additional ways to engage more people in the conversation. I'm very reluctant to narrow it to say we're going to pick eight people whose opinions are more important than the 13 people we picked, or than the other people we may be able to reach out to. So I'm very reluctant to narrow that down to eight people.

The other thing is I think this is our responsibility, right? So Councilwoman Littlefield, if there's stuff you don't like in the plan and you are hearing from citizens that they want changes, then I think that's our responsibility to take the draft, listen to what the citizens have to say, and for us to agree to accept or to change parts of that plan. I think to appoint an eight-person council is abdicating our responsibility to the people who elected us to listen to them. And so I would not support the commission but what I would do is I will make an alternative motion many to request staff to schedule a study session if possible next week, if we could add it on to our regular meeting agenda, for us to review how we're doing public outreach and how we might enhance the public outreach to make sure we have the most robust input from as many people as possible so that we can make the right decision on what goes in

our general plan. And that would allow us to still listen to citizens and meet the regulatory deadline.

Because the other thing I would add is -- and the city attorney alluded to this, right, so we are supposed to bring a plan forward every ten years. So we brought a plan forward in '11, which was turned down. So that would mean -- and then we have been working on it. So it's like do you have to bring it forward again but we have been working on it, but we need to bring one forward again in '21, that's ten years. Although there's no enforcement mechanism since that time, the state put in a thing that says if they decide we're out of compliance with what they have told us to do, they can withhold state-shared revenues and while I don't think the state has done that yet, he certainly don't want to risk it for somebody to stand up and say, you are supposed to send it to the ballot every ten years and you missed it. I think it might be a low-risk, but it's not a risk I'm willing to take and that's why I would like us to get to work and make this plan as good as it can be.

That's my alternate motion that we direct staff to study a work study next Tuesday added on to the regular meeting, for us to review public outreach and how we can enhance our public outreach.

Mayor Ortega: I would ask council -- do I have a second for that motion? I saw --

[Time: 01:26:19]

Councilwoman Caputi: We are all for more citizen input, but I think at some point, a decision has to be made, and this is beginning to actually feel a little -- a little crazy. Over last ten years we had three different groups. We had task forces. We have had representation from all over the community. We had three days of visioning, we had two years of meetings, we've had task forces that have gone through every line item of the general plan.

I mean, the question that has -- was brought up is there disagreement with the process or are we disagreeing with the issues. Is it that it keeps coming back and people don't like what they hear, kind of like what happened at the national election, if you don't like the vote, then let's recount it, recount it and recount it. I'm all for establishing more input. How would we measure success? I mean we need to know, what's the timeline? What are the criteria for the next step? How are we going to know when we are done if we just keep saying we don't like the answer, we will have to go back and make another task force, another task force.

So again, if we are supposed to do something like that, we have to be more specific what is a resident. As Councilwoman Milhaven said, the members of our boards and commissions are all residents. So are we. Do we say a resident is someone who doesn't work? Is it someone who is retired? Is it someone who has no interest in city government? I mean, what are the criteria for making another six-person task force and then how are we going to measure success? How do we know that those six people are going to bring us the answer that we are looking for and how are we going to measure that?

It just feels we are kicking the can, kicking the can, kicking the can. I agree with Councilwoman Milhaven, this is our responsibility. We have gone out to the community over and over and over again.

Let's go out as much as we need but let's move the process forward. We have to get resolution and we need a general plan and we need it to be the best it possibly can be, but why does right mean that we have to do it over and over and over again? That it just -- let's -- let's do it well. That's my vote. I agree. Let's have a -- I second the motion that Councilwoman Milhaven made. Let's have a work study session and see what we can't do to bring in more input but let's move this forward already. Thank you.

Mayor Ortega: Thank you. And Councilwoman Janik, do you wish to speak?

Councilwoman Janik: Yes, I do. Yes, there was public comment. There was quite a bit of it. [Off microphone comments] Sorry. I said what I wanted to say is that I think there are two problems with the process. Number one, I think the fact that we were shut down under COVID, it made it very, very difficult to see the communication and the votes on different issues. And I heard a comment that you could not even see who voted yes or no on a particular aspect that someone wanted to take under consideration to change the verbiage. So that would be my first comment. It was very much hampered as a process.

My second comment would be there were pages and pages of suggested changes. There were people who listened to every meeting and asked for changes. And about -- I think out of about a couple hundred requests, only ten were granted. That is not accepting community input. You cannot turn down that many comments and say that it represents the citizens and I think that's where the problem is. We need to ask the right questions. We need to be receptive to the answers and I think that by doing this second review, I think we have a much, much better chance of getting a general plan that does represent everybody. And, again, I don't think it was reasonable that all the requests that were made were turned down or that most of them were.

And it was also mentioned that you had to make -- instead of saying we recommend, we suggest, that the terminology had to be vanilla. It had to be you should -- you might review it. And that that was what had come from legal. And then when that was checked out, it was not true. It did not come from legal. We do have the right to strengthen the language and I think many of the participants thought we did not because of a ruling that had come down. I'm not sure where the ruling came from, but I think there were big fallacies in the way the process unfolded and that's why I think it would be a better idea to move forward with another group of people that could actually review the plan and take some of these things under consideration before we as a city council vote on it. Thank you.

[Time: 01:31:33]

Mayor Ortega: Councilwoman Janik, I want to insert something here and I do see more members want to speak. The motion on the table is an alternate motion to look at how public comment may have been received or how it may be broadened, not really the specifics of how it had been in the past -- past. So I just wanted to make that clear.

The other research that I did is -- and I got a full readout of the comments that were -- that were submitted. And one group in particular, did submit quite a few on December 14th, and that was the day

that they sunsetted. In other words to say that the consideration wasn't given to those concepts whether it may or may not have been prior to that day, but the record shows that those are very meaningful, very open, unresponded, viable public comment, just as hundreds before them were very meaningful and viable. So to cast out -- I also listened extensively, you know, for hours on the sustainability, and so many -- so many other aspects.

So the concern that I have, and I will also speak to the prime motion, I agree and respect Councilwoman Littlefield's purpose of saying, we need more -- more public output. And we have that to come. Remember that the public comment is not closed -- it's not closed. Only the work of the -- the CRC was terminated or sunsetted. So the council in June passed an ordinance declaring that this operation would conform and it was double checked with the state or statutory requirements, and it was unanimous thing to month of it forward according to those elements and they -- the council purposefully showed that that group would be sunsetted. And upon taking all of that input, and believe me that's still an open book as far as public input, as well as that which was -- which was received on the day that they -- they ended, they could not really consider those -- I saw them and we can get copies of that.

So my concern is when bureaucracy starts piling on bureaucracy. When we have one commission and we have a second commission, in this case, our city decided to call the group -- the citizen review committee, C.R.C. and so forth to comply with the requirements. They had to go through ethics training. In this case, you know, they were -- if they had not already, and -- and in June, our city council could have well called it a task force, right, and given it quite a bit of obligations, but -- but they didn't. They called it the C.R.C. So having a parallel universe is -- in my opinion, you know, not governance having one commission on top of another commission. I look at what was done in human services, parks and rec, transportation, sustainability, just the momentum -- the dedication of people who were well schooled in those areas, to be lost or perhaps say they may not participate because yet I don't believe that our action should void all the work that was collected before.

So that's where we come on dangerous ground, all right? That's where the public comment, we don't want to destroy that record because we have that validity by the ordinance that was passed in June. All the efforts made in the human services, et cetera, are all necessary tourism. We don't need to repeat that testimony and create, you know, more work for the sake of doing more work, or -- so that's the -- that's first part of it.

The second thing that I would emphasize. I know that staff, Kroy Ekblaw was on there, when I was on council and we worked on the general plan 2001. It was a piece of work. Councilmembers went in twos in different parts of the community and collected information and the mayor would visit each of those three areas. And it was -- you know, an easier world and so forth. But at the same time, I think I'm the only one in this room that sat through that process. And that process, enables us as the elected council people to carry on the work that drops off cogs and other participants on December 14th. It's there. It's in writing. It's of the record, and frankly, if there is more detail, we have the ability to continue to collect and have a record.

So I'm -- I'm not in favor of the original motion for the reasons I have stated, the bureaucracy, and I'm

actually not too keen on the other alternate motion, because all it says is let's study to see how well we study and receive public comment which is -- it's fine to do that, but I believe it's -- it is a transparent operation. I would appeal to you that I think that -- well, I would say quite frankly, I'm the only -- probably the only one in this room that has gone through it and the pain of saying, you know, we have this document -- and I'm not really square on a lot of the vision parts of it. I think I have told -- I mentioned to some of you privately, I believe that components about, you know, legacy, western heritage, desert and our history need more emphasis. And we worked on that 20 years ago, right? And it was adopted. It was passed and it was meaningful to us. So I see some elements that are missing, but I wouldn't -- well, we carry that with us, and I think a lot of people that have commented to us have been very sincere.

But there's really not much glory in being on a commission, I can tell you that. And remotely, there's not much glory in trying to reassemble staff when we are trying to do as Councilwoman Milhaven, you know, let's study it to find out if we are really doing a good job of gathering input. I think that what we have got tonight is a strong realization that we have work to do and the statutory requirement is for only a one study session by city council. Now, there's a couple on planning commission, but we're having three. We're having three. And when I checked, the first planning session is coming up in -- on the 11th of February. Well, by the time you impanel somebody, and other people shrug their shoulders, we may have lost the momentum that we need in all of those critical elements. So I would -- I -- in saying that, I am very -- very concerned that we move forward with the -- with the product, okay.

We received a product from the citizens review committee. And now they are gone, right? So it would be fair to say that they did their best and now we will go through all the detail and particulars to make good and listen further as many of us have promised in our -- in our last nine months of public contact. For that reason, I am not supporting the -- that motion and I'm not supporting the other motion. I believe that I would prefer to let us as a council test -- test the skill or the -- and add the -- sorry, I didn't mean the skill. I meant to say, let us, you know, be open to even more input. Let us -- let this discussion kind of open it up more for us to say, if you -- don't hold back. Give us more ideas and let's go with that, because we're planning to look at that, as well as the late information that was received in December.

So we do have two more comments, Councilmember Milhaven. Did you have any additional? And Vice Mayor Whitehead.

[Time: 01:41:37]

Councilmember Milhaven: What I wanted to add. If there's public comment, Councilwoman Janik, you said COGS had a whole list of things that were not incorporated. If you believe those comments should have been included, when we come back together and review the plan, you can make a suggestion that we incorporate that change and then if the majority of us agree, then we can make that change to the plan. We don't need another commission to consider COGS' recommendations and make that change. We can do that in our work study. It will be a lot of work, but that's what we're here for. It's not that the comments were not incorporated, we can do that ourselves. I just wanted to share that.

Mayor Ortega: Thank you. Vice Mayor Whitehead.

Vice Mayor Whitehead: I appreciate your comments. I appreciate everyone's comments. This is not recounting votes here. We are saying can we make this better. I don't think anybody said that the work of the committee didn't turn up an -- you know, a step in the right direction, but I also like the idea of having less bureaucracy.

So I think I have a friendly amendment to up Councilwoman Littlefield's motion and that is to add to it, that the staff come back with alternate ways in addition to going the route of an added committee, but added ways that we can get that extra layer of citizen input and what Mayor Ortega just spoke about is very interesting to me, and that is having these regional meetings -- adding regional meetings where we have -- where we speak with people in the -- in the south or, you know, the middle, north, north, north, and we have grown a lot since when you were on council.

Mayor Ortega: May I just use a little discretion. We already have a motion on the floor and an alternate. I read into Councilwoman Milhaven's motion that staff come back and tell us how well we are doing with public comment, and how it could be asserted better, and I hear you saying, maybe we can have some further outreach without having a specific task force. Of so that's more in line with the motion that's on. I would rather only have one kind of motion. It seems more compatible than start -- but if I'm wrong --

Vice Mayor Whitehead: You are right. Let me clarify. I would like to keep the idea -- I would like to keep on the table establishing a new committee, and I would like it could be not a work study session but a regular agenda item so that the council can vote. So those would be my differences.

Mayor Ortega: Okay. I will say that there is a motion, and just for the sake of handling it, and one alternate motion at a time, just to repeat that motion, Councilwoman Milhaven regarding staff to report outreach method or is that what your motion is?

Councilmember Milhaven: My motion was to agendize a work study session to review current plans for public outreach and explore additional opportunities to enhance the public outreach and feedback on the plan.

Mayor Ortega: Okay. So that's the motion and we -- we have a second on that motion. Any other discussion? I see none. Let's -- let's vote.

Councilwoman Caputi: I'm confused. What are we voting on? Which motion?

Mayor Ortega: The alternate motion.

Councilwoman Caputi: Thank you.

Mayor Ortega: Okay. The alternate motion fails. We have a -- next in order would be the basic motion,

and is there -- so it was failed 2-5. The floor is open. Was there any other discussion on the base motion? Councilmember --

Councilmember Milhaven: As a point of order, I believe it would be allowable for Councilwoman Whitehead to make a request -- request a friendly amendment to councilmember --

Mayor Ortega: Yes, I'm open to another --

Councilmember Milhaven: Yes, she can make a friendly amendment. Thank you.

[Time: 01:46:28]

Vice Mayor Whitehead: Okay. Then I will make a -- well, what I believe to be a friendly amendment to Councilwoman Littlefield's motion to expand the discussion to include non-committee meetings that would expand public input and provide additional -- it would just expand public input. That's it.

Mayor Ortega: I will second that motion. Did you say non-committee? Okay. Well, first you have an alternate motion and then you can have a second.

City Attorney Sherry Scott: I'm sorry, Mayor. Just a point of clarification. I believe -- I believe what Councilwoman Whitehead is asking. She's asking Councilwoman Littlefield if she will accept a friendly amendment to the motion, and if Kathy will accept that, and if the person be who -- the councilmember who seconded the motion will also accept it, then we don't need to have a motion to amend. If it's not accepted, my guess is Councilwoman Whitehead will go the next step and make an actual motion to amend and then we'll have to have a vote open that.

Mayor Ortega: Thank you.

City Attorney Sherry Scott: I apologize. For the interruption.

Councilwoman Littlefield: I'm not quite sure what it is that you want, Councilwoman Whitehead.

Vice Mayor Whitehead: I want to hear the options from staff on how we can add much more in-depth layer of public input with --

Councilwoman Littlefield: As opposed to a task force.

Vice Mayor Whitehead: With or without a task force.

Councilwoman Littlefield: With or without a task force.

Vice Mayor Whitehead: Whether we need a task force to do it or Mayor Ortega's description of the process in 2000 -- probably 2000 was -- it seemed like more in-depth input via regional meetings with

citizen groups. I would like to hear what all the options in order to make this go from good to great.

Councilwoman Littlefield: My biggest concern with that is it will take more time and take more weeks because staff is not prepared to do that tonight, and I think that if we do that, then we give up any -- any chance whatsoever of having this on the ballot in November. So I'm not willing to -- to risk that. I think that the chances are slim to small, but I think they still exist if we -- if we hustle. And if we do it now, then I think, you know, we can put together a task force. We can make it go to work. I'm actually suggesting that we build on what the previous task force did.

I'm not saying we should throw out what they did, because I was quite sincere when I said they did a lot of hard work and they did some very, very good things. But my concern is that it's too weak. It just really does not give the continuity and the decisiveness that we need in a master plan to a general plan to give the citizens any comfort and I have heard this from a lot of people across the city right now. My fear is we are going to go through the same thing that we did last time, put this before them and they are going to say no and then we will be right back where we were. I want to get something done. I want to get it done right. I want it done properly and I think this is the best way to have a chance to make it happen and to -- and to make it, you know, something that the citizens want, and I look at this as a very general thing.

Everybody on this council agreed when they were running for election to protect Scottsdale special character and high quality of life. That was part of a campaign of every one of us. And taking that -- this action tonight, sends the message to our citizens that we not only said the words, but we meant it and we will do it and we are listening to them and we are intending to be proactive. That's what I want to see because I think it's what is needed having read this thing from cover to cover, and looked at it, there is a lot of that needs to be changed, and I don't -- I don't think just doing it on a -- on a work study session is going to be enough time or -- or input to do it. I want to have a task force that can sit down and say, okay, from page 1, we will go through. We will make it right. We are going to set it up and this is -- these are the changes we will make and we'll -- you know, they can -- they can bring some of this back to us in pieces if they want to. And so that we can talk about it while they are working on some other things. However they want to set it up, however we want them to set it up, but I think we need to have the citizen input and it needs to be from all parts of city because I have heard from all parts of the city and they are not happy.

Mayor Ortega: Councilmember Durham, do you want to speak to your second or what's -- what's been spoken here.

[Time: 01:51:41]

[Off microphone comments]

Mayor Ortega: Okay. Other thoughts?

[Off microphone comments]

Mayor Ortega: I believe that -- from the information in my inquiry, that the council is scheduled for three work sessions specifically and I believe -- I'm checking with staff -- the first one is February 11th. We can zone in and hone in on those specific areas, and if there's additional information, as far as public comment, all we have to do is post it as additional public comment and -- and any written comment is certainly available to make as well. So we -- we have three strikes with this body and it's not -- that's why I'm in favor of moving it forward not sending the mixed signal that this would cause, as well as having to adopt an ordinance, have seven new people go through, you know, ethics training and perhaps not -- not, you know be as acquainted with all areas of the city as that seven. Did you need more clarification from staff? Otherwise, I will move on to -- sorry.

Councilmember Durham: Can I ask city manager Thompson if those work study sessions were the public comment sessions he spoke of earlier?

City Manager Jim Thompson: Mr. Mayor, members of council, specifically to that, we -- it may be wise to come back at our next meeting, I think as the discussion point and outline that in great detail. I have a calendar of multiple public hearings that will be held, both at the planning commission level, as well as council. What is required by law is something far less than -- we have taken that henceforth and normally you are only required to have one councilmember. And engage the committee, sitting without a planning commission side. You can, if we come back and say here's our calendar. We say what if we go out and have three meetings or four meetings in different sections of town as well and maybe one a -- you want additional work to be done. We can do that.

The challenge we have, especially right now as you see what the environment we're in this evening, is COVID. And the pandemic and our limitations and our ability to engage face-to-face. I think part of the comments that were made this evening were comments were submitted after the closure period of the comment period and they were not maybe taken into account and there may be additional ones that people felt that they weren't. I think we can amass them. We know what they are. If we heard from people from all areas of town, we can amass them together and bring them back as well, and say this is what you need to consider.

Council, you could have as many public meetings as you want on this issue. You don't have to do the three. You are required to do one by law. Could you have 20 in you desire to and you could have engagement with the community, which would fulfill that we are working towards the end to get to an approval point. I wouldn't recommend that you go do 20, but you could logically have many more, until those concerns are addressed.

Now, some of the times -- and I have seen this multiple times. I have been through it multiple places and multiple states and everything else, but the general plan is more of a plane, a higher thought process. It doesn't land the plane. Some people want to have the general plan representative of the zoning. You have the ability to change zoning, as long as you don't take away of a light that already exists or the consent or otherwise. It becomes very complex and sometimes the desires and the comments that I read are ones that are legally challengeable and couldn't be in the plan anyhow.

I think council having an in-depth discussion on that may be a very wise thing to do at the next meeting. We can add an item to the agenda and then come back and revisit this so we all feel more comfortable because it sounds like we just need to know where is our plan? What are the requirements and what are we willing to do? And you may add to it and say, let's go have more additional meetings. Let's go and have meetings in sections of up to or additional Zoom meetings or others that we can -- in today's environment.

Because this pandemic may be around for a while, unfortunately and I wish I could say it wasn't going to be, but right now, you know, knowing what we know, it may be a few months just as in the confinements we have. As you are well aware because of the level that we are at today, this will re -- we are moving to video meetings again after this one, at the conclusion of today. So, again, the challenges with some of that. We have may have to have a longer period of time to work through it.

I'm sorry, councilor, if I didn't specifically answer your question. I can go through all the dates and times and meetings and I think it would be best to come back and have a thorough discussion at the next meeting so you will be all more well-informed as to what the plan was. I think this evening you have a motion to form a group, and you have a motion to look at the different opportunities which has failed but the different opportunities of our public outreach. You have a new motion potentially since it doesn't sound like they wish to amend the motion open the floor, but a new motion to amend that motion on the floor, which would allow for greater discussion on public outreach, and so, again, it might be best if we just come back at the next meeting, fill you -- give you the short history, and then give you a history of what all the options are and you could fill in the blanks, add more meetings and take away meetings. We have more scheduled than are required by law. You can add more if you want.

If you are not happy as a council, as a majority of the council with what changes are made, henceforth amongst the planning commission and amongst council, you can again, just continue to have outreach meetings until you reach that resolve. So this is really no limitation. Yes, we are supposed to do the ten-year update, but as long as we are actively seeking this to a resolve. I have never heard of it challenged other issues that they didn't withhold state shared revenue or there are other options that the state has. I think as long as we are diligently working towards that, we will be safe.

Mayor Ortega: Thank you. That's fair. I see more people weighing in. I will call on Councilmember Milhaven.

[Time: 01:59:28]

Councilmember Milhaven: I thought he just said we may threaten our ability to tonight on the November ballot.

City Attorney Sherry Scott: Sherry Scott from the legal department. Councilwoman Milhaven, I think it will be a very tight timeline if there is an added step that -- that's what I have heard. The planning department, state, I wouldn't say you couldn't make it. Just doesn't leave any room for any unexpected consequence or further debate. It just puts you on -- you are already on a tight timeline, and it puts you

on a tighter timeline. But it's possible that we could make that election.

Councilmember Milhaven: Thank you. Then I will make another alternate motion to continue this item until next Tuesday at the recommendation of the city manager.

City Attorney Sherry Scott: I'm sorry. I keep interrupting.

Mayor Ortega: Was that a continuance or --

Councilmember Milhaven: A motion to continue this item until next Tuesday.

Mayor Ortega: So legal, I believe that a continuance would take some precedent but I don't know if that's what I heard. Are you -- you are continuing -- a vote to continue the motion that's on the floor?

Councilmember Milhaven: Right, we have a motion --

Mayor Ortega: That's a motion for continuance of this discussion, right?

Councilmember Milhaven: Right.

Vice Mayor Whitehead: Just -- just -- I'm sorry.

City Attorney Sherry Scott: I'm sorry. To keep interrupting. Just to clarify, the main motion that remains on the floor, which was introduced by Councilwoman Littlefield, it was to agendize the item for a task force. And the city manager said he's fine with putting an item on the agenda without this motion, and then I think he -- he has a better understanding than I do about exactly how he would agendize that item. So I -- I think that is Councilwoman Milhaven's motion. I want to clarify it procedurally.

Mayor Ortega: Well, the motion as posted said that the -- we would move -- direct the city manager to agendize for the January 19th council meeting a resolution creating a nine-member task force. Not discussion of the schedule and facts. This is -- it's actually asking for resolution. And that is not -- I'm not in favor of that. That's so we either vote that motion up or down or entertain a continuance motion, which takes precedence over any other alternate motions. So we will either agree to -- to direct the city manager to agendize a resolution about creating a nine-member task force, right? That's the way it's been agendized. And I have already stated, I can't support that, but I'm hearing a continuance to something --

Councilmember Milhaven: And I'm thinking the city manager wants to respond to my really bad idea for a motion.

Mayor Ortega: So I apologize but I have to get a clarification on what was agendized, and not just a discussion of schedules and how it might interfere. I will now direct over to the city attorney.

[Time: 02:03:17]

City Attorney Sherry Scott: Yes, Mayor. Thank you what is on the agenda is a mayor and council item that Councilwoman Littlefield asked to put on the agenda. To agendaize for the January 19th, 2021 council meeting, this resolution to create citizen task force on the general plan. She has -- this is the agenda language.

And now Councilwoman Littlefield has made a more specific motion, which is appropriate for this agenda language to agendaize it to be seven-member task force and to put that on the January 19th agenda for council action. So if Councilwoman Littlefield's motion is approved tonight, the task force will not yet have been created. The council will then have a further discussion about that on January 19th, get more information from staff, have this debate again, and make a final decision about whether or not the task force has been created.

Then there was a friendly amendment and I'm not sure that we will have a final motion on that or not. Just asking that when that comes back on the 19th, that may be there be some additional options for public comment and see if there are alternatives to address those concerns and now the city manager is offering to put it on the agenda, I think without even the motion passing. So those are the three things that you have on board, on deck as they say, right now.

Mayor Ortega: Well, the last comment I heard was a motion for a continuance.

Councilmember Milhaven: I will withdraw that motion.

Mayor Ortega: I didn't hear a second. That clears that one up.

Councilmember Milhaven: I will withdraw it.

Mayor Ortega: The discussion is lively and I will ask for Vice Mayor Whitehead, at the present time, there's only one motion, the base motion.

Vice Mayor Whitehead: Okay. I'll retract my friendly amenity and I want to thank both our city attorney and our city manager for resolving my issue. I think as long as we an agenda item described by city manager Thompson that precedes this agenda item, I think we will all be satisfied. And I do -- I absolutely think there is -- and I also appreciate the attorney Scott explaining that we are probably not going to get busted and lose our revenue. We want so much to get this right and I will go ahead and support Councilwoman Littlefield's motion and I just again, thank city manager Thompson for his added agenda item.

Mayor Ortega: Okay, Councilwoman Caputi.

[Time: 02:06:29]

Councilwoman Caputi: I suppose if we continue this to further conversation this can be discussed then, but I want to repeat what I said before. I'm all for more conversation but I just don't -- I think we need to be very clear about if we appoint another task force, what does that actually look like? What are the criteria for appointing seven more people that would be different than what we have already done in the past? And who gets to decide those criteria? And then once those people come together, based on whatever we have decided, how do we know that that is actually citizen input, that's acceptable?

I just -- I'm having a very hard time feeling like this is anything concrete. This just feels like a continual -- let's have another task force. Let's have another task force. In order to be comfortable with this, I want to know what are we looking for? What are the requirements to be on this task force? Who gets to make that decision and then what are the deliverables that we're measuring that then says, okay, that was legitimate community input as opposed to the other community input we have had over and over again. What makes what that task force is going to do finally be the end voice that makes us all feel good? What is the measurement? I wouldn't be able to move forward with supporting a task force unless we know what it's actually going to do and what -- who its going be to be comprised of and who gets to decide that? It feels very amorphous to me. That's all.

Mayor Ortega: Next is Councilwoman Littlefield? Thank you.

Councilwomen Littlefield: Thank you, Mayor. And thank you, Ms. Scott. This is a request to put this on our agenda. It's not a request to vote on it tonight. To answer some of your questions, though, this is -- part of that is in here. I originally thought about a nine-member task force. I want it to be uneven so it doesn't come up with a tie and then we are like, oh, now what do we do? I thought seven is probably more manageable, quicker, more nimble on its feet, and so that would probably be enough. And part of my request here is to agendize this and when we appoint these members, it will be from people throughout the city who have put in an application. Those are the people we'll draw from. Those are the people care enough that they are willing to spend time coming down or on Zoom or hour the meetings are held to go through this entire book and read it and take the time to study it and to make recommendations to make the general plan better. And so this would be a seven member group that would be appointed by the council, from the applications of citizens that submitted applications to do this, and those citizens would be whoever brings in an application. We wouldn't look at anyone else.

Because of the time factor, that's why I wanted to get it in now so, we could be asking for people to submit anywhere applications and we could be looking at them, and then we could come back and say, okay. This looks like a really good idea. We have great people who want to work on, this or nobody submitted an application. So let's just go forward with what we got and we have our first work study.

The problem I have is I want to start this whole process from what we currently have, and what they gave us as an amended plan. That's where they start. They don't just scrap everything that those folks did because they -- you know, I was serious. They did a lot of good stuff and that's something that we would start with, and then carry forward. My biggest concern is there's a lot of things that aren't so good. And that I think we need to take a look at individually and separately.

I would like to be able to submit this plan in November if we possibly can do that. If we can't do that, it's more important that we get this right and do it next year, than do it in November, but if we can get it right and do it in November, that's just icing on the cake. Let's do it. But it's not right now. I think that that needs to be done. If we want to submit it for a citizen vote, and have that citizen vote pass it, that's important. I think to do a little bit more detail in what I would like to see this committee be, I would like it to be a seven member task force, to finish the job that was started by the previous commission or task force, whatever it was. Seven is a good number. It's lean. It's small. It can get the job done quickly. I want a chairperson on the task force who can keep the process moving so it doesn't get bogged down in endless discussions. I would like to charge that task force with receiving public input from all over the city.

Every part of the city and they can consider it even if it has to be through Zoom, or the city Internet, written comments will be accepted. All of that can go into this task force for their consideration. And to me, looking at what we have now on the 2001 general plan, that was a pretty good document, and we have done well with it over the years. It's required a number of amendments because of the time and the differences and the movement of civilization if you will and society. But it has worked well.

I want to take what our task force has done, what we currently read last week and take it from there. I don't want to dump it. I want to take it from there and say, okay. They updated a lot of stuff that needed updating. They did a good job on some of that stuff. I don't think it will take a lot of time for dedicated citizens to go through a 300 page document. This is good. This is good and what do we need to do with that? They have the foundation already. They don't need to redo that.

By taking this action tonight, all I'm doing is bringing it to the agenda, for the next time for us to think about, and discuss, and possibly enact or not, as this council decides. But I would like to put it on the agenda for consideration because I am very afraid if we do not, regardless of what we do in our meetings, it's not going to pass. I have heard, as some others have heard, a lot of people who say, what are you thinking? You want to put commercial development inside my residential area? And some extra words that I won't say here. Exactly. It's not in there. Yes, it is. I read it. It's stuff that we need to take a look at. We need to consider and we need to fix. That's what -- that's all I'm asking for is agendize it, discuss it, go with it. Thank you.

Mayor Ortega: Thank you, Councilwoman Janik, please.

[Time: 02:14:02]

Councilwoman Janik: Yes, I just wanted to clarify one point, and I would like to make sure that city manager agrees with my understanding of what he said. So if we agendize this, we can then vote on it but part of the data that should go into the presentation would be all the time deadlines that you have indicated we need to meet. And we would have that data when we are looking at the whole process, as part of what you are suggesting. And I think that would make it way more palatable, because with what Councilwoman Littlefield has suggested, we already will have the opportunity to bounce this around. We'll have more data. And then we can make a better decision. It doesn't say that we can't do what

you like us to do, what we could talk about.

And the other comment I want to make. I know why I was elected, okay? And I know that the citizens feel like they are not being listened to. And when you figure out that so many suggestions were made for what should be in the general plan and they were denied, it's not a good look. It's just not a good look. We need to do a better job of it. We need to listen better. You keep saying, citizens, give us input. Give us input and then you say, nah. I don't like that. No. I don't like that. It's time that changed. We need to listen. We need to evaluate, and I think we need to respect them because in many situations, they know more about the issue. They have studied it more. And they have very valid recommendations. So that's my commentary.

Mayor Ortega: Finally, Councilmember Durham.

[Off microphone comment]

Councilmember Durham: I think you suggested this, Mr. Mayor, if I understood what you were saying, is I think you are suggesting -- and I sort of agree with it in some ways. We have a lot of talk about what citizens are the right citizens to do this and the answer is this seven right here. I mean we're the ones in the end who are going to say, yeah, this is the right general plan or it's not. And right now, I would vote against it in the state that it's in. But the amount of changes and the work that would be necessary to get me vote in favor of it are relatively small.

I think maybe what you are suggesting, I'm not sure, but I will ask you, is that the seven of us would sit down in work study sessions, hash it out, taking into account all of the suggestions that have already been made, and taking into account suggestions yet to be made in a process that starts over the next two or three months. And I'm beginning to think that that may be the most sensible way to approach it. Is take into -- work them into the plan. I made pages and pages of comments, which I thought I could get a plan to agree with. And I think all of those were ignored. I think those are the changes that were necessary. So we're the final judges.

Mayor Ortega: Absolutely.

Councilmember Durham: On whether this is something we want. And so if that's your idea of a way going forward, work study plans, with the staff sitting at our side, and we literally walk through and mark it up, it seems to me that that might be the most efficient way of going at this.

Mayor Ortega: Thank you. It's also a very public way of doing it.

Councilmember Durham: Yes.

Mayor Ortega: And I have met with two private groups who had extensive discussions -- and that's all valid in their own private groups. But that doesn't bring it to the public forum as well as we can. Right? So there may be some conclusions drawn and some digestion of some ideas among them,

that -- and then they ended up with conclusions, and I really appreciate the ability to be open minded and what this exercise has done is emphasized to me that -- that the attempt is to get more public input, and we are the -- we are entrusted to digest all of that, and certainly, those for of us who were elected have the latest temperature of the community and that's a more efficient way and a direct way, because all of those comments will be public. So I cannot support the motion.

I believe that it's dangerous to do so as we are complying with the growing smarter criteria. I take to hart the general plan 2001, when we worked very, very hard on. And that was the basis that generated the next one. Maybe there's been wavering from that original plan. So I think we have had a thorough discussion.

Again, I strongly urge that we not go down the path of creating seven new experts that have to take ethics training that go through all of that when we can concentrate our effort, really on looking at every single one and taking them very seriously and handling it with the process that we have. I would also ask many that staff come back with more information, probably by memo, before the next week so at least we know the timetable and those are our obligations, right?

And so right now we have a motion to create a -- direct staff to create seven member task force which in my opinion becomes -- it takes over the duty of the other group. Now, you can call it a task force, but it -- we can call it a citizen review, but I don't want to add that extra burden. So at this point, I would ask for the vote on the motion the discussion has, I think been completed. I'm sorry. Go ahead
Councilwoman Littlefield.

[Time: 02:21:06]

Councilwoman Littlefield: This motion is to agendize it, not to do it.

Mayor Ortega: Okay. The -- the motion it to direct staff to prepare a resolution creating it. So there is some work to prepare a resolution, and I disagree with the concept of preparing a resolution that would create a whole other commission without the kind of deliberation and the discussion that we have. So it's not acting on the commission, but it's asking staff to bring forward a resolution of a commission and that's a lot of work. In order to do that. And I disagree with that, in terms of the product and the ability to move forward with it. That's my final comment.

Mayor Ortega: The motion on the floor has been seconded and finally, Vice Mayor Whitehead, did you have one final comment?

Vice Mayor Whitehead: Just some clarification, because I do not want to eliminate this discussion, but I don't want staff to do the work of creating a commission. So I guess I'm looking for some clarification. Or whatever the committee is called, the task force.

City Attorney Sherry Scott: To Mayor Ortega and Councilwoman Whitehead, what -- and I will ask the city manager to please interrupt me if he thinks I'm incorrect, but what the staff will do if the council

passes this motion, is to prepare agenda language and prepare council materials and likely prepare a resolution to be placed on injure January 19th agenda so that if the council decides on January 19th, that it wants to actually create this task force, that the council can take action that night. An I do believe that the general plan staff and I believe it's short notice for them. They know this like the back of their hand, will then be available for the council to make a presentation for the council to ask questions, to provide the timeline, of the markers that have to be met along the way to make the November election and that type of information that the council needs to make a decision if it wants to take action on the 19th.

Vice Mayor Whitehead: I want to stress it will include the timeline, it will take this many weeks to -- that would be helpful.

City Attorney Sherry Scott: Absolutely. I can't state this with positivity, but I believe the timeline is posted open the website, but we'll definitely make sure the council has that available to them. With -- with explanations.

Mayor Ortega: Well, thank you. With no further comment, please record your vote. Okay. The motion passes 4-3. And that appears to complete our agenda for tonight.

ADJOURNMENT

[Time: 02:24:39]

Mayor Ortega: Anything else? So moved. Adjourned.