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#### **CALL TO ORDER**

[Time: 00:00:011]

Mayor Lane: Good evening, everyone. Welcome to the Kiva for our City Council meeting, our Regular meeting. It's approximately 5:00. I'll call to order the meeting, May 21st, 2019.

#### **ROLL CALL**

[Time: 00:00:16]

Mayor Lane: Start please with roll call.

City Clerk Carolyn Jagger: Mayor Lane.

Mayor Lane: Present.

Carolyn Jagger: Vice Mayor Linda Milhaven.

Vice Mayor Milhaven: Here.

Carolyn Jagger: Councilmembers Suzanne Klapp.

Councilwoman Klapp: Here.

Carolyn Jagger: Virginia Korte.

Councilmember Korte: Here.

Carolyn Jagger: Kathy Littlefield.

Councilwoman Littlefield: Here.

Carolyn Jagger: Guy Phillips.

Councilman Phillips: Here.

Carolyn Jagger: And Solange Whitehead.

Councilwoman Whitehead: Here.

Carolyn Jagger: City Manager Jim Thompson.

Jim Thompson: Here.

Carolyn Jagger: City Attorney Bruce Washburn.

Bruce Washburn: Here.

Carolyn Jagger: City Auditor Sharron Walker.

Sharron Walker: Here.

Carolyn Jagger: And the clerk is present.

[Time: 00:00:37]

Mayor Lane: A couple items of business we do have. If you would like to speak on any topics on the agenda and/or Public Comment, those are the white cards the city clerk is holding up immediately to my right. If you want to give us written comments, they're the yellow cards for the agenda items. They will be read through the proceedings this evening. We have Scottsdale police officers Mike and Tony as well as Sean from the Scottsdale Fire department here to assist if needed. Police are here in front of me at 12:00. I think Sean is behind the TV set behind us there. If you have any difficulty hearing the proceedings, please know there are hearing assist headsets available here at the clerk's desk to my right. You can check with the clerk or the staff over there to receive one if you need.

**PLEDGE OF ALLEGIANCE**

[Time: 00:01:33]

Mayor Lane: This evening we have the Pledge of Allegiance, as always. Tonight we have a very special Pledge of Allegiance led by the Scottsdale Chorus. The Scottsdale Chorus was chartered in 1962, proudly represented the city in performances and competitions in the U.S. and internationally. In Saint Louis last fall, they were crowned 2019 international champions. Members of the chorus led by director Lori Aleford and president Linda Allen are here today to lead us in the pledge, then you will hear from a Scottsdale Chorus' own quartet, C'est La Vie. Let me invite them up here to sing. We'll also be presenting them with a proclamation that explains the 2019 year of Scottsdale Chorus. If you can, please stand. They will lead us with that.

Scottsdale Chorus: 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.

Scottsdale Chorus: Hi. Thank you for having us today. We'll sing the National Anthem if any of you would like to rise.

[Time: 00:06:13]

Mayor Lane: This is the proclamation. Whereas, the Scottsdale Chorus is the 2019 reigning international champion among more than 550 choruses with 23,000 singers world-wide, singing 4-part a cappella music; and Whereas, the Scottsdale Chorus is the most innovative leader in Sweet Adelines International, a worldwide organization of women singers committed to advancing the musical art form of a cappella singing and barbershop harmony through education, competition and performance; and Whereas, the Scottsdale Chorus' competitive spirit and commitment to musical excellence has led them to the coveted first place International Championship six different times since their inception, and Whereas, the Scottsdale Chorus provides continual outstanding music education to enhance the skills, confidence and musical credibility of all its singers; and WHEREAS, the City of Scottsdale has proudly proclaimed for many years that the Scottsdale Chorus is "One of Their Own!" Now, therefore, I, W. J. "Jim" Lane, Mayor of the City of Scottsdale, Arizona, do hereby proclaim the year 2019 as The Year of the International Champion Scottsdale Chorus and urge my fellow citizens to extend a sincere congratulations to the Scottsdale Chorus and to share the joy of their 2019 International Championship win. In Witness Whereof, I have hereunto set my hand and caused to be affixed the Seal of the City of Scottsdale, Arizona.

Thank you again to the Scottsdale chorus. I've told them they've raised the level of entertainment value here at any of our Council meetings to the highest level we've ever obtained. It will be a hard mark to match. Much less to beat.

## **INVOCATION**

[Time: 00:08:43]

Mayor Lane: Our next order of business is the invocation. We have former Councilman Dennis Robbins to lead us. Dennis.

Former Councilman Dennis Robbins: Good afternoon. Let's pray. Good afternoon, God. Thank you for this day. Thank you for allows us to be here in this place. A place we gather to govern ourselves in the

most civil, peaceful way we can. Please bestow upon us your peace and strength as we celebrate the leaderships that been elected in the city of Scottsdale. Bless our Mayor and Council with wisdom and understanding and discernment so they can make thoughtful, sound and honest decisions for our citizens. Please allow peace and love to touch their lives and the lives of those who live and work here. Today we remember a prayer by Mother Teresa. People are often unreasonable and self-centered. Forgive them anyway. If you are kind, people may accuse you of ulterior motives. Be kind anyway. If you are honest, people may cheat you. Be honest anyway. If you find happiness, people may be jealous. Be happy anyway. The good you do today may be forgotten tomorrow. Do good anyway. Give the world the best you have and it may never be good enough. Give your best anyway. For you see, in the end, it is between you and God. It's never been between and you them anyway. Amen.

Mayor Lane: Thank you, Dennis. Now I know why there was so many trophies about.

### **MAYOR'S REPORT**

[Time: 00:10:38]

Mayor Lane: The Mayor's report. We have, next, a proclamation for the Public Works Week. This is a proclamation from my office. Of course, it reads as follows.

Whereas, Scottsdale prides itself on its exceptional quality of life and the city's Public Works Division's focus on infrastructure, facilities and services is vital to our community's health and well-being; and Whereas, Scottsdale's roads, public buildings and other essential infrastructure is built, maintained, improved and protected by the dedicated professionals in our Public Works Division as is the city's well-maintained vehicle fleet; and Whereas, Of special note, in the 1970's Scottsdale's Public Works Division revolutionized the refuse collection industry with the invention of "Godzilla", a mechanized collection vehicle that saved injury, increased productivity, improved working conditions, and began Scottsdale's Solid Waste department's reputation for exceptional customer service; and Whereas, It is in the interest for all citizens to have an understanding of the importance of public works and public works programs and its impact to our community; and, Now Therefore, I, W. J. "Jim" Lane, Mayor of the City of Scottsdale, Arizona, do hereby proclaim May 19-25, 2019 as Public Works Week in Scottsdale and encourage the entire community to take a moment to recognize the substantial contribution Public Works Professionals make in protecting our health, safety and quality of life.

And would like to ask the following employees to come down to the front in the Kiva and accept the proclamation. Lisa Johnson from the Transportation Department, Andrew Dorame, from Facilities, Rob Billson from Fleet, Martha West from Capital Project Management, and, of course, Dan Worth, Executive Director of Public Works.

We have a presentation next. Since the Best Park or Open Space Award. Our presenter is Nick Molinari who runs the world's best park, McCormack-Stillman Railroad Park. If you haven't heard it. It's official.

[Time: 00:13:57]

Parks and Recreation Operations Supervisor Nick Molinari: Good afternoon. Again, my name is Nick Molinari. I'm excited to be here to accept the ELGL award which recognizes the best park or open space

in the United States on behalf of the city of Scottsdale. So we'll give just a brief background of how this process started and how we were recognized as the best park. And I will, I need a clicker? Oh, go back. Okay. So ELGL is an organization that assist ant city manager Brent Stockwell is very involved with and was really the catalyst for this recognition. It's a pretty impressive recognition when you consider all the other great public parks throughout the country. ELGL, Engaging Local Government Leaders, really has a goal of engaging the brightest minds in local government by focusing on community, education, improvement, diversity and communication. Communication and joy. So annually they give three awards, which are kind of neat. The awards are structured around the sitcom Parks and Recreation. So they kind of are catchy. It was really a cool award process and a cool nomination process that the park went through to ultimately be recognized. They have other award categories, that Traeger Award, which recognizes the top influencers in local government, Haverford Award, which recognizes best vendors, and then the Knope Award which recognizes best places in local government.

So, for example, in 2017, this award nominated the best City Hall in the country, and in 2018 it recognized the best public library in 2019, they recognized the best public park. The way this process started was the park was nominated along with other parks and open spaces throughout the city of Scottsdale to be considered for this award. And ELGL went through all the nominations and selected the top 32 parks, they believed to be the top 32, in the United States, and they ran, basically, a bracket-style of challenge during March Madness, which was pretty cool because it allowed us to align a lot of the marketing we did at the park for the award with the NCAA tournament award. So that was pretty cool.

[Time: 00:16:48]

In each week, the park as it advanced through the contest, was pitted against another park, and voting was citizen voting was how it was determined. In the end, we faced off with Amerson River Park, located in Georgia for the championship, which was a very competitive situation between us and Amerson Park. Really, this gives a bit of a breakdown how it all happened. Really, to provide a snapshot of that, voting was the biggest piece in how the communities that advanced drove voting was through digital marketing and social media, which the park is invested heavily in, in the last several years and it really made a difference as we advanced through the contest. So we engaged all of our city partners, all our internal city resources, and ultimately, it made the difference. It was very close. We were very, very surprised at how competitive this community in Georgia, or Amerson River Park in Georgia was with the McCormack-Stillman Railroad Park.

You can see how close the results were. Ultimately we came out on top. We have to give credit to Brent Stockwell. He was at the park every single day taking photos, posting photos to Instagram, doing videos, and he was really the person behind the effort. We really tip our hat to Brent, because the enthusiasm and passion he showed for Scottsdale and one of Scottsdale's most significant physical structures was just infectious with our staff. It was really refresh to go see how engaged he was in the process. That really is the award in a nutshell. If anyone has any questions, I can answer. Clarify anything, I'd be happy to do that.

Mayor Lane: That completes our award ceremony this evening. We have, Scottsdale has talent awards, facilities and capital projects award, and Scottsdale has great parks award. A great evening. So thank you for that.

**PUBLIC COMMENT**

[Time: 00:20:18]

Mayor Lane: Next order of business is Public Comment. Public Comment is reserved for citizen comments regarding non-agendized items of which no official Council action will be taken on. Comments are limited to issue within the jurisdiction of the city of Scottsdale and speakers are limited to three minutes each with a maximum of five speakers. There will be another opportunity for Public Comment at the end of our session today if it's called out for or needed. So first, to ask, we have Vice Mayor Eddie Cook of Gilbert here with us tonight to talk to us about their policy of civility. Welcome.

[Time:00:21:30]

Gilbert Vice Mayor Eddie Cook: Thank you, Mayor, Vice Mayor, and Council. Greetings I bring from the Town of Gilbert. I wanted to share a journey that I have been part of for a bit here. A little over two years ago, I attended a leadership conference, and in that conference there was a session that got my attention. And that session was titled Civility in the Workplace. I was inspired. I said, I think I'll visit this session. In the session the premise was in your company or organization do you have a policy on civility? So I work for a global company. I decided to look at our employee handbook and all the documents related to civility, and there were things like kindness and respect but never anything actually called out on civility. So then I decided to do the same thing with the town of Gilbert. I looked at its employee policy and so forth, and we had similar words. But there wasn't anything that really called out a policy on civility. So I shared this with our Council over a year ago. They allowed me to form a subcommittee of diverse individuals and we spent ten months looking at what would that look like in the town of Gilbert, this policy on civility.

This last December, we passed a resolution based upon this. And I believe you may have a copy from our clerk on that. So with that, we see in our world that incivility is becoming the norm, where incivility means that people don't belong, which is very unfortunate. We, as a nonpartisan body observe hyperpartisanship as part of that norm, where prudent compromise may be considered a loss, but really it's a win. It's a win for everyone. Where we are called to be builders of community and not dividers of community. Where kindness and generosity and following the golden rule is really what the norm should be, and that's really the silent majority of our communities are asking for. So I'm on this journey to share with you what we've done in the town of Gilbert. I've visited a number of towns in the state of Arizona. I'll visit 91 of them sometime in the near future. Sharing our policy on civility. And I know you. You're this body and this community. Back in 2013, due to the Scottsdale leadership program, came up with a resolution on civil discourse. I would encourage team Scottsdale to take that a little further and come up with your own policy on civil civility so that you can join the rest of the communities I'm visiting in speaking out on behalf of our silent majority that is looking for a change in our state, in our country. And with that, thank you for allowing me to speak with you this evening.

Mayor Lane: Thank you, Vice Mayor. Next would be David Ortega, former Councilman.

[Time: 00:25:33]

Former Councilman David Ortega: Hello. Thank you for serving the community. I'm David Ortega. Exactly five months ago, I stood here at a DR board meeting. It was December 21st. The subject was called the Maverick Mural. The Maverick Mural made many representations that they did not hold to. One was that they would paint a mural within inches of someone else's property. They stood and proposed on another person's property and that person objected to that mural and told them very nicely, very politely, as I did on the 21st. They also said they would not trespass on that property. But within a week, they came twice on two evenings and did so until they were driven off by the police. And my client was left with a partially defaced mural and the direct view of his parking lot serving his buildings. And we've asked them, the other reason I'm here is today, they were asked to be here. And chose not to be and chose to ask for a continuance. Nevertheless, this nuisance is right in our path. So what they may or may not know about no trespassing or why they can't understand that, is unclear.

One of the other things I expressed, Mayor Lane, and Councilwoman Korte is this would interfere with Mr. Schade's property. He has ten leases with businesses that are entitled to park on the parking lot without disturbances. I mentioned that at that meeting. There's no way a landlord would compromise the ten leases or that those ten renters would compromise their lease and say, oh, yeah, these people can run in and out and do whatever they want on this large, large mural.

The last thing I want to point out, well, actually, that interference is contract interference. He has written leases, an obligation to provide a safe, secure parking lot for his tenants. The last thing I'll say is that when these proponents proposed this, there were severe objections. Some anonymous, and some were made on social media. Several said they'd daily deface this mural if it was put up. Very recently, there was a comment on NBC news, local entity, saying they'd use it for target practice. Now, my client had nothing to do with the content of that, nor do we object or are we making any political statements. But these are threats. We pointed out those objections could be a real problem for Scottsdale. When the property becomes a target, my client's property becomes a target, downtown becomes a target, and Scottsdale becomes a target. I'm hoping you will dismiss this and reverse the action that was approved.

Mayor Lane: Thank you, Mr. Ortega. Next, we have request to speak from Lynne Sullivan.

[Time: 00:29:14]

Lynne Sullivan: Thank you, Mayor and committee members for hosting such a nice event with all your awards and so forth. It's very nice.

Mayor Lane: If you could, it would be better if you move close to the microphone or bring it down to you a bit. Yeah.

Lynne Sullivan: That better?

Mayor Lane: That will probably work better, yes.

Lynne Sullivan: My name is Lynne Sullivan. I live in Sandflower which is a little east of the Boulders. I feel I'm very blessed. I've lived here 19 years and I just love it and love the city of Scottsdale. I'm very passionate about it. Every time I've come down here for some reason or other, it's been pleasant and you are all very receptive, so thank you. I want to show a quick, this is, is that able to, here's

Sandflower. Going over this way. And I want to point out that we have Stagecoach paths that come through the center. That's the area in black. On the upper regions to the north, we have our premium properties. They're all much, much larger, even though we're R-143. Most of these are well over 2 acres. Now when I moved in, 2001, all these properties were not in flood zone. And we were very fortunate. We felt like with 21 basins and a wonderful drainage situation, we were in the clear. Shortly after I moved in, there was a team of people hired by, I don't know whether it was the city or flood control district to come look at our wash and actually assess the channel to see what the capacity was. I was very excited about it, because now I know safe things are being done. Unfairly, they ran out of money. It never got finished. So I thought, okay, eventually many of us got notices we are in flood plain. So this is a larger version. There is something called the 50CFS calculations. That's cubic feet per second and above. 50 cubic feet per second and above. This is the map I'll put down is available online. This is printed here at the One Stop Shop. Let's see if we can get this, oh boy. Okay.

So here's Stagecoach Pass Wash, the smaller one. Then would have, this is the monster one. My neighbor up around the corner has now received, this lot received notice from the bank he has to pay \$1500 a year for his flood policy. So I got curious, he talked to me about it. I came down and I talked to Scott Anderson. And I said, hey, I'm worried about this. This map is something new. I've seen it for a while. He said, oh, don't worry about that map. That map doesn't really matter.

Here's the problem. This is a map that's online, available to the banks, the banks have seen it, and the banks are focusing on my neighbors and others in north Scottsdale based on this information. So I see my time has run out. I have hours more to talk to you about another time. I thank you for your time. I'm only here to ask you to see if you can figure out why this map is out there. There's a new development coming right around us. We have seven new developments all around us. And if this information is not accurate, which I believe there's plenty of room for work, that it would be your responsibility to just say do better. Thank you very much.

Mayor Lane: Thank you, Ms. Sullivan. Next is Christine Frank.

[Time: 00:33:28]

Christine Frank: Good evening Mayor and City Council. I'm here separately from Lynne but I'm here to talk about some of the same issues. My name is Christine Frank, I live at 8350 E. Rural Hondo Road and I'm here to talk about north Scottsdale and the Windmill/Stagecoach proposed community on 40 acres immediately north of Sandflower.

It's in the application Phase Rezoning Request. I'll refer to this area as North 40. It's located on the southwest corner of Windmill Road and Stagecoach Pass in the northernmost block of Scottsdale. The owner is requesting a change in zoning from R1-190 to R1-70 and R1-43, a significant increase in density potentially tripling the number of units.

Immediately south of N40 is the community called Sandflower which was built in 2002 and that's where I bought a home 18 months ago. I object to increasing the density on N40 and specifically N40, the N40 plan does not blend with the larger lot sizes on the adjacent properties at Sandflower as they should. N40 is composed of four parcels that form the Z shape that Lynne showed you. One smaller parcel adjacent to Sandflower, they're requesting R1-43. That may match Sandflower but the proposed lot



sizes do not match. The plan shows 6 units on lots well under three quarters of an acre. The grouping would be alongside two Sandflower lots, 1.2 and 1.4 acres.

On another smaller parcel adjacent to Sandflower, the plan shows a road positioned adjacent to Sandflower lots which would allow lights to shine into Sandflower backyards and homes and it would cut off, and permanently disrupt known animal trails, nesting areas and dens.

When I bought my home in Sandflower, to my knowledge the R1-190 plan for N40 had been long-standing. Call me naïve in the ways of zoning, but I thought the zoning plan was at least in part there to preserve the character of the area.

I ask you to put yourselves in the shoes of the existing homeowners and take their side. Reject the current plan, and if a revised plan comes before you, I ask that you 1) stipulate that any lots bordering existing adjacent lots have a minimum size, no smaller than the average size of the adjacent lots in Sandflower. And 2) stipulate that no roads may be adjacent to existing lots in Sandflower. They should be internal to the new community. Thank you.

Mayor Lane: Thank you, Ms. Frank. That completes our public testimony at this time.

#### **ADDED ITEMS**

[Time: 00:36:11]

Mayor Lane: Next item we have to consider we do have a Regular Item 21 that was added to the agenda on May 16th, 2019. That's contrary to our time stipulation of when something can be added. So I need to request a vote to accept the agenda as presented. Or continue the added items to the next scheduled Council meeting, which would be June 11, 2019.

Councilmember Korte: Mayor, I move to accept the agenda as presented.

Mayor Lane: Motion made by Councilwoman Korte.

Councilwoman Littlefield: Second.

Mayor Lane: Seconded by Councilwoman Littlefield. We're ready then to vote. All those in favor of continuance as presented, or rather as presented, please indicate by aye, and register your vote. It's unanimous to accept that agenda item as presented.

#### **CONSENT AGENDA**

[Time: 00:36:57]

Mayor Lane: Next, Consent items one through 18. We have one request to speak on Item 13, from the public. So I will go ahead and ask for that comment at this point in time. So Item 13, the Experience Scottsdale Destination Marketing Plan and request to adopt Resolution 11416, authorizing the fiscal year 2019/20 strategic business plan performance plan Contract Number 2017-29-COS with Scottsdale

Convention Center and Visitor's Bureau doing business as Experience Scottsdale. So Ms. Sandy Schenkat. She is already at the podium.

[Time: 00:37:55]

Sandy Schenkat: Since I'm the only one, I'm here. Good evening. I take no pleasure bringing these issues to your attention again. Since you have ignored my requests for the past two years.....

Mayor Lane: Sandy, could you move the microphone maybe down a little closer. Thank you. There you go. I think that will help. Thank you.

Sandy Schenkat: Did you hear what I said?

Mayor Lane: Yeah. I think we did. As you dip your head, every once in a while.....

Sandy Schenkat: Okay. Since you have ignored my request for the past two years related to Experience Scottsdale's performance and bed tax funding audit, I feel compelled to let the citizens know of the problems as I see it. Rachel Sacco, president and CEO of Experience Scottsdale is the talented and beautiful woman who has dedicated her career to promoting Scottsdale for over 30 years. She is a class act and a very competent spokesperson for our world-class city. That being said, I question the use of bed tax collection funding by Experience Scottsdale. The Scottsdale Convention and Visitor Bureau engages citizens in 2010 to increase bed taxes from 3% to 5% through Prop 420. This increase was proposed as a way to keep property taxes low by increasing bed tax to bring in more tourism. It appears that the 5% tax increase has helped Experience Scottsdale employees' salaries. Tax form 990 for fiscal year July 16th to June 17 indicated her salary at \$575,000. Her six vice presidents earn from 172,000 to 273,000 during that period. In 2016, the city did an audit and revealed she earned almost \$450,000. The Arizona republic reported the findings of that audit.

You approved a five-year contract in 2017 with approximately \$10 million annually being paid to Experience Scottsdale. Guidestar.ORG reports the tax 990 forms for many convention bureaus throughout the United States. Tampa Bay, Florida has a comparable income to Scottsdale, and their CEO is reported earning \$361,000. Austin, Texas, which has a larger income, paid their CEO 312,000. The annual bed tax pot of gold of almost \$20 million is being shared with the tourism and development commission for city tourism events. The TDC person is also on the board for Experience Scottsdale. Most TDC members are also members of Experience Scottsdale. Therefore, my conclusion is that \$20 million of bed tax is totally controlled by the Experience Scottsdale board. I think it is time for another audit of this no-bid, nonprofit organization. The total funding of five years will be in excess of \$100 million. The city needs to be more prudent with bed tax funding. Thank you.

Mayor Lane: Thank you. So that was the one comment requested on the Consent items. Seeing no requests to speak from the Council. We have the Consent items one through 18. Look for a motion to accept or....

Councilmember Korte: Mayor.

Mayor Lane: Or any other questions.

Councilmember Korte: I move to accept Consent items one through 18.

Councilwoman Whitehead: Second.

Mayor Lane: Motions are made by Councilwoman Korte and Whitehead. We're now ready to vote. Please indicate and register your vote. Unanimous on the Items one through 18.

## **REGULAR AGENDA**

### **ITEM 19 – MESSINGER FAMILY HONORARY NAMING OF SCOTTSDALE HERITAGE CONNECTION SPACE**

[Time: 00:43:10]

Mayor Lane: Moving along to our Regular Agenda items. Incidentally if you're here for Consent items, feel free to leave quietly if you would, otherwise spend the rest of the time with us here. Regular Item 19, Messinger Family Honorary Naming of Scottsdale Heritage Connection Space. We have a presenter here, Kira Peters, Library Director. Welcome.

[Time: 00:43:34]

Library Director Kira Peters: Thank you. Good evening. My name is Kira Peters, the lucky lady serving as the Scottsdale library director. It's fitting because I'm here to share a great story with all of you. This story is about the Scottsdale Heritage Connection project and it's pictured here on the slide. This space is now happily and we're excited to say sitting in the gallery of Civic Center Library. The space is approximately 2,000 square feet and will showcase Scottsdale-specific historic items. It will be things like old yearbooks, photographs, newspaper clippings from 1950 and beyond, as well as phone directories and a lot more great Scottsdale-specific historical information and archives. The story behind this is that this collection used to be on the second floor of Civic Center Library for those of who you know it. It was displaced when we had the Eureka small business space come into the library. Scottsdale Public Library promised the public we'd bring this valued collection back to the main floor and accessible to the public at a future date. That future date is right now. Next slide, please. Or if I can do it. All right.

Where we were and where we are now, this collaborative project has been five years in the making with the past two years of active fundraising going on. Collaboration is the reason the Scottsdale Heritage Collection project has been made possible. So the SHC, as we fondly call it, is here today due to serious collaboration work, an effort between the city of Scottsdale, the Friends of Scottsdale Public Library, the Scottsdale Historical Society, and importantly, a citizen-driven campaign committee along, I'm sorry I did mention the Friends. Again, importantly a citizen-driven campaign committee. The effort has been continually also supported by Scottsdale Library's Board. So far over \$412,000 has been contributed to the project. This includes funding from the city of Scottsdale, individual donations, corporate donations and grants. If all goes according to plan, the structure will be open and available to the public by the ending of June 2019. All right.

Now pictured is an image of what the interior will look like. Working with this campaign committee, I have to say it's been an amazing experience. The passion, not just for bring this Scottsdale-specific historical information back on the floor and the passion for the history, but it's also the passion of this committee to make sure the public, our citizens, have access to this important, valued information. That's been amazing. There's something special about every citizen on the committee. I know a lot are here in the room with us tonight. I thank everyone, each of them, for their hard work on this project. There is one member in particular that we want to recognize tonight. That person is Paul Messinger. Paul's historical knowledge, experience, and giving nature and true love of Scottsdale stood out as he's attended every single meeting. Paul Messinger is the honorary chair of the Scottsdale Heritage Connection campaign committee is also the lead private contributor to this project. There's not enough time for me to go into all the wonderful things the Messinger family means to Scottsdale but I hope you will enjoy the next few slides just to put some things into perspective about the family of which I know are here tonight and what they've done for the city of Scottsdale.

So this is a picture of Paul and Cora Messinger. And they were, in 1959, opened up Messinger Mortuaries. The family moved to Scottsdale in 1942, same year another icon came to town. You can tell we had fun with these pictures. That is Thunderbird airfield two, which is now Scottsdale airport. This is a picture of the southeast corner of Miller and Indian School, which is now Messinger mortuaries, photo from 1943. Here's a picture of Paul and just to say he went to local schools, Scottsdale grammar school, high school, Phoenix College, and Arizona College. This is a picture of Cora Ross, now Messinger, and Rusty Lyon who reigned at royalty at Scottsdale High School at the dance in 1948. Love that picture.

[Time: 00:48:43]

And Paul and Cora were married. They were graduates of Scottsdale high and married in Coolidge, Arizona. One fun fact about this is they got their marriage license in Florence, the justice of the peace on call was in Coolidge so they drove all the way there to Coolidge. The on-call justice of the peace would not marry them until he finished mowing his lawn. They were married in his living room after his lawn was mowed.

This is a picture of the ambulance service. The story is Paul went to city Council to request a permit for the mortuaries and at the time, it was Mayor Mort Kimsey asked if he would have an ambulance service. When he said no, the Mayor tabled it and closed out the meeting. Two weeks later, Paul was back and said, with the proposal of the ambulance service and his permit was approved and there was an ambulance service. Paul drove the ambulance, Cora managed the calls. It was, we had some pricing here. But they did it 24/7. It was pretty affordable for an ambulance ride.

These are just highlights of the family and Paul specifically. They have been the owner and operator of the mortuary over 60 years. Paul Messinger served on Scottsdale City Council from 1971 to 1978. He serve three terms in the Arizona state House of Representatives from 1979 to 1985. I don't have to read all this. He was a very and still is very involved in our community. You can see the list of boards and commissions and committees he was part of. He's also a historian extraordinaire. He's been a columnist in the Arizona Republic over 15 years. He wrote the book on Scottsdale history. Continuing on, he's been part of Scottsdale Historical Society Advisory Board, Board of Trustees, Friends of the Public Library as a gold donor. There's a picture of him and Cora. So at this time, I want to recognize the fact that Sabrina Messinger is here with us tonight because her grandfather Paul is having dinner with

Cora. She's here on behalf of the family. If you want to come up and say a few words on behalf of the family, we'd appreciate it.

[Time: 00:51:20]

Sabrina Messinger: Thank you. Good evening, everyone. I have a few words here to say. My name is Sabrina Messinger. Like she mentioned. I'm so honored to be here on behalf of my grandfather Paul. I know he would have loved to be here. He always tries his best to spend every evening with my grandmother. He's dedicated himself to serving his community in a number of ways from opening Scottsdale's first ambulance service and mortuary to actively participating in local and state politics, including serving as Vice Mayor. That's a small glimpse into his career in the city. I'm sure the majority of you in the room have had a moment to speak with him and heard a story or two and if you've heard one, you know he has a passion for Scottsdale heritage. I always like to joke and call him our little historian. He can tell you how Scottsdale got its official first name and when times were slower and when old town Scottsdale was a small rural community surrounded by local dairy farms and dirt roads. We can't forget about the original Scottsdale families and help the town are grow to what it is today.

He's a natural storyteller. His passion shined through his stories. It is truly such an honor to be here and to be thought of for his naming. We are so thankful to have had this opportunity to be part of this. I know just how important it is to him. On behalf of the family, I would like to especially thank everyone that's put in the long hours and hard work on the project. It is the individuals like yourselves that share the same passion for preserving and protecting our heritage that made it all possible. I hope this center helps educate generations to come about our history and where we've come from so the stories I've grown up hearing are not forgotten because that's what Scottsdale, what makes Scottsdale so special and us the most western town. Thank you.

Kira Peters: Thank you. Thank you. Beautifully put. In conclusion, I'm here to request a City Council to adopt Resolution 11435 to formally recognize the Messinger family in the Scottsdale Heritage Collection structure again to open in June and we would like to name the interior of that structure the Messinger Family Research Room.

[Time: 00:53:48]

Mayor Lane: Thank you, Kira. Very nice presentation. Great to have the family with us today and realizing that Paul is with your grandmother and he is a dedicated soul and every night he is with her, and she's in a facility that keeps them separated at this point in time. They are about both to turn 90 years old in November. Their history here in town is unparalleled with what's been given over and what's been produced here from the Messinger family. Just a wonderful businessperson, wonderful business, our family man. Just a great person all the way around. Cora stands right by his side in that dedication and feeling for her city. I, for one, would want to say this is a very nice dedication and certainly worthy of everything we can possibly do to recognize this great man and great family, really, for us in Scottsdale. With that, I'll turn it over to, I think, Councilman Phillips would like to say a few words as well.

Councilman Phillips: Thank you, Mayor. Honestly, words escape me. I feel lucky just being able to be on the Council, to be able to even be here. Paul is such a wonderful, amazing guy. Scottsdale is so lucky

to have had him all this time. And I don't want to choke up here. I'll move to adopt Resolution number 11435. What an honor and tribute. This is fantastic. We're part of history here. Thank you.

Mayor Lane: I'll second that. Unless there's any further comments or requests. We're then ready to vote on that. All those in favor please indicate and register your vote. It's unanimous to passage on that. Thank you to the family.

**ITEM 20 – ALEXAN SCOTTSDALE REZONING AND ABANDONMENT (21-ZN-2018 AND 17-AB-2018)**

[Time: 00:55:53]

Mayor Lane: Next item is Item 20, the Alexan Scottsdale rezoning and abandonment, 21-ZN-2018 and 17-AB-2018. The presenter, Brad Carr at the podium. Principal Planner. Brad, welcome.

[Time: 00:56:07]

Principal Planner Brad Carr: Thank you. Good evening to you and the members of the Council. Item 20 this evening is for two individual cases. Collectively one project called the Alexan Scottsdale. Tonight the applicant requests you to consider the three things on the screen. The first is an ordinance change for zoning approval to change the site which is currently disowned highway commercial C-3 and single family to the plan unit development zoning, including approval of a development plan with the many development standards and it's for a project 282 residential units, approximately 10,000 square feet of nonresidential floor area and a resolution to approve, or put on record their development plan. As you can see there.

Finally Resolution 11426, for the abandonment of an existing 20-foot alley way located within and adjacent to the project. That project as you can see is located south of Oak Street on the east side of Scottsdale Road. The site has on the west side, the C-3 mentioned. The eastern site which is primarily vacant there with a residential building and southwest corner zoned R-17. As you can zoom in, you can see existing low-scale commercial buildings on the single-family residence on the southwest portion.

Currently mixed use designation and has the current zoning split down the center, basically, of the site. The propose zoning of PUD. The development plan you can see currently the site plan is shown as primarily four-story buildings on the site with comprised of residential, apartment units here and here. The nonresidential portion will be in an area here fronting to Scottsdale Road. Access to site is off Scottsdale Road through the center of the site with parking surrounding residential buildings. There are three-story carriage units with one-story garages on the south side. There is no primary access to Palm Lane with this project. This access was for emergency access only. Elevation, you can see a four-story development. These are primarily three-story units on the east of the side with one-story units on the south side of the site here. Again, this shows how the development standards for the project are laid out. The current requirement is this step here with the amendment as applicant is requesting here for the units on the east side of the project. Landscape plan, landscaping along the areas of the site, north and south of Scottsdale chorus road enhancing the existing landscaping with the street scape design guidelines and primarily on the northern side of the site there will be some large trees planted as a buffer.

As you can see here, there's upside mature trees of three and a half inches per stipulations. South side, one-story garages front the street, Palm Lane, which, to the south, has existing single family residential of one story size as well. The idea behind the proposal was to keep similar setback to these one-story buildings as is presented on the south side of the street. You can see here the illustrations demonstrate that with proposed perspectives here. Circulation, again, centered on the drive that goes straight through the site off Scottsdale Road and circulated. Pedestrian access is through the middle with no access to Palm Lane.

With the related abandonment case, you can see this area in blue is what the applicant is requesting to be abandoned. This is an existing easement that functions as an alley but generally hasn't been used since being dedicated. With that, I'll go over some of the development centers, the height of the proposed building is 48 feet, max. Including a reduction of the overall parking requirement by 23 spaces through a shared parking analysis. Open spaces a little over an acre. 218 units equals 34 dwelling units per acre. Applicant is also here to present. Happy to answer any questions.

Mayor Lane: We'll hear from the applicant's representative. Thank you.

[Time: 01:00:53]

Applicant Representative John Berry: For your record, John Barry, 6750 East Camelback Road in Scottsdale. I was afraid of the history collection. They mentioned yearbooks. A little concerned the yearbook I was in may show up someday.

Mayor Lane: Personally I understand completely.

John Berry: Mayor, members of the Council, staff did a great job presenting the technical aspects of the project. I want to gain a little altitude. This project is a game-changer with a \$60 million revitalization effort on the stretch of Scottsdale Road that bears our city's name that looks currently like this. This is on the block within which we are proposing our revitalization, vacant buildings, closed buildings, pawn shop. This is where I got my most recent tattoo. The Outlook 48 building. The Rock Church Assembly of God directly across the street from our proposed site. Brakemasters. Again, next door to our proposed project. This will give context.

This is the Bones Cabaret which shares a property line with our property. Our property line goes this way and includes this building. This is an infill property. What do we want to do with infill? Protect the edges, be aware of what's around us. In this particular case, we have to the west of us, Scottsdale Road. To the north, single-family. So the south, single-family. How do we deal with these edges? First of all, we worked with the neighbors, which I like to think as a hallmark of what we do. We collaborated and work with the neighbors along Scottsdale Road. Here is Scottsdale Road. What have we done? Put the buildings perpendicular to Scottsdale Road so there's less of a face to the buildings along Scottsdale Road. Most citizens and visitors will experience this project from Scottsdale Road.

What will they see from Scottsdale Road? This is a diagram that shows this is the pavement for Scottsdale Road, the green areas are setback from Scottsdale Road. The blue area is the area within which buildings are permitted under the zoning category. We've not utilized that building envelope where buildings could go. We have set back our building 20% further than required from Scottsdale

Road. We go up one story where the offices are located on the ground floor. We then step the building back, go up to the second floor, step the building back 30 feet before we go further up. What do we want to do? Replace this, which is our next door neighbor, with this. Something which is pedestrian friendly. It's got beautiful landscaping, detached sidewalks, shade for the pedestrian or bicyclist.

What about our edge to the south? So here's Palm Lane to the south. Scottsdale Road over here. There are currently four single-family homes directly across the street from us. We worked with the neighbors and listened to them. What did we do in collaboration with those folks? As staff said, there is no vehicular access. They didn't want people parking on their street. They didn't want pedestrian access because they didn't want people to park on the street and go into the apartment complex. There is no access, pedestrian or vehicular, out to Palm Lane. Additionally, the one-story homes of which there are four, have three one-story garages directly across the street from them. Not even two story with the residential above. One story, three to four across the street.

[Time: 01:04:38]

What about to the north where we have single-family homes to the north up here that back up to the property? What have we done there? Please note the homes currently have two-story multi-family some 50 feet away from their backwards. We've created the rainforest of Borneo with matured trees. Our setback isn't 50 feet. It's some 170 feet to three-story, not four-story. But three-story at this location. We've agreed with the neighbors to bear the cost the undergrounding this virtual jungle of above-ground utility lines that run east-west in the alleyway behind their buildings, and we're doing that at our cost. I'd like to note that staff acknowledges the good job we've done with this infill site in dealing with our edges, the neighbors to the north and south, but in particular, this is their comment about the neighbors to the north which share a backyard with an alleyway to our proposed development. Staff, as usual, is very effective in ensuring we be as collaborative as possible with our neighbors.

In the staff report, it says by maintaining and enhancing existing open space areas, 170 feet worth, adjacent to the site, the development project ensures an appropriate transition from the new development to existing residents north of the development project. I'd also note that many times I ask for a General Plan amendment. Sometimes it's minor, sometimes major. In this instance, a staff put up the colored graphic, this is in conformance with the existing General Plan, not a General Plan modification. Staff goes on to note in your staff report that the request does conform to the General Plan decision of mixed use neighborhoods, conforms from a land use, density and transportation standpoint. We have the opportunity to replace that barren landscape I showed you with their very lush landscaping along Scottsdale Road as it exists today to take five separate driveways on Scottsdale Road and combine them into one.

The result of all this effort would be to replace that with a \$16 million revitalization effort, bringing high-income residents into the area and revitalizing a critical stretch of Scottsdale Road in the southern region of our city where tourists, residents, traverse daily and we can change, make it more appropriate to the brand that Scottsdale has between McDowell Road and SkySong on the south and our burgeoning and revitalized downtown on the north. In conclusion, this is an example of how collaboration can work. We've worked very closely with the neighbors. I know early on you received some e-mails in opposition. How many cards do you have on this project this evening? I think you have two cards this evening.



Mayor Lane: Yes.

John Berry: We've worked with them closely. The result of that collaboration has been fewer units. It's been less height. It's resulted in more open space. 33% more open space than required. More generous landscaping. As I said jokingly, the rainforest on both the north and south. Greater setbacks along Scottsdale Road. It's a 20% greater setback than required along Scottsdale Road and stair step the building back with generous setbacks. This case comes before you this evening with the unanimous recommendation from your Development Review Board and the unanimous recommendation from your Planning Commission. We'd love to have unanimous vote of approval from this body this evening. I'm happy to answer any questions you may have. Thank you.

Mayor Lane: Thank you. We have a couple requests to speak that we'll take right now. Then we'll go to the questions from the Council or comments as they may have them. Start with Ryan Smith.

[Time: 01:09:00]

Ryan Smith: Thank you. My name is Ryan Smith. 2218 North 72nd Place. I'm in the northwest corner of the development in the town and country subdivision. I've been involved in it from the get-go. All our neighbors that moved in in the last couple years have spent a lot of, invested a lot, revitalized the neighborhood and are passionate about it being a historic neighborhood. We're actually, now that we've had the process and opportunity to work with the developer and have them listen to our concern, which was height, privacy, things like that, now that we're on the same page, we're very excited about it. That would be us to the north, the seven or eight homes that border in addition the retirement center on the east side of the development. I spoke a lot with them and a few others on the south that own multifamily, not just single-family.

As he talked about, the power lines buried for us is huge. That improved our property value. We love to see that gone. Increased setbacks and height of the building with trees at 175 feet with the alternative would be single-family that can be 30 feet tall. This is better for our privacy and better investment for the lot. The landscaping increase, additionally, with an eight foot wall around the perimeter. One thing they didn't touch on is implementing mid-century modern design elements into the buildings to pay tribute. We've sat and looked at renderings and came up with unique details I think will pay tribute to the '50, '60s area and surrounding areas.

As far as anyone in our neighborhood is concerned, the retirement center and a few in the south, we're at this point unanimously in support and think it's a great example of collaboration and listening and laying something in in a soft way that benefits not only a city but the neighbors around it in getting rid of the barren lot and underutilized commercial along Scottsdale Road. That's it.

Mayor Lane: Thank you very much, Mr. Smith. Next, Anna Pancoast.

[Time: 01:11:24]

Anna Pancoast: Mr. Mayor and Council members, for your record, 4350 East Camelback Road. I wanted to point out to you, you have 36 signatures of support for the project from neighboring property owners

in your packet but also delivering another set to those to the city clerk. In addition, there are several e-mails of support in your packet. I want to read part of one of the more lengthy ones for the record. This is from the Coronado neighborhood school alliance. And, again, the complete e-mail is in your packet. And I quote, "it's been a pleasant surprise to know that they are in communication with our neighborhood schools to create partnerships and it was a real surprise to hear that they have offered space in their Palm Lane on Scottsdale Road development for offices for POSA that will serve as their office and meeting place as well as beat office for district 1 police officers. This location for a beat office fulfills a part of our city's community policy program that allows officers to be closer to the neighborhoods they serve. With that, all developers had the foresight and awareness to try to partner with the neighborhoods. Thank you.

Mayor Lane: Thank you. That completes public testimony. We thank you very much for that. I think we have comments and questions from the Council. I believe you need to be back on the list. But anyway, Councilwoman Whitehead.

[Time: 01:13:06]

Councilwoman Whitehead: It's actually not a question. I think my first week in office I received a few e-mails from residents of historic neighborhoods saying a developer wants to put apartments in our neighborhood. I thought, oh, boy. I spent 12 months hearing developers are developing neighborhoods and not listening to the residents or making any changes, not accommodating the residents. I reached out to the residents and assured them I'd do everything I could on City Council to make sure their voice was heard and I'd attend community meetings, do probably what others on Council would do as well.

So I never heard anything. I was being diligent, and I would check up on them every now and then and they'd say, no, we're happy, we're working, we're fine. This was very surprising and pleasing to me. And I, again, kept checking. I just want to say this is how development should happen. It was incredible how engaged and how much time the community put and like everybody else I met in the community, people aren't against development. They just want to be heard and want their properties to maintain their value and quality of life. So congratulations to the development team and the community for making my job so easy. So thank you.

Mayor Lane: Thank you. Councilman Phillips.

[Time: 01:14:35]

Councilman Phillips: Thank you, Mayor. You know, seeing a lot of developments in other cities, Tempe, in Phoenix. I've been involved in quite a few of them. And the building that goes on there is just incredible. When you come back to Scottsdale and see the building going on here, it's totally different. I think the developers are so much more involved with the residents here and have so much more of a feeling of it's got to be something good. It's got to be some quality of life, whatever gets built in Scottsdale. We always work towards that. I think this is a great example of what redevelopment should look like. I'm very happy that they picked this area. Hope to see more of it. And then adding the new office, icing on the cake. With that, I lost my place. I'll use Kathy's iPad here. I move to adopt Ordinance 4390, Resolution number 11425 and 11426.

Councilwoman Littlefield: Second.

Mayor Lane: Motion has been made by Councilman Phillips and seconded by Councilwoman Littlefield. Would you like to speak to the second?

Councilwoman Littlefield: Yeah. I just wanted to make a comment to Mr. Berry. I was going to actually move to adopt this, and I just wanted to make sure you knew that and you could put it in your date book that Littlefield's saying yes. I think this is an excellent, excellent project for the area. I think it will revitalize this area, make it much better, stronger for everybody concerned. So thank you.

Mayor Lane: Thank you, Councilwoman. You know, I want to add a bit to that as well. Everybody on Council, certainly most people in the chambers here today, realize and exactly know what we're dealing with in that particular area as far as revitalization and how that connective tissue between the McDowell Road corridor and downtown Scottsdale is an important component in completing that cycle. This is a great step toward it. I think it's been understood from the beginning, number one, the parties involved and how they have engaged the city and the residents in the past. It's been great to see. Certainly this is a good consequence. I'm all for it and want to thank you very much for the presentation. So with that, we have the motion and the second on the table unless there's further comment. We're then ready to vote. All in favor, please indicate and register your vote. It is unanimous.

John Berry: Thank you all very much.

Mayor Lane: Thank you.

**ITEM 21 - SCOTTSDALE'S MODIFIED FLIGHT PATH PROPOSALS TO THE FEDERAL AVIATION ADMINISTRATION**

[Time: 01:17:31]

Mayor Lane: Next item is 21, the Scottsdale modified flight path proposals for the Federal Aviation Administration. We do have Mr. Washburn, our City Attorney, to present on that. Welcome.

[Time: 01:17:46]

City Attorney Bruce Washburn: Thank you. This saga begins back in 2014 when the Federal Aviation Administration took upon itself to implement in the Phoenix area changes to the flight paths out of, for Sky Harbor airport. And this was all part of the FAA's efforts under what's called NextGen. NextGen is probably by and large a very beneficial undertaking by the government. Probably will bring great benefit to the traveling public. The basic idea is, implements itself in this tale I'm telling was that it was possible due to increases in technological ability, a lot having to do with satellite navigation for flights to be more closely aligned when traveling near the airports. So the FAA trying to get the most beneficial effect out of the increases and ability to do navigation, essentially was channelizing the flights as they were coming, moving near the airports, which, you know, if there's a maximum place for the flights to be, which there usually is, then, of course, it's better the more flights there are in the maximum location. The better it is. They're figuring out the maximum there. All that is great in concept but they

implemented it near Sky Harbor airport with little or no consultation or little or no notice to the public or to the local government entities.

As a consequence, after they implemented the changes in 2014, the city of Scottsdale, for reasons which will become obvious as we discuss this, will get a number of noise complaints almost immediately from the citizens. Not surprisingly, as frequently happens when major changes occur, a lawsuit ensued, one in which the city and its citizens were not involved but the city of Phoenix brought the lawsuit against the FAA and a number of Phoenix citizens involved themselves in the lawsuit. That litigation went until 2017 at which time the court entered an order based on a finding that the FAA had not done sufficient outreach and sufficient notification to the city of Phoenix or to the citizens, entered an order in which vacated the departure routes, the new ones implemented under NextGen in 2014 out of Sky Harbor. I should point out there is a dispute at this point between the position of the city of Scottsdale is taking and the FAA's position. The FAA contends there's was only the westbound departures out of Sky Harbor which, of course don't greatly affect the city of Scottsdale that were vacated. The City of Scottsdale contends that a plain reading of the order shows that it was a fact, all departure flights via changes were vacated. The vacation of those changes has not resulted in any changes of the flight paths because when they were vacated the FAA was directed to go back and give further consideration and they are still in that process.

[Time: 01:21:14]

So the city of Scottsdale decided it wanted to see if it could help its citizens who were suffering from the adverse effects of the NextGen changes. So the city retained a law firm out of Washington DC and these are people with a great deal of expertise in dealing with federal administrative procedures, especially the FAA. And they also have a presence in DC where they're able to assist with political and other activities that need to take place there legislative as well. We basically contracted with them to assist the city with a legal strategy, political strategy, and possible legislative strategy to see if there was something to do to make changes beneficial for the citizens. We also in November of last year, entered into a contract with JDA Aviation Technology Solutions. This is a nationally recognized firm with a great deal of expertise in the area. Staffed by a number of very well educated, very involved people, many of whom were former FAA officials themselves. They were retained in order to help the city analyze the current flight paths, identify alternative flight paths that would help out with Scottsdale citizens and also provide the data needed to back up the alternatives. Because if you go to the FAA and request changes, you need the facts to rely upon to show that what you're proposing is beneficial.

So what happened after that, after the lawsuit was resolved, was the FAA as part of the process that it was undertaking as a result of the lawsuit did a couple of sets of workshops. The step one workshops were in February of last year and they basically were for comments on the changes they had made as a result of the court order which they made some changes to the western flight paths as I referenced. They then did the step two workshops, held in April of this year. The purpose of those workshops was for the FAA to basically show the citizens what had occurred, what the changes were they had made, the basis, the facts upon which they based those changes, and also to get citizen input on any concerns they had on the changes that had been made.

The step 2 workshops took place over three days in April. And at those workshops, something occurred which I'll say was totally unanticipated, for example, our consultants at JDA said they had never seen

this happen before where basically the FAA came out with two, what they called, Concepts, which were changes to the flight paths they had instituted in which they were saying legally they didn't have to consider changing again. The changes to the flight paths which they were bring out as Concepts to see what kind of response they got. They made it very clear they were not committing to making the changes. They weren't even committed to making, to considering making the changes but putting them out, out there to see what kind of comments and reaction they got from the public.

So before I go into what the changes are, the Concepts, the Conceptual changes the FAA put out there in the city's possible response to them, let me see if I can give you an idea of the current status. And these colored rectangles around are basically points the flights leaving Sky Harbor going east connect with or for two of them the EAGUL Six RNAV and BRUSR RNAV. They're points used for incoming flights, arriving flights. So you could see, essentially coming out of Sky Harbor, there is one of the flight paths, one of the departures that basically comes up the middle of Scottsdale and north Scottsdale. This is really the bulk of the traffic departing from Sky Harbor going up to MIRBL, QUAKY and ZEPER.

I will say one of the probably more difficult things in dealing with this is learning to say QUAKY and MIRBL with a straight face. It took a little getting used to. These are essentially points that, which all the flights are directed, and then they are RNAV stands for area navigation. They're out of the area navigation part for Scottsdale then taken off on the outside the area on the flights to their destinations. So the basic idea is that the bulk of the flights departing from Sky Harbor going east go up to MIRBL, QUAKY and ZEPER and as you can see all of those start out going right through the city of Scottsdale. Let me make one point about ZEPER because we won't talk about that much after this. ZEPER, while it looks like it could be as much as one third of the eastern departing flights coming out of Sky Harbor, the fact is, if you look where the planes actually went as opposed to where the RNAV shows the flight path to be, a lot of them make early left turns coming out of there. So, in fact, ZEPER has not added that much to the impact on Scottsdale and probably doesn't need modifying, at least not to the same extent as the QUAKY and MIRBL.

[Time: 01:27:12]

Also FORPE, which is more departures from Sky Harbor. By the time it goes out here and goes back over Scottsdale, planes attained such height they cause very little disturbance. We're primarily concerned with the QUAKY and MIRBL departures. Here's FAA Concept one. I think you can see, because they're basically showing this blue line here is where the QUAKY and MIRBL departures were going. I think you can see the bulk of the departures, again, are going up the center of north Scottsdale. This is McDowell Mountain Regional Park to give you context. Here's the 101 coming down here. So the FAA's Concept 1 said, okay, we'll take 30% of the traffic and reroute it so it goes over here. So that would be basically a 30% reduction of traffic going over Scottsdale. That's an improvement. That would be better.

But you have to remember that this traffic that used to be disbursed over a wider area, before they put in the NextGen changes that could channelize the departures, has now been channelized essentially over the center of north Scottsdale, and moving 30% of it while it's an improvement still leaves a substantial amount of traffic over the city of Scottsdale. Then this is their Concept 2. Concept 2 had to do with arriving flights. And this blue line here is essentially where the bulk of the arriving flights were shown to be coming in that affected the Scottsdale area. And the FAA is saying, we can move them further south and, as I understand it, they would be split in some way. The blue line would be

eliminated. Arrivals wouldn't come in that way. They would be divided between these other two lines here. All of these still go over Scottsdale. And the proposal we're bringing to you tonight, which is basically to authorize the Mayor to make some comments on behalf of the city to the FAA, the proposal tonight doesn't deal with the arriving flights.

And there's several reasons for that. The first is I told you in the litigation the court ordered the departing flights that had been established with the NextGen were vacated, and the FAA had to reconsider those. We've been focusing on the departing flights because we have an overall strategy, not just this request for the FAA. We also have a legal strategy, legislative strategy. A lot of that looks at what's available to us, shall I say, through the court's order. The second thing about the arriving flights is that this concept was just floated at these meetings in April. The thing about these concepts from the FAA is that they're very broad, I'll say vague in the sense that even the FAA has said, yeah, this is kind of generally where we think these things might go. If we ever do decide to implement these Concepts, we'll go through a full-blown public outreach process and get them a lot more better defined so the people have a better idea where they'll go. We'll do any necessary environmental assessments and take a lot of Public Comment. These arrivals that were not part of our original strategy for how to deal with the FAA. They're not very well defined the way they are right now.

The third reason we're not really taking any position on these right now is that basically it takes the traffic that affects one group of our citizens and moves it over to other groups of our citizens and we didn't think based on just what we know now and where we're at in the process that the city should be picking and choosing between which groups of citizens suffer the effects of these increased channelization of this traffic. If the FAA decides to do anything with these, and I should also point out that our experts say that the FAA is probably considering these changes not to deal with any perceived noise or environmental issue but because it will assist them in handling traffic inflows especially during heavy traffic periods that basically we decided we'll just leave those alone. There will be plenty of time to comment about those later if, in fact, the FAA decides to do anything with them.

[Time: 01:32:10]

So working with our experts, this is the, it's what's called the preferred modification to Concept 1. This is basically what we're saying the city of Scottsdale should be proposing, that the traffic coming out of Sky Harbor go farther east, basically up the Salt River, which would put it along the south boundary of the Salt River, Maricopa Indian Community and up this way along the eastern edge of the Yavapai land there and up to MIRBL and QUAKY in this direction. The good news about that is, this basically gets the departing flights. We suggest those except for going through ZEPER, they all be moved this far east. There's very little, small population, if any, they would be going over. And kind of one of the important points our experts made on this is that the FAA, when they're mapping outgoing flights and doing it back east, every direction they go, it's heavily populated. You can't come out of Chicago or Philadelphia or any of those large airports back east and go, oh, here's where we'll go because there aren't any people. That's not true here in the west and certainly not for Sky Harbor.

So this is what the city of Scottsdale wants to propose is the primary alternative regardless of what the FAA does with the Concept 2 and the arrivals. This does add more mileage basically for the planes to be traveling, especially getting to QUAKY. So yes, it does not, means the advantages of NextGen have reducing mileage traveled and all that are not maximized at that point, but we think that given that it's

an appropriate tradeoff to make, to add a few more miles rather than channelize all this traffic over the populated areas of Scottsdale. We have a fallback position, which is not our preferred modification but it's an acceptable modification. This basically, more closely tracks their Concept 1 and brings us up basically over McDowell Regional Park in this area here and going to MIRBL and QUAKY that way.

And this would be acceptable. Kind of the downside is this puts lot of that traffic over Fountain Hills. Some of it over the Salt River Pima Community and over the McDowell Mountain Regional Park. These are areas, like the park and parts of the community are not heavily populated, they are subject to use. Those are the kinds of areas where under the federal environmental laws are supposed to be protected from excessive noise. It's supposed to be quiet in parks and people are supposed to be enjoying them. So we think it would be better, more consistent with all the policies that they should be following to move the traffic over here.

The other thing is that if they do implement these Concept 2 and basically if they implement Concept 2 they'll take the air traffic that was going over one group of citizen here and move it to other groups of citizens and basically double the number of citizens subjected to this air traffic. The city's position, if you decide to do that, should definitely move the outgoing traffic over here so that the city's citizens, even if more affected by more citizens are by the incoming flights, they'll get relief from all the citizens will get relief from the outgoing flights and therefore really our only alternative we would recommend should you decide, should the FAA decide to implement Concept 2 would be our preferred alternative.

The motion before you tonight is to approve Resolution 11499 which would authorize the Mayor on behalf of the city to submit the report and comments that we received and prepared in conjunction with our outside experts and with that, I'll be happy to take any questions.

Mayor Lane: Thank you very much. We do have a couple of requests to speak on the subject. I'll go ahead and go to that at this time. We'll start with Lamar Ledbetter.

[Time: 01:37:24]

Lamar Ledbetter: I'm from 7576 East McLellan Lane. The reason I'm here tonight, first time I've been to one of these. When I was reading what the discussion was about the jet noise and all, it was going to talk primarily about departures and we're the serious victims of arrivals.

Mayor Lane: Sure. If you could speak into the microphone or move it closer to you, Mr. Ledbetter.

Lamar Ledbetter: Is that loud enough?

Mayor Lane: If you can maintain that position, it will be.

Lamar Ledbetter: Okay. Sounds good. And basically, looks like I can have a picture. How does that work? Yeah. Basically, the issue is that the aircraft coming in when landing to the east, a large number of them are coming from up north, start basically at Tatum Road and 101 coming back through 56th Street, down and across Scottsdale Road to get on the east side at about Doubletree and then come down to here. Where my house is right now is right here at the end of east Lincoln and 7600 Lincoln Boulevard's housing area. So all the aircraft coming in are coming from higher altitude and descending

until they make this left turn and they're at a very low altitude when they start to make the left turn and then they go east and do a U-turn so they can land from the east going into Sky Harbor.

The issue is that we have a lot of friends and acquaintances all up Scottsdale Road and all that kind of thing and basically they're concerned and affected by the sound of this thing. The people near us that jets are coming down, they've been lowering altitude and are coming lower and lower and then when they make this left turn they all go level. In ordering to go level, they have to bring the power back up and that power is coming up. If you look at it, this is east Lincoln drive. This is McDonald, and so basically the noise is fantastically high. This is when they're landing from the east. it's not there all the time. When they are landing from the east, it's very, very loud.

We've had wake-ups at 1:00 a.m., 3:00 a.m., 5:00 a.m. I actually had done a report to Phoenix because they were showing all the stuff. I'd sent them a concern. This outlines all the issues you, that they're coming down in altitude and adding power when they make the left turn and my concern was if the focus is on departures, it's not going to solve this thing which impacts massively the heart of Scottsdale. And the other thing is I went to the workshop for the FAA and was talking to go to them about the ones we hear late at night. One of them said that's when most people don't land, 1:00 a.m., 2:00 a.m. It was cargo planes. If they are cargo planes, why are they allowed to come in over a path that comes over the population. I understand part of it is they're supposed to be going for safety.

Mayor Lane: I'm sorry. Your time has elapsed. If you could wrap up your comments and what you're maybe at.

Lamar Ledbetter: My goal basically was to make the point they ought to focus on arrival.

Mayor Lane: Okay and.....

Lamar Ledbetter: And have more than just departure to talk about. Sorry. I didn't see the three minutes.

Mayor Lane: Thank you. Next is Chris Irish.

[Time: 01:41:34]

Chris Irish: See if we can get this the right level. Thank you for the opportunity to speak. My name is Chris Irish. I serve as public affairs director for the DC Ranch Community Council, 20555 North Pima Road. I'm here tonight representing our 7,000 residents in our community. As Mr. Washington stated, in 2014, Sky Harbor NextGen program significantly increased Sky Harbor air traffic over Scottsdale to include DC Ranch. The city of Phoenix sued the FAA and won portion the FAA to change the westbound flights. This inspired DC Ranch along with the citizens group Scana to ask for the city of Scottsdale's help to try to get the FAA to also make changes to eastbound flights. After joining forces, we rather surprisingly saw in April the FAA present concepts that would lessen the impact on Scottsdale. The city hired a consultant to study the concepts and we now have a thorough report that recommends modifications to the FAA concepts that have a city-wide benefit. DC Ranch is hopeful you will vote to support the recommended modifications and strongly advocate for their adoption by the FAA. If it's a yes vote tonight, DC Ranch will submit official comments to the FAA tomorrow endorsing the city of



Scottsdale's preferred modification and encourage our residents to submit the same comments as we know there's strength in numbers. In closing, I thank the Council and city staff for stepping up to help, and recognize Mayor Lane and Councilwoman Korte for taking the lead. Thank you.

Mayor Lane: Thank you, Ms. Irish. That concludes the Public Comment on this item. Unless we have any other further comments from the Council or otherwise, Councilman Phillips.

Councilman Phillips: Thank you. I move to adopt Resolution number 11499.

Councilmember Korte: I second.

Mayor Lane: Motion made by Councilman Phillips and seconded by Councilmember Korte. Would you like to speak toward it?

[Time: 01:43:52]

Councilmember Korte: Yes I would, because this has been a long time coming. Certainly with, in 2014 when the whole flight path patterns changed, we received hundreds of complaints, and our answer to them was, well, the city of Phoenix is suing the FAA in the lawsuit and we need to sit back and wait until that happens. Wait until we see what happens with that. Fortunately, Phoenix prevailed and I think that took the FAA a little by surprise. And, yet, we, as a city, kind of continued to really not know what to do. So I really wanted to do a shout-out to a couple citizens. One is Bud Kern. He's put thousands of hours into efforts to outreach to our citizens, talk about what the real issues are, bring data and all that important scientific data and work into some solutions. So thank you Bud. He's here in the audience.

I'd also like to give a shout out to Jeff Schwartz. Jeff approached me and asked, what is the city doing about this? It was soon after the city of Phoenix had won the lawsuit and it was Jeff's insistence, his offers to help, and his, really, identifying solutions and bringing Covington to the table and bringing some political powers to the table that has gotten us to this point. So wherever you are, Jeff, here's a shout-out to you, because as I always say, it's the citizens of our city that make our city special. And here's an example of two great citizens that made an incredible difference for our city. Thank you.

Mayor Lane: Thank you. Councilwoman Littlefield.

[Time: 01:46:07]

Councilwoman Littlefield: Thank you, Mayor. Yes. I would also like to echo Councilmember Korte's statements and comments. She was absolutely right in what she said. I would support this, the preferred Concept 1. But I would also like to make it clear and put on the record that we reserve as a city the option and will be prepared to sue, if necessary, to get relief as Phoenix did. They did get relief with their lawsuit. We played nice and we didn't get relief. I consider this a lesson learned and I want to make sure we don't close that loophole on our options in the future. Thank you.

Mayor Lane: Certainly the citizen groups that activated themselves and had a great deal of impact with the FAA. At times, when in the earlier years even when Phoenix was pursuing this, we had little impact as a community even though we made the steps to try to contact and to exert some force on

reconsideration of it. But back in 2014, '15, and '16, there was very little done. The lawsuit did bring it to the point that they had not done the proper outreach, which allowed us to have those additional meetings, which gave us the opening to make sure we were to be heard. That was a principle thing. Because even the city of Phoenix, was not notified, much less the citizens. The city itself was not notified of the changes early on.

It's been a good effort. To get to this point is certainly a positive. As Councilwoman Littlefield mentioned, we always reserve the right if we needing to further to effect a better change. Working and dealing with the FAA, something I have some knowledge of in past life is never an easy thing, particularly when it revolves around what they believe to be safety versus anything else. So it's, I think, to the point of the conceptual changes they offered to us in the early meetings here in April, I think that was a surprise to most of us, even though there was a good deal of communication.

A shout-out really to our senators, both Senator McSally and Senator Sinema weighing in on that as well as some of our congressional delegation. It's all seen as positive in a joint effort to bring us to this point. It's not done until we're through this process. I will reserve ultimate congratulations when we receive at least what we're looking for at this point in time. But it's a good move. Certainly, I support this, absolutely. With that, I think we're ready then for a vote. All those in favor please indicate with an aye, those opposed with a nay. Aye. Unanimous, then. Thank you Mr. Washburn for the presentation and explanations.

We have no further Public Comment. We have no citizens petitions. Mayor and Council items.

#### **ADJOURNMENT**

[Time: -1:49:35]

Mayor Lane: With that, I'll ask for, call for adjournment.

Councilmember Korte: So moved.

Mayor Lane: Moved and.....

Councilwoman Klapp: Second.

Mayor Lane: All those in favor please indicate by aye. We are adjourned. Thank you very much.