



**ENVIRONMENTAL QUALITY ADVISORY BOARD  
CITY OF SCOTTSDALE  
GRANITE REEF SENIOR CENTER  
1700 N. GRANITE REEF ROAD, ROOM 12  
SCOTTSDALE, ARIZONA  
WEDNESDAY, FEBRUARY 18, 2009**

**SUMMARIZED REGULAR MEETING MINUTES**

**PRESENT:** Jimmy Leung, Chair  
Bill Gill, Vice Chair  
Nancy Basinger, Board Member  
Lisa Cavera, Board Member (arrived at 5:56 p.m.)  
Ron Hand, Board Member (arrived at 5:39 p.m.)  
James McCay, Board Member  
Thomas Dwyer, Board Member

**STAFF:** Larry Person, Environmental Coordinator  
Joey Miller, OEI  
Andrew Kocsisky, OEI  
Chuck Skidmore, Energy Management Engineer  
Anthony Floyd, Green Building Manager

**GUESTS:** Bill Sheaffer, EAC Member  
Lance Donatello, GBAC Member

**Call to Order and Roll Call**

Chair Leung called the meeting to order at 5:37 p.m. A formal roll call confirmed members present as stated above, noting the presence of a quorum.

**Public Comment**

Bill Sheaffer suggested the City could drive down operational costs by encouraging friendly competition between employees, while offering recognition or incentives to those who do the most to reduce energy consumption and waste. The potential return on investment is quite large since it would not cost the City much at all.

1). **Approval of Minutes**

a) January 21, 2009 Regular Meeting

**BOARD MEMBER BASINGER MOVED TO APPROVE THE MINUTES OF THE JANUARY 21, 2009 REGULAR MEETING. BOARD MEMBER DWYER SECONDED. THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0). BOARD MEMBER CAVERA WAS NOT PRESENT.**

2). **Administrative Report**

Mr. Person said he forwarded EQAB's list of approved committee and task force appointments to Council. The energy and water advisory groups were submitted as task forces instead of committees. On February 17, Council filled open positions on 15 different boards and commissions. Council approved Jay Spector and Lisa Cavera to fill open seats on EQAB. Council also accepted all of EQAB's committee recommendations.

Mr. Person reported that the Office of Environmental Initiatives has withdrawn recruitment for the OEI Director and Energy Manager positions. All vacant City positions are included in the process of balancing the budget for FY09/10. The deficit for the current fiscal year has been managed, while the FY09/10 budget deficit has been reduced down to the \$10 million to \$15 million range. Included among additional budget adjustment considerations are a proposed retirement incentive program, program and service staffing reductions, benefit and compensation package reductions, and the use of the City's reserve. In response to an inquiry from Board Member Basinger, Mr. Person said no interviews have been conducted for the OEI positions, though qualified candidates were identified.

Board Member Basinger suggested the Board participate in requesting any environmental funds included in the President's stimulus package. Mr. Person responded that anything that was to be submitted for consideration in the stimulus plan has already been committed. The City's package of Clean Renewable Energy Bonds (CREB) to fund the installation of solar panels on City buildings is part of the stimulus. Millions of dollars of infrastructure improvements and environmental projects are under consideration for Scottsdale specifically. Board Member Dwyer added that the package includes money for the rehabilitation of municipal buildings, water projects and street projects.

Board Member Basinger asked whether the stimulus would raise the priority of staffing the OEI, by virtue of the additional money coming in for environmental projects. Board Member McCay noted that \$3.2 billion has been allocated to support energy efficiency projects on an on-demand basis. If Scottsdale does not have anyone looking out for that funding, the City is going to miss out on that money. Mr. Person explained that the City's Inter-Governmental Relations Department (IGR) is already going after those funds. Board Member Basinger expressed frustration that the Board would have no impact on what is done with the funds. She requested that Mr. Person try to represent the Board's interest wherever he can within the City.

Chair Leung suggested the Board could send a letter to the IGR offering advice. Mr. Person said he would set an agenda item to discuss that idea. He noted that it is the IGR's responsibility to represent Scottsdale interests to the political establishment at the State level. The City also employs two lobbyists in Washington, D.C., whose jobs are directly related to getting stimulus money filtered to the State.

Board Member Basinger said that while the IGR staff has expertise in working the system, they might not necessarily know what to request money for. Mr. Person explained that Council and top staff direct the IGR to launch their effort, and the IGR approaches resource people throughout the organization on specific allocation opportunities. Board Member Dwyer noted that municipalities were asked to submit shovel-ready projects that could get started as soon as the money was available.

Chair Leung suggested inviting the IGR to give an update. Mr. Person noted that the IGR staff is currently lobbying the State Legislature, and might be able to shed some insight on the various environmental bills they are tracking. Board Member Dwyer suggested the Board send a letter to Council to maximize efforts to access stimulus funds related to environmental and energy projects. Mr. Person said he would communicate the Board's message directly.

Mr. Person noted that Mayor/Council are forming a Citizen Budget Review Committee for the current budget process to allow citizens to share ideas that would result in energy efficiency and cost savings to the City. The exact makeup of the Committee has not been settled on, though applications are being accepted. The Mayor has said he wants to see more citizen involvement in the budget process this year.

3). **EQAB Vision Statement**

Chair Leung presented a reworked vision statement and asked the Board to review it for discussion at a future meeting. Board Member Hand felt that it should be more concise. Board Member Basinger suggested the Board review both the broad strokes and the targeted goals at the next meeting.

4). **Appoint EQAB Members to Chair and Vice Chair Committees**

Chair Leung appointed Tom Dwyer as Chair, and James McCay as Vice Chair of the Energy Advisory Committee (EAC), and Lisa Cavera as the Vice Chair of the Green Building Advisory Committee (GBAC).

5). **Review/Revise By Laws for Standing Committees**

Chair Leung read the Board's mission statement. He noted that the City has been moving towards creating a leaner structure for boards and commissions. The Water Advisory Committee (WAC) currently has one person on it, and has not met in a while. The Energy Advisory Committee has not met in a couple of months. He suggested that instead of being called standing subcommittees, the WAC and the EAC should be called task forces. Task forces can do the same things that standing committees can, but have

the freedom to meet on an ad hoc basis instead of required monthly meetings. Water Resources has also requested direct access to EQAB, rather than going through the WAC. The GBAC would remain a standing committee.

Board Member Hand said task forces are created to operate for a limited time. Chair Leung responded that they could be created annually for ongoing tasks that are reset each year. Mr. Person added that a task force would have to be appointed for a specific topic for a finite period of time that is less than one year. The Board appoints task force members. Board Member Basinger felt the EAC could be doing more than it currently is. Board Member Dwyer felt the EAC should remain a committee, as energy is only going to become more important to the City. The WAC could be suspended until there is enough activity to reconvene it. The Council was suggesting the use of task forces, but did not issue a mandate.

Board Member Hand noted that Council just recently appointed EQAB's three standing committees. It makes little sense to change them to task forces. Mr. Person said Bill Gill's name was submitted for a water task force, since his name was the only one on the list. Board Member Basinger said the Board should decide on that change. Just because Council approved his appointment to a water task force does not mean they drew such a fine distinction.

In response to an inquiry from Board Member McCay, Mr. Person said the Board has used task forces in the past whenever it has required technical expertise. The current Board Members are accustomed to three standing committees, but there are and have always been various ways to go about it. Chair Leung said if the Board is going to have the EAC, the committee should have their task clearly defined. Board Member Basinger said the GBAC's frustration stems from the lack of direction about what they should be working on. Structure is useful for both task forces and committees.

Mr. Person said committees could sometimes be spread too thin. Volunteers are asked to meet regularly with nothing to work on, and then when something does come up, they must spend more time getting deliverables done in time to meet the Board's deadline. This process hamstrings flexibility. Board Member Basinger said most of the effort falls on the Chairs, and besides, all Board Members should be invested to some degree.

Board Member Dwyer argued that the EAC should be doing something besides waiting for the energy plan update to happen. The WAC should either be suspended or turned into a task force. Board Member Hand asked about what their task would be.

Mr. Person responded that he plans to contact the General Manager of the Water Department each month to determine whether there is a topic that he needs the Board's support on. These requests often require a quick turnaround, and the WAC's existence created an extra step that delayed the process. With a standing agenda item for water topics, if a need arises that requires in depth study, a water task force could be formed. Board Member Hand said without a task, the WAC should be disbanded until there is a need.

**BOARD MEMBER MCCAY MOVED TO DISBAND THE WATER ADVISORY COMMITTEE. BOARD MEMBER HAND SECONDED.**

Mr. Person displayed sample guidelines that could be used as the basis for guidelines for any kind of task force the Board might form in the future. In response to Board

Member Cavera's inquiry, Mr. Person explained that a task force could be assigned to more than one task at once. The Board would monitor developments to determine whether a task force has enough to do to warrant becoming a committee.

Chair Leung felt that too much of the Board's time is spent running committees instead of doing something for the environment. Streamlining would benefit the process.

**THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SEVEN (7) TO ZERO (0).**

Chair Leung reiterated that the GBAC would remain a standing committee. He asked the Board for opinions on what to do about the EAC. Board Member Hand said monitoring the energy portion of the stimulus package allocation is something that the EAC could start working on right away.

Board Member Basinger reviewed some changes she proposed to make the guidelines consistent between each of the committees. In response to an inquiry from Board Member Dwyer, Mr. Person explained that if the Board's top priority is technical expertise, appointees do not necessarily have to be Scottsdale citizens. The current wording requires that appointees have their primary business in Scottsdale. The general feeling is that people that have an investment in the community should make decisions that affect Scottsdale. Both the EAC and the GBAC have non-Scottsdale residents on them currently. Board Member Basinger added that nothing outside the bylaws requires that committee members be citizens of Scottsdale. Mr. Person clarified that changes to the language would have to be submitted to the City Attorney's Office for approval.

Board Member Hand said there seems to be a never-ending discussion on what the residence status of committee members should be, even though the GBAC has shown how effective it can be by including qualified individuals who are not citizens. He supports EQAB appointing anybody it deems qualified, with a preference shown to Scottsdale citizens or people that personally work in Scottsdale.

Chair Leung expressed concern that EQAB could be held accountable if a non-Scottsdale appointee misrepresented something publicly as being representative of the City, or otherwise did not serve in the best interests of Scottsdale. Board Member McCay argued that the restriction could also prevent EQAB from accepting the most talented people available for the job. The applicants are screened before they are appointed to a task force anyway. He questioned whether EQAB should manage against unknown negatives, or on known positives. Board Member Basinger said a Scottsdale resident could represent the community in a negative way as well. Chair Leung agreed, but said there are no inherent conflicts of interest that way.

Mr. Person noted that people who are appointed to a board or commission must sign an oath of allegiance to the City. Committee Members are not subject to that requirement. From a managerial perspective, Council decided to create an environmental board to advise them. EQAB is part of the City structure. Council allows boards and commissions to form committees, but did not extend the same requirements down to them. They do, however, have an expectation that boards and commissions manage themselves and anyone on their committees with comportsment. The GBAC pre-existed the current structure and was drawn into the City process. Everybody recognizes that it has been extremely effective, and nobody wants to dampen the GBAC's contributions, but everyone wants to ensure that they are part of the official process. Staff is lobbying

to have the committee members trained the same way members of boards and commissions are.

Board Member Dwyer questioned limiting membership to six consecutive years. If they have to be appointed yearly, a limit should make no difference. Mr. Person explained that the limits are there because EQAB is limited to six years. Board Member Gill said term limits could force good people off the committee. If there are no expectations of a term limit, people simply go away when they are ready to. Board Member Basinger felt that committee chairs are responsible for deciding whether someone is not contributing and taking appropriate action.

The Board agreed to delete the sentence on term limits from the draft, and that preference be given to applicants who are Scottsdale residents or personally work in Scottsdale. Board Member Hand suggested changing the third sentence under the section on Subcommittees to include the phrase, "additional qualified candidates," instead of, "additional Scottsdale citizens."

**BOARD MEMBER DWYER MOVED TO ACCEPT THE REVISED GREEN BUILDING ADVISORY COMMITTEE AND ENERGY ADVISORY COMMITTEE GUIDELINES, AS AMENDED. BOARD MEMBER MCCAY SECONDED. THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SEVEN (7) TO ZERO (0).**

6). **Process for providing direction to standing committees**

Mr. Person noted that the committees are asking for more direction from the Board. They want focused deliverables to work on. He asked EQAB to discuss a process to more formalize two-way communication so that the committees know what the Board wants them to do, and the Board understands what the committees are doing.

Board Member Basinger suggested the Board annually assign goals for itself and for its committees to work on during the year. Board Member Dwyer said it would be helpful if the committees provided an update on their status. The Board can either agree to have them continue forward, or assign something different. Chair Leung requested that time be set aside each year to evaluate each committee.

Board Member Hand suggested a first step of distributing the strategic goals document that was adopted in November. The real shift last year was towards existing buildings. EQAB should reinforce what was done in 2005 with LEED Gold to make it an ongoing thing, and get back to discussing policy instead of process.

7). **Green Building Advisory Committee's (GBAC) Revised Strategic Goals and Vision Statement(s) for review, analysis and possible recommendations regarding possible expansion of the Green Building Program**

Chair Leung said he would like EQAB to focus on unresolved issues, such as the proposed expansion of the Green Building Program. When Council brought this topic up, it gave EQAB an opportunity to advance the GBP in some way. He asked the Board how it wanted to respond. The Board should ensure the necessary due diligence is done to move through this topic. Board Member Dwyer felt that staff has already taken

over the project. He noted that Council gave EQAB an opportunity to look into creating an overlay zone for green building that would grant exceptions to the standards in exchange for agreeing to green building requirements.

Mr. Floyd explained that the Development Review Board is preparing a retreat where some of staff's proposals could be presented. The effort is related to climate-responsive design, which relates to green building as well. Board Member Dwyer felt as though the GBAC has been taken out of this process, even though Council turned to it for advice. Board Member Hand said EQAB did not know what to do with it initially, whereas staff had some definite ideas. He noted that Council's original discussion was convoluted, and Councilman Nelssen's original point had nothing to do with green building. It was brought in as a way to leverage the idea. The retreat may serve as a vehicle for the Board to pull the issue back in.

Chair Leung said much of what Councilman Nelssen was talking about sets the stage for what the green building strategic goals are trying to address. Regardless of whether it answers his question directly, it provides an opportunity to promote green building concepts. The Board should do an inventory of what needs to be done before it can make a recommendation.

Mr. Person noted that Councilman Nelssen has asked the City Manager for an update on where his idea had gone. When a new Council takes office, anything that the old Council did is essentially invalid. Therefore, Councilman Nelssen has called for a discussion with the new Council to see whether they want to revive the process. That discussion might result in clarity, or could remove it entirely as an issue. He clarified that the motion that staff crafted from the Council meeting was an attempt to synthesize what the Council as a whole asked EQAB to do. After it passed, Councilman Nelssen requested that EQAB consult Sonoran-based architects to incorporate a desert aesthetic into their proposal. If EQAB presents Council with a proposal that does not address his request, it could lose his support.

Mr. Person noted that EQAB's only role is to advise Council, which makes all decisions. Until EQAB hears otherwise, the Board's only task on this issue is to return with a recommendation on the original motion. Much of what was discussed at the Council meeting is not within EQAB's authority. The Board would be stepping on the authority of other boards and commissions by inviting an architect in to discuss this topic. He said Chair Leung has asked him to communicate with the liaisons from the other boards and commissions to ensure that proper protocol is followed. Board Member Basinger said the GBAC would find it helpful to leverage the expertise that other boards and commissions could provide. Mr. Person suggested that committee chairs should communicate with Chair Leung to ensure that something is not done inadvertently at the committee level that would reflect poorly on EQAB. The Board agreed to request a new presentation from staff, and invite GBAC members to attend.

8). **Standing committee reports**

- Green Building Advisory Committee (GBAC)
  - GBAC's Revised Strategic Goals
  - GBAC's recent meeting agenda items and actions

Mr. Person reported that the GBAC discussed mechanisms, such as those used by the National Environmental Performance Track (NEPT), to forward green building standards in Scottsdale. NEPT represents a new movement away from the old command and control style system of enforcing regulations, towards encouraging voluntary participation in a program. The goal is to get companies to comply with all the laws, by making performance commitments that exceed those set in the regulations. GBAC Member Westgaard was proposing that a similar program be established in Scottsdale that applies the principals of that concept to what the Green Building Program is trying to promote

Board Member Basinger reported that a subcommittee was formed to look into the effectiveness of prior Design Day events. The GBAC will review their report and decide whether to assign resources to a 2009 event. The City of Scottsdale wants to have a presence at GreenBuild 2009. The GBAC plans to have a retreat on April 14 to be facilitated by Vic Valliere as an extension of the regular meeting. The agenda will be discussed at the March meeting. Board Member Basinger said there was a discussion on having joint meetings between the GBAC and the EAC. The Committee decided to schedule them on an as-needed basis, at least twice a year, instead of having regularly scheduled meetings. The GBAC is very interested in seeing the two committees work together instead of at cross purposes.

9). **Board Member suggestions for future agenda items**

Mr. Person summarized the agenda items suggested so far. Board Member Dwyer requested an update on the EAC. Board Member Hand said that at some point EQAB should return to pursuing LEED for Existing Buildings, which has fallen by the wayside. Scottsdale really needs a follow-up program to LEED Gold to maintain its leadership in municipal green building policy.

10). **Updates and Reminders**

Chair Leung said the next GBAC meeting is on March 10. The next EQAB meeting is March 18.

**Adjournment**

With no further business to discuss, the meeting adjourned at 8:34 p.m.

Respectfully submitted,

A/V-Tronics, Inc.