



**SCOTTSDALE AIRPORT ADVISORY COMMISSION  
PUBLIC MEETING  
Scottsdale Airport Terminal Lobby  
15000 N. Airport Drive, Scottsdale, AZ  
July 20, 2016**

**MINUTES**

**PRESENT:** Brad Berry, Chairman  
John Celigoy, Vice Chair  
Ken Casey  
Bob Hobbi  
Steve Ziomek (telephonic)

**STAFF:** Sarah Ferrara, Aviation Planning & Outreach Coordinator  
Gary Mascaro, Aviation Director  
Chris Read, Airport Operations Manager  
Greg Bloomberg, Planning

**Guests:** Michael Braun, DWL Architects  
John Berry, Berry & Riddell, Chairman, Phoenix Aviation Advisory Board

**CALL TO ORDER**

Chair Berry called the meeting to order at 6:00 p.m.

**ROLL CALL**

A formal roll call confirmed the presence of Commissioners as noted above. Chairman Berry thanked former Commissioners Schuckert and Goode for their service.

**PLEDGE OF ALLEGIANCE**

Chairman Berry led the meeting in the pledge of allegiance.

**AVIATION DIRECTOR'S REPORT**

Gary Mascaro, Aviation Director noted that with a full agenda, he would reserve presentation of items under the Director's Report.

## **APPROVAL OF MINUTES**

### 1. Approval of Minutes

Regular Meeting: June 15, 2016

Vice Chair Celigoy made a motion to approve the minutes of the June 15, 2016 regular meeting as presented. Commissioner Ziomek seconded the motion, which carried by a unanimous vote of five (5) to zero (0).

## **PUBLIC COMMENT**

There were no public comments.

## **REGULAR AGENDA            ITEMS 1 - 10**

1. Mead & Hunt/DWL Architects Shall Provide a Brief Presentation and Update Regarding the Terminal Area Redevelopment Project.

Gary Mascaro, Aviation Director introduced Michael Braun from DWL Architects, who provided a design update for the Terminal Area Redevelopment Project. He provided slides depicting the current schematic design, floor plans, Aviation Business Center and building rendering. The design schedule began with the concept budget report, followed by refinements and the schematic design. During the June to August time frame, stakeholder meetings will take place involving tenants, the restaurant, border protection and the aviation group. After the schematic design, the concept is approved through the DRB. If approved by the Commission, the process continues with design development and construction documents at the end of the year/early next year with the construction completed in April of 2018.

Vice Chair Celigoy asked whether the City retained the concept of accommodating future growth for the college or other vendors. Mr. Mascaro confirmed that there is vacant office space on the first floor. However, no additional space was provided in the specific area to accommodate expansion in the future. The college changed presidents and the new president was not prepared to move forward within the requested time frame. Hence the project had to move forward without this element.

Mr. Braun stated that the Aviation Business Center is pushed primarily against the operating area of the airfield with a circulation or service yard on the side and a plaza in front with an opportunity to have a Stearman aircraft as a focal feature. The two hangars support 30,000 square feet each with 2,000 square foot of support on either side. The floor plans for the Aviation Business Center were reviewed.

Commissioner Casey commented that the restaurant will have an unobstructed view of the McDowell Mountains. In response to a question from Commissioner Ziomek, Mr. Braun confirmed that access to the patio is through the restaurant. The observation deck is also available for viewing.

Chair Berry asked about the construction materials for the building. Mr. Braun explained that the concept is for steel frame construction and concrete floor slabs.

Vice Chair Celigoy asked whether the CBP office space requirements drove the design concepts. Mr. Mascaro stated that this was not the case. The requirements were for massive space, which was not a feasible request. A revised suggestion was submitted and was reasonable, at approximately 1,150 square feet. The desire was to locate Customs closer to Ross.

Commissioner Ziomek noted that the administrative offices are located farther in without views into the CBP office and one end of the field. Mr. Braun replied that work continues on this and plan adjustments are under way.

Vice Chair Celigoy asked whether the relationship with CBP is perpetual, is a GSA lease, or what the status of the business relationship is between the government and the city. Mr. Mascaro stated that there is a memorandum of agreement and that either side has the ability to cancel with 180 days notice at any time.

2. Discussion and Possible Action to Adopt Resolution No. 10496 Authorizing Contract No. 2016-091-COS with JE Dunn Construction, in the Amount of \$248,015 to Conduct Pre-Construction Phase Services as Construction Manager at Risk (CMAR) for the Airport Terminal Area Redevelopment Project

Chris Read, Airport Operations Manager stated that this is the first step in getting together with the contractor on the redevelopment project. This action item is for CMAR. A CMAR comes together with the design team on efficient methods of construction. They do constructability reviews and project plans. At the end, they hold an open bid process to gather quotes from subcontractors to come up with a Guaranteed Maximum Price (GMP). The process began with putting out an Request for Qualification (RFQ). Twelve firms submitted statements of qualification. A committee of six people reviewed the written submittals and chose to interview three contractors. Using a point based system, the committee chose JE Dunn as the most qualified contractor to complete construction services for the project. The actual cost for the contract is \$165,343 plus an additional allowance of \$82,672, for any change of direction or scope, for a total of \$258,015.

In response to a question from Commissioner Ziomek, Mr. Read confirmed that the contract has already passed an in-depth review by the City legal department. In response to Chair Berry's question, Mr. Read confirmed that this contract will take the project all the way through complete construction documents, ready to build.

Commissioner Hobbi asked about the panel's approval process. Mr. Read stated that five of the panel members were City representatives and the sixth was a high level executive from another construction company, which is a requirement in Title 34 of the State Procurement Code. The criteria for selecting the construction manager included level of experience in CMARs, previous

experience with similar projects, and experience not just as a company, but the experience level of the main team within the company.

Vice Chair Celigoy made a motion to adopt Resolution No. 10496 authorizing contract No. 2016-091-COS with JE Dunn Construction in the amount of \$258,015. Commissioner Ziomek seconded the motion, which carried by a unanimous vote of five (5) to zero (0).

3. Discussion and Possible Action for a Recommendation to the Planning Commission and City Council on Case 19-ZN-2002#4 (Scottsdale Marketplace)

Sarah Ferrara, Aviation Planning & Outreach Coordinator introduced planning staff member Greg Bloomberg, who provided the presentation. This case is a request for a mixed use project at the southeast corner of Scottsdale and Chauncey. The site is located within the AC-1 Airport Influence Area. The proposed design is a Planned Regional Center (PRC). PRC, under the Crossroads Planned Community District, (PCD) allows for 60 feet. The applicant would like increased height in a small area. The only area that would be above the current height limit is a multifamily area on the east side of the site. The west side of the site is retail, restaurant and personal service. This is a mixed use project with 301 proposed rental apartments. Maximum building height is 75 feet. FAA height analysis, an aviation easement and fair disclosure are required as part of the zoning action.

John Berry of Berry & Riddell, Chairman of the Phoenix Aviation Advisory Board, stated that current zoning accommodates the proposed development. In front of the project along Scottsdale Road will be retail and some office. Off of Scottsdale Road is the multifamily unit. He cited the long, contentious hearing in February which addressed a development that was requesting additional height and units. The February cases included a request to go from 60 to 90 feet. The difference of 30 feet was to allow dwelling units. This 30 feet difference brings residents closer to the noise. In this case, the project is requesting an additional 15 feet beyond the current allowed 60 feet. The 15 feet has no habitable space within it. Everything from 60 to 75 feet will be above the parking deck. This small area will only be for a clubhouse and amenity area. They are also requesting additional residential units. The previously noted case included a request to increase from 1,111 to 2,466. This project is requesting to increase from 267, which is allowed under current zoning, units to 301, for an addition of 34 units, none of which will be above 60 feet. He reviewed the renderings of the project. The development has agreed to include sound attenuation.

In terms of distance from the Airport and from the 55 DNL, they are approximately one mile from the 55 DNL line and one and three-quarter miles from the edge of the runway. Residential is permitted in the AC-1 and AC-2 areas. However, the requirements under Part 150. Requirements must be met, including issuance of fair disclosure as well as an aviation easement. Mr. Berry reviewed the site plan.

Commissioner Ziomek asked whether the residential area would be located below the parking area. Mr. Berry replied that the parking structure begins at ground level. The multifamily unit wraps around the parking structure. In response to a question from Chair Berry, Mr. Berry stated that the resident area has four levels.

Sound attenuation will be provided in the housing units, even though located a mile away from the 55 DNL. Commissioner Casey noted that in the past, there have been issues about noise

attenuation for condo owners. He asked about the possibility of certifying that the units will always remain as rental units. Mr. Berry was unable to answer, as his client was not present. He added that any such restriction would have to be voluntary. He could recall only one example where such a requirement was imposed. He noted that the Greater Airpark Character Area Plan does not require this either. It does encourage sound attenuation when inside the 55 DNL. Commissioner Ziomek opined that 1.7 miles from the center of the runway is a long distance and not an issue in this case. The larger issue is the buildings going up in Phoenix where there is no control from the Scottsdale perspective.

Vice Chair Celigoy stated that the research performed for this project has been sensitive to the public commentary regarding noise complaints. He asked about whether this represented professional due diligence as well as Mr. Berry's capacity as a member of the Phoenix Airport Advisory Board. Mr. Berry replied that he would never want to blur the lines between his efforts on the Aviation Board in Phoenix with what he does professionally in Scottsdale. However, the opportunity to serve on the Board has heightened his understanding and sensitivity to these types of issues. Commissioner Hobbi shared appreciation for the sensitivity to the noise attenuation issue. The only reason he joined the Commission was the issue of encroachment on the Airport.

Commissioner Casey made a motion to recommend approval of Case 19-ZN-2002#4 with additional language in the form of a deed restriction that the units would remain as rentals and not individually owned and also that sound attenuation be included.

Discussion:

Commissioner Ziomek stated that under current law, the housing units are not restricted to rental only. Mr. Mascaro agreed, noting that the requests today relate only to requesting additional rental units as well the height request. However, the Commission is free to recommend whatever it feels appropriate. Commissioner Casey stated that historically, when someone rents an apartment and is affected by noise issues, they are free to easily move. This is not the case when someone buys a unit, especially in cases of market downturns.

In response to a question from Vice Chair Celigoy, Mr. Bloomberg stated that the City does not have jurisdiction to tell a private organization that they must restrict a development to rental only. The zoning ordinance simply allows multifamily only, including condos, townhomes or apartments. Commissioner Hobbi commented that trying to control whether a development sells condos or rents apartments is an encroachment to developers.

The motion failed for lack of a second.

Commissioner Ziomek made a motion to recommend approval of Case 19-ZN-2002#4 with sound attenuation. Vice Chair Celigoy seconded the motion, which carried by a unanimous vote of five (5) to zero (0).

#### 4. Discussion and Input Regarding the Quarterly Noise Complaint Summary Report

Ms. Ferrara noted that the Airport is entering its slower season with no significant change in this quarter. There are a total of 83 complainants for the quarter, including 34 in April, 26 in May and 23 in June. There are a total of 795 total complaints for the quarter. There was discussion

that in C-7, a total of 494 complaints were submitted by just two complainants. In response to a question from Commissioner Hobbi, Ms. Ferrara confirmed that the development is located in Phoenix.

Commissioner Ziomek stated that Commissioners should be prepared for an uptick in complaints when Optima completes construction on its four condo towers.

Vice Chair Celigoy asked whether liaison activity is done with counterparts at the Phoenix Airport Board with respect to complaints west of Scottsdale Road in the City of Phoenix. Ms. Ferrara replied that they do correspond with Phoenix, however there is no typical interaction. Vice Chair Celigoy asked the same question pertaining to regional airports in North Phoenix. Mr. Mascaro stated that from a regional perspective, the City of Phoenix hosts a Valley Aviation Director's Quarterly meeting to discuss multiple issues. With regards to discussions between Scottsdale and Phoenix regarding noise complaints, communication is very rare. For the most part, they are on the same page in terms of philosophies regarding responding to complaints. On occasion, Scottsdale does receive planning projects from Phoenix Aviation Department that would impact its airspace.

Vice Chair Celigoy asked whether it would be appropriate to agendize a discussion on liaison between the two commissions. Commissioner Ziomek commented that the Scottsdale Airport Advisory Commission has absolutely no say in what goes on in the area across Scottsdale Road. Mr. Mascaro stated he could submit a request to the Phoenix aviation director. He added that Phoenix is so focused on its airport system that they do not have the resources or time to worry about Scottsdale Airport. In the past, they have provided additional resources before flight tracking was available.

Mr. Berry stated that he was not authorized to speak on behalf of the Aviation Board or staff. As a personal reflection, he stated that the Phoenix Aviation Advisory Board does not hear cases as the Scottsdale Airport Advisory Commission does. Lawyers do not appear on the agenda of the Phoenix Aviation Advisory Board to present cases and get a planning recommendation from the Planning Commission or City Council. In terms of coordination and communication between municipalities, he recommended having Director Mascaro and Director Bennett explore opportunities to discuss best practices and concerns.

Vice Chair Celigoy asked whether the Scottsdale Airport Advisory Commission has the authority to liaise with the Phoenix Aviation Advisory Board in a simple working session. Mr. Berry stated that anytime a zoning case comes forward, there is a statutory requirement that adjacent municipalities be notified and that the planning departments communicate on cases that are close to each other. He encouraged Director Mascaro to work with the City Manager or the Director of the Planning Department to ensure that the Commission is made aware when these notifications come forward. The Commission would then have the opportunity to forward written input to the planning department for the City of Phoenix. This may be done as an individual, a commissioner or as staff. Mr. Mascaro stated that notification is provided for most proposals close to the Airport.

##### 5. Discussion and Input Regarding the Monthly Construction Report

Mr. Read stated that there is one completed project, the partial ramp closure at Ross Aviation Main and North aircraft parking aprons. The power vault and rotating beacon relocation project

is out to bid at this time. Taxiway A reconstruction project has been delayed until next year. The FAA is unable to provide funding this year. The erosion protection project plan will soon be entering the design phase.

#### 6. Discussion and Input Regarding Monthly Operations Reports for June

Mr. Read pointed out that the based aircraft totals are similar to last year. Operations numbers are all positive. There was one Alert 1 and four Alert 2s with no outstanding issues. There was a minimal volume of incidents for the month. For enforcement actions, there was a pilot who performed touch and goes during the prohibited overnight hours. Because it was an ongoing issue, the enforcement action was stepped up to a denial of use. Ms. Ferrara added that flight schools are prohibited by ordinance from performing touch and goes from 9:30 p.m. to 6:00 a.m.

In 2013, the City took action, concluding in a settlement agreement with the flight school. The settlement agreement included a provision that these violations would no longer occur. It also included a provision that if two violations occurred in a six-month time period, there would be a process that could lead to denial of use. There was a notice of violation in January followed by a violation in June. The flight school was provided a notice of violation and the Aviation Director sent them a denial of use. At this point, the flight school is unable to use the Airport at all for the next six months. The flight school, Transpac Aviation Academy, is based out of Deer Valley. Since the denial of use was issued, the school has been in complete compliance.

In response to a question from Commissioner Casey, Mr. Read stated that in his 19 years, he has never issued a denial of use for a case such as this.

Mr. Casey asked about the difference between an Alert 1 and an Alert 2. Mr. Read explained that an Alert 1 is a minor difficulty with an aircraft in flight, such as an unidentified noise. An Alert 2 is a little more serious, such as smoke in the cockpit.

Mr. Read stated that in terms of the customs report, there was \$492,775 as of the end of June, an increase of \$21,000 over last year. There were 54 total uses for the month of June and 882 for the fiscal year to date. There were 15 U.S. visits for June. PPRs for aircraft operating at the airport over 75,000 pounds is 26 for the calendar year.

#### 7. Discussion and Input Regarding Financial Reports for May

Mr. Mascaro announced the hiring a new employee, Carmen Williams, who was hired out of Phoenix Mesa Gateway. She is currently on a pre-approved family vacation prior to taking the job.

Revenues year to date are up approximately six percent. Expenditures are down 14 percent. Typically in June, if there is extra funds are left in the budget, the Department highlights areas of focus, such a sealcoat that was just completed for \$30,000.

For fuel flowage, there is a modest increase for Airport jet fuel. Avgas is down. Airpark fuel sales are up quite a bit.

Chair Berry asked why accounts receivable is higher than typical. Mr. Mascaro replied that the receivable figures come directly from the accounting department. He added that every year, the Department bills all of the City uses on the Airport on July 1st. This accounts for the higher than normal totals at this time.

#### 8. Discussion and Input Regarding Public Outreach Programs and Planning Projects

Ms. Ferrara stated that Mr. Mascaro, together with other Arizona airport managers, sent another letter to the FAA in regards to NextGen and RNAV, asking for a response and commitment regarding several of the issues previously outlined in reference to the Phoenix Metroplex Project. A response has not yet been received.

The Department maintains its database for subscribers on airport and for community events. Several listserv notices have been sent out as needed to announce runway closures, construction projects, highlighting the return of Ross Aviation to the Airport as its new FBO and the Ages of Flight exhibit. Another listserv notice went out today to announce an upcoming event on Veterans Day. The Department is registered for both the National Business Aviation Association Conference as well as the Schedulers and Dispatchers Conference. With the announcement of Ross Aviation as the new FBO, there is work to be done on updating airport brochures. In terms of noise outreach, there was only one email during the month. This is aside from the complaints that come in. The City's IT department has completed the update to the new noise complaint application.

Mr. Mascaro discussed a collaboration with residents of the City of Phoenix and the particular resident that filed a petition to the Council several months ago. The individual requested a meeting with the City Manager of Phoenix and himself. They spent approximately an hour listening to the person's concerns. One of the concerns was the noise application, suggesting that it be more streamlined and compatible with cell phone use. The IT department was already working on updates at this time.

Ms. Ferrara stated that staff is gathering ideas for a grand opening for the new Airport Operations Center. The Airport welcomed about 50 students from the Phoenix Indian Center for a presentation. These students are interested in learning about opportunities and careers in aviation.

The Department tracks projects that occur in the Airport Influence Area that are included in the planning and zoning reports. For June, five projects were listed. Twelve 12 voluntary curfew letters were sent out in June.

#### 9. Discussion and Input Regarding Status of Aviation Items to City Council

Mr. Mascaro stated that the two items that will be included on the August agenda include the JE Dunn contract and the ordinance change in Chapter 5 regarding the noise attenuation requirements. Staff will provide updates on the Scottsdale Marketplace and the District at the Quarter. Other topics include the Greystar Kierland Overture and the Wolf Springs Ranch rezoning.

10. Discussion and Possible Action to modify the Airport Advisory Commission Meeting Schedule and Commission Item Calendar

Vice Chair Celigoy made a motion to cancel the August Airport Advisory Commission Meeting. Commissioner Ziomek seconded the motion, which carried by a unanimous vote of five (5) to zero (0).

Commissioner Ziomek provided an update on Thunderbird. He stated that the Airport was built in 1942 for the sole purpose of training Army Air Corps pilots. About a year and a half ago, a nonprofit was formed, the Thunderbird Field II Veterans Memorial, whose sole purpose is to commemorate the history of the Airport and honor all veterans. In conjunction with the City, the nonprofit is helping to develop Thunderbird Two Plaza. The centerpiece will be the Stearman biplane under the awning. There will also be plaques denoting the history of the airfield. On November 11th in the Ross Aviation northbound hangars, there will be a 1940s hangar party. It will serve as the fundraiser for the support and purchase of the Stearman. The plan is to have the Stearman built from parts from scratch. The company being contracted to do the work is Aero Flyboys of San Diego. The centerpiece of the party is an aircraft found through Aero Flyboys. Any money raised beyond what is needed will be donated to veterans' groups in the county and state.

**PUBLIC COMMENT**

No members of the public wished to address the Commission

**FUTURE AGENDA ITEMS**

No agenda items were added.

**ADJOURNMENT**

With no further business to discuss, being duly moved and seconded, the meeting adjourned at 7:48 p.m.

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