Call to Order/Roll Call

The meeting of the Neighborhood Advisory Commission was called to order at 5:01 p.m. A formal roll call was conducted, confirming members present as stated above.

Public Comment

There were no members of the public who wished to speak.
1. Approve Draft Summary Meeting Minutes January 23, 2019

COMMISSIONER MELI MOVED TO APPROVE THE MINUTES OF THE JANUARY 23, 2019 MEETING AS PRESENTED. VICE CHAIR MIRALDI SECONDED THE MOTION, WHICH CARRIED 7-0 WITH CHAIR FABIANO, VICE CHAIR MIRALDI, COMMISSIONERS CROMARTY, JAMES, MELI, NASH AND PUTMAN VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

2. Draft Food Truck Ordinance

Luis Santaella, Senior Assistant City Attorney, stated that the State of Arizona passed Bill 2371, which regulates food trucks. The bill’s main purpose was to require cities to allow food trucks to operate. Previously, Scottsdale did not permit food trucks, except for ice cream trucks licensed by the City and only in residential areas. Food trucks were allowed for special events. A statewide licensing system has been established through the Department of Health, however the rules are still being finalized and no state licenses have yet been issued. Maricopa County has already licensed food trucks and is allowed to adopt the rules issued by the Maricopa County Health Department.

The new statute standardizes local regulation of the food trucks in terms of parking, space use, fire and safety. The purpose for bringing the topic to the NAC is to gather its input regarding potential provisions to be included in a City food truck ordinance. Up until now, cities have had the right to prohibit food trucks in residential areas, however, the State is amending the statute to preclude cities from enforcing such prohibitions, if they meet the following criteria:

- The truck must be on private property
- The truck is not serving the general public
- The owner of the property is different than the owner of the food truck

Food trucks can affect quality of life both positively and negatively. Under the State statute, the City can require a fire inspection. However, if the truck has already been inspected by another fire department, the City cannot require an inspection by the Scottsdale Fire Department. The City cannot require trucks to operate a specific distance from an existing commercial establishment. The City can require trucks to follow the same types of rules for other mobile vending businesses in a particular zoning district. He welcomed input from Commissioners.

Commissioner Putman suggested designated parking spots to prevent crowding and safety issues. Mr. Santaella noted that State law indicates the trucks are permitted to use any legal space that any other vehicle could use, however the City can regulate in terms of safety. The League of Arizona Cities and Towns has developed a model ordinance. The City is permitted to require insurance for trucks that park on public property.

Commissioner Meli suggested a taxi-stand model with zoning or districting of the trucks. In response to a question from Commissioner Meli, Mr. Santaella shared his understanding that most of the trucks are privately owned as opposed to corporately owned and that the trucks generally park where they are invited. Chair
Fabiano commented that it would be helpful to have a designated area, so that customers knew specific times and places the trucks would be present. Commissioner Meli stated that there could be economic empowerment in having food trucks in areas of the City historically where there have been no such opportunities for residents.

In response to a question from Chair Fabiano, Mr. Santaella confirmed that the trucks are responsible for picking up trash generated by their customers. They must provide trash cans and other necessary equipment.

Commissioner Nash sought clarification on whether the City had a food truck ordinance previous to the new State ordinance. Mr. Santaella stated that Scottsdale banned food trucks completely, except for ice cream trucks.

Commissioner Putman recommended allowing food trucks to be present in parks during children’s sporting events or at locations such as Chaparral Dog Park.

Vice Chair Miraldi asked how health inspections would be handled. Mr. Santaella said the State delegates inspections to the county health inspectors. The process is very similar to how restaurants are inspected. Each operator for each mobile unit must have a separate permit.

In response to a question from Chair Fabiano, Mr. Santaella said he was uncertain as to whether the trucks would receive a grade by the health department.

It was discussed that trucks parked in individual parking spots are subject to the City parking ordinance. For example, a truck parked in an individual angled parking spot may stick out too far and thus be in violation of a parking statute. Mr. Santaella noted that staff would return for more input from the Commission as the process moves forward.

Commissioner Meli asked about the required permissions for use in multifamily housing parking lots. Mr. Santaella said it would depend on how the ownership is structured.

Commissioner Cromarty noted that many properties Downtown are required to supply parking and are charged to do so. While the appearance is that the spots are not owned, they actually are owned and paid for by the business/building. Mr. Santaella stated that the required parking would be on private property. The owner does not have to allow use by food trucks. There are two ways a business can meet the parking requirements: Provide actual spaces or provide in lieu of parking by paying a parking fee. The fee goes into a fund intended to build parking garages.

Commissioner Cromarty asked whether any other municipality in the state has instituted the licensing program. Mr. Santaella stated that Gilbert has licensed food trucks for some time. The City does not intend to have a local license, but will honor the State permit and have local operating rules.
Commissioner Cromarty asked whether meetings have been held with the business community. Mr. Santaella said that public outreach will occur as part of developing the ordinance.

Commissioner Nash asked for confirmation that as long as the business is not headquartered in Scottsdale, they do not need a business license. Mr. Santaella explained that they will need two types of license, including a state food truck license or permit as well as Transaction Privilege Tax (TPT) license, which will be required to have a Scottsdale endorsement.

3. 2019 Spirit of Scottsdale Work Program

Brandon McMahon, Associate Planner, stated that since 2015, NAC has programmed the Spirit of Scottsdale Awards into their work program as a citizen nominated program that recognizes the people and places that embody the “Spirit of Scottsdale.” In its inception year, 2015, NAC recognized the City Council priority geography of the McDowell Road Corridor and last year expanded the program to all areas of Scottsdale south of Indian Bend Road south and inclusive of Downtown. NAC has focused interest on the concept of neighborhood stewardship, on how a person or place contributes to Scottsdale physically, aesthetically or socially.

In 2018, NAC determined to change the submission boundary, adding an additional category for a total of four:

- Single family residential
- Multi-family residential
- Non-residential (commercial)
- Spirit of Scottsdale (person or organization)

The submission methodology was also to be altered, including submissions online with photographs. The program outreach also drastically expanded. The Office of Communication assisted staff in launching an outreach plan that utilized web, social and print media to notify Scottsdale citizens of the program. NAC determined the winners at its October 24th, 2018 meeting and awarded the winners at the November 26th, 2018 City Council meeting.

In the three years since the NAC has operated the program, there have been challenges in receiving a suitable number of nominations for consideration. For 2015 and 2016, there were 18 and 21 respectively, which met the criteria. In 2017, the Commission received 23 nominations and received only 14 qualifying nominations in 2018. With the steady decline in nominations, staff makes the following recommendations to the Commission:

- Discussion regarding modification to the 2019 criteria of the Spirit of Scottsdale Awards Program in order to engage more of the population and receive more submissions
- Sunset the Spirit of Scottsdale Awards Program and pursue other initiatives to recognize exemplary people, places, and neighborhoods in Scottsdale
Commissioner Meli commented that it is inevitable that the boundaries be increased to encourage participation. There is more interest in the program the farther it goes north. The expansion should at least include the Airpark, perhaps Frank Lloyd Wright south. Chair Fabiano agreed with the suggestion to expand to Frank Lloyd Wright. She inquired as to the northern border of the City. It was discussed that Stage Coach Pass is the northern border. Vice Chair Miraldi said that all of Scottsdale should be included.

Commissioner Putman noted that the initiative was originally intended to highlight the McDowell Road corridor. She wondered how a small modest house in the southern portion of the City could compete with an overhauled house in the northern portion. If the boundaries are extended, they may need to revise the award categories. Residents in the southern portion of the City are not pleased with all the multifamily condos being built. As such, awards for those new complexes versus refurbished homes are discouraged. Commissioner Meli said these are valid points. One of the issues with the program is difficulty bringing attention to these self-contained neighborhoods. Expanding the scope might actually bring more focus on the neighborhoods because more people will be paying attention. Chair Fabiano said that Commissioner Putman’s comments bring up the question as to whether they should keep the multifamily award category. Commissioner Putman suggested the possibility of eliminating the multifamily category and having the Spirit Award include an organization as well as an individual.

Commissioner James commented that the Spirit of Scottsdale typically receives no nominations. If the point of the program is the improvement of a neighborhood, the issue is how to engage residents in the process. One option may be to automatically enter every house with a City Permit for renovations. Commissioner Meli said there may be privacy issues with that approach.

Adam Yaron, Project Coordination Liaison stated that the history of the Award is to allow for self-advocacy and neighborhood advocacy. An automatic entry approach would require the reconciliation of hundreds or thousands of permits, many of which would not be applicable. The point is for neighborhoods to recognize activities in their neighborhoods as opposed to the City pointing it out. The intent was to make the criteria specific and not subject to default judgment, including submissions that describe how the improvements have positively impacted their neighborhood. Commissioner James said it may be possible to identify permits that are consistent with the architectural guidelines and theme of a neighborhood for inclusion in the program. Mr. Yaron stated that it would not be possible and noted that many types of improvements fall under maintenance and require no permit at all. Expansion of square footage, which would require a permit may simply apply to additions at the back of a home or addition of a laundry room or other non-qualifying improvements. He suggested that the Commission create opportunities for recognition throughout all geographies.

Commissioner Meli asked whether the City Council has been updating the public during its meetings regarding the number of submissions. Vice Chair Miraldi said they have done so at one or two of the meetings. Commissioner Meli commented
that asking the City Council to make regular announcements would help in terms of receiving entries. Mr. Yaron agreed that staff can explore that option.

Commissioner Meli suggested that the Commission encourage local businesses to encourage their patrons to nominate them. This would assist in increasing the amount of submissions. Commissioner Nash noted that with the Best of Phoenix Award, the process involves nominations, after which time it is the job of the nominee to get people to vote for them. Chair Fabiano commented that it would be difficult for an individual to garner votes for themselves, as the approach is more business focused. She suggested the possibility of just having a Spirit Award not involving physical structures but just the individual. Brandon McMahon, Associate Planner, commented that this approach makes sense, as most of the submissions each year come from this award category. Commissioner James pointed out that last year, there were awards for a hotel and a multifamily development and there’s no evidence that it made an impact to the business or was important to them.

Mr. Yaron noted that there was consensus to continue the program. The Commission is free to take action on this and continue the discussion at a later time in terms of specific criteria.

COMMISSIONER MELI MOVED TO CONTINUE THE SPIRIT OF SCOTTSDALE AWARDS PROGRAM. VICE CHAIR MIRALDI SECONDED THE MOTION, WHICH CARRIED 7-0 WITH CHAIR FABIANO, VICE CHAIR MIRALDI, COMMISSIONERS CROMARTY, JAMES, MELI, NASH AND PUTMAN VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

Commissioner Nash suggested the inclusion of different organization sizes and types. She asked about the program time frame. Mr. McMahon noted that last year, the process began during the March meeting. The nomination period opened on April 1st.

Commissioner Putman suggested changing the timing for the Award presentation, as there are opportunities to reach out for participation during community events later in the year. This may mean revisiting the program’s yearly launch date. Chair Fabiano suggested that next month’s discussion include the possibility of launch in the fall and award in spring. Mr. McMahon stated that the next meeting will include discussion on categories, boundaries and timing.

Vice Chair Miraldi said she lives near one of the winners from last year. The winner appreciates the recognition and continues to receive questions and comments regarding her posted award sign.

4. **Neighborhood Park Improvement Partnership Opportunities**

Mr. Yaron stated that this is an opportunity for the Neighborhood Advisory Commission to partner in the support of a Neighborhood Park Improvement Project through the future allocation of the Neighborhood Enhancement Grant Program funding. There was participation of a similar initiative at Rotary Park in November in partnership with Operation Fix It. In November 2018, the Commission discussed
future participation in similar types of improvements that had connections to neighborhoods. There are 25 neighborhood parks, which are intended to be easily accessible by adjacent neighborhoods and focus on meeting recreation needs and providing small open spaces. The parks are generally smaller than community or regional parks and are designed for residents living within a one mile radius. They offer recreational opportunities typically to involve a mix of passive and active recreational areas. The Commission has been provided with information on three neighborhood parks identified by the Parks and Recreation Manager as having current needs for upgrades:

- Agua Linda Neighborhood Park
- Thunderbird Neighborhood Park
- Aztec Neighborhood Park

Graphic illustrations and individual park details were reviewed. Following direction from the Commission, the Parks & Recreation Department and Operation Fix It will return with a defined work plan as to requested funding and potential upgrades.

Commissioner Meli said this is a needs-based issue, based on the age of the park and the demographics of the residents. Agua Linda is the oldest park; this neighborhood has the lowest income levels and the largest percentage of residents under the age of 25. It would seem to require the most attention more quickly than the newer parks. Mr. Yaron concurred. Staff is requesting the Commission consider this as an action item and they will return at the next meeting with further details.

COMMISSIONER MELI MOVED TO BEGIN WITH AGUA LINDA PARK. VICE CHAIR MIRALDI SECONDED THE MOTION, WHICH CARRIED 7-0 WITH CHAIR FABIANO, VICE CHAIR MIRALDI, COMMISSIONERS CROMARTY, JAMES, MELI, NASH AND PUTMAN VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

5. Staff Updates

Mr. Yaron stated that there was discussion by City Council on February 12th regarding appointed public bodies. The discussion included extending term limits for board and commission members as follows: Once a member has served six consecutive years of service, there shall be a one-year break in service before a commission member would be eligible for reappointment to the same board or commission for an additional three-year term. Staff participated in a workshop to discuss this and related issues.

Vice Chair Miraldi stated that the Commission was cited as the only Commission which has attended City Council meetings and brought up issues for discussion.

Mr. Yaron stated that the City Council is considering rescinding Resolution Number 11386, which was adopted on February 19th, and will be providing possible direction to staff regarding a new City flag.
Working in conjunction with the City Manager’s Office, NAC staff will be making a budget request to increase neighborhood enhancement grant funding with an additional $50,000, in order to be able to respond to citizen funding requests. This applies to small projects that come up during the fiscal year, which the City Manager and/or City Council may want to support. Currently, the maximum amount of funding from City Council for this budget line item is $30,000. If City Council approves the additional funding, NAC will need to amend its grant funding criteria to accommodate City Council and City Manager approved requests for funding.

There is a request for assistance from Operation Fix It. Program Manager Michelle Holmes requested that a couple of Commissioners make themselves available on Saturday, March 9th, between 8:30 and 12:30 for approximately 20 minutes to receive a pay it forward contribution and a photo opportunity from a Rotarian group, who will be participating in Operation Fix It at a residence near 110th Place and Via Linda. Although the contribution will be held by Operation Fix It, it will continue to help implement the purpose of the NAC and the contributions the Commission made as part of the Neighborhood Enhancement Grant Partnership in November, 2018 at Scottsdale’s Rotary Park.

The next NAC Meeting is March 27th.

6. ADJOURNMENT

With no further business to discuss, being duly moved by Commissioner Meli and seconded by Vice Chair Miraldi, the meeting adjourned at 6:11 p.m.

AYES: Chair Fabiano, Vice Chair Miraldi, Commissioners Cromarty, James, Meli, Nash, Putman
NAYS: None

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