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CALL TO ORDER

[Time: 00:00:01]

Mayor Lane: Good afternoon, everyone. Welcome to our regular meeting of March 17th, 2015. It is approximately -- I guess it's about 5 or 10 minutes after 5:00 and I would like to start with a call to order of this meeting. And the roll call, I should say.

ROLL CALL

[Time: 00:00:17]

City Clerk Carolyn Jagger: Thank you, Mayor. Mayor Jim Lane.

Mayor Lane: Present.

City Clerk Carolyn Jagger: Vice Mayor Linda Milhaven.

Vice Mayor Milhaven: Here.

City Clerk Carolyn Jagger: Councilmembers Suzanne Klapp.

Councilwoman Klapp: Here.

City Clerk Carolyn Jagger: Virginia Korte. Absent. Kathy Littlefield.

Councilwoman Littlefield: Here.

City Clerk Carolyn Jagger: Guy Phillips.

Councilman Phillips: Here.

City Clerk Carolyn Jagger: David Smith.

Councilman Smith: Present.

City Clerk Carolyn Jagger: City Manager Fritz Behring.

City Manager Fritz Behring: Here.

City Clerk Carolyn Jagger: City Attorney Bruce Washburn.

City Attorney Bruce Washburn: Here.

City Clerk Carolyn Jagger: City Auditor Sharron Walker.

City Auditor Sharron Walker: Here.

City Clerk Carolyn Jagger: And the Clerk is present.

[Time: 00:00:43]

Mayor Lane: We have the white cards that the city clerk is about to raise over her head. If you would like to speak on those topics, and, of course, we do have yellow cards if you would like to give us any written comments on the agenda. We have Tom Cleary and Jason Glenn in front of me, straight ahead, they are here if you have a need for their services. And the area behind the council dais are reserved for council and staff. We have facilities for you over there to my left, under that exit sign right there for your convenience.

PLEDGE OF ALLEGIANCE

[Time: 00:01:26]

Mayor Lane: Today, we are honored to have the Girl Scout Junior Troop 700 and their leader, Gina Keating, who are here to lead us in the pledge, and welcome you, ladies. If you want to move to the microphone and if we can rise. If you can rise, please stand for the pledge. Any time you are ready.

Girl Scout Junior Troop 700: I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Mayor Lane: Thank you, ladies. If you will, just turn that around and let us know who you are and where you go to school and what your favorite subject is.

Sophia Roccio: My name is Sophia Roccio, I'm in 5th grade at St. Teresa Catholic School. My favorite subject is science.

Emma Zorn: Hi, my name is Emma Zorn, I go to St. Teresa's Catholic School. I'm in 5th grade and my favorite subject is social studies.

Jessica Garcia: My name is Jessica Garcia. I go to St. Teresa Catholic School. I'm in 4th grade and my favorite subject is math.

Sophia Ganuccio: My name is Sophia Ganuccio and my favorite subject in school is science, and I also go to St. Teresa's.

Mayor Lane: Thank you very much, ladies.

INVOCATION

[Time: 00:03:01]

Mayor Lane: For this evening, we have our invocation, we would like to welcome Reverend Michael Hirsch from the Ascension Lutheran Church to provide an invocation. And you may note he's celebrating St. Patrick's Day in the proper style.

Reverend Ryan Michael Hersch: Like I said, Your Honor, we don't get to break these out very appropriately, very often. Thank you. I'm sure you have folks who are dressed more or like me, praying with your people all the time, but your people are praying for you, as well as with you and I thought I would embody that prayer for you tonight with a little snippet from St. Patrick's breast plate prayer of blessing, and Ecumenical version of that prayer. Let us pray.

May Christ be beside you. May God be before you. May God be behind you, the sovereign of your hearts. May God be within you. May God be below you. May God be above you, never to part. God be on your right hand. God be on your left hand. Got all around you shield in your strife. God in your sleeping, God in your sitting, God in your rising, the light of your life. God be in all hearts thinking about you. God be on all tongues telling of you. God be the vision and eyes that see you and ears that hear you. God ever be. Amen.

Mayor Lane: Amen. Thank you, reverend.

MAYOR'S REPORT

[Time: 00:04:59]

Mayor Lane: It's notable to indicate that we have the 30th Annual Special Day for Special Kids this Saturday, March 21st and this is the Scottsdale Sunrise Rotary Club is hosting their 30th Annual Special Day for Special Kids event at McCormick Stillman Railroad Park from 10 a.m. to 2 p.m. The Rotary Club is in attendance this evening here with us, and in honor of this great event, I would like to present them with the proclamation. I will read it first, but if you would like to come up, I would like to present it to you as well.

And this proclamation reads: Whereas Saturday March 21st, 2015, we will mark the 30th Anniversary for Special Day for Special Kids, the significant community service event for the Scottsdale Sunrise Rotary Club And whereas the event started in 1984 with only 10 special needs kids and their families participating now has grown to 3,000 participating in 2014. And whereas Special Day for Special Kids has become so successful in Scottsdale, that other cities from around the country have inquired about the event. And whereas it has become a true community event through sponsorships, corporate donations, fund-raisers and time and effort provided by many partners, including significant contributions by Scottsdale Unified School District. And whereas, the Guy Stillman family who donated the land for the railroad park has partnered with the Scottsdale Sunrise Rotary Club to build two wheelchair accessible railroad cars and many other handicap accessible ramps and fixtures at the Park. And whereas, two Rotarians David Lewis and Dan McAuliffe have volunteered their time every year. Both have served as chairman and this event is supported by hundreds of community volunteers every year. Whereas the Rotarians estimate they have served more than 45,000 special needs children and their families during the past 30 years. Therefore, I Jim Lane, Mayor of the city of Scottsdale, Arizona do hereby proclaim, Saturday March 21st, 2015 as Scottsdale Sunrise Rotary Special Day for Special Kids. We would like to give them a hand.

PRESENTATIONS/INFORMATION UPDATES

[Time: 00:08:23]

Mayor Lane: We do have a presentation this evening and this is the APS Peak Solutions Rebate. I presume we have Patricia McLaughlin, the key account manager at Arizona Public Service and Joel Fisher, sales executive, of Converge Inc. Is that correct?

Sales Executive Joel Fisher: Yes, sir.

Mayor Lane: All right.

Sales Executive Joel Fisher: Thank you very much. We are here tonight to present a check for the city of Scottsdale for their continued support in the Peak Solutions Program. The Peak Solutions Program is a load shedding program where participants are paid to reduce nonessential load in exchange for financial compensation. The city of Scottsdale is one of our participants and one of the largest participants in our program. So we thank you very much for your continued support.

PUBLIC COMMENT

[Time: 00:10:10]

Mayor Lane: We have come to the point in the proceedings that we have our public comment. And public comment is reserved for citizens' comments regarding non-agendized items with no official Council action taken on these items. We do at this time have a limit of three minutes for each presentation for a maximum of five speakers. We have one card to speak at this point in time and there is another opportunity at the end of the meeting if, in fact, the need arises. But we do have one card request to speak and it is Todd Becker.

Todd Becker: Good evening, Mr. Mayor and Councilmembers my name is Todd Becker. I'm a proud member of Scottsdale Leadership Class 28. I'm also the Vice Chairperson of the city of Scottsdale Neighborhood Advisory Commission and that commission makes recommendations to the City Council on matters concerning the preservation, improvement, and revitalization of Scottsdale's housing and neighborhoods. And one of those responsibilities that we were recently given is the determination of who wins the inaugural Spirit Awards. The Inaugural Spirit Awards program is designed to recognize present and past property beautification efforts in the 8 square mile McDowell Road corridor area, roughly south of Osborn Road and north of McKellips Road. Nominations open on January 15th. Properties will be judged by the Commission on the use of plants, texture, color and neighborhood context, market improvements and overall appearance. It's a very easy to use electronic form that can be found on the city's website. And the winner will be announced in May of this year.

I'm here this evening to broaden awareness of this program, and ask all of your participation in the nomination process for the spirit awards. There are many beautiful areas in the McDowell Road corridor that are deserving of such a coveted award but they won't nominate themselves. If one or several of those beautiful areas already have a place in your heart, please go to the website and nominate those properties. If you do not already have a location in mind, I ask you to take the time to drive, walk, bike, or skate through that area of town and find at least one, if not a few, and nominate them for this coveted award. Thank you for your time.

MINUTES

[Time: 00:13:03]

Mayor Lane: Thank you, Mr. Becker. The next order of business then would be the approval of minutes and I would ask if we have a motion to approve the special meeting minutes of February 17th, 2015, the regular meeting minutes of February 17th, 2015 and the work study session minutes of February 24th, 2015 and March 2nd, 2015. Do I have a motion or any other comments on those minutes?

Vice Mayor Milhaven: So moved.

Councilwoman Klapp: Second.

Mayor Lane: Moved and seconded. Then we are ready to vote on the approval of minutes. All those in favor, please indicate by aye and register your vote. Nay if you oppose. Aye. The tally is 6-0.

Of course, we have one absent. And I probably should have explained that as well. Since she is not on the phone. Councilwoman Korte, there was an indication she may participate by phone, but has not dialed in on that, so she will be absent for the meeting.

CONSENT AGENDA

[Time: 00:14:13]

Mayor Lane: Okay, the next item of business is the Consent Items 1 through 20. I have a notation here on an update, amended to reword item 17? Do we have any adjustment to the agenda that requires a vote on that?

City Clerk Carolyn Jagger: No, your Honor. It can be covered under consent. The agenda has been amended to include the change that staff made to remove one of the contracts from the consent agenda.

Mayor Lane: I see. Okay.

City Clerk Carolyn Jagger: So we are good.

Mayor Lane: Very good. So then we have Consent Items 1 through 20 with that amendment to reword item 17 which is incorporated in this motion. Seeing that there's no testimony on any of these particular items, no indications otherwise, do I have a motion to approve? Councilwoman Littlefield?

Councilwoman Littlefield: I would like to pull Item 17.

ITEM 17 – TRANSPORTATION ON-CALL ENGINEERING AND PROFESSIONAL SERVICES CONTRACT

[Time: 00:15:23]

Mayor Lane: All right. So 17 will be pulled to the Regular Agenda. Okay. Now, then we would have Consent Items 1 through 20 absent item 17. So do I have a motion to approve the remaining consent items as indicated?

Councilwoman Klapp: Move to approve items 1 through 20, absent item 17.

Vice Mayor Milhaven: Second.

Mayor Lane: The motion has been made and seconded. I think we are then ready to vote with no

further comment on that. All those in favor aye, nay you oppose. Aye. The tally is 6-0. So those consent items as indicated in the motion have been approved. If you are here for those consent items, you can stay with us if you like, or you can remove yourselves quietly.

[Time: 00:16:11]

Mayor Lane: So we now would move on to our Regular Agenda items which are 21 to 22, but we have added item 17 to that. Before we get started on the Regular Agenda items, item 23 has been removed at the request of Councilwoman Littlefield. And so that item was to initiate review of the Development Review Board's February 19, 2015, decision regarding 35-DRr-2014 Number 2. If you are here for that item, if you were not aware, that item is no longer on the agenda.

So we will start then with item 17 which is transportation on-call engineering services contract. A full list of resolutions associated with the authorizing of contracts with individual on-call engineering companies. So Mr. Basha.

[Time: 00:17:19]

Transportation Director Paul Basha: Mayor, members of the City Council, my name is Paul Basha, transportation director for the citizens of Scottsdale. Councilman Littlefield, I would be happy to answer any questions you may have on this item.

Councilwoman Littlefield: Thank you very much. I just had a question regarding contract 10061, could you please describe that a little bit more for me and tell me what that is concerning.

Transportation Director Paul Basha: Mayor Lane, Councilwoman Littlefield, that particular resolution concerns high capacity transit investigations. We have selected two firms who are experts in that field and our motivation is to discover newly developing technologies related to high capacity transit. Specifically, there is considerable interest in light rail use by certain members of the demographics. Specifically, people in their 20s and 30s are very prone to use light rail transit and they are equally unlikely to use buses.

What we would like to do is investigate new technologies that do not have the cost or the disruption of light rail vehicles but have the appeal of light rail vehicles or light rail systems in that particular demographic, people in their 20s and 30s. We are attempting to discover types of operations that are not light rail, but are better used than ordinary buses. Specifically, there are a number of electrically powered buses and battery operated buses that appear to be very, very possible and this particular type of contract would be to investigate possible technologies. It would not result in any sort of a system or a vehicle purchase by itself. Anything would have to come through the City Council pursuant to those recommendations or those investigations. I hope I have answered your question.

[Time: 00:19:46]

Councilwoman Littlefield: Yes, thank you. Mayor? Is it possible to pull that particular contract as opposed to all the rest of them for a separate vote?

Mayor Lane: You could request that as a separate vote, but that would be excluded and that would be an amended motion rather or not an amended motion but it would be an amendment to this particular agenda item that you would offer up as a motion.

Councilwoman Littlefield: I would like to do that if I could, please.

Mayor Lane: All right. All you need to, well, I would suggest that you reference this item and absent that item as a motion.

Councilwoman Littlefield: I would like to --

Mayor Lane: You might say it this way if I might be so bold to say that the motion would be to approve the agenda item, including all the contracts with the exception of the numbered item that you are about to --

[Time: 00:20:39]

Councilwoman Littlefield: Very well. I would like to approve item number 17, transportation on-call engineering service contracts for all resolutions with the exception of contract number 10061.

Councilman Phillips: I will second it.

[Time: 00:21:01]

Mayor Lane: The motion has been made and seconded. Would you like to respond to your second? Okay.

I do have a question, Paul. In that these are on-call contracts, they generally are not construed to be specific contracts with specific scopes but they are on-call contractors that are authorized to do business with the city when needed. Your explanation of it sounded like there's a very specific prescription as to what's being offered up and requested here.

Transportation Director Paul Basha: Mayor Lane, yes. These are 13 different disciplines and some of the disciplines have relatively specific task orders in mind. Other disciplines are much more generalized. For example, the first contract that we will award will be for a downtown parking study. That also is a specific task order that we're ready to pursue. The on-call contract procedure is for five years. So we could use these firms for any projects that arise in the next five years.

Mayor Lane: With the downtown traffic study that you were talking about, that's been the subject of some conversation here on the dais here with the Council as well as with the staff as well in our consideration for what we're looking to try to do with regard to parking in downtown. And so there's

been an acknowledgment and I think some approval as to, and I'm not sure whether it was voted or not, but nevertheless, there's been some acknowledgment of that study being initiated and budgeted for. Is that right?

Transportation Director Paul Basha: Mayor Lane, that's correct.

Mayor Lane: In this case that you are referring to, on this particular item, though I don't believe that we as a Council have had that conversation or that consideration for establishment of awarding something along this line, whether it's to the two individuals or a selection between it. Is this subject to an RFP or something else that would end up coming back to us after these accepted consultants or these engineers have been or may have been applied?

Transportation Director Paul Basha: Mayor Lane, all of these consultants who were selected were selected through a Request for Qualifications process that was administered by our capital management division with advice and assistance from our purchasing division. So this was all a relatively standard selection process. Once we have these on-call consultants by discipline, then per the contract that would be approved by the Council, we then select individual consultants for individual task orders. This is very similar to what was accomplished by the Council for transportation design projects earlier this year.

Mayor Lane: Okay. Just so I know the process and sort of the step-by-step nature of this, we are approving a list of qualified engineers for the various disciplines as you described them. We are approving that at this point in time. So if, in fact, we choose to do the study that you just described, we would be only issuing to these particular qualified engineers with that proper background and discipline?

Transportation Director Paul Basha: Mayor Lane, that's correct.

Mayor Lane: Is there still a bid process involved or is it subject now to a more limited approach to those qualified parties?

Transportation Director Paul Basha: Mayor Lane, it is only those consultants qualified through the process for each specific discipline and it is another selection process from only those firms.

Mayor Lane: In this case, we have two firms, right?

Transportation Director Paul Basha: Are we discussing the high capacity transit issue? Yes, sir.

Mayor Lane: Yes, that's the subject of this conversation, yes sir.

Transportation Director Paul Basha: Yes, there are only two firms that we deemed qualified for this investigation.

Mayor Lane: So they would be the only two qualified firms to bid on such a project when the total

scope of it is determined?

Transportation Director Paul Basha: That is correct, Mayor Lane. And if I may, some of the disciplines we expect to have multiple task orders. This particular discipline we expect to have very few, perhaps only one, two at the most in the next five years. So that is another reason why we only selected two firms for this discipline.

Mayor Lane: Okay. Thank you for that explanation. I just wanted to see how that process proceeds. Okay. We do -- I'm sorry, in my conversation, I missed the fact that the city attorney wanted to speak on this as well as other council person.

[Time: 00:25:45]

City Attorney Bryce Washburn: Thank you, Mayor. I wanted to make sure that the record on the motion is clear. My hearing may be false but I thought that the motion was to approve item 17 with the exception of contract number 10061, and it should be resolution number 10061.

Mayor Lane: Okay. That's not a problem, I don't presume.

Councilwoman Littlefield: Yes, resolution number 10061.

Mayor Lane: And second recognizes that as well, Councilman Phillips?

Councilman Phillips: Yes

Mayor Lane: Okay. Thank you. And then I do have a comment or a question from Councilman Smith.

[Time: 00:30:14]

Councilman Smith: Thank you, Mayor. Paul, the \$1 million per term that is discussed in the agenda item here, you were implying that we would bring these back before we ever spent any money or did I misunderstand? What's the \$1 million for?

Transportation Director Paul Basha: Mayor Lane, Councilman Smith, the \$1 million is for the composite of all disciplines and we simply don't have that much money in our contractual services accounts. So we will never approach that, at least not in the foreseeable future. We will award a specific task order to a specific consultant and that will have a specific scope and fee and that is done administratively not coming before the City Council.

Councilman Smith: So that doesn't come back to Council? It's just charged against this \$1 million spending limit? Is that what you are saying?

Transportation Director Paul Basha: Better said, it's charged against our operating budget and our

contractual services line item.

Councilman Smith: So the \$1 million is not an additional budgeted amount related to these 13 items, it's just I'm not sure what the \$1 million refers to then. Let me ask the question differently. If you decide to award a contract to any one of these parties to study any one of these subjects, will it come back to Council?

Transportation Director Paul Basha: Councilman Smith, no, sir. And this is not a budget authorization. The funds have to be available in the adoptive budget for each fiscal year.

Councilman Smith: And so the \$1 million is not an increase in your budget or is it an increase in your budget?

Transportation Director Paul Basha: It is not an increase in our budget.

Councilman Smith: Then I think I wonder what it is. If it's not an increase in your budget and you won't be coming back to ask us to pay for these contracts, what's the \$1 million referred to then?

Transportation Director Paul Basha: It's a maximum amount that we would be able to spend should the Council approve a budget that allows that large of an expense. And the current fiscal year budget does not include that much money. The proposed budget for the next fiscal year also does not include that amount. The \$1 million is only for this fiscal year and next fiscal year. The remaining three fiscal years, the amount reduces to half a million dollars. And, again, this is not budget authorization. We need to have the funds already in our existing budget.

Councilman Smith: So then is it fair to characterize what we are voting on here is the authorization of issuing contracts to these identified consultants for these identified disciplines?

Transportation Director Paul Basha: Councilman Smith, that's exactly correct.

[Time: 00:30:14]

Councilman Smith: Okay. Well, then my comment is that I'm not bothered by the idea of having an identified consultant who we might turn to, to look for their thoughts and their advice on high capacity transit analysis assistance. Understanding as I do in my mind, that that's a whole variety of possibilities as we currently understand them or might understand them in the future but I don't think there's any advantage in not looking to see what the opportunities are. What we decide to do, that will be an entirely separate decision. So I will not be supporting the motion to delete resolution 10061. Thank you, Mayor.

[Time: 00:30:57]

Mayor Lane: Thank you Councilman. Councilwoman Littlefield?

Councilwoman Littlefield: Thank you, Mayor. The reason I'm pulling this and asking for it not to be accepted is on two different votes to the citizens of Scottsdale they voted in huge numbers not to consider light rail or mass transit. And I don't believe we should be spending money on that until the citizens say they are interested in having it. These other things are fine. They are items that we do, that we work with all the time. But I believe that the citizens have said in votes, twice, not to do this in Scottsdale and until they change their minds and until another vote is taken that they want to consider this, I don't believe we should be spending money on it. Thank you.

[Time: 00:31:48]

Transportation Director Paul Basha: Mayor Lane, if I may respond.

Mayor Lane: Certainly.

Transportation Director Paul Basha: Thank you, Mayor Lane, Councilman Littlefield, this is not light rail. These are different types of buses. There's no track involved with this type of high-capacity transit. It's only a bus, but it's a different type of a bus than we currently use. This has nothing to do with light rail.

[Time: 00:32:15]

Mayor Lane: Okay. Thank you, Councilwoman. Thank you, Mr. Basha. Councilwoman Klapp.

Councilwoman Klapp: Haven't we already, in our transportation planning, provided for some other high capacity transit in Scottsdale other than this? I'm thinking of express buses on Scottsdale Road are considered high capacity transit; is that correct?

Transportation Director Paul Basha: Mayor Lane, Councilwoman Klapp, yes that is exactly correct. But rapid transit which we have been considering for Route 72 on Scottsdale Road is another example of high capacity transit. It has nothing to do with a rail system. It's just a different type of a bus.

Councilwoman Klapp: With that in mind, I will not be supporting this motion either. I believe we are looking at other ways to provide transportation options for citizens of Scottsdale, other than light rail. So this would be appropriate for us to be looking for consultants to help us in that issue. So I would not support removing this particular resolution from the list.

[Time: 00:33:22]

Mayor Lane: Thank you, Councilwoman. Yeah, number one, I would want to say my concerns were actually in the process and maybe the labeling this of on-call. It sounds like it's prequalified potential engineering companies within the separate disciplines but I'm not going to take issue or go nuts on that one. But the other one is actually what Councilman Smith mentioned too, \$1 million sounds like a standard thing that's been thrown out there for a long time and maybe it's better qualified to saying to the extent that available funds are available in the budget, that's the limit, rather than \$1 million.

But, again, that's not something that bothers me. I know that it's subject to other issues of control from this Council and furtherance of any of these items. So I will not be supporting the motion either.

But I want to make it perfectly clear the way I hear you and the way you have just restated it, this has got nothing to do with light rail. It has to do with looking at alternative technologies as we should be considering for the express bus, which is also very intrusive type of arrangement as it is. If, in fact, I'm talking about as far as Jersey barriers and the elimination of some lanes on Scottsdale Road. But that's not what you are talking about here. What I hear you talking about here is what are those means of mass transit and we do employ mass transit in this city and probably always will with buses and with trolleys and with other means like that.

This is where I think you get caught a little bit, as an alternative attraction to a specific group of prospective mass transit users. So I will be -- I will not be supporting the measure as it is. And we do have another comment, though, to follow Councilman Phillips.

[Time: 00:35:17]

Councilman Phillips: Thank you, Mayor. I really didn't want to get into this thing, but, you know, number one, what's your definition of high capacity?

Transportation Director Paul Basha: Mayor Lane, Councilmember Phillips, the definition of high capacity which is most common, is simply some sort of a vehicle that can carry large numbers of passengers. That could be a 40-passenger bus or an 80-passenger bus.

How we are investigating it is different technologies of bus operation as I mentioned earlier. Self-contained electrical buses no wires above or below the ground or battery-operated buses that can be recharged very quickly, just at a bus station. This particular field, or this particular subfield of transportation, is rapidly evolving. There are a number of different types of buses that are being used throughout North America to considerable success and they are in their infancy. And we simply want to hire a consultant who is an expert in this field to identify the different types of buses that might be available for us to choose sometime in the future.

I cannot repeat myself more frequently. This has nothing to do with light rail. Absolutely nothing to do with light rail.

Councilman Phillips: Or modern streetcar.

Transportation Director Paul Basha: Or modern streetcar. That also includes a rail. Nothing to do with a rail system and it has nothing to do with the type of bus rapid transit that Mayor Lane mentioned where there's a separate lane separated from motor vehicle lanes with medians or curbing or stations. Nothing like that at all. This is only considering different types of buses that would be used in existing travel lanes and they would all be rubber tired and they would all use the asphalt. This would be nothing additional.

Councilman Phillips: I'm confused. It seemed at the beginning that this younger group of people are interested in the light rail as opposed to buses. But you are just talking about these are still buses. I don't see what the interest would be, changing from one type of a bus to another bus.

Transportation Director Paul Basha: Well, we are trying to understand as an industry or as a profession throughout the United States and Canada, we are trying to understand why there's a certain demographic in our society that is very attracted to light rail. We don't think it's the steel rail. We think there's other aspects of light rail.

One possibility is that it's electric and not gasoline powered or diesel powered. And that's one reason why we would like to investigate battery operated or self-contained electrically operated buses. We simply want to understand why people are prone to light rail and not buses. We don't think it's the physical presence of a light rail track. We think that there's something else. It might be the way that the vehicles appear. Candidly, none of us like to see an articulated bus that can carry 120 passengers.

Councilman Phillips: Excuse me, so are what you are saying is this study would be to find out why people would like light rail instead of a bus?

Transportation Director Paul Basha: No, sir, not at all. Absolutely not at all. I'm sorry that I misspoke. It's to understand what type of a bus would be desirable for people who --

Councilman Phillips: Who want to use the light rail.

Transportation Director Paul Basha: Conceivably looks like or is operated by a fuel that is similar to a light rail vehicle.

Councilman Phillips: Okay. And one last question. Can I ask you, if we authorize this service contract, how much would it be? Have you an idea?

Transportation Director Paul Basha: Councilman Phillips, yes, we do have an idea for this particular resolution. It would be on the order of \$10,000 to \$20,000.

Councilman Phillips: Okay. Well, I would say with that, that I will withdraw my second because if you are looking at a study for \$10,000 to decide why people like light rail over a bus and how we can get a bus to look like light rail, it sounds like a good alternative. All right, thank you.

[Time: 00:40:07]

Thank you, Councilman Phillips.

Mayor Lane: Thank you, Councilman. Councilwoman Littlefield.

Councilwoman Littlefield: I will withdraw the motion, but I have a question. Wouldn't this be better done through Valley Metro and the bus organization that does this for the valley?

Transportation Director Paul Basha: Mayor Lane, Councilwoman Littlefield, I'm not sure how to say this politely.

Councilwoman Littlefield: Should I not have asked?

Transportation Director Paul Basha: So I will say it very candidly, as I have said to the Transportation Commission a number of times. We're the city of Scottsdale, we do things better than other agencies.

Councilwoman Littlefield: Can't argue with that. Thank you.

[Time: 00:40:07]

Mayor Lane: That's a nice close though Paul. You know one thing that I think was brought up in this conversation and thank you for the discussion, really as it is, and maybe some greater clarity as to the qualifications and the process we have here. But one thing that was said and I realize maybe the answer to whether or not Metro or rather M.A.G. should undertake this kind of a study on our behalf is the fact that they are engaged with one technology and that being light rail. And so they are not that prone, really, to investigate because of some of the other areas that have become restrictive as far as the federal funding is concerned and the application of that technology.

But one thing I would ask, irrespective of what we decide here on who we might try to contract with, is the fact that M.A.G. does make available and we can ask them to fund just such a study, irrespective of what their personal preferences might be. And I think it might be worthy of at least the attempt to see if they wouldn't fund this for us. But also put them on notice that we are looking at other alternatives whether we want to give that secret away or not. But nevertheless, it's at least an area that we should probably explore. We can talk about it later, but I know that there as a couple of things that have come through recently on M.A.G.'s budget with regard to a couple of other cities not on this particular topic, but transportation associated.

Transportation Director Paul Basha: Mayor Lane, I appreciate that suggestion and I will certainly act accordingly. Just so the Council is aware, I do meet with my counterpart at Valley Metro on a monthly basis and we discuss various bus and trolley topics.

[Time: 00:42:40]

Mayor Lane: Very good. Since we no longer have a motion unless someone would like to offer another one.

Councilwoman Klapp: I will make a motion to, well, I will say approve all 13 resolutions that are presented in this particular item. Do you need something more specific than that?

City Attorney Bruce Washburn: By this item, you mean item 17?

Councilwoman Klapp: Yes, item 17.

City Attorney Bruce Washburn: Thank you.

Vice Mayor Milhaven: Second.

Mayor Lane: A motion made and second. Would the second like to speak to it?

Vice Mayor Milhaven: No.

Mayor Lane: We are ready to vote. All in favor aye. Opposed nay. That tally is 6-0 with one absentee.

ITEM NO. 21 – MCDOWELL CORRIDOR BUILDING PERMIT FEE MODIFICATION

[Time: 00:43:32]

Mayor Lane: So we will move on to our Regular Agenda items then, starting with item 21, which is the McDowell Corridor Building Permit Fee Modification and this is a request to adopt resolution number 9990 established by the McDowell Corridor fee schedule to allow for certain residential and commercial development related fees in the McDowell Corridor Revitalization Area to be temporarily modified for a two-year period and automatically terminate at the end of this two-year period. We have Kim Chafin here, a senior planner to explain this to us.

[Time: 00:44:03]

Senior Planner Kim Chafin: Thank you, Mayor Lane and members of the Council. We will talk about an idea to help revitalize and encourage reinvestment in our McDowell Corridor. So our McDowell Corridor is an 8 square mile area. It's basically everything in our city that's south of Osborn Road. Even though that 8 square mile area only comprises 4% of our city's land area, it's home to 21% of Scottsdale's population. So the Council recognized that, when during their strategic organization plan, they created their priority to partner with the residents and the businesses to revitalize the McDowell Road Corridor.

So in following through on that priority, the planning staff conducted one-on-one outreach with the key business and commercial stakeholders down in McDowell Corridor. We wanted to get their thoughts and ideas about revitalization of McDowell Corridor. Here's what they said. They said making things look better will help everyone. And they think that people thinking positively about the area will help everyone. And this was interesting because you will get a lot of competing interests down that area but we got some consensus on these things and one of them was that the little guys with the smaller lots and less money and less development experience are more likely to

benefit from city reinvestment programs and policies than the big guys. And the big guys really just want an open, friendly attitude and they are willing to spend the money to do the things that they need to do. We also found out that a majority of the business property owners down there do have in mind some kind of physical improvement that they would like to make to their properties. But a lot of them are hesitant to move forward because they don't want to be the only one in the area to take a risk.

So we also reached out to the neighbors because we have a lot of residents down there as you know, and we had over five neighborhood outreach meetings and we got some great feedback. A lot of good attendance too. And here's some pictures from some of those.

One of the things we heard is bring back the building permit fee reduction program that the city offered back between 2004 and 2009. We were impressed with that because the people remembered it and they appreciated it enough that they are asking for it to come back. So we started looking into that. And we looked at the history of what that program did.

So for the residential when we had that program between 2004 and '09, what we found out from the homeowners was the cost of building permit fees can be an important issue in making the decision to move forward with the home improvement project. And prior to the implementation, most of the residential reinvestment we had in the McDowell Corridor was replacing water heaters or electrical work and other similar positive but limited repair. Once the program went to effect, we thought this was an increase in permits from adding on to their homes with room additions and what have you larger renovations and adding patios and enclosing garages. So the investment became a little bit more substantial for the residential.

On the business side of it, as you know, this area contains many of our business neighborhoods that were built during our rapid growth of the '60s and '70s. And what we tended to get there, as you can see down on this map, is a lot of linear development where you get these commercial lots that aren't very deep. They are pretty shallow and then they abut residential, typically, and because of that linear development pattern, it segmented these individual sites and moderately-sized commercial centers so nothing big. That led to little encouragement for reinvestment. What we have there now are a lot of commercial properties that need reinvestment because they have older buildings and they have the need to be more competitive with these newer and more aggressive business areas like our downtown and like Tempe marketplace.

So over the last several years there has been both some public and private investment in the area. It has started. And the city has been doing a lot of that too. Our streetscape improvements you have seen on Scottsdale Road, McDowell Road, Thomas Road is finishing up, the new El Dorado, and the Cross Cook canal and the neighborhood trolley program and a lot of neighborhood traffic movements in those neighborhoods down there. We got new bus shelters and we have increased the bus services. We have got development and you have seen of the mixed use product at SkySong, which is starting to be a catalyst. And we are seeing the auto dealer facilities on McDowell and Scottsdale Road and then we are getting some development of new housing as well.

So what the thought is that a comprehensive approach might be in order. If we reduce the cost of home improvements in some of our older neighborhoods, that will help to encourage reinvestment and support healthy residential neighborhoods. And if we couple that with some programs to support and enhance the business areas with the temporary two-year modification to the building permit fees, we think that will fit well with the comprehensive approach for both public and private reinvestment in the McDowell Road Corridor. So we are looking at modifying these fees.

Now, these are the residential ones. And the intent is to encourage reinvestment in existing structures. So you can see here, this is for single family additions, single family remodel. Single family detached structures like a guest house or a storage building, fences and walls. And here's the current fees and here's what we are proposing. Basically to take the base fee, the certificate of occupancy, and the G.I.S. fee and the certificate review and bring those down. So if someone came in with, say, a new tract of homes this would not apply. If someone came in with a new custom home, this would not apply. It's to help people reinvest in what they've got.

Similarly on the commercial, the intent again is to encourage reinvestment in existing commercial properties. For a commercial addition, it would apply. For a commercial remodel. Here's for a commercial T.I., a tenant improvement. This would help for a tenant coming down to an existing building to help them get their fees down, fences and walls and also applications. So for pre-applications for DRB, or for new construction, bringing those fees down a little bit too.

Financial impact. So as an example, if you are going to do 1,000 square foot addition to your single family home, today you would pay \$1,387 for your building permits. If we implement this, you will save \$777. Same thing for a commercial square foot addition. The impact to the city coffers for this two-year period we would take in approximately \$38,000 less per year. But also an impact is, and that's what this is designed to do, is to encourage reinvestment in those commercial properties, bring in additional economic activity to the area, grow those property values, encourage other business owners and property owners to reinvest in their properties. It's kind of like a little domino effect.

So if you all do adopt this resolution, to establish this fee schedule, it will be for a two-year period only. It will automatically terminate without any council action at the end of two years. It would start April 15th of this year. Another perk of it is there would be no red tape involved. If you come in to do an addition, you don't have to fill out a form. You don't have to ask for it. Our computer programs will be updated so that you will automatically get the new fee.

So that's the end of my presentation. I'm glad to take any questions and we have our -- the folks that have our building department, Mr. Clack and Sue Landreth are here and they will be administering the program.

[Time: 00:52:19]

Mayor Lane: Thank you. We have some requests for public comment and some questions from the Council. I will go ahead and go to public comment. We will be maybe back to you for some questions. I'm certain we will. We have a single request to speak on this subject, and it is Margaret

Dunn.

Margaret Dunn: Good evening, mayor and members of the Council. Thank you for the opportunity to speak this evening on behalf of Scottsdale Gateway Alliance S.G.A. Scottsdale Gateway Alliance is dedicated to advancing investment and revitalization of the McDowell Road Corridor and southern Scottsdale. S.G.A. is a private organization and I'm proud to serve on the board of S.G.A. and also I'm a property owner in the McDowell Road Corridor. S.G.A. supports resolution 9990. We believe that reducing fees for residential and commercial property owners will incentivize improvements and foster revitalization of the area. While great steps have already been made in the McDowell Road Corridor, so many more need to be made. This resolution will support and encourage economic growth and vitality. In a collaborative effort we all can create a renewed strength and energy on the McDowell road corridor. S.G.A. encouraged the Scottsdale city council to approve resolution 9990. Thanks again for the opportunity.

[Time: 00:54:11]

Mayor Lane: Thank you, Ms. Dunn. No further request to speak on this subject. So I will start with some of Council's request to speak. Councilman Smith.

Councilman Smith: Thank you, Mayor and, Kim, are you going to take questions where you are? And that's fine. First of all, I think this is a great initiative. I think from up here from where we sit, we should lead, follow, or get out of the way. And we have had a lot of initiatives where we have led Thomas Road being the most recent one, a very attractive venue. It took a bit longer than we thought, but still attractive. This, I think is a good example of get out of the way and I think my only question on the program has to do with the money side of the thing.

You said it was likely to cost just around \$38,000 per year in forgone fees and that's certainly a reasonable prospect. Looking through the materials, I saw that historically this program cost us something like \$200,000 on residential fees and another \$50,000, perhaps on business. Maybe you can elaborate why this iteration will be less expensive than before.

Senior Planner Kim Chafin: Thank you, Mayor Lane and Councilmember Smith, it's not exactly the same as the south area permit fee reduction program that we had from 2004 to 2009. It's scaled back and it's specifically designed to help the little guys, the existing homeowners, the existing business property owners. So it's not, like I said, if you come in with a new single family tract housing development, these modifications will not apply. It's for existing.

[Time: 00:56:03]

Councilman Smith: Okay. Thank you for that clarification. And I think the only other question, how did staff magically come up with the recommendation of two years? Versus one or three or five or any other number. Is there some thought there?

Senior Planner Kim Chafin: Yes, Mayor Lane and Councilmember Smith, the idea for the two years is

to basically give us a jump start down there. That's the reason why we have the little domino graphic up there. We hope we will get the ball rolling and that as other property owners see our neighbors making these improvements that they will want to do the same.

Councilman Smith: Thank you, Mayor. That's it.

[Time: 00:56:41]

Mayor Lane: Thank you, Councilman. Councilman Phillips.

Councilman Phillips: Thank you, Mayor. Well, you know, as a construction guy myself, the last few years remodeling has probably been 90% of construction. There's not that many new homes. I wish we would have done this years ago. All I can say is Hallelujah, amen and it's about time. So I will make a motion to approve resolution number 9990.

Councilwoman Klapp: Second.

Mayor Lane: Motion has been made and seconded. I think I heard Councilwoman Klapp on the second. If you would like to speak toward it?

[Time: 00:57:18]

Councilwoman Klapp: I think it's a great idea too, and I agree, I wish we had it faster than this. I'm very glad that the program was put together. There are a number of homeowners in the area that are talking about doing some things to their properties. So this will help to incent them to do that. I think the two-year program is probably good because it pressures people to make a decision. If you make it too long, then they think they can do it any time they want. So you really do have some time pressure on a homeowner to make a decision if they are going to do some remodeling.

And, you know, I went to a home tour down in that area a few months ago and it was really interesting to see the pride of people there that are redoing their homes in the area. Some of them probably had more money to do some really fantastic renovations. This is more geared towards people who are doing, perhaps a smaller renovation than that.

But nevertheless, there's a lot of what I would call pent up demand down there for people would want to make their properties look better, and as was stated by one of the individuals if they see their neighbors doing it, that will cause them to think more seriously about doing it themselves. So I do believe that the money that we will forgo here will come back to us in higher property values and other ways and I think it's a great program. Thank you for putting it together.

[Time: 00:58:54]

Mayor Lane: Thank you, Councilwoman. I certainly support it as well, but one of the things that I think is really inspiring about this, and I want to give kudos to the board of the Gateway Alliance, that

you have a private sector group getting together and thoughtfully putting together some ideas of what would help them. It's also instructive to us to realize what fees, you know, as we sometimes continue to increase them, what kind of impact it does have on revitalization efforts and some of the older neighborhoods just as a matter of course. We don't want to be in the way ever and this is one way to maybe compensate for some of the things we may have done and increasing some of those fees.

But nevertheless, and I also think that that a two-year time frame is a motivator to move. I think you mentioned it Ms. Dunn as a jump of start but I think it's important to activate people and to actively think about it on a quicker line. I think that's a good approach with it too and it also gives us an opportunity to really gauge it and see what it does. And frankly, be cognizant of what it can do on a quicker order.

So I thank you both to the assemblage of this information. It's also another great indication to Kim and the staff who worked with the group that were listening. We have a group of stakeholders that are thinking about what they can do. Certainly they are motivated by their own financial interests and there's nothing wrong with that, but we could listen to that too and see that it moves things forward. I'm certainly a positive on it as well. Councilwoman Littlefield.

[Time: 01:00:33]

Councilwoman Littlefield: Yes, I would like to say I think this is a great idea and I think the timing is very good on this. I have talked to a lot of different people in the construction area, the development area and a lot of residents in south Scottsdale. And with the recession kind of removing itself from their path, they are starting to look at this stuff and if we can say, hey, your money is going into construction, and into renovation, not into fees, I think that's going to be a huge benefit and I think this is great. Thank you.

[Time: 01:01:10]

Mayor Lane: Thank you, Councilwoman. We have to further comments on this, at this point in time. I think we are ready then to vote. The motion as has been expressed. Those in favor, please indicate by aye and register your vote. Aye. The tally is 6-0. Of course, with one absent. Thank you very much Ms. Chafin and frankly, Ms. Dunn.

ITEM NO. 22 – MONTHLY FINANCIAL UPDATE

[Time: 01:01:32]

Mayor Lane: Now we really get into the exciting portion of the business here tonight. Truly we do.

City Treasurer Jeff Nichols: I don't know, Mr. Mayor. It doesn't involve transportation and that was a very lively discussion.

Mayor Lane: We have the monthly financial update. You just never know Mr. Nichols where we will go with this one but we hope it's good news and you will present it well and we will just be here dumbfounded in our accolades.

City Treasurer Jeff Nichols: Me too! Thank you, Mr. Mayor, members of Council. I'm here to give you the monthly financial update as of February 28th, 2015. As always, we start with the general fund operating sources year-to-date. You see the sales tax favorable variance there at the top right-hand corner of \$2 million or 3%, and we'll get into that a little bit further see that in the public safety sales tax in the next slide. Some of the things I would like to point out, some of the larger variances down there, you see other licenses, permits and fees, \$1.3 million variance. Approximately 25%.

A lot of that, the good news is it's related to facility rentals, concession fees and parking fees at WestWorld, very good thing. We made a large investment up there. So hopefully they are programming that very well and we'll continue to benefit from that. These are items that were not budgeted for and this is the new marketing program and this is in addition to the staples that we had up there. It also includes the Arizona Quarter Horse and the Arabian and the payments for Barrett Jackson for the debt services also housed in there. It was accounted for in there.

And the other area I would like to point out under other miscellaneous, you see \$1.1 million or 32% favorable variance, the majority of that is related to SkySong. Dan Worth renegotiated a contract with SkySong. It was favorable for the city. It wasn't budgeted and so we will budget for that, of course, in '15/16 but it's creating a variance in this year. And the other thing is we had our agreements with the Scottsdale Unified School District. We are seeing a favorable variance related to our agreement, related to Palomino library, about \$100,000. We also had about \$400,000 year-to-date in recovery of prior year expenses that are creating this experience. The last one, I would like to point out on this slide, as you see almost two-thirds of the way down under building permits, 30% favorable variance.

I would like to report that in February, month over month, we received our first unfavorable variance for the month in this category. It was approximately \$167,000. It is not really impacting the overall year-to-date figure at this point in time. So we'll continue to monitor that and make certain that it's just an anomaly so far this year and that we continue to enjoy positive variances within this category.

Drilling down into the sales tax category, what I would like to point out here, the \$300,000 favorable variance in auto sales and maintenance. I asked staff if this was related to the new dealerships we have in town. They have reported that they are doing somewhat better than we had budgeted, the new Mercedes dealership and the Lexus up on Scottsdale Road; however, it's not that much better. They said, overall, it's just all the car dealerships are doing better in Scottsdale. So hopefully if they continue to do well, we can attract more because there's certainly the type of tenants that we want within the city of Scottsdale, as far as sales tax revenue is concerned.

One other area I would like to point out is under construction, you see a \$1 million variance, 14%. Again that's related to the building that's going on within the city, and finally, I skipped one, under tourism, entertainment, restaurant and bars, you see about a \$400,000 variance or 7% positive

variance. What we are seeing is the effect and it will show it on the next slide. You will really accentuate the effect of having the Pro Bowl, Super Bowl and all the other types of events that were here in Scottsdale during the month of February. They had a very positive impact, which is shown, if I can get it to move, on this slide. There you see the 14.4% month over month increase in our sales tax revenues. A lot of that is related to a lot of the events that went on. It's not reported in this monthly financial report because it's not in the general fund, but you may be aware that our bed tax receipts were up significantly for the month of February as well. So good news on that front as well.

Looking at the expenses, again, if I can get, looking at general fund operating, I went back. General fund operating uses by category. You see a \$500,000 positive variance to salary and wages. Most of that is related to police department and community services and I reported this before that people are retiring in these two departments and they are hiring people at much less. The salaries that they are paying are considerably less than what was budgeted for the year.

You look at the overtime, \$1.4 million negative variance relates mostly to the police and fire department and order the police department unfavorable variance. The year-to-date is almost \$1 million, \$996,000 and the fire department is about \$312,000 of the \$1.4 million. As you are aware, those same events I talked about that brought us considerable amounts of revenues, they also cost us a considerable amount of money. There was an estimate that the cost related to public safety would be approximately \$475,000. Those costs were considerably higher and the city manager has asked the city auditor to look into that and to try to determine why there was such a, I don't know if I call it miss. I think certain things had popped up that we had to respond to, from a public safety standpoint, that were not thought of prior to, and so she's going to drill down into all the overtime expenses related to the Super Bowl, the pro bowl and the other events, the TPC and find out why the large variance in overtime in that area.

Looking down on contractual commodities and capital outlay. You see we have a favorable variance of \$700,000. The majority of this is just timing differences. A lot of it has to do with information technology, software, negotiations that are going on, the expenses were budgeted. They haven't been made yet. There are also two fairly signature contracts in my division, for armored car services and banking services. Banking services, we do as best we can to try and judge what those expenses are going to be; however, depending on the balance in our account, we also get a credit to offset those expenses. So it's impacting them and we are seeing some fairly large favorable variances in those two contracts. But as you can tell, down in the bottom right-hand corner, overall, in our expenses, actual versus budget, we are pretty much on target with a zero percent variance.

And for the divisions, general fund operating uses by division, as you can see, there's some noise there. Mayor, councilman, charter officers, the \$600,000, the majority of that relates to those contracts in my division. We had some savings in the city clerk's division, related to postage that we enjoyed. And for public safety, fire and police, all driven by overtime, and then as reported in previous monthly financial updates and public works related to building move.

I would like to add at this time, though, while we did budget for the revenues that we had planned to receive for the office buildings we sold, we did not budget for the moves related to those. The

direction to staff was to try to find it in your budget. We have had discussions with the public works director and if, in fact, we need to come back to Council with request for contingency funding, more towards the end of fiscal year, then we will do that at that time.

And so overall, it is good news, February fiscal year-to-date, change in fund balance, a positive variance of approximately \$6.5 million. The vast majority of that driven by our revenues and with, that I would be happy to entertain any questions you all may have.

[Time: 01:10:52]

Mayor Lane: Thank you, Mr. Nichols. Yes, we do have some questions or comments. Let's start with Councilman Smith.

Councilman Smith: Thank you, Mayor. Jeff, go back to the graph that you have, which is the year-over-year change. And what I have is not a question as much as it is just to make sure that people rivet into their minds that last bar on the graph. 14.4% over last year, which I think is a little over \$1 million of additional sales tax collection. And I know that the previous Council struggled greatly among themselves over what degree to fund and support the Super Bowl and other activities coming to town. But to the listening audience this is why. It's not only for what it generates in sales tax for the city, but obviously for the tourism impact and the tourism bed tax dollars. And so everybody has said in their own way and many different ways that it was an extraordinary month, an extraordinary result and extraordinary visibility for the city, but I think this graphically illustrates it as well as everything. Thank you, Mayor.

[Time: 01:12:06]

Mayor Lane: Thank you, Councilman. As impressed as I am with that percentage and the quantification in dollars Councilman Smith just indicated, I suppose and it is. I'm very glad we obtained at least those kinds of numbers in view of a combined total of almost \$2 million that we paid to the host committee and to the Fan Fest and to the in kind which we haven't really totally quantified, I understand that maybe bumping up against \$800,000. So it's a substantial amount of money that we have laid out, just on that side of it. Is it all worth it? It probably was. And it's a commitment we made to the valley, when we take this on, but our marginal rate of increase is not as significant as it is for some other cities when we have those kinds of events. But that being said, I'm very glad we made at least that kind of money.

The other side of it is that whatever the bed tax is that would offset it a little bit further too. There are some redeeming values but we paid substantial amounts of money to make this money. All for a good cause, for state of Arizona, as well as the city of Scottsdale.

I don't see that we have any other comments at this point in time so Mr. Nichols, you obviously did an excellent job in presenting it. There were a couple of things that I noted but I think I realized what the circumstances are and timing and some of the issues where there were some variances that you didn't mention. But in any case, on the overall, when you have those kind of numbers on this side, it

really pays for a lot of sins that we might have on the other side. So it's good.

City Treasurer Jeff Nichols: Thank you, Mayor.

[Time: 01:14:03]

Mayor Lane: Thank you. Okay. Well, that's our last item on the regular agenda. We don't have any further public comment items. No citizen petitions and no mayor and council items.

ADJOURNMENT

[Time: 01:14:17]

Mayor Lane: I would request a motion to adjourn.

Councilmember: So moved.

Councilmember: Second.

Mayor Lane: All of those in favor of an adjournment please indicate by aye. Again, thank you, everyone, for participating. Thank you.