

**SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, MAY 5, 2020**



**CITY HALL KIVA
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251**

CALL TO ORDER

Mayor W.J. "Jim" Lane called to order a Regular Meeting of the Scottsdale City Council at 5:08 P.M. on Tuesday, May 5, 2020.

ROLL CALL

Present: Mayor W.J. "Jim" Lane; Vice Mayor Kathleen S. Littlefield; and Councilmembers Suzanne Klapp, Virginia L. Korte, Linda Milhaven, Guy Phillips, and Solange Whitehead (all participating telephonically).

Also Present: City Manager Jim Thompson, City Attorney Sherry Scott, City Treasurer Jeff Nichols, City Auditor Sharron Walker, and City Clerk Carolyn Jagger (all participating telephonically).

MAYOR'S REPORT – Mayor Lane announced the reopening of the City's tennis and pickle ball courts and dog parks.

MINUTES

Request: Approve the Regular Meeting Minutes of March 17, 2020, and April 7, 2020.

MOTION AND VOTE – MINUTES

Councilmember Korte made a motion to approve the Regular Meeting Minutes of March 17, 2020, and April 7, 2020. Councilman Phillips seconded the motion, which carried 7/0, by roll call vote, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.

NOTE: MINUTES OF CITY COUNCIL MEETINGS AND WORK STUDY SESSIONS ARE PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ARIZONA REVISED STATUTES. THESE MINUTES ARE INTENDED TO BE AN ACCURATE REFLECTION OF ACTION TAKEN AND DIRECTION GIVEN BY THE CITY COUNCIL AND ARE NOT VERBATIM TRANSCRIPTS. DIGITAL RECORDINGS AND CLOSED CAPTION TRANSCRIPTS OF SCOTTSDALE CITY COUNCIL MEETINGS ARE AVAILABLE ONLINE AND ARE ON FILE IN THE CITY CLERK'S OFFICE.

CONSENT AGENDA

1. **Hilton Scottsdale Resort & Villas Liquor License (21-LL-2020)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 11 (hotel/motel) State liquor license for an existing location with a new owner.
Location: 6333 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

2. **Rift Wine & Beer Liquor Licenses (22-LL-2020, 26-LL-2020, and 34-LL-2020)**
Requests:
 1. Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) State liquor license for an existing location with a new owner, new license series.
 2. Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an additional Series 7 (beer and wine bar) State liquor license for an existing location with a new owner, additional new license series.
 3. Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 (beer and wine store) State liquor license for an existing location with a new owner, new license series.**Location:** 431 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

3. **Trevor's Liquor Licenses (32-LL-2020 and 33-LL-2020)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) State liquor license and a Series 9 (liquor store) State liquor license for a new location and owner.
Location: 7340 E. McDowell Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

4. **Papago Inn Liquor License (39-LL-2020)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 6 (bar) State liquor license for an existing location with a new owner.
Location: 7017 E. McDowell Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

5. **Desert Rock Distillery Liquor License (40-LL-2020)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 18 (craft distillery) State liquor license for an existing location and owner, new license series.
Location: 7302 E. Helm Drive, Suites 1001 and 1002
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

- 6. Walkway North Parcel Light Fixture Easement and Installation and Maintenance Agreement**
Request: Adopt **Resolution No. 11758** authorizing Agreement No. 2020-071-COS with Gateway at Main St. Plaza Scottsdale Condominium Association permitting the continued operation of light fixtures used to illuminate a public walkway.
Location: South side of Main Street halfway between Marshall Way and Goldwater Boulevard.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
- 7. Site 42 Reservoir Storage Expansion Project Preconstruction Phase Services Contract**
Request: Adopt **Resolution No. 11781** authorizing CM@Risk Contract No. 2020-076-COS with MGC Contractors, Inc., in an amount not to exceed \$37,387, to provide preconstruction phase services for the Site 42 Reservoir Storage Expansion project.
Location: 26602 N. Pima Road
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
- 8. Paiute Park License Agreement**
Request: Adopt **Resolution No. 11780** authorizing Agreement No. 2020-075-COS with the Salt River Project Agricultural Improvement and Power District to continue to operate and maintain Paiute Park.
Location: East side of 64th Street and south of Osborn Road
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
- 9. SkySong Ground Lease Agreement**
Request: Adopt **Resolution No. 11685** authorizing Agreement No. 2004-119-COS-A8, the eighth amendment to the agreement with ASUF Scottsdale, LLC, to add the City's 1.5-acre parcel into the lease for an assemblage fee in the amount of \$3,595,000 and additional annual lease payments.
Location: Southeast corner of Innovation Lane and McDowell Road
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
- 10. Baseball Facilities Agreement**
Request: Adopt **Resolution No. 11787** authorizing Agreement No. 2019-039-COS-A1, the first amendment to the agreement with San Francisco Giants Baseball Club, LLC, and Scottsdale Charros, Inc., for the operation of Major League Baseball training facilities.
Staff Contact(s): William Murphy, Assistant City Manager, 480-312-7954, bmurphy@scottsdaleaz.gov
- 10A. Patrick Gibbons Settlement Agreement and General Release of All Claims**
Request: Adopt **Resolution No. 11802** authorizing Agreement No. 2020-085-COS with Patrick Gibbons in the amount of \$100,000 to settle Patrick Gibbons' claim against the City and its employees.
Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

MOTION AND VOTE – CONSENT AGENDA

Councilmember Korte made a motion to approve Consent Agenda Items 1 through 10A. Councilwoman Whitehead seconded the motion, which carried 7/0, by roll call vote, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.

REGULAR AGENDA

- 11. Pre-Tentative Fiscal Year 2020/21 Operating Budget and Capital Improvement Plan**
Request: Presentation, discussion, and possible Council direction to staff regarding the Proposed FY 2020/21 Operating Budget and Capital Improvement Plan, including the City's proposed FY 2020/21 rates and fees.
Presenter(s): Jeff Nichols, City Treasurer; Jim Thompson, City Manager
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

City Treasurer Jeff Nichols and City Manager Jim Thompson gave a PowerPoint presentations (attached).

Councilmembers made the following suggestions:

- Provide updated sales tax numbers to the Council and public.
- Prepare a graph, spreadsheet, or chart showing last year's numbers for large income producers and actual numbers for this year, and then estimate a trendline for the rest of the year, and possibly for next year.
- Provide current revenue forecasts specific to Scottsdale.
- Provide information on how much the City has saved to date in expenditures related to closing city amenities, personnel layoffs, and shutdowns and projected savings through the end of the year.
- Evaluate city staffing levels in each department and consolidate or eliminate positions.
- Place holds on business fees, license increases, and residential rates and fees.
- Evaluate timing of any and all capital improvement projects.
- Reduce items from the contingency budget related to merit increases, market rate increases, and vacation trades.

MOTION AND VOTE – ITEM 11

Mayor Lane made a motion to direct staff to return with a realistic assessment of revenue projections, taking as much information as possible and matching it up by providing a year-over-year budget comparison of the adopted budget for fiscal year ending 2020 to the projected budget for fiscal year ending 2021, so the Council can review line by line items as to actual budget reductions and funds that will be moved to the reserve accounts. Councilwoman Klapp seconded the motion, which carried 7/0, by roll call vote, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.

12. Public Hearing on Water and Wastewater Rate Increases

Request: At the request of staff, continue to May 19, 2020.

The City Council adopted a notice of intention to increase water and wastewater rates on March 3, 2020, and set a public hearing date for May 5, 2020. City Hall is currently closed to public access due to the COVID-19 pandemic, and City Council meetings are being conducted remotely through electronic means. Therefore, staff is requesting the public hearing be continued until May 19, 2020.

Staff Contact(s): Brian Biesemeyer, Water Services Director, 480-312-5683,
bbiesemeyer@scottsdaleaz.gov

MOTION AND VOTE – ITEM 12

Councilman Phillips made a motion to continue the public hearing on water and wastewater rate increases to May 19, 2020. Vice Mayor Littlefield seconded the motion, which carried 7/0, by roll call vote, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.

13. Public Hearing on the Community Development Block Grant Program Five-Year Consolidated Plan for Fiscal Years 2020-2024; Fiscal Year 2020/21 Annual Action Plan; and Analysis of Impediments to Fair Housing Choice

Requests:

1. Solicit public testimony regarding the Community Development Block Grant (CDBG) Program Five-Year Consolidated Plan for Fiscal Years 2020-2024; the FY 2020/21 Annual Action Plan for the use of \$1,205,605 in CDGB funds and \$343,555.71 in HOME funds; and the Analysis of Impediments to Fair Housing Choice.
2. Adopt **Resolution No. 11671** to approve the CDBG Five-Year Consolidated Plan for Fiscal Years 2020-2024; the FY 2020/21 Annual Action Plan; the Analysis of Impediments to Fair House Choice; and authorize:
 - a. Use, award, and allocation of federal CDBG and HOME funds for eligible programs and services and associated contracts;
 - b. Reprogramming of prior years' remaining funds and the return of program income;
 - c. Associated HUD certifications and contracts; and
 - d. Mayor, City Manager, and Community Assistance Manager to take certain actions furthering this resolution.

Presenter(s): Justin Boyd, Housing Supervisor

Staff Contact(s): Greg Bestgen, Human Services Department Director, 480-312-0104,
gbestgen@scottsdaleaz.gov

Mayor Lane noted for the record that there were no requests to speak for the public hearing.

Housing Supervisor Justin Boyd introduced Western Economics Services Senior Project Manager Megan Brace who gave a PowerPoint presentation (attached) on the Community Development Block Grant Program Five-Year Consolidated Plan for fiscal years 2020-2024, Fiscal Year 2021/21 Annual Action Plan, and analysis of impediments to Fair Housing Choice.

MOTION AND VOTE – ITEM 13

Councilmember Korte made a motion to adopt Resolution No. 11671. Vice Mayor Littlefield seconded the motion, which carried 7/0, by roll call vote, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.

- 14. Detroit Coney Grill Awnings and Canopy – Appeal to City Council (2-DR-1994#3)**
Request: Request by the property owner and applicant for City Council to reconsider the Development Review Board's approval of Case No. 2-DR-1994#3 that included a stipulation for the existing orange awnings and canopy to be replaced with a teal color or other compatible color at a restaurant located in the Gateway Park shopping center.
Location: 6953 N. Hayden Road
Presenter(s): Katie Posler, Planner
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

Planner Katie Posler gave a PowerPoint presentation (attached) on the Detroit Coney Grill Awnings and Canopy appeal of the Development Review Board's approval of Case No. 2-DR-1994#3.

MOTION NO. 1 AND VOTE – ITEM 14

Councilman Phillips made a motion to modify the Development Review Board's decision. Mayor Lane seconded the motion, which failed 3/4, by roll call vote, with Mayor Lane and Councilmembers Milhaven and Phillips voting in the affirmative, and Vice Mayor Littlefield and Councilmembers Klapp, Korte, and Whitehead dissenting.

MOTION NO. 2 AND VOTE – ITEM 14

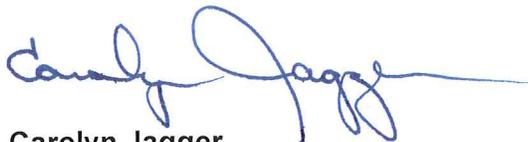
Councilmember Korte made a motion to affirm the Development Review Board's decision requiring a teal color or other color in context with the shopping center. Councilwoman Klapp seconded the motion, which carried 5/2, by roll call vote, with Vice Mayor Littlefield and Councilmembers Klapp, Korte, Milhaven, and Whitehead voting in the affirmative and Mayor Lane and Councilman Phillips dissenting.

MAYOR AND COUNCIL ITEMS – None

ADJOURNMENT

The Regular City Council Meeting adjourned at 9:09 P.M.

SUBMITTED BY:



Carolyn Jagger
City Clerk

Officially approved by the City Council on

June 16, 2020

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the City Council of Scottsdale, Arizona, held on the 5th day of May 2020.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 16th day of June 2020.



Carolyn Jagger, City Clerk

ITEM 11

**FY 2020/21 PRE-TENTATIVE
OPERATING & CAPITAL BUDGET**

City Council
May 5, 2020

1

DATA DRIVEN APPROACH

- March sales tax collections mostly complete by May 1
 - March had 2 weeks of activity before downturn due to COVID-19
- April sales tax collections begin May 15 and mostly complete by June 5
 - Tentative Budget adoption on May 19th
 - Tentative Budget adoption sets the ceiling. Cannot increase with Final Budget adoption but can be decreased
- May sales tax collections begin June 12 and mostly complete by July 6
 - Final Budget adoption on June 16
 - Council can make decreases to the budget at this time

2

MARCH SALES TAX ACTIVITY – APRIL 24

- 1,608 businesses --- approximately 85% of sales taxes paid
 - 846 business (or 53%) have filed and paid their taxes by April 24
- | | |
|--|---|
| ■ Automotive – (9%) or (\$203,354) | ■ Misc. Retail Stores – (22%) or (\$428,553) |
| ■ Construction – 10% or 47,153 | ■ Other Taxable Activity – (25%) or (\$198,001) |
| ■ Food Stores – 20% or \$54,984 | ■ Rentals – (2%) or (\$11,973) |
| ■ Hotel/Motel – (56%) or (\$546,061) | ■ Restaurants – (42%) or (\$287,598) |
| ■ Major Department Stores – (6%) or (\$70,239) | ■ Utilities – 6% or \$22,137 |

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GENERAL FUND REVENUE THAT MAY BE IMPACTED

- | | |
|--|----------------------------------|
| ■ Local Sales Taxes | ■ Building Permit Fees & Charges |
| ■ State Shared Income Tax (2-year lag) | ■ Charges for Service/Other |
| ■ State Shared Sales Tax | ■ License Permits & Fees |
| ■ Auto Lieu Tax | ■ Fines Fees & Forfeitures |

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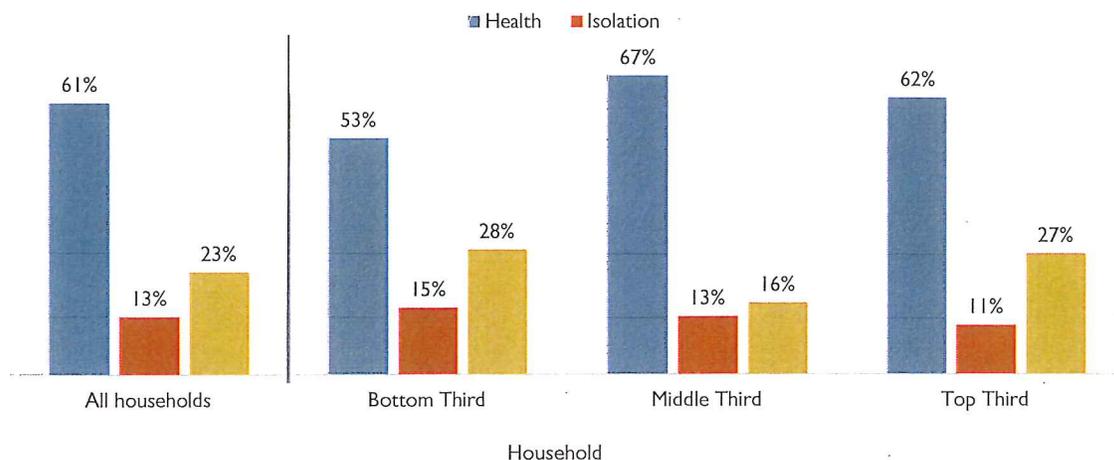
CONSUMER CONFIDENCE – THE CONFERENCE BOARD

- Conference Board said Tuesday that its confidence index tumbled to a reading of 86.9, down from 118.8 in March.
- The present conditions index slumped from 166.7, to 76.4, a 90-point drop that was the largest on record.
- The numbers in the present conditions index “reflects the sharp contraction in economic activity and surge in unemployment claims,” said Lynn Franco, senior director of economic indicators at the Conference Board.

5

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MOST IMPORTANT CONCERN ABOUT THE CORONAVIRUS



Surveys of Consumers, April 2020. University of Michigan

6

6

GROSS DOMESTIC PRODUCT (GDP)

- The U.S. economy shrank at a 4.8% annual rate in the first quarter, its biggest contraction since the 2008 financial crisis.
- First quarter personal consumption down -7.6%. The drop in personal consumption was the fastest since the second quarter of 1980.

7

7

\$ millions

Category	FY 2019/20 Adopted Budget	
	Budget	% of Total
Personnel Services	\$213.2	74%
Contractual Services	63.1	22%
Commodities	9.1	3%
Capital Outlays	0.9	0%
Total	\$286.3	

FY 2019/20
GENERAL
FUND
ADOPTED
BUDGET –
BY CATEGORY

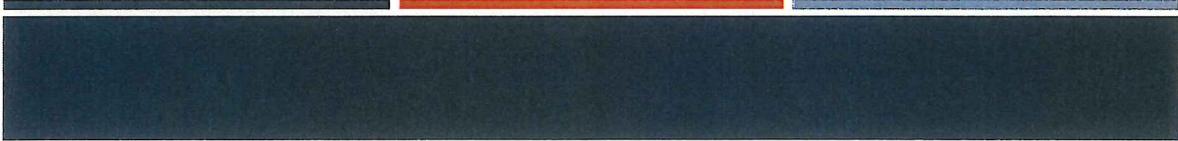
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**FY 2019/20
GENERAL FUND
ADOPTED BUDGET
by division**

Division	FY 2019/20	
	Adopted Budget	% of Total
Public Safety - Police	\$106.5	37%
Public Safety - Fire	45.2	16%
Community Services	42.4	15%
Comm. & Ec. Development	20.8	7%
Administrative Services	15.2	5%
Public Works	13.0	5%
City Treasurer	10.0	3%
City Attorney	7.1	2%
City Court	5.1	2%
City Manager	4.0	1%
City Auditor	1.0	0%
City Clerk	0.8	0%
Mayor and City Council	.08	0%
Non-Divisional	14.5	5%
Total	\$286.3	

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QUESTIONS?

10

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Pre-Tentative Budget Discussion

City Council Meeting – May 5, 2020

11

Sources (in thousands)

	19/20 Adopt	19/20 Fcst	2020/21
Sources - Summary:			
GF Revenues	315,605	326,541	326,872
GF Transfers In	10,593	11,124	11,422
<i>Total</i>	326,198	337,665	338,294
Sources - Reductions due to COVID-19:			
GF Revenue Reductions		(14,182)	(24,184)
GF Transfers In Reductions		(581)	(618)
<i>Revised Total</i>		322,902	313,492

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Uses (in thousands)

	19/20 Adopt	19/20 Fcst	2020/21
Uses - Summary:			
GF Expenditures	286,331	285,247	296,055
GF Contracts Payable/COPs	2,908	2,908	377
GF Transfers Out	27,598	29,217	26,269
Total	316,837	317,372	322,701
Subtotal Net Sources/Uses	9,361	5,530	(9,209)

Context: Before March 15, the city manager had already reviewed and reduced \$8.0 million in requests. Just prior to proposed budget release, another \$1.2 million was reduced.

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From negative to positive (in thousands)

	19/20 Fcst	2020/21
<u>Budget Balancing Initiatives: Operations</u>		
Reduce or Delay Division Spending	3,837	4,090
Freeze Third Year of Three-Year Market Catch-up		3,938
Freeze Performance Adjustments for Eligible Employees		3,588
Hold 249 Part-Time Workers from Closed Facilities/Programs	458	917
Freeze Vacation Trade Program for Eligible Employees		682
Hold 216 Full- and Part-Time Positions Vacant	300	600
Subtotal Net Sources/Uses	10,125	4,606

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More from negative to positive (in thousands)

	19/20 Fcst	2020/21
<u>Budget Balancing Initiatives: Fund Transfers</u>		
Delay 36 Vehicle Replacements		3,270
Drawdown Health Care Trust Fund		897
Reduce CIP Transfer Out Due to Lower Tax / Interest Revenues	300	301
Adjusted Net Sources/Uses	10,425	9,074
Total reductions	4,895	18,283

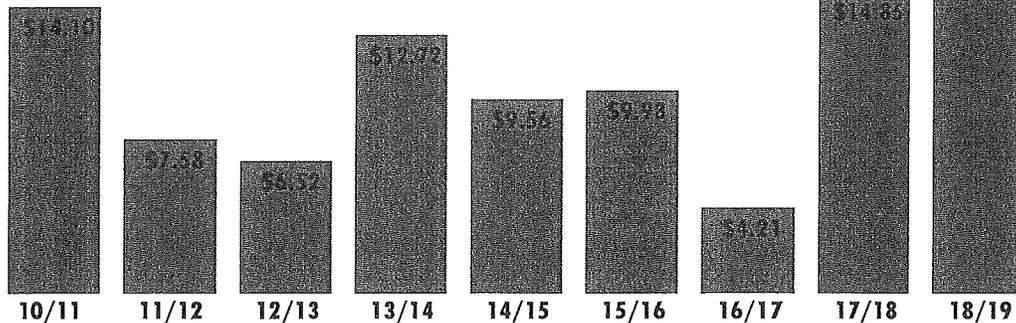
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Impact on Fund Balance (in thousands)

	19/20 Adopt	19/20 Fcst	2020/21
<u>Fund Balances: Beginning</u>			
General Fund Reserve	27,251	26,848	28,356
Operating Contingency	3,000	3,000	2,836
Unreserved Fund Balance	47,494	56,369	65,450
<i>Total</i>	<i>77,745</i>	<i>86,217</i>	<i>96,642</i>
Fund Balances: Ending			
General Fund Reserve	28,924	28,356	27,845
Operating Contingency	3,000	2,836	10,000
Unreserved Fund Balance	55,182	65,450	67,871
<i>Total</i>	<i>87,106</i>	<i>96,642</i>	<i>105,716</i>
Change in Fund Reserves Fav/(Unfav)	9,361	10,425	9,074

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Annual Net Change in Fund Balance (in millions)



Note: The total increase was \$98.2 m. Fund Balance is created during times of Economic Growth when Sources exceed Uses at the end of the year. They are used to replenish any use of contingency during the year, are in addition to the General Fund Stabilization Reserve and can be used for any purpose authorized by the Council. These are one-time funds and should be used for one-time purposes.

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In the midst of the economic crisis, we're also managing the city's response to the COVID-19 emergency, including:

1. Running the emergency operations center
2. Applying for and managing COVID-19 response federal and state grants
3. Complying with new federal laws (FFCRA)
4. Increased communications to council, community and employees
5. Holding City Council and key Board and Commission meetings virtually
6. Running the city remotely with more than 500 employees teleworking
7. Started the Scottsdale Small Business Assistance Center
8. Feeding seniors on a daily basis, providing day care for children of first responders
9. Lifeguards helping with Wildland Fire Prevention through brush removal
10. Redeployed 59 employees to COVID-19, maintenance and high-priority efforts

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COVID-19 Available Grant Funding

Federal Aviation Administration Airport	\$157,000
Department of Justice Police	94,987
FEMA Assistance to Firefighters	100,000
Federal Transit Administration	2,248,813
Community Development Block Grant	709,218
FEMA Disaster Recovery Assistance	<u>Amount Unknown</u>
	\$3,310,018

The City may receive other state pass-through grant funds to provide senior meals, food bank funding, and housing assistance programs

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Additional Discussion Points

- Using the Unreserved Fund Balance (covering Pension liability and payouts)
- Deferring or closing CIP Projects
- Changes to Program and Service Levels
- Delaying some rates and fees increases

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Using the unreserved fund balance

	19/20 Adopt	19/20 Fcst	2020/21
Fund Balances: Ending			
General Fund Reserve	28,924	28,356	27,845
Operating Contingency	3,000	2,836	10,000
Public Safety Pension Liabilities	54,682	50,650	53,071
Cavasson Infrastructure Reimbursement	0	14,300	14,300
Undesignated, Unreserved Fund Balance	500	500	500
<i>Total</i>	87,106	96,642	105,716
Change in Fund Reserves Fav/(Unfav)	9,361	10,425	9,074

21

Defer or close CIP projects?

	GENERAL FUND CIP IMPACT (\$ millions)	OTHER FUNDS CIP IMPACT (\$ millions)
CIP – Fifth Year Funding	(\$6.4)	(\$9.7)
Water and Sewer Projects		(\$6.7)
Story Time Room Expansion	(\$0.2)	
Downtown Entertainment District Pedestrian Lighting	(\$0.2)	
Gateway Monument Market Public Art Project	(\$0.1)	
McCormick-Stillman	(\$2.8)	(\$0.9)
McDowell Berms (Close)	(\$0.6)	
Park Restrooms	(\$2.5)	
Indian Bend Wash / Vista del Camino Master Plan (Close)	(\$0.8)	
Fire Station 612 Land Acquisition	(\$3.0)	
NFPA Station Standards	(\$1.8)	
Total	(\$19.6)	(\$17.5)

22

Options for reopening facilities and programs during the recovery period

Opening closed facilities and programs after COVID-19 is difficult because 249 part-time staff are no longer working, and revenues are reduced due to closures. service levels require different staffing levels, here are some options we are considering:

Pools would be phased in between Memorial Day and Labor Day:

Phase 1: Cactus, MMR and Eldorado for lap swim and competitive teams

Phase 2: Add learn-to-swim classes

Phase 3: Add public swim

Only offer summer camp at Mountain View and Horizon with 10:1 ratio

23

Library System and Covid-19

Pre-Covid Library System

Monday-Thursday

9am to 8pm = 11hrs each day x 4 days x 4 Branches = 176hrs weekly

Fridays & Saturdays

10am to 6pm = 8hrs x 2 days x 4 Branches = 64hrs weekly

Sundays

1pm to 5pm = 4hrs x 1day x 4 Branches = 16 hours weekly

Total Weekly Library Operating Hours Pre-Covid = 256

During Covid Operations

Drive Thru: Average 2000 cars wkly

Curbside Pick-Up @ Civic Center

Ask a Librarian On-Line: 132

Virtual Engagements: 674

New online card registrations: 163

Call Center

6 Library Staff Deployed

Library Recovery Open

Civic Center 37 staff

Mon – Thurs: 10am – 6pm

Fri – Sun: 1pm – 5pm

Mustang 20 staff

Mon – Thurs: 10 am – 6pm

Fri – Sun: 1 pm – 5pm

Arabian | Drive Thru Only 4 staff

Mon-Thu: 10am-2pm

Appaloosa | Drive Thru Only 4 staff

Mon – Thurs: 10am-2pm

Total Open Building: 88hrs

Total Drive Thru: 32

24

Delay or defer rate or fee increases

On May 19, we will also be proposing delaying or deferring rate or fee increases, including:

	Estimated Revenue Increase	Revised Estimated Revenue Increase	Change in Estimated Revenue Increase
Water Rates	\$3,123,000	\$0	(\$3,123,000)
Sewer Rates	\$1,300,000	\$590,000	(\$710,000)
Miscellaneous Charges	\$8,789	\$960	(\$7,829)
Total	\$4,431,789	\$590,960	(\$3,840,829)

Proposal to eliminate water rate increases due to rate revenue for current year over projections, reduced increase in Central Arizona Project (CAP) rates and reduced and delayed capital project spending.

Proposal to delay sewer rate increases to January 1, 2021 due to rate revenue for current year significantly under projections, with some offset in spending through reduced and delayed capital project spending.

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Next Steps

- We are continuing to monitor revenues and will make additional adjustments to expenditures in response.
- As a result, what was shared today will be subject to additional revisions by May 19, 2020
- Revenues and expenditures could be revised downward at final budget adoption on June 16, 2020
- To manage through this economic crisis, we will set up quarterly study sessions with the Mayor/Council to monitor revenues and expenditures, making changes as needed

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Upcoming Schedule

May 19	Adopt Tentative Budget, Rates and Fees
June 16	Final Budget Adoption and Truth in Taxation Hearing
June 30	Final Adoption of Tax Levies

**2020-2024 City of Scottsdale
Consolidated Plan**

Item 13

**Solicitation of public testimony on the
5 Year Consolidated Plan for FY 2020/24
and the FY2020/2021 Annual Action
Plan, as well as the Adoption
Resolution No. #11671**

**Public Review Meeting
May 5, 2020**

1

**Why Prepare a
Consolidated Plan?**

**In exchange for receiving HUD
funds, recipients must prepare four
things:**

- 1. A Five-Year Consolidated Plan**
- 2. Annual Action Plan**
- 3. CAPER**
- 4. Assessment of Fair Housing**

2

Purpose of the Five-Year Consolidated Plan

- **Help us identify housing and community development needs, priorities and strategies;**
- **Help us indicate how state and federal funds will be allocated to address these needs and activities over five years**
- **Annual Action Plan sets actions for 1st year**

3

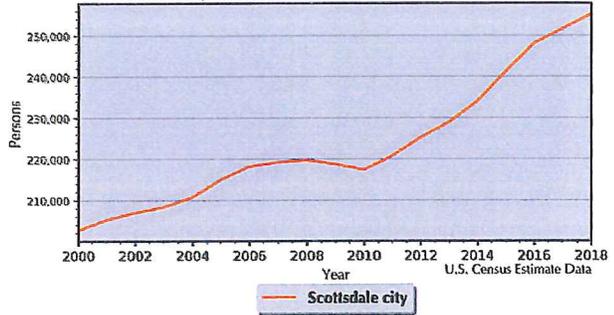
Public Engagement:

- **Human Services Commission Meetings: January 9th, March 12th, March 26th and May 5th**
- **Housing and Community Development Survey**
- **Draft available for public comment April 27 to May 28**

4

Demographics:

Population Estimates City of Scottsdale Census Population Estimates		
Year	Population	Percent Yearly Change
2000	202,715	
2001	205,220	1.2%
2002	206,973	0.9%
2003	208,333	0.7%
2004	210,727	1.1%
2005	215,023	2.0%
2006	218,194	1.5%
2007	219,251	0.5%
2008	219,735	0.2%
2009	218,735	-0.5%
2010	217,385	-0.6%
2011	220,792	1.6%
2012	225,213	2.0%
2013	228,952	1.7%
2014	234,053	2.2%
2015	241,197	3.1%
2016	248,100	2.9%
2017	251,556	1.4%
2018	255,310	1.5%



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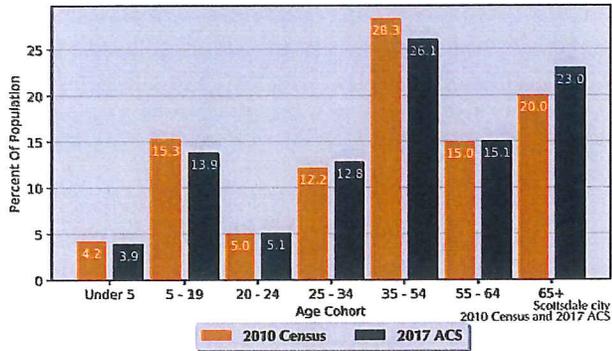
Demographics:

Population by Race and Ethnicity City of Scottsdale 2010 Census & 2017 Five-Year ACS				
Race	2010 Census		2017 Five-Year ACS	
	Population	% of Total	Population	% of Total
White	194,062	89.3%	211,618	88.4%
Black	3,652	1.7%	4,035	1.7%
American Indian	1,741	0.8%	2,102	0.9%
Asian	7,239	3.3%	10,215	4.3%
Native Hawaiian/ Pacific Islander	208	0.1%	164	0.1%
Other	5,525	2.5%	5,616	2.3%
Two or More Races	4,958	2.3%	5,533	2.3%
Total	217,385	100.0%	239,283	100.0%
Non-Hispanic	198,160	91.2%	214,593	89.7%
Hispanic	19,225	8.8%	24,690	10.3%

6

Demographics:

Population Distribution by Age
Scottsdale
2010 Census and 2017 ACS Data



7

Demographics: Persons with Disabilities

Disability by Age
City of Scottsdale
2017 Five-Year ACS Data

Age	Male		Female		Total	
	Disabled Population	Disability Rate	Disabled Population	Disability Rate	Disabled Population	Disability Rate
Under 5	20	0.4%	0	0%	20	0.2%
5 to 17	591	3.8%	360	2.5%	951	3.2%
18 to 34	970	4.1%	836	3.7%	1,806	3.9%
35 to 64	3,445	7.3%	4,040	7.9%	7,485	7.6%
65 to 74	2,479	17.2%	2,317	14.1%	4,796	15.5%
75 or Older	4,560	42.8%	5,626	43.9%	10,186	43.4%
Total	12,065	10.3%	13,179	10.9%	25,244	10.6%

8

Demographics: Persons with Disabilities

Total Disabilities Tallied: Aged 5 and Older City of Scottsdale 2017 Five-Year ACS		
Disability Type	Population with Disability	Percent with Disability
Hearing disability	8,977	3.8%
Vision disability	4,875	2.0%
Cognitive disability	8,328	3.6%
Ambulatory disability	13,017	5.7%
Self-Care disability	4,978	2.2%
Independent living disability	8,782	4.4%

9

Demographics: Homelessness

Homeless Population City of Scottsdale vs. Maricopa County PIT Counts					
	2016	2017	2018	2019	2020
Unsheltered City of Scottsdale	67	50	37	76	102
Unsheltered Maricopa County	1,646	2,059	2,618	3,188	3,767
Total Maricopa County	5,702	5,605	6,298	6,614	7,419

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Economics: Income

Households by Income City of Scottsdale 2010 & 2017 Five-Year ACS Data				
Income	2010 Five-Year ACS		2017 Five-Year ACS	
	Households	% of Total	Households	% of Total
Less than \$15,000	7,892	7.8%	8,449	7.8%
\$15,000 to \$19,999	3,824	3.8%	3,002	2.8%
\$20,000 to \$24,999	3,950	3.9%	4,004	3.7%
\$25,000 to \$34,999	7,454	7.4%	7,151	6.6%
\$35,000 to \$49,999	11,765	11.7%	11,694	10.9%
\$50,000 to \$74,999	17,551	17.4%	16,277	15.1%
\$75,000 to \$99,999	12,415	12.3%	12,691	11.8%
\$100,000 or More	35,793	35.6%	44,429	41.3%
Total	100,644	100.0%	107,697	100.0%

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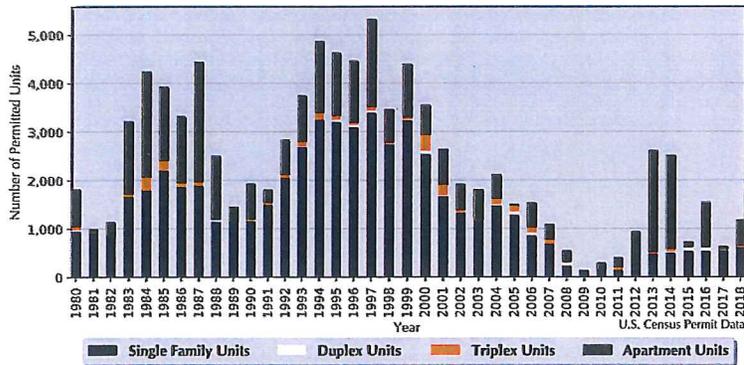
Economics: Poverty

Poverty by Age City of Scottsdale 2000 Census SF3 & 2017 Five-Year ACS Data				
Age	2000 Census		2017 Five-Year ACS	
	Persons in Poverty	% of Total	Persons in Poverty	% of Total
Under 6	730	6.3%	1,617	7.6%
6 to 17	1,447	12.4%	3,520	16.6%
18 to 64	7,501	64.4%	12,830	60.5%
65 or Older	1,972	16.9%	3,229	15.2%
Total	11,650	100.0%	21,196	100.0%
Poverty Rate	5.8%		8.9%	

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Housing Market:

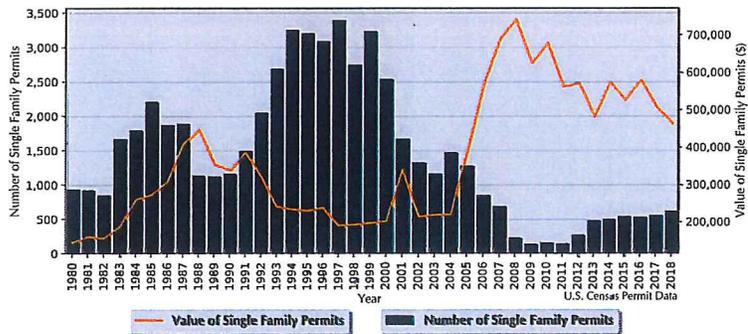
Total Permits by Unit Type
City of Scottsdale



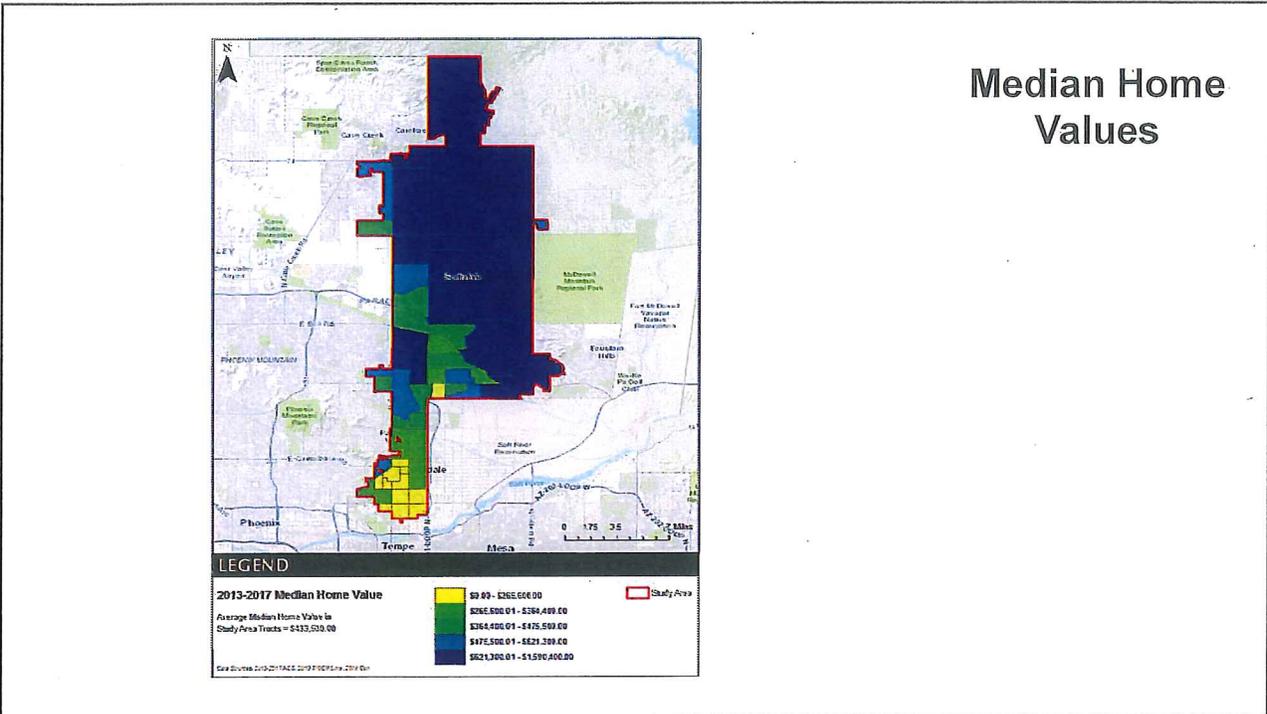
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Housing Market:

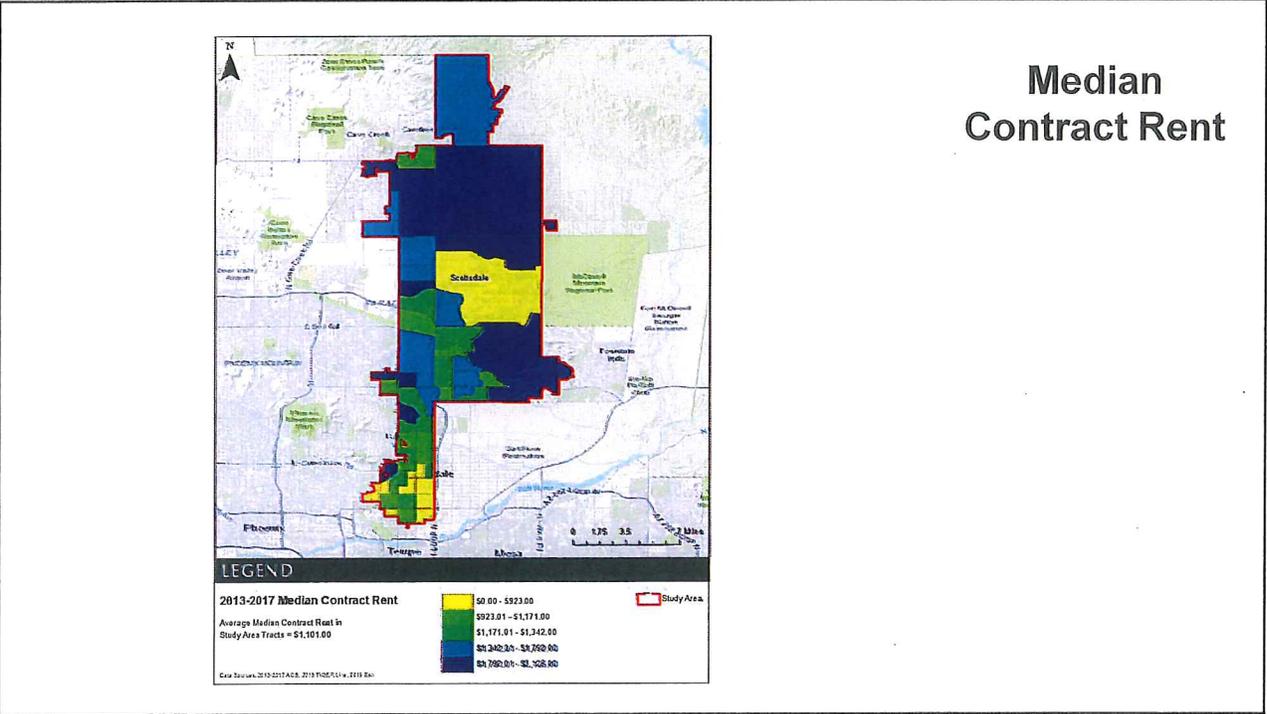
Single-Family Permits
City of Scottsdale



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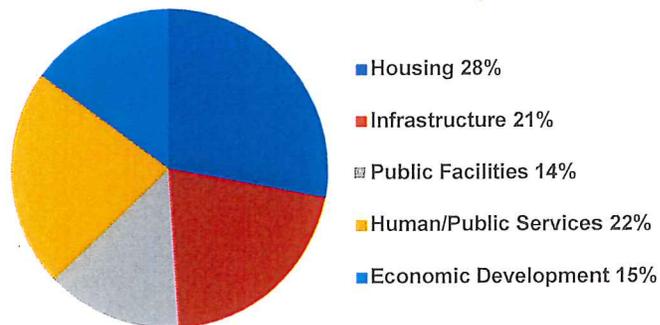
Housing Problems: Cost Burden

Cost Burden and Severe Cost Burden by Tenure City of Scottsdale 2010 & 2017 Five-Year ACS Data					
Data Source	31%-50%		Above 50%		Total
	Households	% of Total	Households	% of Total	
Owner With a Mortgage					
2010 Five-Year ACS	11,857	22.70%	8,931	17.10%	52,286
2017 Five-Year ACS	8,011	17.00%	6,585	14.00%	47,171
Owner Without a Mortgage					
2010 Five-Year ACS	1,781	9.00%	1,150	5.80%	19,710
2017 Five-Year ACS	1,766	7.40%	1,587	6.60%	23,921
Renter					
2010 Five-Year ACS	6,500	22.70%	6,065	21.20%	28,648
2017 Five-Year ACS	7,393	20.20%	6,957	19.00%	36,605
Total					
2010 Five-Year ACS	20,138	20.00%	16,146	16.00%	100,644
2017 Five-Year ACS	17,170	15.90%	15,129	14.00%	107,697

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Housing and Community Development Survey:

- Released in early 2020
- Over 225 responses



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Housing and Community Development Survey:

Question	No Need	Low Need	Medium Need	High Need	Total
Housing					
Construction of new affordable for-sale housing	29	21	39	125	225
Construction of new affordable rental housing	39	23	27	128	225
First-time home-buyer assistance	24	28	53	89	225
Rental assistance	36	25	34	111	225
Homeowner housing rehabilitation	28	25	59	80	225
Community and Public Facilities					
Shade Structures	18	29	46	103	225
Homeless shelters	39	28	39	82	225
Facilities for abused/neglected children	25	29	34	69	225
Public Services					
Homelessness services	26	30	30	104	225
Mental health services	11	23	50	104	225
Substance abuse services	12	27	43	101	225

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5 Year Goals and Priority Needs:

- **Affordable Housing Objective**
 - **Priority Need: Housing Repair and Rehabilitation**

- **Public Facility and Infrastructure Objective**
 - **Priority Needs: Priority Infrastructure, Public and Community Facilities**

- **Public Service Objective**
 - **Priority Needs: Public Services, Homelessness**

20

5 Year Goals and Priority Needs:

- **HOME Funding Objective**
 - Priority Need: Housing Development and Reconstruction

- **Support Program Administration**
 - Priority Need: Administration

21

CDBG FY 2020/21 Proposed Funding: Public Service

CDBG Public Services		
Agency	Program	Amount
Big Brothers Big Sisters of Central Arizona (BBBSAZ)	Scottsdale Mentoring Program	\$35,000
Chicanos Por La Causa, Inc.	Housing Navigation Services	\$47,148
Family Promise - Greater Phoenix	Emergency Shelter Program - Director of Social Work	\$33,000
Florence Crittenton Services of Arizona	Girls Ranch - Scottsdale	\$25,000
Homeward Bound	Intergrated Family Services	\$13,230
Save the Family Foundation of Arizona	Case Coordination and Adult Supportive Services for Homeless Families	\$21,600
Scottsdale Training and Rehabilitation Services	STARS Community Based Vocational Services	\$30,000

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CDBG and HOME FY 2020/21 Proposed Funding: Non-Public Service and HOME

CDBG Housing and Facilities		
Agency	Program	Amount
City of Scottsdale, Community Assistance Office	Green Housing Rehabilitation	\$443,000
City of Scottsdale, Community Assistance Office	Emergency Repair Program	\$173,000
City of Scottsdale, Community Assistance Office	Roof Repair and Replacement Program	\$73,000
City of Scottsdale, Community Assistance Office	Paiute Splashpad & Playground	\$263,000

HOME Funding		
Agency	Program	Amount
ARM of Save the Family Foundation of Arizona	Single Family Rental Housing Rehabilitation	\$322,123

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Scottsdale Cares FY 2020/21 Proposed Funding:

Scottsdale Cares		
Agency	Program	Amount
Big Brothers Big Sisters of Central Arizona Pueblo and Navajo Elementary Site-Based Mentoring Program		\$10,000
Community Bridges, Inc.	Mobile Community Outreach & Crisis Stabilization Services	\$24,000
Cortney's Place	Cortney's Place	\$20,905
Family Promise - Greater Phoenix	Emergency Shelter Program - Family Support Manager	\$24,000
Foothills Caring Corps., Inc	Van Transportation/Mobile Meals/Volunteer Services/Intake	\$24,000
Save the Family Foundation of Arizona	Youth Enrichment and Achievement Program - YEA!	\$10,298
Scottsdale Community Partners	Emergency Rental Assistance	\$22,798
Teen Lifeline	Crisis Services	\$24,000

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General Fund and Endowment FY 2020/21 Proposed Funding:

General Funds		
Agency	Program	Amount
Catholic Charities	My Sister's Place	\$40,000
Community Legal Services, Inc.	Strategic Legal Advocacy for Low-Income Scottsdale Residents	\$29,925
Duet: Partners in Health & Aging	Promoting Aging in Place in Scottsdale through Transportation & In-Home Services	\$25,000
Family Promise - Greater Phoenix	Emergency Shelter Program - Transportation	\$40,000
Jewish Family & Children's Service	JFCS Older Adult In-Home Program	\$25,075
Scottsdale Community Partners	Brown Bag Food Program, Sr. Emergency Rental Assistance, Via Linda Sr. Center Congregant Meals	\$40,000

Endowment		
Agency	Program	Amount
McDowell Sonoran Conservancy	Sonoran Discovery Academy - Expedition Days	\$2,000

25

2020 Maricopa County HOME Consortium Analysis of Impediments

The Analysis of Impediments (AI) to Fair Housing Choice is a process that recipients of grants funds from the U.S. Department of Housing and Urban Development (HUD) undertake to affirmatively further fair housing under the Fair Housing Act.

The overarching purpose of the 2020 Maricopa County HOME Consortium AI is to serve as the basis for fair housing planning, with the aim of expanding housing opportunities and choice. The aim of identification of impediments allows municipalities in the Maricopa County HOME Consortium to determine which impediments falls within their control and take steps to address those impediments.

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2020-2024 Consolidated Plan

Contact Information:

Justin Boyd

Interim Community Assistance Manager

(480) 312-2479

jboyd@scottsdaleaz.gov

27

Questions?

28

Item 14

Detroit Coney Grill Awnings and Canopy

2-DR-1994#3

City Council Appeal

5/5/20

Coordinator: Katie Posler

1



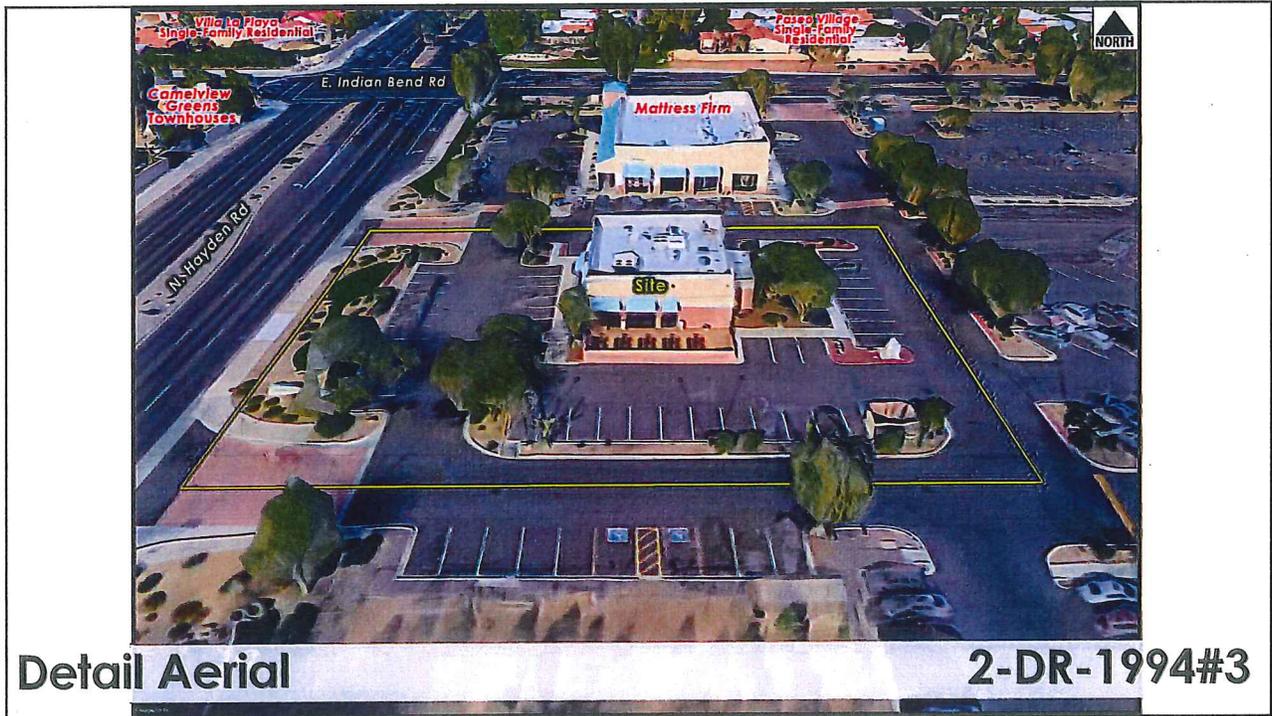
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Context Aerial

2-DR-1994#3

3



Detail Aerial

2-DR-1994#3

4

Request:

By property owner & applicant for City Council to reconsider the Development Review Board's approval of case 2-DR-1994#3 which included a stipulation for the existing orange awnings & canopy to be replaced with a teal or other compatible color

5

Key Items

- **Orange awnings installed without design approval in fall of 2019**
- **Request was taken to DRB based on Commercial Design Guidelines & shopping center context on December 19, 2019**
- **Case was continued at DRB on December 19, 2019 with a 6-1 vote**
- **Case was continued to allow the applicant to work with the shopping center owner to achieve a cohesive design update**
- **Orange southern patio canopy was installed after DRB continuance**

6

Key Items

- Case was approved with stipulations at DRB on January 16, 2020 with a 4-2 vote
- DRB stipulation required orange awnings & canopy to be replaced with teal or other appropriate color in context w/the center
- Property owner & applicant filed appeal to City Clerk on February 14, 2020
- Case was scheduled to March 17, 2020 City Council meeting & was continued to a later date at applicant's request
- Canopy & columns have received building safety approval

7



Photos of the shopping center

2-DR-1994#3

8



Photos of the shopping center

2-DR-1994#3

9



Photos of the shopping center

2-DR-1994#3

10



Awning Locations

2-DR-1994#3

11



Pad Building History

2-DR-1994#3

12



Photos of installed awnings

2-DR-1994#3

13



Photos of installed awnings

2-DR-1994#3

14



Photos of installed canopy

2-DR-1994#3

15

Subject of appeal:

DRB stipulation: Applicant shall replace the orange awnings and canopy with a teal or other appropriate color that matches the overall color scheme of the existing shopping center, subject to staff approval.

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City Council Options:

- 1. Affirm DRB decision (requiring a teal color or other color in context with the shopping center)**
- 2. Modify DRB decision (keep orange color)**
- 3. Reverse DRB decision (deny the case for new awnings & canopy)**

THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, ARIZONA

APPEAL UNDER SECTION 1.907(A) OF CASE No. 2-DR-1994#3

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Attorneys for Property Owner
Robert Ong Hing and Alice Y. Hing
Family Trust

Geoffrey S. Kercksmar
KERCSMAR & FELTUS PLLC
7150 East Camelback Road, Suite 285
Scottsdale, Arizona 85251
gsk@kflawaz.com

Attorneys for Applicant
DCG McCormick Ranch, LLC

1

THE BACKGROUND OF THIS APPEAL

- Detroit Coney Grill is a locally owned neighborhood restaurant in Gateway Park, a shopping center at the south-east intersection of Hayden Road and Indian Bend Road.
- The shopping center is owned by the Robert Ong Hing and Alice Y. Hing Family Trust. Mr. Hing represents his family trust, and he joins in this appeal.
- This appeal is from a January 16, 2020 decision of the Development Review Board.
- That decision **approved** the overall design plan of Detroit Coney Grill.
- The decision also approved the number, shape, structural design, canopy material and placement of Detroit Coney Grill's exterior awnings and canopy.
- But the decision required Detroit Coney Grill to replace its existing "orange awnings and canopy with **teal or another color** more consistent with the design theme of the [shopping] center."

2

DETROIT CONEY GRILL



3

ABOUT DETROIT CONEY GRILL

- Detroit Coney Grill is locally owned by David Najor and Dr. Merrill Stromer, two local businessmen.
- The first Detroit Coney Grill opened in 2013 in Tempe.
- Now there are three locations: Tempe, Phoenix (2015) and Scottsdale (December 2019).
- The Scottsdale location is the company's biggest. The space was selected because of excellent visibility from the Hayden & Indian Bend intersection.
- Detroit Coney Grill employs 36 people, 25 of them at the Scottsdale location.
- The Scottsdale location served 300 people a day (before the shut-down).
- Detroit Coney Grill's culture emphasizes close community involvement, especially with First Responders due to its quick-serve philosophy, expansive hours and offerings, and its neighborhood atmosphere.

4

FOUR GROUNDS FOR THIS APPEAL

1. The DRB imposed on Gateway Park and Detroit Coney Grill an unclear and previously unstated standard, which is not imposed on other applicants.
2. The decision of the DRB lacks supporting evidence.
3. The decision of the DRB is based solely on an aesthetic concern, which is unrelated to public health, safety, or welfare.
4. Under Arizona law, allowing this decision to stand would result in an arbitrary and capricious policy, enforced by the City of Scottsdale.

5

1. UNCLEAR STANDARD AND BURDEN

- Page 12 of the City of Scottsdale's Design Guidelines:
"Where awnings are used they should be functional and provide maximum shade to the window area. Awnings should be of opaque architectural material and should not be internally lit. Metal awnings are preferred to fabric awnings for reasons of durability and strength of appearance. **Awnings of a single color are preferred.**"
- Detroit Coney Grill's awnings are a "single color": Desert Blossom orange.
- The Design Guidelines do not require a single color **per shopping center.**

6

ABOUT GATEWAY PARK'S SIGNAGE

- The Master Sign Program for Gateway Park was amended by the City on September 9, 2011.
- Andrew Chi approved the amendment on behalf of the City.
- In that amendment, the City agreed to allow Gateway Park "increased design flexibility," including building signage in the "tenant's choice of colors."
- The amended Master Sign Program also allows tenants "the use of **corporate colors and logo** as well."
- The DRB never considered the amended Master Sign Program in its deliberations.

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2. THE LACK OF EVIDENCE

- The DRB failed to consider the many exceptions in Scottsdale to enforcing a "one accent-color per shopping center" rule on Gateway Park and Detroit Coney Grill.
- Here are some examples of what is permitted in the City's other shopping centers

8

CULVER'S
8688 E. SHEA BOULEVARD
SCOTTSDALE AZ 85260



9

WHATABURGER
9990 N. 90TH STREET
SCOTTSDALE AZ 85258



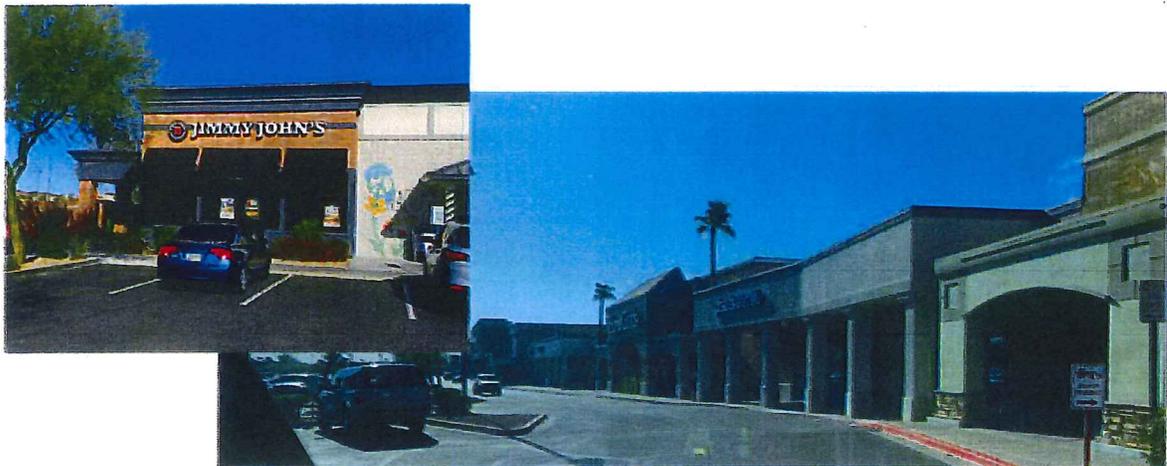
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SCHLOTZSKY'S
10070 N. 90TH STREET
SCOTTSDALE AZ 85258



11

JIMMY JOHN'S
10460 N. 90TH STREET
SCOTTSDALE AZ 85258



12

MCDONALD'S
8001 E. INDIAN SCHOOL ROAD
SCOTTSDALE AZ 85257



13

MODERN MASSAGE & WELLNESS
13802 N. SCOTTSDALE ROAD
SCOTTSDALE AZ 85254



14

BOSTON MARKET
15784 N. FRANK LLOYD WRIGHT BOULEVARD
SCOTTSDALE AZ 85260



15

IN-N-OUT BURGER
7467 E. FRANK LLOYD WRIGHT BOULEVARD
SCOTTSDALE AZ 85260



16

3. THE DECISION WAS NOT BASED ON CONCERNS ABOUT PUBLIC HEALTH, SAFETY OR WELFARE

- This decision was about the DRB's aesthetic taste—not the public's health, safety or welfare.
- The DRB has not articulated any health, safety or welfare concern presented by Detroit Coney Grill's awnings.
- But Arizona law requires decisions of this type to be grounded in health, safety or welfare.
 - *Austin Shea (Az.) 7th St. and Van Buren, L.L.C. v. City of Phoenix*, 213 Ariz. 385, 142 P.3d 693 (App. 2006)
 - *Preston v. Hallman*, 2009 WL 8236846 (Az. Super. Ct., July 8, 2009)

17

THE IMPACT OF CORONAVIRUS

- This Council is very aware of the current situation with coronavirus impacting the City, state and country.
- On March 20, the State ordered all restaurants to close dine-in operations.
- As a direct result, Detroit Coney Grill has lost 90% of its business.
- It is not unique: every restaurant in Scottsdale has been similarly affected.
- The bottom line is that the City's restaurants are struggling, at the same time that the citizens depend on those restaurants for take-out.

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THE IMPACT OF CORONAVIRUS

- Even when the shut-down ends, restaurants will be severely affected because their customers have been economically impacted.

RESTAURANT APOCALYPSE: More than 110,000 restaurants expect to close up forever in the coming weeks, with millions out of work and the industry's future uncertain



Employees stand in the empty dining room of a Sacramento, California, restaurant on March 11, 2020. (AP Photo/Mark J. Terrill)

• The restaurant industry lost an estimated \$20 billion in sales and more than three million jobs in the first 22 days of March, as the coronavirus outbreak swept the US.

• Roughly 20,000 restaurants have already closed for good across the country, with more than 110,000 expected to shutter in the next month, according to estimates by the National Restaurant Association.

• "Any pundit who thinks that they're going to use a recent history — and by recent history, I mean the last 100 years, including the Depression — as a template for what is going to go on here? They're kidding themselves," said restaurant industry investor and advisor Roger Lipton.

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THE IMPACT OF CORONAVIRUS

Apr 23, 2020 - Economy & Business

High unemployment could be here for a while

Get Reason



Illustration: E. Scott Gortner/Alamy

Unemployment is likely to hit levels not seen since the Great Depression and remain elevated, economists warn, weakening the US economy and making a V-shaped recovery increasingly doubtful.

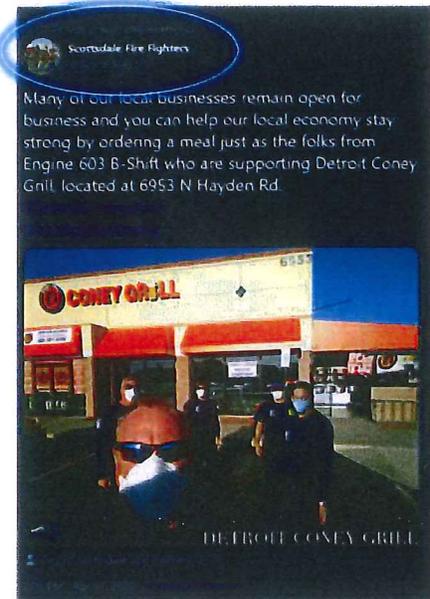
Why it matters: That will be true even if rates allow businesses to reopen sooner than expected, as surveys show most Americans aren't ready to go back to their normal routines.

- The City's restaurants can be expected to struggle due to customers' financial struggles.
- That will have a trickle-down impact on tourism in Scottsdale too.

20

THE IMPACT OF CORONAVIRUS

- This is not the time for the City to work against its locally owned businesses.
- Detroit Coney Grill is a valuable corporate citizen of Scottsdale.
- It is known for community outreach with First Responders:



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4. THE IMPACT OF THIS DECISION

- This decision, if not reversed, would be arbitrary and capricious.
 - The DRB ignored the issues of public health, safety, and welfare.
 - The DRB had an extremely limited factual record.
 - The DRB ignored the impact of the 2011 amendment to the shopping center's Master Sign Program allowing for "increased design flexibility" and "the use of corporate colors."
 - The DRB ignored the comments specific to awnings in the Design Guidelines that, "Awnings of a single color are preferred."

22

SUMMARY

- In effect, the DRB created an entirely **new** standard under the Design Guidelines that awning color **must** match a shopping center's primary or secondary color.
- This decision would affect all the chain restaurants we just saw.
Or,
- This decision has created a two-tiered design criteria: one for big companies from outside Arizona who can use their corporate colors, and another for the "little guy" from our own town, who cannot.

23

OUR REQUEST TO THIS COUNCIL

- We ask you to **modify** the January 16, 2020 decision by **removing** the requirement that Detroit Coney Grill must replace its existing "orange awnings and canopy with teal or another color more consistent with the design theme of the [shopping] center."

THANK YOU FOR YOUR TIME!

THANK YOU FOR YOUR WORK IN THIS CRISIS!

BE SAFE, AND BE WELL!

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