



Approved February 22, 2023

**CITY OF SCOTTSDALE  
NEIGHBORHOOD ADVISORY COMMISSION  
REGULAR MEETING  
MINUTES**

**WEDNESDAY, JANUARY 25, 2023**

**COMMUNITY DESIGN STUDIO - NAVE  
7506 EAST INDIAN SCHOOL ROAD  
SCOTTSDALE, ARIZONA 85251**

**PRESENT:** Jonathan Budwig, Vice Chair  
Larry Hewitt, Commissioner  
William James, Chair  
Louise Lamb, Commissioner  
Rachel Putman, Commissioner  
Bridget Schwartz-Manock, Commissioner  
Richard Siegel, Commissioner

**STAFF:** Taylor Reynolds, Project Coordination Liaison  
Adam Yaron, Commission Liaison

**Call to Order/Roll Call**

The meeting of the Neighborhood Advisory Commission was called to order at 5:02 p.m. A formal roll call was conducted, confirming members present as stated above.

**Public Comment**

No comments were submitted.

**1. Approve Draft Summary Meeting Minutes October 26, 2022**

VICE CHAIR BUDWIG MOVED TO APPROVE THE MINUTES OF THE NOVEMBER 30, 2022, MEETING AS PRESENTED. COMMISSIONER HEWITT SECONDED THE MOTION, WHICH CARRIED SEVEN (7) TO ZERO (0). CHAIR BUDWIG, VICE CHAIR HEWITT, AND COMMISSIONERS JAMES, LAMB, PUTMAN, SCHWARTZ-MANOCK, AND SIEGEL VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

## **2. 2022 Election of Officers**

Chair James stated the elections occur every January and noted his last meeting will be in September 2023 as he times out on October 26th.

Mr. Yaron explained Commissioners can either volunteer themselves or nominate another Commissioner for their respective role. Those positions would become effective upon action on this item and the new chair would lead the remaining part of this meeting and continue accordingly. Further he acknowledged Commissioner Putman will be terming out after next month's meeting.

CHAIR JAMES NOMINATED VICE CHAIR BUDWIG AS CHAIR. COMMISSIONER HEWITT SECONDED THE NOMINATION.

VICE CHAIR BUDWIG NOMINATED COMMISSIONER HEWITT AS VICE CHAIR. COMMISSIONER LAMB SECONDED THE NOMINATION.

NOMINATIONS CARRIED SEVEN (7) TO ZERO (0) WITH CHAIR BUDWIG, VICE CHAIR HEWITT, AND COMMISSIONERS JAMES, LAMB, PUTMAN, SCHWARTZ-MANOCK, AND SIEGEL VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

Mr. Yaron acknowledged Chair James for his time in office as chair for the Commission.

## **3. Neighborhood Advisory Commission 2022 Annual Report**

Mr. Yaron stated this is a reoccurring item that the Commission sees every January as required by the City Council approved Audit Plan. Staff have prepared the NAC Annual Report for 2022. The staff is open to any edits, modifications, or deletions. Upon action this evening the Annual Report will be turned over to the City Clerk's Office tomorrow.

Commissioner James stated there is a typo they previously talked about, and the report does not mention the Commission's involvement in the Adopt a Family Program. Mr. Yaron advised staff will make those amendments.

COMMISSIONER JAMES MOVED TO APPROVE THE ANNUAL REPORT WITH MODIFICATIONS. VICE CHAIR HEWITT SECONDED THE MOTION, WHICH CARRIED SEVEN (7) TO ZERO (0) WITH CHAIR BUDWIG, VICE CHAIR HEWITT, AND COMMISSIONERS JAMES, LAMB, PUTMAN, SCHWARTZ-MANOCK, AND SIEGEL VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

## **4. Neighborhood Advisory Commission Annual Bylaw Review**

Mr. Yaron stated this is an annual item for the Commission that is reviewed every January. Amendments made this year were to bring consistency with how other boards treat the absence of the chair, bring the Bylaws current with the communication devices ordinance that was approved and adopted by City Council in 2022. Specifically stating during any commission meetings members shall not

use any electronic device capable of sending and receiving messages, to maintain transparency with open meeting laws. Work is being done with the City Clerk's Office to obtain tablets to reduce paper waste and limit any chance of Commissioners coming in conflict with this Bylaw.

VICE CHAIR HEWITT MOVED TO APPROVE THE ANNUAL BYLAWS AS PRESENTED.COMMISSIONER LAMB SECONDED THE MOTION, WHICH CARRIED SEVEN (7) TO ZERO (0) WITH CHAIR BUDWIG, VICE CHAIR HEWITT, AND COMMISSIONERS JAMES, LAMB, PUTMAN, SCHWARTZ-MANOCK, AND SIEGEL VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

## **5. Neighborhood Enhancement Grant Proposal: Caballo Ranchos Alley Improvement**

Mr. Reynolds presented the request for Caballo Ranchos Alley Improvement. There is a considerable amount of public input via email and one speaker is present tonight on this item.

The Neighborhood Enhancement Grant Program (NEGP) is funded by the City Council on a yearly basis to implement the purpose, powers, and duties of the Commission pursuant to Ordinance 4331. This year \$30,000 was provided for the grant program with just over \$10,000 distributed for neighborhood initiatives.

The applicant Caballo Ranchos is seeking a one-time cleanup for an adjacent alley, noting illegal dumping, overgrown vegetation, and vehicular rutting that has caused an issue for those trying to traverse the alleyway.

Typically, NEGP would have funding available for alley improvements related to the ingress/egress only that consists of dust control, milling and painting of alley walls. In 2019 NEGP funds were used for a one-time alley improvement project at 70th Street SRP Neighborhood Irrigation system. That alleyway was specific to an irrigation channel and was not utilized in the manner the Caballo Ranchos alley is. None of the neighbors at 70th Street had access to the alley, which made it difficult for them to clean up the overgrowth and illegal dumping.

NEGP criteria:

- Location and accessibility
  - Does it front an NEGP qualifying road, which are typically collector or greater
  - Does it front a neighborhood park or school.
  - The referenced alley fronts Chestnut Park and Navajo Elementary School.
- General Needs
  - Does the neighborhood have an active HOA funding mechanisms
  - The applicant is not an HOA, however, Scottsdale Highland Estates HOA is to the west and does have funding mechanisms for common areas.
- Existing Conditions
  - What is the community asking for and what is there today.
  - Applicant describes overgrowth, illegal dumping, and rutted areas. During a site view in December 2022 by Code Enforcement, Streets and

Mr. Reynolds, no overgrowth or illegal dumping was observed, with minor rutting and water buildup.

- Maintenance
  - Is there an active code violation for adjacent neighbors
  - No active Notice of Compliance had been issued and nothing was noted that would create such notice. The applicant notes after the one-time cleanup they will maintain the alleyway; however, per Scottsdale Revised Code, property owners are responsible to maintain the adjacent alley to the center line. Code Enforcement stated they could provide a courtesy mailer to educate residents of their responsibilities to the center line of the alley.
- Other maintenance mechanisms in place
  - The Streets Department provides weed treatment twice a year to all alleyways and provided courtesy treatment in December 2022 to the alleyway in question.
  - The Streets Department annually re-grades the alleyways.

The application has frontage to a public park and school, there is no formal HOA, minimal evidence of illegal dumping, typical vegetation, and with some rutting, and no active Notice of Compliance. Most of these items are maintenance items for property owners and the Streets Department. Pursuant to Ordinance 4331, staff recommends the NAC deny this request for funding a one-time alleyway improvement adjacent to Caballo Ranchos and have staff coordinate with Code Enforcement to distribute the mailers for educational purposes.

Applicant Sonnie Kirtley addressed the Commission, noting the concerns of Caballo Ranchos residents. This is a pedestrian alleyway used predominantly by students, strollers, parkgoers, and Navajo grade school students as a walking path. It has never had garbage cans in it. Highland Estates have dumped spa and pool water in the alley, creating water problems and ruts. When resurfacing the tennis court, City trucks traveled through the alley creating bigger ruts. Caballo Ranchos is not an HOA but shares a common flood irrigation system. They care about the neighborhood because for over 50 years residents of this unique and tight subdivision have cleaned the total alley on their own and are asking the City to partner to help keep the alley beautiful.

Ms. Kirtley provided rebuttal to the staff report:

1. Staff noted no evidence of illegal dumping; the Highland Estates homeowners consistently dump spa and pool water into the alleyway. One homeowner consistently trims his hedges and lets them drop into the alley. They do not have their landscapers or maintenance take care of that alley.
2. Typical amounts of vegetation growth; Caballo Ranchos owners have trimmed vegetation as required for the full alley. There is broken glass that presents a safety concern for children who go through the alley.
3. Several rutted locations: City service trucks and utility trucks using the alley created deep ruts. The Highland Estates wall collapsed into the alley, and it took over a year for them to correct it, as they said it was not their wall or responsibility.
4. No active Notice of Compliance; of course there is not because Caballo Ranchos residents have been taking care of the alley in a public safety way – which has been tiring, and need the City to partner with them to clean this up.

5. There is an alley maintenance schedule; residents cannot remember the last time the City maintained the alley and after 50 years they came out and sprayed some weed killer, but what about all the years they didn't do any maintenance.

She concluded by saying the residents hope the Commission will reconsider the denial and partner with them.

In response to questions from Commissioner James, Ms. Kirtley confirmed the first time the City sprayed for weeds was in December 2022 even though it is scheduled for twice a year. This is a pedestrian alley with nothing comparable to it within the City.

In response to a question from Commissioner Putman, Mr. Reynolds stated the City does not have any alleyways designated as pedestrian alleys.

In response to questions from Commissioner James, Mr. Reynolds explained a trail is designated by the Trails Master Plan (TMP) and assigned by the Transportation Division as an area commonly traveled by pedestrians. Regarding this alley there are utilities and historical locations of access to residential homes. If this alley were to be designated as a trail, it would be maintained to a different degree. Speaking with the Streets Department, it has been a while since this alley was regraded, but they are now on a long-term maintenance schedule. Staff does not have historical information of previous dates of service for this alley; however, if the Commission would like that information as part of their consideration, staff can bring those items back to the Commission. The City did reach out to Risk Management regarding a fall. Risk Management conducted a site visit and the conditions did not demonstrate a need to advance maintenance. The representation of glass in the alley is not the City's obligation, but it is part of Code Enforcement to identify hazards and mitigate them as quickly as possible. Staff can engage Ms. Kirtley with the Transportation Division and see what could be possible.

Ms. Kirtley asked if this could be continued to give them time to go through Transportation. Mr. Reynolds stated the Commission can consider that.

Diane Mehok, a resident of Caballo Ranchos, addressed the Commission, noting this alley used to be a bridle path that has turned into a walkway and motorway that ends at a public park next to a grade school. It is utilized by motorcycles, the police access the park at night for disturbances, Asplundh traverses this alley to access trees on behalf of the Salt River Project, along with children, people walking, and cyclists. It is unlike any other alley in the City and the residents need help.

In response to questions from Chair Budwig, Mr. Reynolds stated the alley was not on a regular maintenance schedule in the past but they have been assured they will be there in the fall. They could request NEGP funds to do it sooner; however, it would require the department to work on a Saturday, and to make it worth their while they would have to include additional projects. It is his understanding the alley will be sprayed twice a year and graded on a revolving schedule. If the Streets Department noticed illegal dumping they would report it to Code Enforcement, but

they would not be cleaning the alley, as per code that is the neighbors' responsibility.

Mr. Reynolds stated the applicant has asked to continue this discussion for the purposes of coordinating with the Transportation Department. The Commission could move for a continuance and bring it back at the next meeting.

Commissioner Lamb moved to continue this item so the neighborhood has time to confer with the transportation Department and also put this on a future agenda as soon as possible.

Commissioner Putman moved to end discussion and move to a vote, the applicant can continue separately with Transportation.

In response to a question from Commissioner Putman, Ms. Kirtley stated they have made several complaints via the internet regarding violations but never received a response.

Mr. Reynolds clarified that a denial does not preclude the Commission's direction to have staff work with the applicant to explore further dialog with the Transportation Department.

Chair Budwig moved to deny the application and for the applicant to move forward with the Transportation Commission and/or Paths & Trails Subcommittee. Commissioner Putman seconded the motion.

Commissioner Putman stated she appreciates the citizens coming tonight and all their correspondence with the Commission. It is her understanding that the City is doing away with garbage in the alleys, and she sees a future of all alleys turning into pedestrian walkways rather than using designated crosswalks and sidewalks. She feels it is the neighborhood's responsibility if they want to beautify their alley. If his request was granted it could set a precedent for other neighborhoods wanting to beautify their alleys.

Commissioner Siegel clarified the current motion does not preclude a long-range plan for Code Enforcement educating neighbors on their responsibility and required communication.

Chair Budwig amended his motion to deny the request and assist the applicant in moving their file to the Transportation Commission and ensuring communication is made to both the HOA and Caballo community to make sure everyone is aware of their responsibilities for the alleyway. Commissioner Putman seconded the amendment.

Commissioner James inquired if the City has a designated responsibility to spray weeds twice a year and be on a grading cycle, and whether the Commission or staff has a way to assure the community the grading will occur. Mr. Reynolds stated the weed spraying is a courtesy program and he is not sure if the grading is an obligation or courtesy. He will confirm the grading through email and distribute information to the Commission and the applicant.

CHAIR BUDWIG MOVED TO DENY CABALLO RANCHOS REQUEST AND ASSIST THEM TO FILE WITH THE TRANSPORTATION COMMISSION AND ENSURE COMMUNICATION IS MADE TO THE HOA ON THE WEST AND THE CABALLO COMMUNITY TO MAKE EVERYONE AWARE OF THEIR RESPONSIBILITIES FOR THE ALLEY. COMMISSIONER PUTMAN SECONDED THE MOTION, WHICH CARRIED SIX (6) TO ONE (1) WITH CHAIR BUDWIG, VICE CHAIR HEWITT, AND COMMISSIONERS JAMES, PUTMAN, SCHWARTZ-MANOCK, AND SIEGEL VOTING IN THE AFFIRMATIVE. COMMISSIONER LAMB OPPOSED THE MOTION.

## **6. 2022 Spirit of Scottsdale Awards Program Nominations**

Mr. Reynolds stated the Commission recognizes neighborhood stewardship on how a person or organization contributes to Scottsdale physically, aesthetically, or socially as well as active years of service, championed community dialog, and provided unique contributions of time, effort, skills, or financial resources to neighborhoods. There are five individual and four business/organization nominees for the Spirit of Scottsdale Award. One award will be presented in each category and ranked choice voting will be used to determine the Commission's selected winners. Additionally, the NAC would nominate no more than two members of the Commission to represent such at a future City Council meeting in March 2023, to recognize the award winners.

CHAIR BUDWIG MOVED TO APPROVE THE NOMINATIONS OF MILDRED HERBER AS RECEIPIENT OF THE INDIVIDUAL AWARD AND THE HOLLAND CENTER AS THE RECIPIENT OF THE ORGANIZATION AWARD. COMMISSIONER JAMES SECONDED THE MOTION, WHICH CARRIED SEVEN (7) TO ZERO (0) WITH CHAIR BUDWIG, VICE CHAIR HEWITT, AND COMMISSIONERS JAMES, LAMB, PUTMAN, SCHWARTZ-MANOCK, AND SIEGEL VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

COMMISSIONER JAMES MOVED TO APPROVE VICE CHAIR HEWITT AND COMMISSIONER LAMB TO PRESENT THE SPIRIT OF SCOTTSDALE AWARDS AT A MARCH 2023 CITY COUNCIL MEETING. CHAIR BUDWIG SECONDED THE MOTION, WHICH CARRIED SEVEN (7) TO ZERO (0) WITH CHAIR BUDWIG, VICE CHAIR HEWITT, AND COMMISSIONERS JAMES, LAMB, PUTMAN, SCHWARTZ-MANOCK, AND SIEGEL VOTING IN THE AFFIRMATIVE WITH NO DISSENTING VOTES.

## **7. Old Town Scottsdale Updates**

Mr. Yaron stated there is a hyperlink included in the commissions agenda packet with additional information. The timeline for this item has been longstanding, going back to the August 2021 City Council initiation that engaged members of the public on updating the Old Town Character Area Plan through several open houses as directed by City Council. Also engaged in the Planning Commission and City Council through a series of non-action and work study sessions, as recent as last night with Commissioner Lamb in attendance.

This item is brought to the Commission's attention to illustrate the types of neighborhood engagement and to keep them informed of community

conversations regarding this item. This will allow Commissioners to speak to the types of public engagement and direct folks to continue to be engaged in the process.

This is a council directed update and a legislative draft is on the project webpage that demonstrates and identifies the proposed changes to the Character Area Plan and changes to the zoning ordinance that affect Old Town.

Public participation events have been held, including online self-guided video outlining the events and public participation within each season. The outreach topics cover vision and values, downtown development types, the definition of mixed use development flexibility, how bonus considerations, which is a function of the zoning ordinance, within a specified zoning district take place, the provision of open space and how we maintain quality development.

Next steps include a non-action meeting with the Planning Commission on February 8th, followed by a work study session with council in late February. Continued non-action meeting in late February, a recommendation from the Planning Commission in March and possible City Council adoption in late March.

The project page can be found at [scottsdaleaz.gov](http://scottsdaleaz.gov) under Old Town updates, which shows all proposed changes.

Commissioner Budwig inquired of the scope and length of the plan. Mr. Yaron stated there has been a Character Area Plan since 1984 and they are expected to be 10–15-year plans. The first major update to that 1984 plan took place in 2009 and again in 2018. It is being updated within five years, based on concern that some of the suggested development rights afforded by that plan offer too much, so they want to calibrate and adjust height and density within Old Town and make sure it is right sized for Council and their constituents.

## **8. Identification of Future Agenda Items**

The Commission requested the following items:

- Status update from the Fire Department, how things are going, and any future issues facing the department.
- Update on Operation Fix-it, specifically who took the program over and how the Commission can help with the next project.

## **9. Staff Updates (A.R.S. 38-431.02(K))**

Mr. Yaron stated phase one of the Civic Center is completed and open.

The next meeting is February 22, 2023, Mr. Reynolds will be running that meeting

Commissioner Putman will not be present at the February 22, 2023 meeting, therefore this is her last meeting. Mr. Yaron wished her well and that she finds other civic opportunities within the City. Commissioner Putman said a few words about her experience on the Commission.



Commissioner Siegel introduced himself, outlining his experience within Scottsdale.

**10. Adjournment**

THERE BEING NO FURTHER BUSINESS BEFORE THE COMMISSION,  
CHAIR BUDWIG ADJOURNED THE MEETING AT 6:25 p.m.

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