

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

PINAL COUNTY PLANNING AND ZONING COMMISSION
(PO NUMBER 230372)

Regular Meeting
9:00 a.m.
Thursday, June 18, 2015
EOC Room - Building F
31 N. Pinal St., Florence, Arizona

INDEX:

DISCUSSION OF ACTION ITEM REPORT:

- Action Item Report - pg. 1

PLANNING MANAGER'S DISCUSSION ITEMS (Pt. 1):

FCC Declaratory Ruling on cell tower co-locations - pp. 1-2

REPORT ON BOARD OF SUPERVISORS ACTION ON P & Z CASES - None.

NEW CASES:

- SUP-008-15 - pp. 3-9
- PZ-C-001-15 - pp. 9-21
- Discussion/Approval/Disapproval of Resolution No. 061815-PZCORR - pp. 21-25

PLANNING MANAGER'S DISCUSSION ITEMS (Pt. 2): 25-61

ADJOURNMENT - pp. 61-62

TRANSCRIPTION PROVIDED BY

Julie A. Fish
Quick Response Transcription Services
829 East Windsor Avenue
Phoenix, Arizona 85006
602-296-5178

ORIGINAL PREPARED FOR:
PINAL COUNTY, ARIZONA

1 RIGGINS: Let's go ahead and call the meeting to
2 order. We'll go to our first item on the agenda, which is the
3 discussion of the Action Item Report.

4 ABRAHAM: Mr. Chairman, in your, your report you
5 have an action item. I think the big things from there are
6 the approval of the medical marijuana facility and that is
7 just a review of what you did last month. Both of those cases
8 actually haven't gone to the Board yet, so there's really no
9 additional information to, to tell the Commissioners. And
10 just a point of note, obviously Commissioners, we're, we're in
11 a different room and the reason being for the venue change -
12 and this is an official statement I have to make - is because
13 of the emergency operation center was activated due to the
14 Kearney fire, so we have staff members who are directing folks
15 who may be coming in to come in to come to this room, and also
16 we're providing signage for the Commissioners today, so - and
17 also the microphone situation is precarious at best, so please
18 speak up and project your voices. Thank you, Mr. Chair.

19 RIGGINS: Okay, very good. Any other questions from
20 Commission Members concerning the meetings and things we did
21 over the last couple months? None being, the Planning
22 Manager's Discussion Items.

23 ABRAHAM: I have a number of things to talk with the
24 Commission about, but most of them we'll take care of after
25 our business items. But the one thing I think that definitely

1 (inaudible) for the Commission's review, I put a copy of a
2 declaratory ruling that the FCC issued a couple months ago
3 that deals directly with cell towers, and what the - just a
4 little bit of background. Every five or six years or so the
5 FCC makes these rulings about how to interpret the various
6 federal laws about cell towers and some of the Commissioners
7 that have been around for a while, you've seen these
8 declaratory rulings really kind of affect the way we process
9 cell towers and how we take a look at them. One of the most
10 recent ones which was approved back in March of this year that
11 has just recently become affected, was that the Federal
12 Communications Commission determined that, that certain co-
13 locations are exempt from local zoning requirements. And
14 basically they allow cell tower companies to put on extra
15 arrays up to a certain distance, and then actually physically
16 raise the height of the tower without going back through a
17 special use permit process. So I provided a copy of
18 (inaudible) that this is - this federal register is really
19 tough to read, but the, the (inaudible) is basically that the
20 antenna - or excuse me, the tower itself can go up by ten
21 percent or 20 feet, whatever's greater, and go through an
22 administrative process, or the arrays itself can extend up to
23 ten percent or 20 feet, whichever's greater, from the width of
24 the tower without going through an SUP process. So say back
25 in the early 1990s the Commission approved a cell tower that

1 specifies the height and width, those can now be expanded
2 without having to go back through a public hearing process.
3 The one thing that at least I'm happy to report, that many of
4 the cell towers that we've approved have stealthing
5 technology, like (inaudible) palm trees and pine trees and
6 things like that. Anything that compromises that stealthing
7 would still have to come back through a process. So if we got
8 a cell tower that they want to do the 20 feet, but it is
9 clearly didn't make it look like a palm tree anymore, we could
10 make that go through the special use permit process. So you
11 may see a reduction in cell towers that come through, but I
12 would argue our co-location regulations are so, you know,
13 permissive that if they have to come through a process, it's
14 really one of the last options they have to go through. So
15 just wanted to let the Commission know about that (inaudible).

16 RIGGINS: And the rest of the items we'll discuss
17 after everything else?

18 ABRAHAM: Yes please. If it pleases the Commission.

19 RIGGINS: Very good. Report on Board of Supervisors
20 Action, we've already discussed that. Board of Supervisors?

21 ABRAHAM: No actions.

22 RIGGINS: No actions. So we go on to New Cases. So
23 case SUP-008-15.

24 ABRAHAM: Dedrick Denton's going to take it from
25 here.

1 DENTON: Mr. Chairman and Members of the Commission,
2 this is SUP-008-15. The applicant is requesting approval of a
3 special use permit to operate a 70 foot monopalm wireless
4 communication facility. It is a 400 square foot lease area on
5 a 24 (inaudible) acre parcel in the Suburban Ranch Zone.

6 (Inaudible). And you're catching me now?

7 ??: Oh yeah.

8 DENTON: Its location is on the northwest corner of
9 Ocotillo Road and Kenworthy Road in the San Tan Valley area.
10 The applicant is T-Mobile, and their agent is Reliant Land
11 Services. The subject site is located in the northern portion
12 of the county as indicated by the red star. The aerial map
13 shows a majority of a mixed use area that (inaudible) Ranch.
14 Also commercial in this area. The subject site is highlighted
15 in red on the northwest corner of Kenworthy and Ocotillo Road.
16 The Comprehensive Plan is Moderate Low Density Residential.
17 The existing zone is Suburban Ranch. And this is an aerial
18 photograph of the property. Currently I believe it's being
19 used as agriculture. In the lower left-hand corner is a Salt
20 River Project substation. The applicant site plan, they're
21 proposing to locate the monopalm in the south and west portion
22 of the property and this is the elevation plan. On the left-
23 hand side is the current coverage map, and then on the right-
24 hand side is the coverage after installation. Photos were
25 taken on Ocotillo Road, and this is looking north towards the

1 subject property. And this is looking east on Ocotillo Road.
2 And this is looking south. And this is looking west. And in
3 this photograph you can see one of the areas that co-located
4 on one of the power poles. And there's 12 stipulations with
5 this case, and that concludes staff's presentation. I am
6 available to answer any questions that the Commission may
7 have.

8 RIGGINS: Okay, Commissioners? Any questions
9 whatsoever?

10 HARTMAN: Mr. Chair?

11 RIGGINS: Yes.

12 HARTMAN: Dedrick, on that number - stipulation
13 number 5, stated that two 15 gallon live palm trees, and they,
14 they do have water to water those trees?

15 DENTON: (Inaudible).

16 HARTMAN: Okay, then we'll ask that.

17 DENTON: (Inaudible).

18 HARTMAN: (Inaudible).

19 SALAS: Is that palm tree going to look out of
20 place? (Inaudible). Maybe a tall cedar would be more
21 appropriate.

22 (Inaudible).

23 RIGGINS: Okay, we're ready for the applicant, then.

24 Would the applicant please come up and -

25 ULLRICH: Good morning, my name is Dave Ullrich, I'm

1 with Reliant Land Services, at 7201 East Camelback Road in
2 Scottsdale. Dedrick did a pretty good presentation as far as
3 the basics of this. We looked quite a bit in this entire
4 area, mostly to the west. Our initial focus was at the
5 intersection of Ironwood/Gantzel Road and Ocotillo. There's a
6 number of commercial properties there on that corner and for a
7 number of reasons (inaudible) with any landowners that were
8 willing to talk with us. We also looked a little bit toward
9 the west at some church property and some vacant land to the
10 south side of Ocotillo and west side of Gantzel Road, and the
11 deed restrictions against any type of commercial (inaudible).
12 So we went up farther east over this agricultural property.
13 There is a subdivision to the north and the west. I received
14 one phone call from one individual who was an absentee owner
15 who rented that house out and he didn't even know where his
16 house was in relation to the 24 acre property. The other
17 phone call I got was from, I think the third house on the east
18 side of Kenworthy Road, and their only comment was is it on
19 the east edge of the property? I said no, it's over by the
20 SRP substation, and they, they were fine with that. So we did
21 hold a neighborhood meeting. No one attended except myself.
22 So I sent out almost 500 letters to the residents of the area.
23 So that's (inaudible) our neighborhood operation there. We
24 are talking about a monopalm which would look a little bit
25 like a palm tree, so it's, you know, (inaudible). And the

1 property is irrigated and so we're - we'll figure out a way to
2 make that work for getting a little bit of water (inaudible).
3 Other than that, I'm available for any questions.

4 RIGGINS: Thank you very much. Commissioners,
5 questions for the applicant? Commissioner Gutierrez.

6 GUTIERREZ: There's other antennas in that area,
7 correct?

8 ULLRICH: Yes sir, there are.

9 GUTIERREZ: Is there any plans or even possible to
10 make those other ones match the one that you're putting in
11 here? In other words -

12 ULLRICH: Are you talking about going back and
13 making them into palm tree (inaudible)?

14 GUTIERREZ: Or just a (inaudible) type thing. I
15 mean is there -

16 ULLRICH: Well that would - your - I'm only
17 representing T-Mobile tower (inaudible). I'm not sure that I
18 could speak to going back to other carriers and - that are
19 existing and have been for some amount of time. That's not
20 really my type of thing.

21 GUTIERREZ: I'm just (inaudible) and that's in
22 reference to making things kind of match in the area, because
23 there are other towers (inaudible).

24 ULLRICH: There are. The - we - our initial
25 proposal was to paint our tower and do similar to theirs

1 because they all did that. But (inaudible) staff said well
2 we'd rather you do the palm tree type of thing, the monopalm.
3 So we agreed to do that.

4 GUTIERREZ: And the second question I had, the two
5 palms that you're planning on putting in there and real palms,
6 are they going to be approximately the same height?

7 ??: No.

8 ULLRICH: Live palm trees don't (inaudible).
9 They'll be, they'll be more - probably initially they'll be
10 quite a bit smaller, but they will grow. So it's very
11 difficult to get the really tall ones to transplant. They're
12 too established in their root system.

13 GUTIERREZ: (Inaudible).

14 ULLRICH: Well yeah -

15 GUTIERREZ: (Inaudible) going in, like how high, or
16 how tall are they going to be originally?

17 ULLRICH: You know, I have - we'll have to see
18 what's available. I don't really know if I can give you a
19 height on (inaudible).

20 RIGGINS: If I may, (inaudible) 15 gallon palm
21 trees? They're six or seven feet (inaudible). (Inaudible).
22 Okay, Commissioners, any other questions of the applicant?
23 Okay, thank you very much. Commissioners, any more discussion
24 or thoughts or ready for a motion, or where are we? Vice
25 Chair Hartman.

1 HARTMAN: Chair Riggins, I would like to make a
2 motion for SUP-008-15 be sent to the Board of Supervisors with
3 a favorable recommendation with the four stipulations so
4 written.

5 SALAS: I'll second.

6 RIGGINS: We have a second from Commissioner Salas.
7 All in favor signify by saying aye.

8 COLLECTIVE: Aye.

9 RIGGINS: Any opposed? It passed unanimously. Good
10 luck with it.

11 ??: Water your trees.

12 ??: Water those palm trees, they'll grow.

13 RIGGINS: Okay. Let's move onto our next case which
14 is PZ-C-001-15.

15 ABRAHAM: Thank you Mr. Chair, I'll be making the
16 presentation on this one today. This was a code amendment
17 that the Commission initiated back in March which let the
18 staff go out and do some public outreach and get in touch with
19 some folks about a possible amendment to our wireless
20 communication facilities - I guess today's the day to talk
21 about cell towers - and allowing SUPs to be used as the
22 primary determining process in areas that are zoned with PAD
23 overlays. Right now the code reads that if a SUP wants to
24 locate in a PAD that doesn't meet our co-location requirements
25 or are stealthing requirements, they have to get a PAD

1 amendment first and then go and then get the SUP moving
2 forward. So what the proposal is is basically just go through
3 the SUP process. The initiation, Mr. - a couple of Commission
4 Members expressed a concern. So I hope I addressed those
5 concerns in the staff report. We had a neighborhood meeting
6 amount it and nobody showed up. We also sent out a notice to
7 the various providers - T-Mobile, Verizon, Sprint - they also
8 had no comment. Just recently on Monday the City of Maricopa
9 wrote back that they are oaky with the proposal. So none of
10 the towns and cities have responded either. So right now it
11 looks like it's just kind of an internal discussion with - of
12 how we want to administer the code in relationship to the cell
13 towers. I think a couple key points that I thought were
14 really pertinent in the discussion we had back in March was,
15 you know, one that this will open the door for other uses
16 coming in and saying well hey they did it for cell towers, why
17 not do it for this too. And I think that cell towers are
18 (inaudible) open to any discussion the Commission may have
19 about this. Cell towers are such a unique land use that we
20 have codes and ordinances that, that address the introduction
21 of these uses into communities that can be relatively
22 innocuous. I mean, and when it comes down to it, basically
23 cell towers are one of these (inaudible) do I really want to
24 look at this thing more than there's a - the traffic is
25 minimal. FCC guidelines say that we can't use the emitting of

1 electromagnetic radiation as a factor in our decision-making,
2 so that's off, that's off the books. Also, the lighting.
3 Sometimes they're an issue for cell towers and the lighting of
4 the equipment at the base of the cell towers. So those things
5 when going through a public hearing process, get a chance for
6 neighborhood outreach, the mail-out, all that stuff would
7 still apply, I think it's reasonable to assume that that use
8 could be made to fit with stipulations in a PAD or
9 residentially-zoned area. Or with any commercially-zoned PAD
10 as well. So that's one point. I think the other pertinent
11 point that was brought up was really what type of analysis are
12 we losing by editing out the PAD section. Because
13 hypothetically I think these gentlemen who were just here
14 wanted to locate at the golf course in Trilogy. They wanted
15 to do a tree that was in - next to their driving range.
16 There's one like that that's by my house. They would come in,
17 they would actually amend their entire PAD to add that as an
18 allowed land use. So we would look at things of subtraction
19 of open space, quality of open space, location, talk about the
20 numbers associated with that, so their use area would then be
21 deducted from their open space pallet. I think it's staff
22 opinion that all that could still be part of the SUP process,
23 that most of the discussion you'd have about adding that land
24 use because of the nature of cell towers doesn't really factor
25 into something along the lines of well now we want to put say

1 multi-family here, instead of single family or commercial
2 here, instead of industrial. That was staff's kind of opinion
3 of those two issues. We feel that the amendment is - we don't
4 lose anything at the end of the day by, by just cutting out
5 that one first piece. So I provided a copy of the code of
6 some background information, and then also the actual section
7 is just one, you know, paragraph, Section K is the actual
8 thing that we'd be adding, but I think at the end of the day
9 we won't be losing much discussion. I'd be happy to answer
10 any questions that the Commission may have.

11 PUTRICK: Yeah, I have one in regards to the FAA.
12 In any tower, is it going to be on the air route navigation
13 maps they put those on, and in today's age with airplanes they
14 have GPS coupled with some kind of a flight management system
15 and those - all of those obstructions are in the flight
16 management system. So any time you add one, any time you
17 cheat one, particularly in height, was higher, the FAA has to
18 be notified. Then that goes - that also goes to the
19 manufacturer of the flight management system because they have
20 to add that to the software set that's in the - the database
21 that's in that. And it's not critical for airline operations.
22 It is critical for air rescue, air - the air ambulances,
23 police department helicopters, news, news crew helicopters
24 because they, on occasion, have the ability to fly down that
25 low, and so how do - how is notification to the FAA so they

1 can issue a notice to airmen, and then everything else that
2 comes along with that, how, how is that handled?

3 ABRAHAM: Two ways. One if the tower goes through
4 an - if it goes through our SUP process, we will notify
5 surrounding jurisdictions and surrounding regulatory bodies.
6 The cell tower provider actually has to get their, their plan
7 approved by the FAA as well. Now when - you may know more
8 about this than I do, I think that their mandatory reporting
9 is only at 100 and higher, I believe?

10 PUTRICK: I don't recall exactly, but that kind of
11 rings a bell.

12 ABRAHAM: Yes, so -

13 RIGGINS: It's, it's the same point where they have
14 to put a light on the top of it.

15 ABRAHAM: Yeah.

16 PUTRICK: You're right.

17 ABRAHAM: And then I knew - I do know that at 200
18 feet they have to put the flashing beacon.

19 PUTRICK: Right.

20 ABRAHAM: I went through a process with that many
21 years ago. So I believe that mandatory reporting at a certain
22 height, mandatory lighting and strobing is at a certain
23 height, so cell tower companies certainly don't want to do
24 anything that would get in (inaudible).

25 PUTRICK: Absolutely.

1 ABRAHAM: But what we've done is include the FAA on
2 many of those mail outs.

3 PUTRICK: Well I'll just take a minute to divert a
4 little bit, to give you an example. In the 60s, Collins Radio
5 had a ground test unit for navigation testing of equipment on
6 airplanes. The FCC has, has jurisdiction over the assigning
7 of frequencies and they had never coordinated with the FAA.
8 And they assigned a frequency of 109.9 for the ILS tester to
9 Collins Radio, and it turns out 109.9 is the glide slope, or
10 the ILS for the runway, the north run - or south runway, of
11 LAX. And so there were some fellas from United Airlines doing
12 a test with this box and they, they fired it up and they were
13 testing, and it actually, it actually combined the two signals
14 from the actual ILS and from this box, and it moved the ILS
15 over about 100 feet, and a DC8, United DC8 broke out of the
16 clouds, you know, smoky haze, and he was, he was over the
17 Western Airlines hangars and, and so they, they had a deal
18 where they'd coordinate between each other about this
19 frequency assignment. So that's the reason I ask about those
20 things, because it has happened.

21 RIGGINS: Commissioners, any other comments?

22 (Inaudible) Grubb.

23 GRUBB: Yeah, I've heard (inaudible) change this
24 process. (Inaudible).

25 ABRAHAM: You'd have to request an SUP. So you

1 still go through a public hearing (inaudible).

2 GRUBB: So I could (inaudible).

3 ABRAHAM: You could. You could (inaudible).

4 GRUBB: (Inaudible).

5 RIGGINS: In all fairness, with the existing, the
6 way it exists, you could still put one in the backyard, you
7 just have one more step of having to change the PAD.

8 ??: (Inaudible).

9 RIGGINS: Vice Chair Hartman.

10 HARTMAN: Chair Riggins. Director, Steven Abraham,
11 I (inaudible) we'll now address him as director. And I
12 questioned him about that, if it included a pay raise and he
13 said no, no (inaudible).

14 RIGGINS: (Inaudible).

15 HARTMAN: Yeah, right, right. I guess the manager,
16 are you still - Steve, are you still manager?

17 ABRAHAM: I am, I am still Planning Manager, yes. I
18 mean the, the director is right there.

19 HARTMAN: Okay, under the special use permit
20 sections written today, item number 4, I appreciate the fact
21 (inaudible) and one of the things I might mention is Steve is
22 there a number that they (inaudible) second page?

23 ABRAHAM: Oh sure.

24 HARTMAN: Item number 4. But without numbers you
25 don't (inaudible). Anyway, item number 4, SUP granted under

1 the provisions of this section runs with the land covered by
2 the SUP and shall be binding on the property owner and where
3 applicable also the lessee of the property covered by the SUP.
4 I'm glad you included also the lessee, because I, I like to
5 see the individual also included in that, because we have a
6 tendency just to put it on the land permit (inaudible).

7 ABRAHAM: Sure.

8 HARTMAN: So I, I appreciate that. And a good
9 example of that is the medical marijuana. That they - that
10 facility had to have it by the lessee and the property.

11 ABRAHAM: Right.

12 HARTMAN: Okay. My comment.

13 ABRAHAM: Okay.

14 HARTMAN: Thank you.

15 RIGGINS: Okay Commissioners, any other? I would go
16 ahead and make a comment. Generally this would be something
17 that would give me a bit of pause. These cell towers which
18 have become - (inaudible) discussions we used to have on
19 these, and now all those things no longer are part of the
20 discussion. We used to discuss what would happen if they fell
21 over, what was next to them, how much space did they have
22 (inaudible), a lot of things that would be part of the
23 discussion that are no longer part of the discussion. So even
24 though I generally do not like the concept of we giving a PAD
25 once it's established, I always (inaudible) change in having

1 (inaudible) easily. But in this case I think I, I would agree
2 that we ought not make people go through that extra step on
3 something that is of the nature of business (inaudible). So
4 (inaudible).

5 ABRAHAM: Just to answer that, and just, you know,
6 talking off the cuff here, I really don't think we're, we're -
7 the notification requirement's still going to be there.
8 They're going to have to do the neighborhood meeting. If
9 something, you know, ridiculous comes through, the Commission
10 will have the opportunity to go okay this clearly doesn't fit
11 in this environment. And frankly, you know, (inaudible). The
12 last thing I think that they really want to do is go through
13 this process, that our interactions with the cell tower
14 companies is that they want to do the co-location, one because
15 it's about a third of the time, and now that they've got this
16 FCC declaratory ruling, they really don't have to go through
17 it too much, anyway, but you know, staff will work with the
18 Commission, we'll work with the providers to make sure that
19 the level of quality is still there when it gets to your desk.

20 RIGGINS: Okay. Any other comments or -

21 PUTRICK: Well I just had a quick one. So then what
22 is our liability if something does happen, say a tower
23 collapses? What's the County's liability?

24 ABRAHAM: Well they have to get building permits,
25 and those towers are certified by about several engineers. In

1 fact, you know we, we - the same pole that's installed here is
2 also the same one that's built in South Carolina or Florida,
3 and the FCC actually requires these towers to be built a
4 certain way so that they can stand natural disasters, so that
5 they're there when things go haywire. But our liability
6 beyond if they get proper permits (inaudible) not sure.

7 LANGLITZ: Yeah, Mr. Chair, Commissioner Putrick.
8 It's - the liability to the County is pretty small. I mean
9 we're really just siting location, allowing location. We
10 don't really approve the engineering of the cell tower, the
11 structural integrity in that. Does that mean if let's say one
12 fell down and somebody got injured you wouldn't get sued? You
13 probably would, but it would be whoever actually installed
14 that would be the primary responsible, or so I think it's
15 minimal, minimal risk (inaudible).

16 RIGGINS: Okay.

17 SALAS: (Inaudible).

18 ABRAHAM: Well we inspect it. We inspect the base
19 and the concrete - I don't know what you call that cylinder
20 that goes in the earth, the footing?

21 ??: (Inaudible) footing.

22 ABRAHAM: Yeah, footer. (Inaudible).

23 RIGGINS: Commissioner Aguirre-Vogler.

24 AGUIRRE-VOGLER: I would like to make a comment.
25 You're aware of the one that fell over in Picacho, right?

1 ABRAHAM: Yeah, wasn't that one (inaudible) because
2 they - the guys were working on it? Yeah, there was - I
3 recall one in our County, the guy - the guys were modifying it
4 and I think a wind gust took it and knocked it over. They had
5 actually removed one of the support legs and were holding it
6 up with a crane.

7 ???: That, that was my (inaudible). It had weakened
8 the structure and they were working on it. So it wasn't
9 permanent.

10 (Inaudible).

11 ???: If I could.

12 RIGGINS: Yes, Commissioner Del Cotto.

13 DEL COTTO: I do know, like where the SRP just came
14 through our neighborhood and they've got these nuts that are
15 literally like that big around and they're that tall, and they
16 went to the expense of concreting over the top of them because
17 people have a tendency of going out in remote places like
18 where cell towers may be and every little bit of metal or
19 whatever that they can gather, they, they do, do stuff like
20 that. And as a result of that, like SRP, especially with
21 these big, the big type tension wires that I notice the two
22 that are up in the land that I have, one of them's already
23 done and I suppose they're going to go and do the other one.
24 I don't know if they're not bolted to the ground, but because
25 they're much smaller, it may be a good idea that they look at

1 that or determine if it were to fall or come apart, what will
2 - what, what would make that happen. You know, so I do - I
3 don't know if there's chain link fences around them or - I
4 know typically wires that are supporting them from different
5 sides. That does have a tendency of happening out in remote
6 areas. So.

7 RIGGINS: I do believe that we (inaudible).

8 ABRAHAM: Oh yeah, or an eight foot wall.

9 RIGGINS: (Inaudible).

10 ABRAHAM: Yeah, there's plenty of copper in there
11 for folks to get, you know, (inaudible).

12 RIGGINS: Okay. Any other questions or comments?
13 Commissioner Putrick?

14 PUTRICK: No, I'm good.

15 RIGGINS: So do we - is this (inaudible)? Are we
16 beginning this or would this be a final -

17 ABRAHAM: This is a final vote to forward to the
18 Board of Supervisors.

19 RIGGINS: Okay. Final vote to go to the Board of
20 Supervisors. Do we have a, do we have a motion?

21 GRUBB: (Inaudible).

22 RIGGINS: Commissioner Grubb.

23 GRUBB: Approve the changes to the wireless
24 communication facility in Chapter 2-205 as presented and
25 forward it to the Board of Supervisors with a favorable

1 recommendation.

2 RIGGINS: Did you state the case number?

3 GRUBB: PZ-C-001-15.

4 RIGGINS: Okay, we have a motion, do we have a
5 second?

6 GUTIERREZ: Second.

7 RIGGINS: Commissioner Gutierrez seconds. All in
8 favor, signify by saying aye.

9 COLLECTIVE: Aye.

10 RIGGINS: Any opposed? It passes unanimously. And
11 we will move onto discussion and approval of the Resolution
12 061815-PZCORR.

13 ABRAHAM: Commissioner Members, per your direction I
14 removed the references to the section on impasse and basically
15 put that at the order of business section we were talking
16 about last month, and then changed all the references from
17 Director of Planning & Development Services to the Director of
18 Community Development. So if you have any other changes that
19 you'd like me to make while we're here, certainly look at
20 that, or (inaudible) okay. That's all I have to add.

21 RIGGINS: Vice Chair Hartman.

22 HARTMAN: Chair Riggins, Director, explain the
23 difference between Planning and Zoning Department and
24 Community Development.

25 ABRAHAM: We did a reorg about a year ago and that

1 merged building safety, planning, parts of public works and
2 parts of environment health and renamed the thing Community
3 Development. So the Director of Community Development assumed
4 Jerry's role as well.

5 HARTMAN: Okay. My further question is will we
6 still be known as Pinal County Planning and Zoning Commission?

7 ABRAHAM: Mm hm. I don't remember changing any of
8 that. Yeah, you're still the Planning - Pinal County Planning
9 and Zoning Commission.

10 HARTMAN: (Inaudible) I wasn't sure.

11 ABRAHAM: Oh yeah, no, no.

12 HARTMAN: Okay. Thank you.

13 RIGGINS: Any other questions concerning the new
14 format of the order of business? (Inaudible). Commissioner
15 (inaudible).

16 PUTRICK: Just a quick thought. Why, why don't we
17 do the Pledge of Allegiance? Has it never been done? We do
18 at Town and a lot of other meetings that, that -

19 SALAS: Is it necessary?

20 RIGGINS: Commissioner - Vice Chair Hartman has a -

21 HARTMAN: Okay. Right now we don't have a United
22 States or an Arizona flag in the room, and so in my term,
23 terms on the Commission, and the Commission Members always
24 felt like we're part of Pinal County and we're part of the
25 government and it was to our best interest that we didn't do

1 it, I mean we didn't need to. And the other one was the
2 prayer, and we tried the prayer for a while and then we threw
3 the prayer out because of the controversy on the prayer. So
4 that was my interpretation of why we didn't the pledge. It
5 just was consensus of the Commission. And I think it states
6 in (inaudible) need to be the consensus of the Commission, so
7 my - if a Commission Member wanted to do that - Steve, listen
8 to me please so you can correct me if I say something wrong.

9 ABRAHAM: Sorry. Of course.

10 HARTMAN: So if the Commission wanted to do that,
11 there could be a motion from the floor to ask that we vote on
12 (inaudible) say the Pledge of Allegiance, I would assume. Is
13 that right, Steve?

14 ABRAHAM: That's correct.

15 PUTRICK: Well just a, just a comment on if there is
16 no flag in the room, we all know where the flag is and we face
17 that direction. (Inaudible). I'm not pressuring for this,
18 I'm just asking the question on how you guys feel about it.
19 And I think in terms of the prayer, that's up to us
20 individually. And, and we could have a long discussion about
21 what the First Amendment actually says. So that, that's my
22 comment.

23 RIGGINS: All right. Actually the changes have been
24 (inaudible). Biggest thing we've done here really is insert a
25 call to the Commission (inaudible). And this is a (inaudible)

1 also. (Inaudible) we can have more discussion on it or
2 (inaudible) have a motion? Chair - Vice Chair Hartman.

3 HARTMAN: If, if the Commission (inaudible), I would
4 like to make a motion that we - the Pinal Planning and Zoning
5 Commission adopt the amendment to operating rules and
6 regulations as, as of, it says March 17th (inaudible). The
7 number, number of it - help me - okay, 061815-PZCORR, and I
8 see the only amendment is number - in Section 7, Number 8,
9 Call to the Commission: Oral comments or suggestions from
10 individual Commission Members reading items or staff action
11 will be allowed.

12 RIGGINS: And we do understand that this isn't a
13 call to the Commission for discussion on a specific case,
14 (inaudible) general items. We have a motion, do we have a
15 second?

16 GRUBB: Just a technical - when you said that - the
17 (inaudible) the number of, the action (inaudible), it should
18 be C-O-R-R.

19 RIGGINS: Yeah, that's correct, it isn't zero.

20 GRUBB: (Inaudible).

21 RIGGINS: That's correct. Do we have a second?

22 GRUBB: Second.

23 RIGGINS: We have a second by Commissioner Grubb.

24 All in favor, signify by saying aye.

25 COLLECTIVE: Aye.

1 RIGGINS: Opposed? That being, it passes
2 unanimously. And we move onto - well it says here we move
3 onto adjournment (inaudible).

4 ABRAHAM: Just some things - this is back to the
5 Planning Manager's discussion items. Just some updates I
6 wanted to give to the Commission. One that Pinal Planning and
7 - or Community Development - has partnered with MAG, which is
8 Maricopa Association of Governments, to begin a really neat
9 new web-based analytics analysis too on population data.
10 There's a handout in there that they provided to me about a
11 month ago where they're going to basically take all kinds of
12 population and demographic data and employment data,
13 transportation data, and basically make this into like one
14 gigantic database that you can modify based on your query so
15 you can prepare for (inaudible) things like trip time versus
16 employment status, or all kinds of different demographic and
17 really neat tools that we are going to add to that database
18 because we believe that many of our folks actually go to
19 Maricopa County, they're a part of that, and it would help
20 make these more regional land use decisions a little bit more
21 pertinent to folks that we deal with. So that handout in your
22 packets is basically an overview of the project. They only
23 talk about Maricopa County right now, but imagine basically
24 Pinal County being in that as well. There is a beta out there
25 that if you have some time, go ahead and take a look at it and

1 see how it works. They're actively soliciting comments on the
2 format and the layout and how it works. You know, naturally
3 they're trying to make it smartphone friendly for, you know,
4 my kids actually. I don't have a smartphone (inaudible), but
5 take a look at it and we're going to part of that. Folks from
6 MAG are actually going to be coming down here and we're going
7 to open up our books to them and let them go ahead and root
8 around in our data and take whatever they need. So we're
9 looking forward to being part of that effort. The second item
10 is the Commission lunch break operations. So I wanted to go
11 over with you folks as we're, we're aware, the - we're no
12 longer going to be catering lunch for the Commission. We will
13 still be providing you a per diem. Now with that, we're going
14 to have the EOC open, we're going to have a microwave. We'll
15 have our toaster oven, and the big thing I wanted to
16 communicate if you do go out to the town and lunch, that one
17 of the things that you'll have to be aware of is the open
18 meeting law requirements which would basically say only four
19 of you could go (inaudible). Now, I'll be on break too so if
20 you all have - if say four of us want to go to McDonald's or
21 bring it back, I certainly can go do that for you, but
22 basically you have to work amongst yourselves on coordinating
23 lunches and things like that. And give yourselves an hour, or
24 depending on how the Chair would like to handle it, maybe less
25 or more, depending on the quantity of the agenda. And - so

1 basically I - you know, playing by ear. I think if you all
2 wanted to get together in, I guess in groups of four and
3 figure out how you want to handle this, I think that'll be a
4 good time for us to work on that and just play it by ear. But
5 there will facilities for you and (inaudible).

6 RIGGINS: I still think it's a bad idea.

7 AGUIRRE-VOGLER: I do too.

8 HARTMAN: I do too - or three. I do three.

9 AGUIRRE-VOGLER: I think something else should be
10 considered as a group, have some say. Because it's a - it's
11 very difficult to do that. The open meeting law is one of the
12 problems. I mean it's going to be kind of difficult, you can
13 go, you can go, oh you can't go. It's really kind of
14 ridiculous.

15 SALAS: So Steve, is it to subject to change. Let's
16 say the Commission (inaudible) don't agree with that. It goes
17 back to the way we were (inaudible).

18 ABRAHAM: Well, right now the way that the money
19 situation is, I don't see that in the near future to turning
20 into an option. The department was faced with a - in total a
21 six percent budget reduction and the Board's talking about
22 possibly doing that again next year, so.

23 AGUIRRE-VOGLER: I just don't understand if we're
24 given \$11, if you took from each of the Commissioners what
25 they wanted next month and, you know, I don't think it'd be

1 over \$10.

2 RIGGINS: Well we've had it where we go out before
3 and it is, it's hectic. Very hectic.

4 AGUIRRE-VOGLER: It's terrible.

5 ABRAHAM: And if I could appeal to the Commission's
6 sense of one of my (inaudible) was to reduce the amount of
7 staff involvement in the Commission's operations as well. I
8 mean some of the Commissioners can recall we used to have that
9 whole table completely filled with folks from Public Works,
10 Engineering, Air Quality and, you know, now right now, me,
11 Bridget, Dedrick took off. And that's a directive that if
12 you're done here, go back to your room. You know, Mark, he's
13 here because (inaudible), and he - you know, so that's another
14 part of it as well, is the staff (inaudible) time devoted to
15 the actual act of providing the (inaudible) service.

16 DEL COTTO: Or at least maybe at this point that
17 there will not be a staff member that leaves until (inaudible)
18 food up and brings it back.

19 ABRAHAM: Well what I, what I will promise to the
20 Commissioners that if - let's say four of us get together and
21 say let's go to McDonald's and it's like a number 3, no
22 pickles, that kind of level, I will go get it and bring it
23 back for you. But the actual like preparation of a meal and
24 presentation (inaudible) won't be, won't be (inaudible).

25 MORITZ: I personally don't have a problem with it.

1 Whatever it is, I adjust to it, it's okay. I'll bring my hard
2 boiled egg and (inaudible), that's fine.

3 PUTRICK: We do have, just to let you know, we have
4 approved - the Town has approved a Taco Bell and it's right
5 next door, across 3rd Street from the Chevron station, and they
6 should start construction pretty quick. There is a
7 competitive taco place, I think it's called Taco (inaudible)
8 going in across 79. That'll be, that'll be sometime before
9 that's done. There's a gentleman, it is alleged who is
10 opening a restaurant, a little strip mall, it's going to be a
11 breakfast and lunch only kind of a thing. And then tonight we
12 are also approving a zone change for the corner of 79 and 1st
13 Avenue, that little house there and the piece of property
14 behind it, we're changing the zone, somebody's going to do a
15 restaurant. I have no idea what it is. So there'll be some
16 more facilities close at hand. I think you take your life in,
17 in your hands trying to cross 79. But -

18 ??: (Inaudible).

19 ABRAHAM: There is. Feel free to use all staff's,
20 you know, water cooler, refrigerator, freezer, absolutely.
21 Absolutely.

22 MORITZ: Is that by Deborah?

23 ABRAHAM: You know what, it might be easier to use
24 ours in our break room so if you just come out the side door
25 and head down the hall by our office. So - you've all been to

1 my office, right? If you keep walking, there's a break room
2 that's on the right, so it's another 20, 20 feet down the
3 hall.

4 SALAS: Maybe (inaudible).

5 ABRAHAM: We'll still give you your per diem.

6 ??: (Inaudible).

7 HARTMAN: Director Steve. Could, could we not pool
8 our money and maybe have prison food or something, a prison
9 lunch or something from the prison? Would it cost more than
10 \$11 that we're allocated?

11 ABRAHAM: Well I heard they're still using the MREs
12 from the (inaudible) over there, so.

13 HARTMAN: (Inaudible).

14 ABRAHAM: But again, there's nothing preventing four
15 of you from going out and getting some, getting some lunch.
16 Like, you know, Commissioner Riggins said the - when we tried
17 to go out as a group, that went awry real fast. So - but you
18 know, but the town, the restaurants and the town are, you
19 know, they're all (inaudible) lunch rush. You know, that's
20 basically what they're (inaudible), the County folks and the
21 folks from the prison, you know, they get all their people on
22 all hands on deck, so you know, we can take a look at it,
23 about the logistics moving forward, but ask that you guys give
24 it, give it a chance.

25 HARTMAN: So Steve, we're going to just pay for our

1 lunch ourselves and then we'll be -

2 ABRAHAM: That is correct. Your reimbursements will
3 happen quarterly now, rather than every six months and that
4 per diem -

5 MORITZ: With our gas?

6 ABRAHAM: With your gas, that's right, it will be
7 attached to that.

8 ??: Should we be (inaudible)?

9 ABRAHAM: Yeah. (Inaudible).

10 ??: (Inaudible).

11 ABRAHAM: They are. Okay, yeah they're ready. I'll
12 go get them.

13 ??: He's going to bring them at lunch.

14 ABRAHAM: Okay.

15 MORITZ: And we could as a group call a place in
16 advance and say deliver blah blah blah, right?

17 AGUIRRE-VOGLER: (Inaudible).

18 ??: Some places do.

19 ABRAHAM: But my experience is that they charge an
20 exorbitant delivery fee.

21 MORITZ: Oh, delivery fee? Oh.

22 PUTRICK: But you could, you could call and have it
23 prepared so somebody can run and pick it up and -

24 DEL COTTO: Possibly if we're, if we're feeling like
25 in the mood and we all want to eat a particular item for a

1 special occasion, then, then we can kind of gather our
2 thoughts and make that happen. (Inaudible).

3 (Inaudible - multiple).

4 HARTMAN: So, so Steve, what's the difference
5 between us gathering together at lunch as a group, a
6 Commission, as far as the open meeting laws, and gathering
7 together outside and if we have Mark go along with us, he
8 would - (inaudible), they would make sure we did not talk
9 about any of the subject matter of the hearing.

10 LANGLITZ: Yeah, Mr. Chair, Mr. Vice Chair, I was
11 thinking about those same laws. The danger there is when you
12 have a quorum, which is actually six. You need a majority of
13 the members. So the ten member Board. So six of you together
14 discussing this, it - the key is don't discuss business. I
15 think all of you, just like the Board of Supervisors, or just
16 like a Friday night or a Saturday, you're out and about town
17 and all of a sudden whoa, here's six of you up at San Tan
18 Flat, what are we going to do? Don't discuss business, and
19 you're okay. So I'm not really concerned. I mean if lunch
20 time comes, if a group of you decides hey, let's go to this
21 restaurant, other ones say let's go to this restaurant, maybe
22 you all decide to go to the same restaurant, just ov - over
23 abundance of caution, perhaps split up your table so that
24 there's five at one table and five at the other table. Don't
25 discuss any business. That's fine. But the problem you want

1 to be cautious of let's say seven of you are at (inaudible)
2 you're sitting there. Someone from the County sees you and
3 goes oh my God, the P and Z is there, it's an open meeting law
4 violation and they're complain. That's it. So you just avoid
5 those type of things by just, you know, maybe you know, doing
6 (inaudible) or no more than four, that's, you know, even
7 better. But it's not something I'd be afraid of. Just the
8 key is, just make sure don't, don't start talking any
9 business, any County business which might - it's either on the
10 agenda or it might be brought to you in the future.

11 ABRAHAM: A lot of the training that we give you is
12 that the appearance of impropriety is impropriety, so in the
13 past we've always instructed them to - the Commissioners to
14 sort of avoid the look of that. Because that's the same type
15 of thing. I tell my staff people about (inaudible). You
16 know, if it looks, it smells, (inaudible) someone can perceive
17 it (inaudible).

18 RIGGINS: Still don't agree with it, but okay, go
19 ahead. Let's go ahead and go on.

20 ABRAHAM: We have -

21 MORITZ: Can we go back to Larry's - Commissioner
22 Putrick's flag thing. Do we want to take a vote to see what
23 we think of it and at least we've addressed his, his
24 suggestion?

25 ABRAHAM: Can we do that on the call to the

1 Commission next month?

2 RIGGINS: (Inaudible).

3 MORITZ: I won't be here.

4 RIGGINS: Then the next, then the next month after
5 that.

6 (Inaudible - multiple).

7 PUTRICK: (Inaudible) appropriate place to
8 (inaudible).

9 LANGLITZ: Well, not a vote. If it's going to be a
10 vote, it's got to be on the agenda.

11 PUTRICK: Well what (inaudible) appropriate place to
12 get it on the agenda for the next meeting.

13 LANGLITZ: Call to the Commission?

14 PUTRICK: Yeah, that's to discuss something that
15 (inaudible).

16 LANGLITZ: No, it would be - on the Call to the
17 Commission there can be no group discussion of anything. An
18 individual Commission Member can say I'd like, the Kearney
19 fire, I was aware, I know there were people there, so this is
20 a bad situation. Some people are homeless, there's a charity
21 drive to help these people, fine. No one else responds to
22 that. Another Commission Member says yeah, I'm aware of such
23 and such and such, that's it. It's just individual statements
24 by Commission Members with no discussion by any other Members.
25 It's a practical way. That's the only way we can avoid an

1 open meeting law violation because once - because legal action
2 includes discussion, not just a vote.

3 PUTRICK: Right, I think that's what Chairman
4 Riggins was saying at the call to the Commission. One of us
5 would make that request that we have that on the next meeting
6 agenda item. That's what I think all he was -

7 DEL COTTO: (Inaudible) discuss anything or have a
8 call to the Commission if we're not allowed to engage with one
9 another.

10 MORITZ: It has to be on the agenda (inaudible).

11 DEL COTTO: The call to the Commission?

12 PUTRICK: No, the call to Commission doesn't have to
13 be on the agenda subject item, because it would be a, it would
14 be a -

15 MORITZ: (Inaudible), it has to be on the agenda,
16 doesn't it?

17 PUTRICK: Yeah, that's right.

18 LANGLITZ: If you have a group discussion it has to
19 be on the agenda. If a (inaudible).

20 RIGGINS: So, so in our, in our format of business,
21 at what point can a Commission-driven agenda item be taken
22 forward to another meeting? There's plenty of places where
23 staff or an applicant has a place to get in business. Where
24 can the Commission actually request a business (inaudible)?

25 ??: That's a-

1 LANGLITZ: That.

2 PUTRICK: The call to the Commission.

3 DEL COTTO: How do we do that? I mean typically the
4 chair can put any item on the agenda and then is there
5 anything in the rule about (inaudible) two or more or three
6 Commission Members?

7 ABRAHAM: No, that was what I was understanding the
8 call to the Commission was going to be for, that the
9 Commissioners could go staff put this on our agenda, and then
10 my response to that was I, I - my preference was that if that
11 came from something like Rand, I would like to see everybody
12 else to make sure that that's something that we want to
13 actually do. But I guess that's not (inaudible).

14 ??: There you go. (Inaudible).

15 PATEL: Mr. Chair, Members of the Commission. For
16 the record, Himanshu Patel. The call to the Commission is
17 designed for each individual Commission Members to provide
18 their viewpoint on a particular matter. So it's not intended
19 to have a discussion. It's an opportunity for you to share
20 your views, whether it's a Pinal County issue, or an issue you
21 want staff to research. Typically if we hear throughout the
22 call to the Commission, if we hear a common theme then we'll,
23 you know, obviously that's of interest of the Commission, and
24 so it will come back to the Commission as an informational
25 item or a possible discussion item for action. That's how

1 it's intended for. It's not in - it's not a opportunity to
2 have a dialogue amongst the Commission. It's an opportunity
3 for each individual Commission Members to share their
4 (inaudible), and to direct staff to research or bring back a
5 matter. That's how it's designed. That was the intent of
6 proposing this, and so if that's not the intent of what you
7 thought, then perhaps we need to bring back an opportunity to
8 see how - because it's very difficult to - unless we do a work
9 session item where say okay Commission Members want to discuss
10 matters regarding Planning and Zoning and Community
11 Development issues and then during that time we have open
12 dialogue amongst the Commission. Based on that, we sense a
13 majority wants to bring back issues regarding a particular
14 topic and that's when we agendize for action. That's how,
15 that's how I'm experienced with and that's how the intent of
16 call to the Commission is. It's not intended to have dialogue
17 amongst the Commission.

18 DEL COTTO: If I could, Commission.

19 RIGGINS: Go ahead.

20 DEL COTTO: Chairman. For me as a relatively new
21 Commissioner, I certainly feel, and I don't want to get - I
22 don't want to intertwine this thing too much with you all, but
23 I'll say it anyways. In regards (inaudible) man in my local
24 neighborhood and being a Commissioner, I certainly feel that
25 there are things that go on in our District that aren't being

1 addressed. With that said, I think this call to the
2 Commission is a great idea if I could just simply come up with
3 a bullet point or two, or one at a time maybe, and not, not
4 try to take up everybody's time in regards to what I think our
5 problems in District 4 are. But I certainly think that a call
6 to the Commission like you just said, allows us to speak and
7 it allows us to let our fellow Commissioners know that we
8 think maybe that there's a problem or that there's something
9 that needs to be addressed. So if that's what the call to the
10 Commission is, then I'm certainly all for it. And -

11 LANGLITZ: No, it's - we didn't leave the - well we
12 went back to the, to the -

13 ??: We went out to lunch.

14 LANGLITZ: No, I wasn't talking about (inaudible).

15 PATEL: I know but, we were on the topic of
16 discussing the lunch procedures. But if you want to bring
17 back the issue of the intent of call to the Commission, we can
18 bring it back at the next - but based on what you've adopted,
19 we've integrated that into the rules of procedures and then we
20 can certainly bring that back to the Commission, if you want.
21 But that was the whole intent of call to the Commission.

22 RIGGINS: And that is fine to have that intent, and
23 it's fine to have it to be that way, but I believe what the
24 Commission is asking is then where in our rules of procedure
25 do we have the ability - the Commission to say okay we have

1 something we're thinking about and we want staff to do
2 something about this. We want some - this study, we want to
3 have a presentation, and not from a single person because it
4 shouldn't be single-person driven, it's consensus driven. So
5 where is that possible?

6 PUTRICK: That should be in the call to Commission.

7 RIGGINS: Well we're being told it's not.

8 PUTRICK: No, it's in the call to the Commission.

9 RIGGINS: My intention, my intention was that it,
10 you know, my supposition may (inaudible).

11 PUTRICK: Because it's no different, it's no
12 different if you say during the call to the Commission that
13 you have staff to do a study on traffic intersections.

14 ??: (Inaudible).

15 PUTRICK Yeah, or - yeah. Or ask for a trip to
16 visit Frito Lay.

17 RIGGINS: Precisely. And I have no problem
18 whatsoever if call to the Commission is not that vehicle. I
19 have no problem with that at all. Where is it?

20 HARTMAN: And that's (inaudible).

21 PUTRICK: No, that's, that's what the call to the
22 Commission is for.

23 (Inaudible - multiple).

24 PUTRICK: No, that's what it -

25 PATEL: Mr. Chairman, you're talking about being

1 able to have a dialogue, and so you have six of them saying do
2 this and a majority saying okay you all - staff need to come
3 back with more, more research on this particular - an
4 opportunity to vote, to bring back issues, that's what I'm
5 saying is not the intent of call to the Commission.

6 RIGGINS: If, if, if these things, these things are
7 not votable items, they're consensus items. It's when four or
8 five Commissioners say yes that's a good idea, we would like
9 to see that as a presentation (inaudible).

10 PATEL: Then why don't you say that at call to the
11 Commission? If you say this is an issue you're interested in,
12 she says the same thing, she says the same thing, he says the
13 same thing, it gives us an indication that there's a sense of
14 consensus here.

15 RIGGINS: It seems like we're chasing the same thing
16 around a pole here.

17 PATEL: But the iss - there's some rules that we -
18 what I'm experienced with with call to the Commission is you
19 can't have dialogue. Like I can't respond back to you and say
20 well that's a good idea Chairman, but we had an experience
21 back in the eastern part of Pinal County - I can't do -
22 there's some procedural rules because you don't want to, you
23 don't want to get into discussions that hasn't been agendized,
24 right?

25 RIGGINS: Yeah. Well obviously there are going to

1 be certain discussions that haven't been agendized because
2 you're discussing how to create an agenda. Sometimes things
3 (inaudible).

4 GRUBB: (Inaudible) on our agenda today was to
5 discuss the (inaudible), but we already voted on that and
6 closed that discussion (inaudible). So technically we're -
7 what we're doing (inaudible). We're talking about something
8 that's not on our agenda.

9 LANGLITZ: Well let me -
10 (Inaudible - multiple).

11 RIGGINS: We have a discussion portion of our agenda
12 for today. We're discussing - this is exactly a discussion.
13 But if we didn't have this discussion section in this agenda
14 today, then this (inaudible).

15 PUTRICK: Then we couldn't talk about it, that's
16 right.

17 LANGLITZ: Let me, let me -

18 ??: (Inaudible) discussion come under the planning
19 (inaudible).

20 LANGLITZ: Mr. Chair, let me make a suggestion. The
21 agenda item, action was taken on that agenda item with a
22 recommendation for approval (inaudible) Board of Supervisors.

23 ??: (Inaudible).

24 LANGLITZ: Oh, okay. So, that's done. We've got
25 the wording here. Why don't we do an agenda item next time

1 with earlier discussion about defining the call to the
2 Commission? And then - because I think Commissioner Grubb is
3 probably right. Let's put it on an agenda for the next time.
4 Now -

5 GRUBB: When we went down the (inaudible) of the
6 agenda (inaudible) and how the agenda works. Instead of
7 specifying that we're only talking about one item, can we
8 discuss the agenda, or we can bring it up (inaudible).

9 LANGLITZ: I think we can put it on a - want to do a
10 work session on that? Yeah, work session where we will
11 discuss call to the Commission.

12 RIGGINS: And I don't know if I so much concur with
13 that. If we have a certain way we want to run a call to the
14 Commission, that's fine, it doesn't bother me. But by stating
15 that there isn't a place anywhere in a meeting that there can
16 be an initiative created by several Commission Members for
17 staff to look at something, or for some item that needs a
18 little further research, if we need to create another line
19 item (inaudible) in here where that procedure can be utilized
20 at that point, that's what we need to do. Because I guarantee
21 you, I've been on this Commission for a while, and that gets
22 done all the time.

23 LANGLITZ: Yeah, where I've seen it is an item,
24 future agenda items where then you can discuss about what you
25 might want to put on a future agenda.

1 RIGGINS: Future agenda items (inaudible) is always
2 on the agenda, sounds timeless.

3 LANGLITZ: Or that might already exist in the call
4 to the Commission. We can incorporate that in as an element
5 of call to the Commission. (Inaudible) individual comments,
6 (B) future agenda items, and work with - yeah, work within the
7 system. I think Himanshu, Steve and I can talk about that.
8 But why don't we put that on the next agenda so we will
9 discuss that and put it in as a work session (inaudible).

10 RIGGINS: Let's go ahead and fix the procedure,
11 because we've now created the problem of a procedure. So
12 let's fix the procedure and make everybody happy with it.

13 LANGLITZ: Yeah. But I think I agree with
14 Commissioner Grubb, at this point in time this discussion
15 probably should have been heard earlier when we were looking
16 at the action items. We've already done that so we'll
17 (inaudible).

18 RIGGINS: Sometimes things come up after the fact.
19 Yeah, that -

20 LANGLITZ: That's why we put it on, on the next
21 agenda.

22 DEL COTTO: Yeah, I'm certainly new at this too, but
23 I was looking very much forward to the call to the Commission
24 operation if you will, and it seems to be another County
25 policy that's another 30 days out before we talk about it

1 again, and then maybe another 30 days after that before
2 there's any action taken. So, so with that said, I, I suppose
3 we're going to wait until next month to have a call to the
4 Commission, is that what -

5 LANGLITZ: Well yeah. It wouldn't exist until next
6 month anyway.

7 DEL COTTO: Okay.

8 LANGLITZ: But in order to, so that we don't put it
9 off for another month, one of the first agenda items can be
10 the work session on call to the public to (inaudible)
11 explained, so then call to the Commission (inaudible) call to
12 the Commission (inaudible), but I think I would be prepared to
13 - if there's a particular item you want to discuss, think
14 about that. If there's something, you know, just a comment.
15 I'd avoid things that are on the agenda. If it's something
16 that's on the agenda, then save your comments for (inaudible).
17 If it's not on the agenda and you want to share with the
18 group, that's fine. If there's some things you want to see in
19 a future agenda, I would be prepared to bring those.

20 RIGGINS: It may be as simple as taking Section 7
21 and sneaking another line item in it permanently, which is
22 (inaudible) future agenda items.

23 LANGLITZ: Yeah.

24 RIGGINS: That might be as simple as it is to take
25 care of this. Seems to me we're doing just fine.

1 LANGLITZ: Okay.

2 RIGGINS: Which is -

3 ??: We want to try to keep it simple.

4 LANGLITZ: I just want to make sure that, you know,
5 we don't -

6 RIGGINS: We're trying to keep it simple, you guys
7 just make it complex.

8 HARTMAN: Okay, Chair, Chair Riggins?

9 RIGGINS: Yes.

10 HARTMAN: If I might interject my com, my comment
11 call to the Commission, and I think as a point of interest
12 that the Commission might be interested in, and it was an open
13 space meeting reading in West Pinal County we all had some
14 information on that and there was two of us that went - Butch
15 and myself - not as Commission Members, but as citizens to
16 that open space meeting and what they're doing is - Gina
17 D'Abella is kind of the lead of that open space (inaudible)
18 western portion of the County, and it's I think 20 or 21,000
19 acres of BLM land that, that they're trying to get from Pinal
20 County and to be a recreational open space area, and it'll
21 have shooting, it'll have trails, it'll be a hiking, ATV,
22 motorized, there'll be horses, there'll be walking trails and
23 there'll be mountain climbing, rappelling, and all - there's
24 all kind of (inaudible). Also 160 acre Pinal County Park in
25 that area that is not really being utilized, but it could be

1 by individuals from Pinal County and all over the State in
2 that area, so it's kind of exciting to me, and I think that's
3 an important that I think (inaudible) call to the Commission
4 (inaudible). The Commission.

5 LANGLITZ: Mr. Chair, I would suggest Commission
6 lunch break operations was the topic, has that been resolved
7 Steve?

8 ABRAHAM: (Inaudible).

9 LANGLITZ: All right. My suggestion would be to
10 (inaudible) nature of (inaudible) amendments?

11 ABRAHAM: I do. Our major Comprehensive Plan season
12 started and we've got one amended from the outside, and the
13 rest of them are from - are staff generated. So one amendment
14 is going to be in San Tan Valley, Phyllis Road right next to
15 the park. Another amendment is going to be to insert
16 Comprehensive Plan language regarding local farming and
17 farmers markets and the use of community gardens in open
18 spaces and PADs. A third amendment is to create a new green
19 energy designation in our Comprehensive Plan. Where that
20 one's coming from is from our experience with last year's -
21 and some other amendments as well - of last year's
22 Comprehensive Plan regarding the Bonnybrooke solar facility
23 out there east of town. What that did was kind of expose a
24 little bit of a soft spot in our Comp Plan about making
25 industrial - or excuse me - making solar power plants, either

1 industrial uses or public service and facility uses. That
2 will now go away, they'll have their own designation that, so
3 you don't have to worry about the other uses that accompany
4 those designations. Also there will be a provision in that
5 green energy one about if you want to redesignate to that, you
6 - it will be (inaudible) a non-major amendment up to 320 acres
7 rather than (inaudible) 160. The last amendment that we're
8 still working on is how to classify medical marijuana
9 cultivation facilities. Right now under our Comprehensive
10 Plan they're considered employment land uses and there's been
11 interest to consider those agricultural uses or alternate uses
12 to (inaudible). So those are the four, yes four major
13 amendments we'll be working on this year.

14 PATEL: Mr. Chairman, if I may. I'd like to get
15 maybe a viewpoint from individual Commission Members - we can
16 talk about this - regarding this one comp plan amendment. In
17 terms of medical marijuana dispensaries, okay, and you're
18 familiar with how they are, what they are, in, in a
19 perspective of land use classifications, what's your thoughts
20 - what type of land use classification is that to you? A
21 medical marijuana dispensary.

22 PUTRICK: It's a business.

23 RIGGINS: It's a business, it's commercial.

24 PATEL: Exactly. Okay. So in terms of what's
25 transpired recently, as you know, we've done a text amendment

1 (inaudible) in reference to the offsite cultivation, and we've
2 opened up the opportunity to allow out - or outdoor growth,
3 right? From a perspective of medical marijuana cultivation,
4 whether it's indoor or outdoor, what type of land use
5 designation is that to you? For cultivation?

6 MORITZ: To me it's still industrial.

7 RIGGINS: I don't think it's agriculture.

8 DEL COTTO: If I could, because we've had a
9 dispensary in our plaza for two years, and I - it amazes me
10 that people that have been coming in for two years, and it has
11 - and it has a sign over the top of it, still don't realize
12 it's there, still don't - it really doesn't have any impact at
13 all on where we're at and what the other businesses were
14 doing. I was kind of a little bit surprised about the fact
15 that it became a farmer's right and an agricultural use. Yes
16 it's a plant, so in some respects I suppose it is an
17 agricultural type of situation. But I still see it, the
18 growing of it, as well as the dispensary side of it, the
19 dispensary when that stuff is open, the dispensary, the smell
20 of that marijuana comes through the wall, through the wall,
21 through the wall, and you can smell it. Just like law
22 enforcement people can smell it when they pull somebody over
23 on the side of the road and they have marijuana in the car. I
24 think there's a fine line between is it a commercial
25 application, as far as the growing, or I like the idea of the

1 industrial park type format because, because we haven't
2 provided them with enough space at 2,000 square feet,
3 therefore they're smart business people. Thirdly, they're not
4 going to get into business and put this - I thought it would
5 be a great idea to for some of them to get into business with
6 a very small limited operation, just to show the public, just
7 to show the State, just to show the County, that they were
8 abiding by whatever rules were put in place for them, like
9 that 2,000 square foot rule that we did. Obviously when
10 things are new like this, there are, there are things. I
11 know, I know the facility by name isn't allowed to deliver,
12 but all the other CHAS in the State of Arizona are able to
13 deliver to their, to their, to their CHA so they're losing,
14 plus they're eight miles out to Maricopa, which people don't
15 want to travel a mile to go anywhere to do anything these
16 days. So, so I don't necessarily think that commercial is the
17 best zone for it. I certainly don't think that it (inaudible)
18 some of you certainly may not agree with this, but I certainly
19 don't think that the fact that there could be a house 1,000
20 feet away, or 300 feet away, should stop us from allowing
21 somebody into a particular location to grow marijuana.
22 Because of the restrictions that we've already put on them in
23 regards to where they have to grow or, or that whole idea of
24 the big block wall, we've got enough prisons here with block
25 walls around them, I, I'm not real keen on the whole block

1 wall and the, and the, and the barbed wire and that type of
2 (inaudible) if you will. I don't - I think there's a very
3 short period of time in which marijuana can actually have
4 value as far as after it's grown and dried and cured or
5 whatever they do with it. So, so, so that whole idea of
6 having to be - I get it that we don't want, we don't want it
7 not protected. I personally kind of think the industrial park
8 type of area probably fits it the best because it's bigger
9 space, it's an industrial park, it's typically not around
10 residential, I know a lot of people don't want to see their
11 kids around it, so on and so forth, but I also don't think
12 that, that it being in a commercial environment is, is totally
13 horrible. The only problem I think that happens with it being
14 in a commercial environment is that you do have that constant
15 smell and so on and so forth, and then people may either be
16 offended by it or don't want to smell that, so on and so
17 forth. But, but so, you know, the farming thing kind of seems
18 to be kind of way out there. I guess you could marijuana
19 growing in a farm as well. You could maybe have it more than
20 one way relative to what fits your community, in a community
21 like ours where we don't have any industrial parks. Even the
22 Town of Maricopa doesn't have an industrial park. So, so
23 you're limited as to we got - I know we've got a lot of parks
24 and that's maybe why that farming thing came by us. So.

25 RIGGINS: (Inaudible).

1 GRUBB: If Eli Lilly wanted to come and manufacture
2 oxycodone, would we allow them to do that (inaudible)
3 industrial area? This is the production of a drug, it follows
4 the same category as production of a drug. Controlled
5 substance. And I don't see any reason to allow that to happen
6 in a neighborhood.

7 RIGGINS: Actually it's even more interesting thing
8 than a controlled substance, in ways it's an illegal
9 substance. (Inaudible).

10 LANGLITZ: Mr. Chair, I'm going to err on the side
11 of caution. We are - we're almost having a heart attack. I'm
12 afraid - I don't know that we are, but we're close enough to
13 violating the open meeting law, having this discussion that my
14 recommendation is to stop at this point. All of these
15 subjects you'll be able to discuss, I think -

16 RIGGINS: Oh, I (inaudible).

17 LANGLITZ: In the future.

18 RIGGINS: This is an agenda item. This is an agenda
19 item we're discussing.

20 MORITZ: And the Director asked our opinion.

21 GRUBB: And the Director asked our opinion, on an
22 agenda item.

23 LANGLITZ: All I can tell you, the agenda item is
24 major Comprehensive Plan amendments.

25 RIGGINS: And we're discussing (inaudible) serving

1 medical marijuana.

2 LANGLITZ: I can't stop you from the discussion. My
3 job is to advise you when in my legal view you're potentially
4 violating the open meeting law. That's - I'm doing that to
5 protect you. I don't want you to be fined for doing that.
6 I'm not telling you we are absolutely violating it, I can't
7 tell you you're not violating it. We're getting real close
8 and I don't - you're free to continue to do it. I have no
9 authority to -

10 RIGGINS: That's not, that's not the issue.

11 LANGLITZ: To tell you to stop. Well that's exactly
12 the issue. I'm telling you, you're getting close to violating
13 the open meeting law. You may proceed as you wish, but my
14 recommendation is to stop because I believe you have probably
15 crossed that -

16 SALAS: My understanding was a request for the
17 Commission to define whether it's agriculture, industrial or
18 commercial, whatever.

19 LANGLITZ: That's right, and I believe that is
20 getting close to violating the open meeting law because
21 here's, here's the thing, here's what you can't do, so I'll
22 try to explain it to you. You can't poll members of a board
23 or commission. Now there's a fine line between are you being
24 polled right now as to what your opinion is and how you would
25 vote. There's an argument that is going to say yes it is,

1 there's an argument that's going to say no it isn't. I can't
2 sit here and tell you 100 percent certainty which, which way
3 it is, but I'm getting nervous. My 30 years of experience
4 representing public bodies is telling me you're getting close
5 to crossing the line. So I would think you would appreciate
6 that because you're the one, not me, that is potentially
7 subject to sanctions for that. And -

8 RIGGINS: By the way, we are in a discussion portion
9 of this meeting, we're not in a formal portion. The Chair
10 does not have to be -

11 MORITZ: Recognized.

12 RIGGINS: Recognized to have any discussion here. I
13 will, I will suggest that. I'm perfectly, perfectly satisfied
14 with concerns. Certainly don't want to go against the advice
15 of counsel. I would say that might be a good time to have a
16 (inaudible) discussion about what it takes to have this
17 discussion.

18 MORITZ: (Inaudible) question.

19 RIGGINS: Yeah, go right ahead.

20 MORITZ: Oh, Himanshu you had your hand up before to
21 say something, did you want to -

22 PATEL: Well now that we've understand counsel's
23 advice, this item will be coming to you for official
24 discussion and action, so the - we are having a work session
25 with the Board next Wednesday?

1 ABRAHAM: Yes.

2 PATEL: So if there's of interest to you, you're
3 welcome to attend so that we can engage in conversation with
4 the Board of Supervisors regarding this very discussion.

5 MORITZ: What time is that?

6 SALAS: What's the date and time?

7 PATEL: Next Wednesday on the 24th at nine -

8 ABRAHAM: the 24th at 9:30.

9 PATEL: 9:30.

10 AGUIRRE-VOGLER: (Inaudible).

11 SALAS: Would you recommend that we attend?

12 PATEL: I'm not recommending anything. You need to
13 (inaudible) attend if you want.

14 LANGLITZ: Okay, here's -

15 PATEL: We'll have to post it.

16 LANGLITZ: We're going to have to post it as notice
17 of possible quorum. That's the way the rules work.

18 MORITZ: Now that I could ask my question?

19 RIGGINS: Go right ahead.

20 MORITZ: There are times when we want to discuss
21 something without it being in the minutes for the agenda, and
22 to me I want to be free to say some things among us that I
23 don't want on the record, because I may post something that is
24 strictly a question and I've had it for a while or whatever or
25 - but I don't want need it to be on an official record. And I

1 think that's where a lot of our, our conversations, group
2 conversations should be allowed. So where is that done?
3 After - are you putting the call to the Commission during the
4 public people being here? There's some things I don't want to
5 say during the public because I don't want to take their time.
6 And I think we should be conscious of their time. Again, like
7 I always say, they're customers. So where are you putting our
8 ability to talk freely without being an official document on
9 the website?

10 LANGLITZ: I - we are definitely not on the topic of
11 major Comprehensive Plan amendments now. The only advice I
12 can give you is that you need to stick to the subject of major
13 Comprehensive Plan amendments. Any other discussion can be
14 held at a different time. I have no choice. I can't tell you
15 anything else.

16 SALAS: Are we still in the formal part of our
17 meeting (inaudible).

18 (Inaudible - multiple.)

19 GUTIERREZ: Along these lines, what's the - is there
20 a problem with once the meeting is adjourned and have the work
21 session where we discuss the (inaudible). I mean what would
22 be the problem with that? I mean we're not taking votes,
23 we're not - we're, we're discussing some work items. As an
24 example, things like the laptops that we may be using more and
25 more. Okay, that's not for the public to concern themselves

1 about, it's a waste of their time; but it is something that as
2 a Commission we may be moving toward. So what's to prevent us
3 from doing something like that (inaudible).

4 SALAS: I was going to ask the Chairman that, the
5 reason I asked Scott is because you're not recognizing
6 anybody, so we're over here, you know, helter-skelter, so-to-
7 speak. So that's why I ask if we are in a formalized part of
8 our agenda, you know, talking about the comprehensive
9 amendment, or is it just an informal conversation that's going
10 outside of the agenda?

11 RIGGINS: Generally the procedure that I understood
12 to be correct is that when we get into a work session
13 environment, we no longer seek recognition from the Chair.
14 Obviously we conduct - comport ourselves correctly, don't talk
15 over each other, but we are not in a position where the Chair
16 is required to control the discussion.

17 SALAS: (Inaudible).

18 RIGGINS: I would suppose actually, where we are in
19 the agenda right now this really - it - this isn't a work
20 session per se, but the agenda said discuss. And (inaudible)
21 were asked a question (inaudible). I certainly don't want to
22 get us in places we don't need to be. I have no desire to do
23 that whatsoever. And it sounds to me that probably what we
24 should do is finish these couple of (inaudible), and call it
25 done for the day. That's, to me, what it is. I, I would say

1 right now, however, Mr. Director, Steve.

2 ABRAHAM: Yes.

3 RIGGINS: I would say right now that we have an
4 agenda item that we need to have, because there's been some
5 confusion here today and I see no reason to proceed when we
6 have confusion. I do believe we need to discuss this and make
7 this so we all understand what we're doing, because I - this
8 has not been particularly helpful today, as far as these
9 issues. So we have something (inaudible) procedurally that we
10 need to have as an agenda and get everybody figured out
11 (inaudible), and that - if there's no further questions on
12 that, I suggest we complete our (inaudible) times and be done.
13 Go right ahead.

14 GUTIERREZ: I do have one thing, and this is taking
15 us back to the previously asked question about whether
16 something on PAD is industrial or agriculture, and this is a
17 statement of fact that I'd like to throw out there for the
18 County. Because (inaudible) the County is going to be making
19 some changes in the future, it really can't (inaudible).
20 Under federal law, a nursery that grows trees and lantana and
21 shrub brush and stuff, is considered agriculture. So I don't
22 know personally where that would change between a cannabis
23 plant and a lantana. Okay? They're both grown outside,
24 they're both shrubbery, and they can both be used as
25 ornamentals, at least carefully. Second item is, you know, so

1 there's a difference between growing a product indoors and
2 growing a product outdoors under federal law. Second item is
3 the growth of the certain plant that's used for medicinal
4 purposes nowadays, is violation of federal law. Not enforced,
5 but it continues to be a violation of federal law. So change
6 of administration on the federal level could actually change
7 the face of the entire law on the state level. That being
8 said, I think that anything the County does or the City does,
9 would probably not be a bad idea to have a caveat underneath
10 any legislation or any policy changes, subject to federal law,
11 because come 2016, December, everything could change, and a
12 lot of people's palaces could come tumbling down, and that's,
13 that's a reality. So I mean those are (inaudible) but
14 they're, they're - I think those are things that may need to
15 be considered for the County, you know, when they're - when
16 writing any policy or anything else. But agriculture, a
17 nursery is agriculture. Items grown indoors would probably be
18 industrial. But there is a difference there under federally.
19 That's from my federal (inaudible).

20 RIGGINS: And do we have any other items from staff
21 concerning Comprehensive Plan amendments. No, okay.
22 Interesting last Board item. Ideas for upcoming information
23 on such.

24 ABRAHAM: I think we definitely have one, that's for
25 sure. Also, just to try to keep things fresh with the

1 Commission so we're not only talking about business, in the
2 last couple of months we've had folks from County departments
3 talk to you about what they do, had people from the outside
4 come in, one idea I had was to try to get someone from ASU who
5 runs this - they have a new college there called the Global
6 Institute of Sustainability, so you could have the dean or
7 somebody learned from that group come down and talk to folks
8 about whatever issues they're into. I know water's a
9 continuing issue. Look for any, any suggestions as to, you
10 know, so we have our business and then we have something
11 informational that's of value to the Commission (inaudible),
12 so that could either be (inaudible) or if you want to contact
13 me directly, certainly let me know (inaudible) interesting
14 with you. That's all.

15 RIGGINS: Okay. Any other questions or comments
16 from the Commission?

17 GUTIERREZ: (Inaudible) information session. I
18 don't know if this is the right place to do (inaudible).

19 RIGGINS: (Inaudible).

20 GUTIERREZ: Well it is information. It's the item
21 of the laptops, using the laptops for, you know, for the
22 Planning and Zoning stuff. It's a good idea, I like it.
23 However, today there was a glitch in that there's no internet,
24 so unless you have a hard copy and stuff (inaudible). I have
25 no hard copy (inaudible).

1 MORITZ: No, I got mine (inaudible).

2 GUTIERREZ: Oh did you? I couldn't get it.

3 MORITZ: Yeah.

4 ABRAHAM: Yeah today's, today's tough. I know that
5 the reception is bad on this side of the parking lot, but
6 yeah. I think what the idea with the laptops is, is that I
7 think (inaudible) you talked about this a while back, that any
8 new Commissioner coming on would go to a laptop. But for
9 folks who have been here for a while, it's your option.
10 (Inaudible). We were moving to that because of logistical
11 issues, and plus it's all web-based. You know, like the Board
12 (inaudible) is web based and (inaudible) among those lines.
13 But part of the - and for Commissioner Gutierrez, you know,
14 the - getting the system down, you know (inaudible). And
15 that's why we gave you the hard copy is that getting used to
16 the whole downloading, and then today's just kind of special
17 anyway because we have to shift location (inaudible). But
18 yeah, I mean moving forward to answer your question directly,
19 if a new Commissioner came on, they would definitely get a
20 laptop. Staff is moving forward in that direction.

21 PUTRICK: Simple solution for that is I always
22 download it to desktop.

23 LANGLITZ: Mr. Chair, just a real quick comment.

24 RIGGINS: Yes sir.

25 LANGLITZ: That, that comment by Commissioner

1 Gutierrez, I see is perfect for like a call to the Commission.
2 Good type of topic. How the inter, the internet service isn't
3 working, something like that. That's all I wanted to say.

4 ??: (Inaudible).

5 DEL COTTO: But if I, but if I could, the call for
6 the Commission is also in regards to any matter within your
7 District that you feel needs some attention. Is that not
8 correct?

9 LANGLITZ: Yeah, I think so. I didn't mean to open
10 that up again. (Inaudible).

11 (Inaudible - multiple).

12 LANGLITZ: (Inaudible) the Deputy County Attorney
13 off if he opens that up again.

14 RIGGINS: Okay. Which is fine. Just fine. We are
15 at the end of our agenda items, so would be appropriate at
16 this point in time to ask for a motion for adjournment.

17 ??: (Inaudible).

18 RIGGINS: Yes.

19 ??: Can we thank our Deputy County Attorney that
20 (inaudible).

21 RIGGINS: Obviously all statements were made with
22 the best intentions (inaudible).

23 (Inaudible).

24 GRUBB: (Inaudible) adjournment.

25 RIGGINS: We have a motion for adjournment.

1 ??: I'll second.

2 RIGGINS: All in favor?

3 COLLECTIVE: Aye.

4 RIGGINS: Okay.

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 I, Julie A. Fish, Transcriptionist, do hereby
2 certify that the foregoing pages constitute a full, true, and
3 accurate transcript in the foregoing matter, and that said
4 transcription was done to the best of my skill and ability.

5 I FURTHER CERTIFY that I am not related to nor
6 employed by any of the parties hereto, and have no interest in
7 the outcome hereof.

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26



Julie A. Fish