

anthem

community council

Meeting of the Board of Directors
June 26, 2019
Open Session at 6:30 p.m.
Anthem Civic Building
3701 W. Anthem Way
Community Room

MEETING MINUTES

Members Present:

Terry Mullarkey, President
Bob McKenzie, Vice
President
Darrin Francom, Secretary
John Balzer, Treasurer
Roger Willis, Director – via
phone at 6:55 p.m.
Dino Cotton, Director
Carolynn Hiron, Director

Members Absent:

Others Present:

Neal Shearer, Community Executive Officer
Doug Greenstein, Community Finance & Operations Officer
Kristi Northcutt, Communications and Public Affairs Director
Michele DeMichele, Special Events & ACB Operations Director
Dave Fermoile, Community Center Director
Brian Duncan, Parks & Facilities Director
Robin DePetro, Controller
Tony Smith, Business Services & Code Specialist
Mark Sahl, Legal Counsel
Jonathan Ebertshauser, Legal Counsel
Kim Bodary, Recording Secretary

CALL TO ORDER

President Mullarkey called the meeting to order at 6:30 p.m. and recognized those in attendance.

ESTABLISH QUORUM

President Mullarkey established a quorum with six Board members present.

ADOPT AGENDA

Vice President McKenzie made a motion to adopt the agenda and add item 6b, elect a new Treasurer. Secretary Francom seconded. Voting took place; the motion passed unanimously.

APPROVAL OF MEETING MINUTES

Vice President McKenzie made a motion to approve the minutes, with one correction, from the May 22, 2019 Open Session. Director Hiron seconded. Voting took place; the motion passed unanimously.

PRESENTATIONS/AWARDS/ANNOUNCEMENTS

A. Thank You to Outgoing Board Member Balzer

President Mullarkey thanked Director Balzer for his years of service and presented him with a commemorative gift. Director Balzer thanked everyone for the opportunity to serve Anthem on the ACC Board.

B. Elect New Board Treasurer

Vice President McKenzie nominated Carolynn Hiron for Treasurer. There were no other nominations. Ms. Hiron took the seat unopposed.

STAFF REPORT

Mr. Shearer summarized a few items on the staff report that were included in the Board packet and posted online.

Mr. Shearer gave special thanks to Daisy Mountain Fire and MCSO for their behind-the-scenes logistical support and coordination leading up to the Independence Day event.

Mr. Shearer also thanked BrightView Landscape Services for their continued sponsorship support, and Michele DeMichele and Debbie Pulido, who plan and oversee every detail of the Independence Day event.

FINANCIAL REPORT

Ms. DePetro summarized the Balance Sheet and Income Statement for the Board. She summarized the financial performance, fund balances and collections activities. She noted that the ACC's monthly financial package has been upgraded to provide additional historical Balance Sheet information, graphs of operating and cost trends and summary variance reporting. The full disclosure financial statements are posted on *OnlineAtAnthem.com* as part of the documents supporting this open meeting. Ms. DePetro encouraged all property owners to take the time to become familiar with our financial standing and results.

OPEN DISCUSSION

Ron Jerich, resident, inquired about the ACC smoking policy and whether vaping is addressed in the policy. President Mullarkey stated that tobacco use of any kind is prohibited on all ACC property - including vaping - and these rules are stated online and on all of the updated park signs. Mr. Jerich also expressed his continued concerns with open garbage containers at McDonalds, Del Taco and Safeway. Staff reminded Mr. Jerich that an email response was sent to him immediately, which will be resent, after the May Board meeting discussing his concerns.

CONSENT AGENDA/APPROVAL

- A. **Approve May 14, 2019 Meeting Minutes**

- B. **Consider Fiscal and Resource Management Committee Appointment**

Vice President McKenzie made a motion to approve the May 14, 2019 meeting minutes and to approve the following appointee to serve on the Fiscal and Resource Management Committee (FaRM): Tim Donnelly for the term of July 1, 2019-June 30, 2021. Treasurer Hiron seconded. Voting took place; the motion passed unanimously.

NEW BUSINESS

- A. **Consider Approval of Anthem Youth Advisory Council Nominees for the 2019/2020 School Year**

Director Cotton recapped the 2018-19 AYAC term, including the group's priorities, activities, the teen substance abuse survey, etc. Director Cotton, Secretary Francom and Ms. Dworak of the AYAC Advisory Team, conducted the selection process for the 2019/2020 AYAC and all candidates were interviewed.

Vice President McKenzie made a motion to approve the following appointees to serve on the 2019-2020 Anthem Youth Advisory Council: Ethan Anderson, Angelina De Piazza, Logan Ellsworth, Noah Garretson, Harshita Karumudi, Rishik Kolli, Lucas Lundstrom, Hannah McInay, Joyce Priebe, Abbie Rougemont, Kayla Wang, and Avery Weiss. Director Cotton seconded. Voting took place; the motion passed unanimously.

- B. **Presentation, Discussion and Community Input Regarding 1991 Phoenix Trust Parcels and Draft Letter of Understanding**

President Mullarkey provided background information and stated the facts as presented in the Board packet and posted online. President Mullarkey further stated that the goal tonight is to hear resident and property owners' input and comments after the Trust presentation, so that the Council and Trust can move forward with the Letter of Understanding (LOU).

Mr. Shearer welcomed and thanked the audience for attending the Board meeting and then he and Mr. Wes Wagner, Trustee for the 1991 Phoenix Trust, jointly presented a PowerPoint about possible future development of the 52-acre Trust land between Daisy Mountain Drive and Anthem Way, east of I-17. This presentation highlighted the staff report and LOU which were posted on the ACC's website on June 20, 2019.

Robert Roy Britt, resident and In & Out Magazine editor, asked for clarification on Pulte's declarant rights. President Mullarkey stated that the ACC has consulted with Pulte and their declarant rights are not applicable as this is a different situation than the Circle Mountain Ranch annexation.

Mr. Britt asked for clarification on the term "annexation," and President Mullarkey stated that the ACC is trying to clarify for residents that the Trust property would become part of the Anthem community and subject to the governing documents, which is why the term "annexation" is being used. Mr. Shearer stated that the term, annexation, is referenced in Anthem's governing documents.

Barbara Birdseye, resident, inquired about ingress and egress and the traffic lanes. President Mullarkey stated that the proposed access would be through Parker Court on the south side of the Trust Property and he clarified that an 80' easement would allow up to four traffic lanes, two in each direction. President Mullarkey further stated that it is the Trust and the Council's intent that the proposed road would be a county road.

Tom Bruni, resident, inquired about commercial building height restrictions, and President Mullarkey stated that height restrictions will be the same as current commercial buildings through the Design Guidelines. Mr. Bruni asked that the Trust consider building apartment buildings either on the north and south areas of the Trust property and not directly behind residences.

Tom Bruni, resident, inquired about the gap between residences and the proposed development. President Mullarkey stated that the Council is requiring an open space buffer that may include a trail. Mr. Shearer added that the open space buffer would be approximately 80' wide as that is the approximate minimal distance between the homes and the drop off to the low flow channel, which provides an additional buffer. Mr. Bruni stated that he prefers to have it left as open space.

Tom Bruni, resident, inquired about drainage, and President Mullarkey stated that the Trust would need to seek regulatory approvals from the Federal Emergency Management Agency (FEMA), the Army Corps of Engineers (ACOE), Maricopa County, and perhaps ADOT, prior to starting construction, which is still a long way off.

Ron Jerich, resident, stated his concerns with the access points, commercial office space, assessments, apartments and impacts to Anthem's schools. President Mullarkey stated that the apartments would have to go through Anthem's Design Review Guidelines. Mr. Jerich commented that the LOU appeared to be comprehensive in scope. Other access points were considered, but were found to be undesirable. Mr. Shearer stated that the timing of assessments as outlined in the draft Letter of Understanding (LOU) would begin when a Certificate of Occupancy is issued.

Todd Lang, resident, agreed with Mr. Bruni in regards to building any apartments on the north or south end of the Trust property, and stated that there needs to be more than one ingress and egress point. President Mullarkey asked Mr. Lang if the residences that back up to the Trust property had view fences or block walls, and Mr. Lang stated they had block walls.

John Birdseye, resident, inquired if there would be any access to the Trust property via I-17, and President Mullarkey stated that our research indicates that it is highly unlikely.

Doug Sutherland, resident and Parkside Board President, stated that he likes the steps that the ACC Board and the Trust are taking with the community to gather as much input as necessary. Mr. Sutherland further asked that the Parkside Board and staff be involved as this moves forward. Mr. Sutherland also requested that the Parkside Board be included in discussions about some of the amenities that are being thought about, and to think about adding a performing arts facility near the Parker Court site, which is owned by the ACC.

President Mullarkey stated that the ACC has had discussions about getting an easement to the north side property for a future park or another amenity.

President Mullarkey thanked Mr. Wagner for attending and discussing the Trust's plans.

President Mullarkey echoed Mr. Sutherland's comments on transparency with actions as they proceed, since this will be a long process, and good documentation will be needed for future Boards.

There being no further business to discuss, the meeting adjourned at 7:52 p.m.

Respectfully Submitted,
Kim Bodary
On Behalf of the Anthem Community Council Board of Directors