

From: [Tom Durham](#)
To: [Jason Alexander](#)
Cc: [Bob Littlefield](#); [Development Review Board](#); [Lorraine.Longhi@gannett.com](#); [Scott, Sherry](#); [Whitehead, Solange](#); [Tammy Caputi](#); [Wayne Schutsky](#); [becca@beccaforscottsdale.com](#); [Hartig, Brad](#); [bill@billcrawfordforscottsdale.com](#); [Jagger, Carolyn](#); [electdaveortegamayor@gmail.com](#); [Phillips, Guy](#); [info@mikeforscottsdale.com](#); [Lane, Jim](#); [johnlittlescottsdale2020@gmail.com](#); [jyoung@youngdg.com](#); [kevin@maxwellforscottsdale.com](#); [Littlefield, Kathy](#); [korte@kortescottsdale.com](#); [laurie.roberts@arizonarepublic.com](#); [lisa@lisaformayor.com](#); [Milhaven, Linda](#); [mrosequist@newszap.com](#); [phillips4council@gmail.com](#); [shaking@skgaz.com](#); [Klapp, Suzanne](#); [suzanne@suzanneklapp.com](#); [tthornton@newszap.com](#); [Korte, Virginia](#); [votejanik@gmail.com](#)
Subject: Re: Phillips misappropriation of @scottsdalecitycouncil, still blocked on Phillips page
Date: Monday, August 3, 2020 7:20:49 AM
Attachments: [image.png](#)

External Email: Please use caution if opening links or attachments!

I am sending you this email in response to Jason Alexander's email from earlier this evening.

I have reviewed the video of the Development Review Board Meeting in question; it is still available on the City's website as of 9:30 this evening. In the video, the City staff made it explicit—several times—that the issue at that hearing was the placement of the site plan IN THE PRESERVE. The aesthetics of the proposal were never discussed at this meeting. Since Mr. Alexander was admittedly not at the meeting and has not seen the video, he clearly has no idea what was or was not before the Board at that meeting.

Mr. Phillips voted “no” at this meeting because he thought the Desert Edge did not belong in the Preserve.

Ms. Caputi, on the other hand, made it clear in her comments that the Desert Edge needed to be “*in the Preserve*.” So she voted yes and the measure carried 3-2.

I have reviewed the September 7 meeting in its entirety and in my view the clips Mr. Phillips is using accurately reflect the conclusion of the meeting and Mr. Phillips' and Ms. Caputi's comments.

For what it's worth, Mr. Alexander was never “in charge of all the communications for the Prop 420 efforts.” I was the treasurer of the Protect Our Preserve PAC, the organization responsible for getting Proposition 420 on the ballot. Mr. Alexander had no official role in our organization, although he did maintain the No DDC organization as a separate entity.

On Sun, Aug 2, 2020 at 7:48 PM Jason Alexander <jason.alexander.az@gmail.com> wrote:
Hello Mr. Phillips, you continue to violate my First Amendment rights by keeping me blocked on your page at:
<https://www.facebook.com/scottsdalecitycouncil/>

I've also noticed that you are using the name @scottsdalecitycouncil. I've included the City Clerk and City Attorney, and hope they will ask you to stop misappropriating that username, since your page does not represent the Scottsdale City Council.

I want to comment on your revisionist history of the September 7 2017 DRB meeting that discussed the Desert Discovery Center. During that meeting, you and all the Board members were explicitly instructed to limit your purview to the aesthetics of the proposal. You specifically mentioned in your comments that you would be voting how you pleased, not following the rules set out for your office. As you know, I was in charge of all the

communications for the Prop 420 efforts, and spoke on our movement's behalf at all the Tourism, Preserve and Planning Commissions. Our group chose not to speak at the DRB, because there were no objections to the aesthetics of the project. In fact, not one single person showed up to speak against the DDC during public comment at the DRB meeting, because a vote for the aesthetics had no meaningful impact on the project pro or con.

I wish to snip some video highlights from this meeting, but the video archive is no longer available. I've cc'd Mr. Hartig in hopes he can help. I look forward to showing once again how you are and have been remiss in your ability to fulfill the duties of your office.

I have also included Mr. Gushgari, Mr. Young, and Ms. Caputi who were present at that DRB meeting. I hope they will clarify your intentional mischaracterization of the meeting.

BTW, I thought this Facebook page was yours. "Guy Phillips Campaign Information Page" <https://www.facebook.com/GuyGrifterPhillips/> @GuyGrifterPhillips/ It seems to reflect you much better than @scottsdalecitycouncil.

Thank you for unblocking me from your page, as per the law.

Jason Alexander
480-329-8875



On Sat, Jun 20, 2020 at 4:36 PM Jason Alexander <jason.alexander.az@gmail.com> wrote:
Hello Councilman Phillips, City Council, Members of the Press, and Candidates:

Mr. Phillips I went to look at your official Facebook Page, titled "Councilman Guy Phillips" and found I had been blocked from the page below:

titled <https://www.facebook.com/guy.phillips.52>

You are violating my First Amendment rights. See this article, and many similar: <https://www.aclu.org/blog/free-speech/internet-speech/court-rules-public-officials-cant-block-critics-facebook>

"The court recognized that when a public official uses a Facebook page as a tool of governance — that is, when she uses it to inform the public about her government work, solicits input on policy issues through the page, and swathes it “in the trappings of her office” — she is controlling the page as a government actor. And if she opens that page to public comment, the interactive space of the Facebook page constitutes a public forum. The fact that the page exists on a website owned by a private company doesn’t change that. That means that, when a public official blocks critics from the page because of their viewpoints, she violates the Constitution."

I sought to comment on your support of a planned anti-mask rally next week. I find it horrific that you willingly encourage a group gathering with a high likelihood of spreading the virus. And further am offended that you would actively work against the policies of our municipality. I wished to make my comment clear to you and your audience, but you have denied my First Amendment right to engage my Councilperson in a public forum.

I find your far-right position on the issue to be ignorant, reactionary, and dangerous. I've attached a few other examples of you putting your far-right extremist politics ahead of science, or even common decency. I've seen posts on your page insulting the NBA with clearly racist implications. Your anti-asian comments several months back were a black-eye for Scottsdale. Your accepting anonymous cash gifts were another embarrassment for the City. And your tone-deaf response to the issues at the core of the Black Lives Matter movement show me you are immersed in your bubble of white privilege and systematic racism.

Thank you in advance for responding to my request to be able to engage in your public forum and share my comments as per my First Amendment rights.

Jason Alexander
Scottsdale Citizen for 10 years
480-329-8875

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Tom Durham
Durham for the Citizens

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