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CALL TO ORDER

[Time: 00:00:01]

Mayor Ortega: I call the August 20, 2024, City Council Regular Meeting to Order. Please find your seat. Please find your seat. We are starting the meeting. Thank you very much. City Clerk Ben Lane please conduct the Roll Call.

ROLL CALL

[Time: 00:00:18]

City Clerk Ben Lane: Thank you, Mayor. Mayor David Ortega.

Mayor Ortega: Present.

Ben Lane: Vice Mayor Barry Graham.

Vice Mayor Graham: Here.

Ben Lane: Councilmembers Tammy Caputi.
Councilwoman Caputi: Here.

Ben Lane: Tom Durham.

Councilmember Durham: Here.

Ben Lane: Betty Janik.

Councilwoman Janik: Here.

Ben Lane: Kathy Littlefield.

Councilwoman Littlefield: Here.

Ben Lane: And Solange Whitehead.

Councilwoman Whitehead: Here.

Ben Lane: City Manager Jim Thompson.

Jim Thompson: Here.

Ben Lane: City Attorney Sherry Scott.

Sherry Scott: Here.

Ben Lane: City Attorney Sherry Scott.

City Attorney Sherry Scott: Here.

Ben Lane: City Treasurer Sonia Andrews.

Sonia Andrews: Here.

Ben Lane: Acting City Auditor Lai Cluff.

Lai Cluff: Here.

Ben Lane: And the Clerk is present. Thank you, Mayor.

[Time: 00:00:49]

Mayor Ortega: Very good. We have Scottsdale Police Sergeant Sean Ryan, and Detective Tyler Neese, as well as firefighter Emma Hayden, should anyone need assistance. Let's start with the Pledge of

Allegiance. I'll call on Councilwoman Littlefield.

PLEDGE OF ALLEGIANCE

[Time: 00:01:04]

Councilwoman Littlefield: I Pledge Allegiance to the flag of the United States of America, and to the Republic for which it stands: One nation under God, indivisible, with liberty and justice for all.

MAYOR'S REPORT

[Time: 00:01:28]

Mayor Ortega: At this time, I want us to draw our attention to all deployed American military worldwide. As they represent our democracy and fight for freedom and in other countries. I ask for us to join together in silence and reflection for these war-torn areas. Thank you.

Last week, we lost a wonderful human being, former Councilmember Robert Pettycrew. Robert was a City Councilman, I served with him for two years. He served from 94 during the period when the McDowell Mountain Preserve was established, and he was a key player in that entire endeavor. He's a Scottsdale excuse me, a Scottsdale Coronado High graduate and really gave his love and his life in our community. We do want to turn our attention to his loved ones and family and Janet and so let's take a brief moment for an honorable man who served our city very well.

Thank you, Robert Pettycrew.

CITY MANAGER'S REPORT

[Time: 00:03:47]

Next, we'll call on City Manager Jim Thompson to provide the City Manager's Report.

City Manager Thompson: Thank you, Mr. Mayor, this evening we have a short video for you.

I'm Public Affairs Supervisor Holly Peralta with Five Fast Things happening around the city you need to know. Our number five spot is a nod to Scottsdale revised Quarterly Performance Report, the QPR. Did you know the city tracks 32 performance metrics across the full range of city departments and operations? They are all included in the QPR, which is freshly updated so it's easier for residents to see how the city is performing in these key areas. The data is updated each quarter offering a fresh look some into the key performance measures. Visit Scottsdale az.gov to take a look.

No. four a call for residents so serve Scottsdale they have several openings on various boards and commissions, now is the time to apply. Learn more and apply online at Scottsdale az.gov search boards and commissions.

The Miller and Jackrabbit roads intersection sits in our No. 3 spot. The city made safety enhancements to approve pedestrian access to the Arizona canal path and increase driver visibility. A citizen petition prompted the project which led to a traffic study that supported the changes. Improvements include a high visibility clause walk aligned with the path. Flashing beacons, trail crossing signs, narrower vehicle lane at the curb to provide an east side buffer and improve visibility at the road curve.

No. 2 is a kudo to Scottsdale Water Executive Director Brian Biesemeyer, he was recently named person of the year by the Arizona Water Association and Arizona Water Reuse at the 2024 Arizona Water Reuse Symposium. Brian is recognized as a true leader in the water industry. Under his leadership, Scottsdale Water was the first to receive an advanced water pure fix permit in Arizona and the first to launch a Citizen Water Academy. He leads the vision of water sustainability through stewardship, innovation and people. Way to go, Brian.

And our No. one Fast Five spot goes to our dedicated park staff emergency response team Streets Department and public safety personnel. A microburst in McCormick Ranch earlier this month caused significant damage to our parks and trees. Mountainview, Rotary and Commanche parks were hit the hardest. Areas outside the north yard suffered damage. Multiple crews worked overnight to clear our roadways for early morning rush hour and spent the day working to remove damaged trees and clear pathways. The effort didn't go unnoticed by residents. Many chimed in on social media to express thanks and show their support. And that's our Fast Five for August. See you next time.

EXECUTIVE SESSION

[Time: 00:06:56]

Mayor Ortega: Excellent, thank you. During tonight's meeting, the Council may make a motion to recess into Executive Session to obtain legal advice on any applicable item on the agenda. If authorized by the Council, the Executive Session will be held immediately and will not be open to the public. The public meeting would then resume following the Executive Session.

Per our Council Rules of Procedure, citizens attending City Council meetings shall observe the same rules of order and decorum applicable to members of the Council and city staff. So, unauthorized remarks or demonstrations from the audience, such as applause, stamping of feet, whistles, boos, yells, and/or other demonstrations shall not be permitted. Violation of these rules could result in removal from the meeting by security staff.

Additionally, the Council recently updated its Council Rules. Councilmembers shall not send any electronic communications while attending public Council Meetings or Executive Sessions. Only electronic devices supplied by the City and approved for use during Council Meetings may be used during the Council Meetings for noncommunicative purposes, such as referencing Meeting materials. All other electronic devices must be stored elsewhere during Council Meetings.

PUBLIC COMMENT

[Time: 00:08:10]

The next portion of our agenda is public comment. Public comment is reserved for Scottsdale citizens, businesses, owners, and/or property owners who can comment on non-agendized items that are within the City Council's jurisdiction. Advocacy for or against a candidate or ballot measure during a Council meeting is not allowed pursuant to State law and is therefore not deemed to be within the Council's jurisdiction. No official Council action can be taken on these non-agendized items and of course you are allowed three minutes to address the Council. If you wish to speak on a non-agendized or agendized topic, please see the City Clerk. Then I will announce your name and you would come forward. I have a listing of three at this time. So, I will open public comment. Our first two are Sharon D. Schiffhauer and Jason and Stephanie Allen. If you would come forward, Sharon, and speak at the microphone to my left, and you'll see a timer there available for you.

[Time: 00:09:10]

Sharon Schiffhauer: Okay. My name is Sharon Schiffhauer. This is my son Charles Schiffhauer. My home address is 7524 East Cactus Run in Scottsdale, 85250. I'll speak from my phone here.

We are here today to submit 209 signatures that Charles collected in support of road diets and road studies. What we have found by communicating with our neighbors is that walkers want their paths widened as in the case of McCormick Ranch and in reference to those signatures that were submitted on February 20th. The paths are very narrow in McCormick Ranch. And so cyclists would prefer to be on the street but our streets need to be safer. Charles is a bicycle commuter to school and my husband commutes to work on his bike, rain or shine, summer or winter, we are a year-round bicycle family. The bicycle industry has completely changed especially since COVID.

In the past if you were on a bike, you were probably broke with a DUI, right? It is anti-bike cowardice mentality is really antiquated and ignorant. Let's bring it up to speed with hard data. According to Parak MacGillan, he's the owner of a bike shop in Scottsdale, the average cost of a road bike in his shop is \$8,000. When you throw in accessories like a helmet, clothes, lights, heart monitor, shoes, you're up to \$1,500. Annual service costs like tires, tubes and maintenance is about \$500.00 a year. Six of his clients are billionaires, he is over 100 decamillionaires as bike clients.

Bike shops in Scottsdale bring over 300 million a year in gross revenue and e-bikes are completely taking over the market. By 2030 annual e-bike sales will be over \$7 billion and this translates 2 million more bikes on the road every year. More e-bikes are being sold than cars and this explosion in growth is not going away.

We need to expand access, not minimize it. I hope everyone running for office is listening because we have been a quiet majority for way too long. We have our own Lance Armstrong right here in

Scottsdale, I don't know if you know that. He's international celebrity cyclist, Brandon McNulty, he lives here and just won a Volta two days ago, that's a really big deal, it's like the tour de France of Spain.

So, there's no reason why Scottsdale cannot be a world class cycling destination and I hope that one day you do finish Thomas as promised because we are angry too and we are mobilizing. Thank you for your time, Mayor and councilmembers.

Mayor Ortega: Thank you. If you could stay there. We do acknowledge we received a petition, and also, I have a request from Councilwoman Whitehead.

Councilwoman Whitehead: I want to thank your son for riding his bike to school. My kids two out of three did this. I think that's really cool.

Sharon Schiffhauer: That petition that came out in February that said there were angry residents. I said that can't be true. Charles immediately said, dad, make a petition, I'm going to hang out at AJ's and collecting signatures, and I said go, do it. And when we ended up talking to some of our neighbors in McCormick Ranch, they just want the paths widened, it is too narrow for the amount of traffic. Every year, that traffic on those pathways are growing. Growing more and more and more, especially e-bikes which are faster, and the walkers don't like that because they always get frightened. We want to find a balance where everyone can use the paths.

Mayor Ortega: Thank you. Next, we have Jason and Stephanie Allen. And then Steven Allen Sutton.

[Time: 00:13:30]

Jason Allen: Hello, Mr. Mayor, councilmembers, thank you for the opportunity to address you today. I'm here at the request of my neighbors to speak on behalf of our small neighborhood within their greater Desert Foothills area. Specifically, the neighbors residing between Jomax and Pinnacle Vista to the south and north at 76th and 77th Street to the west and east.

We are passionately opposed to the creation of neighborhood trails as they're called through our properties. I know you've seen e-mails from some of my neighbors to show you just how passionate they are about this particular topic. This portion of Desert Foothills comprised of 11 houses, 10 of us have signed the petition, passionately opposed to the creation of ten-foot-wide trails through our properties. Destroying the natural landscaping and burning the property owners with the obligation to maintain these trails.

The project is a 4-foot wide trail with 3 feet of clear vegetation on either side. Effectively a 10-foot scar cut through our properties. And our communication with Project Managers and in our petition, we show clear photographic evidence that the existing trails in the broader area around our neighborhood are unused. And therefore unwanted. Trail markers amidst overgrown vegetation are all that remain of trails that were created alongside 76th Street and Jomax Road and in our petition,

you'll see those photos. These trails return to the wild as they were not used. There is no community uproar from my neighborhood to reestablish these trails.

Our photos also show when the trails or even paved sidewalks are present in the area, people still prefer to walk on the roads. They like the solid footing and the ability to actually walk beside one another and talk while they're out enjoying the neighborhood. While the trails in this neighborhood may have been created with the best intentions, the lack of use clearly demonstrates that they missed their intended purpose.

As someone who regularly uses Scottsdale's primary and secondary trail system, I can tell you personally, I appreciate them and think they're an asset to the city. However, the neighborhood trail system in the Desert Foothills area is clearly missing its intended objective.

In closing, I want to leave you with three points. Creating more trails in this neighborhood is an irresponsible waste of taxpayer money to expand a project in an area where it is proven failure. Please refer to the photos and you will see what I'm talking about. Nobody is calling on City Council to address these current trails that have returned to the wild.

Second point, it will unnecessarily damage our natural desert landscaping through our properties. And we expect it will take about five years to return to the wild as we have seen the previous trails do. Further, our neighborhood does not represent a broken link in the chain connecting any other trail systems. These trails are dead ends, and only serve the benefit of the homeowners who are telling you that they don't want them. Thank you for your time.

Mayor Ortega: Excellent. Thank you, Allens. We have a comment, a request from Councilmember Durham.

[Time: 00:17:13]

Councilmember Durham: Thank you, Mayor. Why I've seen some of these trails, I've seen the markers. Would the new trails be paved or is this just sort of continuation of what we have now, kind of a dirt path.

Jason Allen: It's a continuation of what we have now in the project plan, they carve four feet and put down a compacted base, which is just decomposed granite and clear the bushes on the three feet of either side. So much of the cholla, cactus, anything that resembles a bush close by gets wiped out.

Councilmember Durham: Thank you for clarifying that.

Mayor Ortega: Thank you.

Jason Allen: Thank you.

Mayor Ortega: Next, we have Steven Allen Sutton.

[Time: 00:18:00]

Steven Sutton: Good evening, Mayor Ortega, Vice Mayor Graham and Councilmembers. My name is Steven Sutton. I live at 6637 North 81st Street. Hayden Estates area near Lincoln and Hayden Road.

Like to give more context in my comments tonight in that I'm a native of the valley. A graduate of Scottsdale High School, I've lived 40 of my 65 years in Scottsdale on and off since 1966. So, I've seen a lot happen in the city over that time. Including the building of this building. I'm here because I want to talk to you about a usage issue and a public safety issue. And that is in regard to the Scottsdale Chaparral Dog Park, of which there will be a meeting tomorrow at the Parks and Recreation conference room about this issue. But I wanted to meet the council as I have never been to a City Council meeting in all the time I've been here. Although I did once have the Mayor as my government teacher at Scottsdale High School. That was Mayor Jenkins.

Chaparral Dog Park, is the best dog park in the valley, and it's served us well since it was built. But it is definitely in need of some improvement both in rules and public safety. I want to address the public safety first because that's the most important thing I'm there mornings, Monday through Friday, sometimes on the weekends early. Probably the best and most tranquil time to be there. However, I observe on a weekly basis altercations between individuals and dogs being injured.

I personally have had a small dog that someone refused to reign in their dog, and it was attacked, and when asked nicely to do something about it, from this much younger and much larger man, thought I was going to be involved in a physical altercation, he immediately became hostile.

I would like to suggest that the city start thinking about possibly putting some video surveillance in that area so that if incidents do happen, there might be some protection in the way of evidence of it.

I'll address all the usage issues tomorrow in depth, but the main issue here is those parks are getting to be too small with all the apartments that have been built we'll have more and more dogs in here, these people in apartments do not have backyards for their dogs to run in and it might be time to consider creating an addition to that park by maybe taking away one of those softball fields that's next to it or possibly in the area between Camelback and Chaparral where we have a park which seems to get very little usage.

In closing, I just want to say that there's quite a few people who feel like I do, most of them will be at the meeting tomorrow night. I think you'll be hearing about this again very soon. Thank you.

Mayor Ortega: Thank you, Steven. At this point, I will close public comment for those who presented petitions, you know there's a further action later in the meeting. Next, we have the approval of the Minutes.

MINUTES

[Time: 00:21:5]

Any requests for revisions? I request a motion to approve the Regular Meeting Minutes of June 4, 2024. Also, the Special Meeting Minutes of June 18, 2024, and finally, the Executive Session Minutes of June 18, 2024.

Councilwoman Janik: So moved.

Councilmember Durham: Second.

Mayor Ortega: A motion and second. Please register your vote. Thank you, it's unanimous.

CONSENT AGENDA

[Time: 00:22:21]

Next, we move on to the Consent Agenda items. That's items 1 through 21A. Also, for the record, I would point out that the agenda was amended on August 14, and item No. 21A, it's a settlement agreement, that was added to the agenda that you see today. We have an opportunity for council members to who may have questions to present them. We also have an opportunity for the public to come forward with any comments and therefore at this point I would open public comment. I notice there is one speaker, Lee Kauftheil who will be coming forward. Thank you, sir. He wishes to speak about item No. 21.

Vice Mayor Graham: Mayor, I was going to kindly request to pull that from the agenda, from consent.

Mayor Ortega: We'll going to hear public comment now and I'll be getting to that next.

Vice Mayor Graham: Very good.

Mayor Ortega: Thank you, sir. Okay, come right up.

[Time: 00:22:06]

Lee Kauftheil: My name is Lee Kauftheil. My address is on file. I just wanted to speak about agenda item 21 that is going revise the city code as far as urban camping is concerned. Reading the revision and being aware of the recent Supreme Court ruling on Grants Pass, and just generally being passionate, you guys have heard me get up here plenty of times about topics regarding homelessness, I don't see the need for the city to make this change to our rules, as we have discussed before at our point in time, there was 85 individuals identified as homeless within the city borders, and basically we have the tools currently. I think the current rule which says that, you know, you need to provide some sort of help to get them to some sort of shelter, rather than treating them as

criminal, treating people as criminals for not having housing is a good policy, and basically I just wanted to make sure that I got that on the record, you know, that nothing is really changed, I don't see the need for this. There isn't an overwhelming problem, and as you yourself Mayor have mentioned, if you're living in Scottsdale, you are a citizen of Scottsdale, I think our least fortunate deserve the most compassion that we can and not to criminalize their existence. That's it, thank you.

Mayor Ortega: Well, thank you, Lee. You still have a minute and a half. Wait, wait. So, we will we had a request from Vice Mayor to have the item heard, and if you have any other thoughts, you will have a chance. It looks like we'll pull that.

Vice Mayor Graham: Maybe not. I changed my mind.

Mayor Ortega: Thank you, sir very much, and then there may be a question from a council. Vice Mayor Graham, to staff.

Vice Mayor Graham: Correct. I had a question about item 14, but not 21.

Mayor Ortega: Okay.

Lee Kauftheil: Well, thank you all.

Mayor Ortega: And Councilwoman Janik.

[Time: 00:26:06]

Councilwoman Janik: Thank you, Mayor. I would like some more information on item No. 10, the Shea Boulevard intersection improvements to make sure that our community knows there will be significant road construction. I would like the presentation, thank you.

Mayor Ortega: And to be clear, you wanted presentation on No. 14. Or did you just have a question.

Vice Mayor Graham: An abridged presentation, I had a couple of quick questions.

Mayor Ortega: You're not requesting it on Regular Agenda.

Vice Mayor Graham: I don't think so.

Mayor Ortega: Please step forward and to answer Vice Mayor's questions, regarding item No. 14, which has to do with public utilities, construction manager at risk.

Vice Mayor Graham: Mayor, we are out of order. Councilwoman Janik was No. 10, are you okay with that?

Mayor Ortega: You spoke first.

[Time: 00:26:36]

Vice Mayor Graham: Oh wow, thank you. Hi Alison.

Alison Tymkiw: Good evening.

Vice Mayor Graham: Very quickly about item No. 14, this has to do with I'll read the gravity sewer Tournament Players Club Golf Course to North Pumpback Station Project, construction phase contract modification. I just wanted to get it on the record, are we this is about the sewer line in north Scottsdale, are we adding to it or just for the public's benefit, are we just choosing a vendor here and authorizing that there's no addition to the project scope, thank you.

Alison Tymkiw: Mayor, Councilmembers, Vice Mayor Graham, that is correct. So, we are not adding any funds to the project, we are awarding the GMP No. 3 within the existing funding that we have on this project now.

Vice Mayor Graham: Just wanted to ask it and hear it, thank you, Alison. Mayor, thank you.

Mayor Ortega: Thank you, now we will go to item No.

Councilmember Durham: Can I ask a question on that.

Mayor Ortega: Same subject.

Councilmember Durham: Yes, same subject. Alison, where did you go.

Alison Tymkiw: I'm right here.

Councilmember Durham: Just to clarify, it's my understanding that we get reimbursed for expenses on the sewer line that people who are going to be moving into that territory and using that territory will have to reimburse us for these expenses. Is that right?

[Time: 00:28:38]

Alison Tymkiw: Mayor, Councilmembers, Councilmember Durham, so that is correct for that portion of the project that is the IIP, the infrastructure portion of the project. We do get paybacks on that.

Councilmember Durham: Okay. That's what I thought. Thank you.

Mayor Ortega: Thank you very much, Alison. We would now move to item 10, pertaining to the circulation element and Councilwoman Janik. You have the floor.

Councilwoman Janik: Thank you. I was curious about the intersections that will be affected. If there

will be through traffic at those intersections, about how long it's going to take, just general information because I think it's a very busy road and we need to make sure the public is aware that this work will be going on. So, thank you.

Alison Tymkiw: Okay, thank you. This is item No. 10 the construction bid award for the Shea Boulevard intersection improvements, Loop 101 to 136th Street. And it's to adopt the Resolution to award the construction bid award in the amount of \$3,243,450 to AJP Electric. Next slide, please.

This is just an overall map that shows the four intersections, the four areas that the project covers. Next slide, please.

[Time: 00:30:05]

Okay, this is a description of the work that's occurring at each of the locations. At Via Linda we are adding turn lanes, new sidewalks, curb and gutter, paving, restriping and new traffic signals. At 110th Street, we are doing drainage improvements, additional turn lanes, new sidewalks, curb and gutter, paving, restriping and new traffic signals. Next slide, please.

From 112th Street to 114th Street, we are doing additional turn lanes, new sidewalks, curb and gutter, existing under-path and pathway underpass and pathway upgrades, paving, restriping and new traffic signals and at 136th Street, we are doing additional turn lanes, new sidewalks, curb and gutter, paving, restriping and new traffic signals.

And primarily this project, the intent is to improve the efficiency of this very busy corridor and by doing that, the turn lane improvements will improve the efficiency. Additionally, the construction is scheduled for about 180 days. However, we do have a moratorium in place on Shea Boulevard from the end of November through the end of March. The 136th Street location does not fall within that moratorium. The moratorium is from Scottsdale Road to Frank Lloyd Wright. The other three locations will occur beyond the moratorium. Those will start construction late March, early April, so 136th Street will be the first location to start construction.

Councilwoman Janik: Will the lanes be shut down with detours or will you still have a couple of lanes that allow through traffic?

Alison Tymkiw: Yes, we will have traffic barricades and we will be allowing through traffic as we are able.

Councilwoman Janik: Okay, thank you, I appreciate it.

Mayor Ortega: Thank you. So, to be clear, on our Consent Agenda items, 1 through 21A, we had one request to speak, and therefore I closed the public comment, and I'm open to questions were asked and answered, and therefore I'm open to a motion on Consent Agenda items 1 through 21A.

Councilwoman Janik: I move that we accept items 1 through approve, sorry, 21A did I misunderstand,

I thought Barry you wanted one of them pulled.

Vice Mayor Graham: No, I thought about it, but I heard some testimony and withdrew it.

Councilwoman Janik: Thank you for the clarification.

Councilmember Durham: Second.

Mayor Ortega: Thank you, we have a motion and a second, I have Councilwoman Caputi wishing to speak.

Councilwoman Caputi: Sorry, I just wanted to make one follow up comment on the case that we just saw. Alison, construction is painful, but I think actually wow, cause for celebration, we are adding lanes. Adding lays, adding lanes, adding lanes. This is going to be fantastic Shea Boulevard is a very busy road, we get most of the comments about Shea. I want to celebrate the city for being proactive and adding lanes where they are most needed. So, thank you.

Mayor Ortega: Thank you very much. I also want to comment on item No. 18, which has to do with our police department, congratulations on gaining that grant and improving our dispatch for our safety. We have a motion and second. Please record your vote. Thank you, we are unanimous. Moving on.

REGULAR AGENDA – ITEM 22

We have our Regular Agenda Item No., 22, so called Cosanti Commons also called Sundown Commons, Case No. 2-GP-2023, 6-ZN-2023, and 3-DA-2023. The applicant has requested a continuance to December 23, 2024 Council Meeting. This is the applicant's second continuance request. Therefore, the continuance is not granted as a matter of right. The Council may vote to approve the second continuance request or may elect for the case to be presented this evening.

I would like to hear briefly from the applicant on the continuance request. Please step forward. We also at this point actually, we also want Katie Posler, our Senior Planner to discuss the project. My notes say that, but perhaps you can walk us through it.

[Time: 00:34:30]

Applicant Representative John Berry: Mayor, Vice Mayor, members of the Council, for your record, John Berry, 6750 East Camelback Road in Scottsdale. First off, Mayor if I could, are there any requests from the public to speak on this item?

Mayor Ortega: I believe I do not see any requests.

John Berry: Thank you. Mayor, members of the Council, this is our second request for a continuance,

and I think just to give you a little insight to the rationale. For the continuance.

I think the Council recognizes that in terms of public and community engagement, summertime is not the optimal time to engage in that and the council has seen that with some of the other cases that have come forward in the past. In fact, you've changed your recommended community outreach guidelines as a result of that. We want to continue our community engagement and the summertime was and is a bad time or difficult time to complete that or do that.

[Time: 00:36:16]

Additionally, the second reason is that like many people in America, we are waiting to see what the Federal Reserve is going to do with interest rates in September and November. That will have a real impact on the economic viability of this project, and we do not want to proceed with your time and staff's time until we have a great deal of certainty that we'll be able to do what we say we are going to do if the project is approved by the council.

So, with that in mind, we would very much respectfully request a continuance to the December 3rd City Council hearing to allow full community involvement as well. Thank you.

Mayor Ortega: Okay. So, I will clarify, there was no request from the public to speak, therefore I close public comment. At this point, we have heard from the applicant. Does anyone on Council have a comment and then I would entertain a motion, the request is for a continuance to December 3, 2024 City Council Meeting. Go ahead Councilwoman Janik.

Councilwoman Janik: Is it okay if I make a motion now? I'd like to make a motion to continue item No. 22, Cosanti Commons aka Sundown Commons 2-GP-2023, 6-ZN-2023 and 3-DA-2023 to the December 3, 2024 City Council Meeting.

Mayor Ortega: I Second that. Any other discussion? Thank you, please record your vote. Thank you, that's unanimous. We'll see you.

John Berry: Thank you all very much.

PUBLIC COMMENT

[Time: 00:38:22]

Mayor Ortega: At this point we will turn to public comment again second opportunity for citizens and residents to step forward on a non-agendized item. I'm told there is no there are no additional requests for public comment. Therefore, I will close public comment. We will get to our citizen petitions, that's item No. 23.

CITIZEN PETITIONS

As you heard from public comment, there were two citizen petitions, one from Sharon Schiffhauer and her son, and one from the Allenes.

Let's look at the action that would be required the petitions were duly submitted to the Clerk and they're at our desks here, and we could take actions on them, individually in three different manners. Would we like a second presentation by any of the petitioners?

Ben Lane: Yes, Mayor, you will have three options with the petitions. You can direct the City Manager to agendaize the petition for future discussion. Direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner; or take no action.

Mayor Ortega: Okay. So, I will discuss I will bring these forward in the order they were presented. And the first one was pertaining to supporting roadways and road studies. The petitioners came forward and explained their needs.

[Time: 00:40:12]

I see Vice Mayor Graham and Councilwoman Whitehead. We are not going to discuss the particulars of the petitions themselves. We would just be discussing how we would direct action. Sometimes I'm used to seeing the motions up on the board, but it's okay. So, I'm seeing Vice Mayor Graham and Councilwoman Whitehead.

Vice Mayor Graham: Thank you, Mayor. I'll make a motion to direct the City Manager to investigate and provide a response in writing.

Councilwoman Whitehead: I'll second that.

Mayor Ortega: Okay, we have a motion and a second. Further discussion? Seeing none. Please record your vote. Thank you. Unanimous 7-0.

The next item was presented by Stephanie Allen and her husband, regarding the request and questions at the Desert Foothills expansion project. Councilwoman Whitehead.

Councilwoman Whitehead: I'm going to also make a motion to direct the City Manager to investigate the matter and prepare a written response to Council. In particular about how it affects the existing trails that may not be I'd like to see an overlay. So that's my motion.

Councilwoman Janik: I'll second that.

Mayor Ortega: Thank you. We have a motion and second. Further discussion, seeing none, please record your vote. Thank you. Unanimous 7-0. Thank you very much. At this point, we have concluded the agenda items. And therefore, I am I request a motion to adjourn.

ADJOURNMENT

[Time: 00:42:07]

Vice Mayor Graham: So moved.

Councilwoman Janik: Second.

Mayor Ortega: Please record your vote. Unanimous, we are adjourned, thank you very much. Have a great evening.