

SCOTTSDALE CITY COUNCIL
SPECIAL MEETING MINUTES
MONDAY, NOVEMBER 17, 2025



CITY HALL KIVA
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251

CALL TO ORDER

Mayor Lisa Borowsky called to order a Special Meeting of the Scottsdale City Council at 3:03 P.M. on Monday, November 17, 2025 in the City Hall Kiva Forum.

ROLL CALL

Mayor Borowsky asked City Clerk Ben Lane to conduct the roll call.

Present: Mayor Lisa Borowsky; Vice Mayor Adam Kwasman; and Councilmembers Jan Dubauskas, Barry Graham, Kathy Littlefield, Maryann McAllen, and Solange Whitehead

Also Present: City Manager Greg Caton, Interim City Attorney Luis Santaella, City Treasurer Sonia Andrews, and City Clerk Ben Lane

1. Request for Executive Session to:

- A. Discuss and consult with the City's attorneys for legal advice and to consider its position and give possible instruction regarding *Taxpayers Against Awful Apartment Zoning Exemptions, et al. v. State of Arizona, City of Scottsdale, et al.*, CV2025-034961; other matters related to Senate Bill 1543; Development Agreement No. 2020-138-COS, including its amendments; a proposed Memorandum of Understanding between the City and Axon; proposed Ordinance No. 4697 relating to a self-certification and third-party certification program for qualified international headquarters campuses; and proposed Ordinance No. 4698 relating to the repeal of Zoning Ordinance No. 4658. A.R.S. § 38-431.03(A)(3) and (4).

If authorized by a majority vote of the Scottsdale City Council, the executive session will be held immediately after the vote and will not be open to the public.

MOTION AND VOTE – EXECUTIVE SESSION

Councilwoman Whitehead made a motion to recess into Executive Session to discuss and consult with the City's attorneys for legal advice and to consider its position and give possible instruction regarding *Taxpayers Against Awful Apartment Zoning Exemptions, et al. v. State of Arizona, City of Scottsdale, et al.*, CV2025-034961; other matters related to Senate Bill

NOTE: MINUTES OF CITY COUNCIL MEETINGS AND WORK STUDY SESSIONS ARE PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ARIZONA REVISED STATUTES. THESE MINUTES ARE INTENDED TO BE AN ACCURATE REFLECTION OF ACTION TAKEN AND DIRECTION GIVEN BY THE CITY COUNCIL AND ARE NOT VERBATIM TRANSCRIPTS. DIGITAL RECORDINGS AND CLOSED CAPTION TRANSCRIPTS OF SCOTTSDALE CITY COUNCIL MEETINGS ARE AVAILABLE ONLINE AND ARE ON FILE IN THE CITY CLERK'S OFFICE.

1543; Development Agreement No. 2020-138-COS, including its amendments; a proposed Memorandum of Understanding between the City and Axon; proposed Ordinance No. 4697 relating to a self-certification and third-party certification program for qualified international headquarters campuses; and proposed Ordinance No. 4698 relating to the repeal of Zoning Ordinance No. 4658. Councilwoman McAllen seconded the motion, which carried 7/0, with Mayor Borowsky; Vice Mayor Kwasman; and Councilmembers Dubauskas, Graham, Littlefield, McAllen, and Whitehead voting in the affirmative.

Mayor Borowsky recessed the Special Meeting (to Executive Session) at 3:05 P.M.

Mayor Borowsky reconvened the Special Meeting (following Executive Session) at 3:33 P.M. noting the Councilmembers were present and the Charter Officers were in attendance.

2. Memorandum of Understanding (MOU) – Axon World Headquarters Campus
Request: Adopt **Resolution No. 13567** authorizing Contract No. 2025-195-COS, a Memorandum of Understanding (MOU) between the City and Axon Enterprise, Inc. The MOU outlines the terms for development of Axon's international headquarters campus, including:
- Reduction of the total number of residential units previously approved from 1,882 apartments to 750 apartments and 750 condominiums for a total of 1,500 residential units.
 - Phased construction of office, manufacturing, hotel and residential components.
 - Affordable housing provisions.
 - Infrastructure commitments (roads, trails and utilities).
 - Access to a Real-Time Crime Center.
 - Use of third-party permitting and inspection processes.
- Staff Contact(s):** Luis Santaella, Interim City Attorney, 480-312-2405, lsantaella@scottsdaleaz.gov

Interim City Attorney Luis Santaella gave a presentation on the Memorandum of Understanding (MOU) – Axon World Headquarters Campus.

PUBLIC COMMENT – ITEM 2

Mayor Borowsky opened public comment on this item.

Andrew Wollman, Scottsdale resident, spoke in opposition to this item and discussed concerns with the proposed self-certification program.

Barbara Burns, Scottsdale resident, spoke in support of this item and noted other successful development projects in Scottsdale.

Dan Ishac, Scottsdale resident, spoke in support of this item and discussed a possible conflict of interest for a Councilmember.

Gail Golec, Scottsdale resident, spoke in opposition to this item and discussed concerns related to an assured water supply.

Leslie Lerman, Scottsdale resident, spoke in support of this item and requested the City Council honor certain items not included in the Memorandum of Understanding.

Tim LaSota, attorney for Taxpayers Against Awful Apartment Zoning Exemptions, spoke in opposition to Item 2 [Memorandum of Understanding (MOU) – Axon World Headquarters Campus] and Item 3 [Self-Certification and Third-Party Certification Program Ordinance].

Gabby Hitchcock, Scottsdale resident, spoke in opposition to this item and urged the City Council to join the Taxpayers Against Awful Apartment Zoning Exemptions lawsuit.

Josh Isner, Axon Chief Operating Officer, spoke in support of this item and discussed the reduction in apartments and a possible conflict of interest for a Councilmember.

Steve Sutton, Scottsdale resident, discussed a possible conflict of interest for a Councilmember.

Mayor Borowsky closed public comment on this item.

MOTION AND VOTE – RECESS SPECIAL MEETING

Mayor Borowsky made a motion to recess the Special Meeting. Vice Mayor Kwasman seconded the motion, which carried 7/0, by voice vote, with Mayor Borowsky; Vice Mayor Kwasman; and Councilmembers Dubauskas, Graham, Littlefield, McAllen, and Whitehead voting in the affirmative.

Mayor Borowsky recessed the Special Meeting at 4:20 P.M.

Mayor Borowsky reconvened the Special Meeting at 5:10 P.M.

MOTION NO. 1 AND VOTE – ITEM 2

Councilman Graham made a motion strike MOU Section 19, relating to having a City Councilmember serve as the liaison to Axon. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Borowsky; Vice Mayor Kwasman; and Councilmembers Dubauskas, Graham, Littlefield, McAllen, and Whitehead voting in the affirmative.

MOTION NO. 2 AND VOTE – ITEM 2

Vice Mayor Kwasman made a motion to Adopt Resolution No. 13567 authorizing Contract No. 2025-195-COS, a Memorandum of Understanding between the City and Axon Enterprise, Inc. as previously amended by the last amendment and with the following modifications: Section 6 – reduce the total number of units from 1,500 units to 1,200 units; of the 1,200 units, 600 will be apartments and 600 will be condominiums. The first phase will be 500 apartments and 100 condominiums. The second phase will be 100 apartments and 500 condominiums as designated in the MOU. Furthermore, there will be an appropriate proportional reduction in commercial space to align with the reduction in residential building space. Additionally, the City Council authorizes the City Manager and the Interim City Attorney to make conforming changes consistent with this modification. Councilwoman Whitehead seconded the motion, which carried 4/3, with Mayor Borowsky; Vice Mayor Kwasman; and Councilmembers McAllen and Whitehead voting in the affirmative and Councilmembers Dubauskas, Graham, and Littlefield dissenting.

3. Self-Certification and Third-Party Certification Program Ordinance

Request: Adopt Ordinance No. 4697 authorizing the establishment of a self-certification and third-party certification program for qualified international headquarter campuses. The proposed ordinance:

- Enables licensed professionals (architects and engineers) to certify plans and inspections.
- Applies only to projects qualifying under Arizona Revised Statutes Section 9-461.19.
- Includes provisions for City oversight, audit rights, and enforcement.
- Is proposed to sunset on January 1, 2035, unless extended.

Staff Contact(s): Luis Santaella, Interim City Attorney, 480-312-2405,
lsantaella@scottsdaleaz.gov

PUBLIC COMMENT – ITEM 3

Mayor Borowsky opened public comment on this item.

Gail Golec, Scottsdale resident, spoke in opposition of this item and discussed concerns related to an assured water supply.

Mayor Borowsky closed public comment on this item.

MOTION AND VOTE – ITEM 3

Councilwoman McAllen made a motion to adopt Ordinance No. 4697 authorizing the establishment of a self-certification and third-party certification program for qualified international headquarter campuses. The proposed ordinance:

- Enables licensed professionals (architects and engineers) to certify plans and inspections.
- Applies only to projects qualifying under Arizona Revised Statutes Section 9-461.19.
- Includes provisions for City oversight, audit rights, and enforcement.

Councilwoman Whitehead seconded the motion, which carried 4/3, with Mayor Borowsky; Vice Mayor Kwasman; and Councilmembers McAllen and Whitehead voting in the affirmative and Councilmembers Dubauskas, Graham, and Littlefield dissenting.

4. Repeal of Ordinance No. 4658 related to the Axon Rezoning (13-ZN-2020#2)

Request: Adopt Ordinance No. 4698 amending Ordinance No. 455, the Zoning Ordinance of the City of Scottsdale and authorizing the repeal of Zoning Ordinance No. 4658, which would restore the prior zoning designation (I-1 PCD) for ±44.7-acre-site located at 8300 E. Axon Way.

Staff Contact(s): Luis Santaella, Interim City Attorney, 480-312-2405,
lsantaella@scottsdaleaz.gov

PUBLIC COMMENT – ITEM 4

There was no public comment on this item.

MOTION NO. 1 – ITEM 4

Councilwoman Whitehead made a motion to adopt Ordinance No. 4698 amending Ordinance No. 455, the Zoning Ordinance of the City of Scottsdale and authorizing the repeal of Zoning Ordinance No. 4658, which would restore the prior zoning designation (I-1 PCD) for ±44.7-acre-site located at 8300 E. Axon Way. Vice Mayor Kwasman seconded the motion.

ALTERNATE MOTION AND VOTE – ITEM 4

Councilman Graham made an alternate motion to continue the item to a future City Council meeting. Councilwoman Dubauskas seconded the motion, which failed 3/4 with Councilmembers Dubauskas, Graham and Littlefield voting in the affirmative and Mayor Borowsky; Vice Mayor Kwasman; and Councilmembers McAllen and Whitehead dissenting.

VOTE ON MOTION NO. 1 – ITEM 4

The Council then voted on Councilwoman Whitehead's motion, which carried 4/3 with Mayor Borowsky; Vice Mayor Kwasman; and Councilmembers McAllen and Whitehead voting in the affirmative and Councilmembers Dubauskas, Graham and Littlefield dissenting.

5. Litigation Authorization

Request: Authorize the Interim City Attorney, and/or his designees, to file any appropriate counter claim(s), cross claim(s), and third-party claim(s) in *Taxpayers Against Awful Apartment Zoning Exemptions, et al. v. State of Arizona, City of Scottsdale, et al.*, CV2025-034961.

Staff Contact(s): Luis Santaella, Interim City Attorney, 480-312-2405,
lsantaella@scottsdaleaz.gov

PUBLIC COMMENT – ITEM 5

There was no public comment on this item.

MOTION NO. 1 – ITEM 5

Vice Mayor Kwasman made a motion with two conditions to authorize the Interim City Attorney, and/or his designees, to file any appropriate counter claim(s), cross claim(s), and third-party claim(s) in *Taxpayers Against Awful Apartment Zoning Exemptions, et al. v. State of Arizona, City of Scottsdale, et al.*, CV2025-034961 unless the Memorandum of Understanding is signed by Axon Enterprises by the close of business on November 19, 2025 and Axon delivers a signed Proposition 207 Waiver by the close of business on November 19, 2025. Councilwoman Whitehead seconded the motion.

ALTERNATE MOTION AND VOTE – ITEM 5

Councilman Graham made an alternate motion to delete the two conditions. Councilwoman Littlefield seconded the motion, which failed 3/4 with Councilmembers Dubauskas, Graham and Littlefield voting in the affirmative and Mayor Borowsky; Vice Mayor Kwasman; and Councilmembers McAllen and Whitehead dissenting.

VOTE ON MOTION NO. 1 – ITEM 5

The Council then voted on Vice Mayor Kwasman's motion, which carried 4/3, with Mayor Borowsky; Vice Mayor Kwasman; and Councilmembers McAllen and Whitehead voting in the affirmative and Councilmembers Dubauskas, Graham and Littlefield dissenting.

MOTION AND VOTE – ADJOURNMENT

Mayor Borowsky made a motion to adjourn the Special Meeting. Councilwoman Whitehead seconded the motion, which carried 7/0, by voice vote, with Mayor Borowsky; Vice Mayor Kwasman; and Councilmembers Dubauskas, Graham, Littlefield, McAllen, and Whitehead voting in the affirmative.

ADJOURNMENT

Mayor Borowsky adjourned the Special Meeting at 6:21 P.M.

SUBMITTED BY:



**Ben Lane
City Clerk**

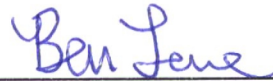
Officially approved by the City Council on February 10, 2026

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Special Meeting of the City Council of Scottsdale, Arizona, held on the 17th day of November 2025.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 10th day of February 2026.



Ben Lane, City Clerk