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CALL TO ORDER

[Time: 00:00:03]

Mayor Borowsky: Good afternoon. Thank you all for being here. At this time, I would like to call the February 11, 2025 Regular City Council Meeting to order. City Clerk, Ben Lane, may I please have a roll call?

ROLL CALL

City Clerk Ben Lane: Thank you, Mayor. Mayor Lisa Borowsky.

Mayor Borowsky: Present.

Ben Lane: Vice Mayor Jan Dubauskas.

Vice Mayor Jan Dubauskas: Present.

Clerk Ben Lane: Councilmembers Barry Graham.

Councilman Graham: Present.

Ben Lane: Adam Kwasman.

Councilman Kwasman: Present.

Ben Lane: Kathy Littlefield.

Councilwoman Littlefield: Here.

Ben Lane: MaryAnn McAllen.

Councilwoman McAllen: Present.

Ben Lane: And Solange Whitehead.

Councilwoman Whitehead: Here.

Ben Lane: Interim City Manager Greg Caton.

Greg Caton: Present.

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. Here.

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

Mayor Borowsky: Thank you very much. Tonight, we have Sean Ryan and detective Dustin Patrick, as well as firefighter Bobby Conan, if anyone requires their assistance, please let us know.

PLEDGE OF ALLEGIANCE

[Time: 00:01:05]

At this time, I would like us all to rise for the Pledge of Allegiance, which I'm happy to lead.

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 Borowsky: For tonight's invocation, I would like to turn the mic over to Councilwoman Kathy Littlefield.

INVOCATION

[Time: 00:01:33]

Councilwoman Littlefield: Thank you, Mayor. This is the first evening of our Council meetings this year that we're going to have an invocation, and we are putting it in place to help us as it can help us along the way. For myself, I have a very strong feeling of separation of church and state. So, instead of a prayer or asking someone to come up and give a prayer, I would like to ask for a moment of silence so each of us can say to ourselves and to God what we wish to say, what we wish to have happen tonight, and to wish us all good life and happiness. Thank you.

Mayor Borowsky: Thank you, Councilwoman Littlefield.

MAYOR'S REPORT

[Time: 00:02:51]

As the Mayor's report, I would like to start by offering our sincerest condolences to the victims of accident that occurred at the Scottsdale Airport and that moment of silence, many of us dedicated to their thoughts and prayers for their families.

In addition, tonight is Councilwoman Dubauskas' first time first meeting as the Vice Mayor. On behalf of all of the members of City Council and the city, congratulations and welcome as the Vice Mayor. And we'll miss you, Councilman Graham. Oh, you are still here.

And one other actually, I have two other announcements, Councilman Kwasman's appointee has changed for the Budget Review Commission, and I'm pleased to join Councilman Kwasman in welcoming the highly qualified Jim Ransco. So, we will look forward to working with him. Yes, indeed. Jim, if you are here, we appreciate it.

Thirdly, on February 10th, the Business Journal reported that the research has shown that there was a study done across the United States and Scottsdale was awarded number one of the 20 best cities to raise your family in. So that is fabulous news and certainly we aim to keep going in that direction.

PUBLIC COMMENT

So, with that, turning to first public comment. Public comment is reserved for Scottsdale citizens, business owners, and/or property owners who wish to comment on non-agendized items that are within the Council's jurisdiction to hear. No official Council action may be taken on these items, and speakers are limited to three minutes to address the Council. If you wish to speak on a non-agendized or

agendized topic, please see the City Clerk Ben Lane and we do have five it looks like five non-agendized public comment requests.

So, starting with Ryan Johnson, will you please approach the podium, then following Ryan will be Katie Nelson, Hillary Lopez, Robert Fishman and Jennifer Heihtmeyer. So, if you would make your way to the stage in preparation, that would be great. Thank you, Mr. Johnson.

[Time: 00:05:02]

Ryan Johnson: Mayor and Council, Ryan Johnson, I have lived on Sorrell Lane in Stonegate Community for a couple of decades now. You might notice that I'm wearing a city of Scottsdale volunteer lapel pin, which I do from time to time. You see, I served on both the Environmental Advisory Commission for six years, twice appointed by the Council and Mayor, and I served as a volunteer on the last General Plan Committee in 2021.

And I want to take a moment to comment on the waste of taxpayer dollars that has been represented by the repeal of the city's first Sustainability Plan which as you know was passed in December and repealed by this body in January.

As you well know, the city's general plan, which passed by unanimous vote of Council the city's General Plan passed by unanimous vote of Council and ratified by Scottsdale residents in 2021, called for a Sustainability Plan in one to five years. The commission spent more than three years on the Sustainability Plan. It was agendized and in just about every Commission meeting we discussed it for hours, we came back with suggestions and compromised.

Last fall, at the request of Council, there were two public meetings held in different parts of the city, more than 80 attendees zero negative comments about the plan overall. Hundreds of staff hours, hundreds or thousands of volunteer hours in the January City Council meeting, 30 public comments, I counted two of the 30 that were in favor of repeal. As I said, at that time, it ended up having a shorter shelf life than a gallon of milk, the sustainability plan. It contains no mandates, no requirements, no spooky monitor, no one will force you to sell your car or put solar panels on your roof. This was quite a bit of fear mongering invoked by the City Council, in my opinion.

Last week on February 4th, the Deputy City Clerk posted a news item on the city website, Scottsdale residents to serve on boards and commissions. The second paragraph of the news item said, I'm quoting, the Scottsdale City Council relies on citizen-led groups to research issues and offer insights that guide important decisions. And yet, last month, you chose to repeal the city's resident-created city Council-guided Sustainability Plan. So, when I hear people talk about putting residents first, it sounds like a lot of empty campaign sloganing. It's one of those things that politicians say to get votes. One the politicians here brags about making the budget process more transparent to address cost overruns that have been costing taxpayers, quote, millions of dollars. I have a way for you to save money. Use the exists Sustainability Plan that was created by residents and passed by the City Council last month.

So, I ask you, if you are so concerned about wasteful spending and we're so encouraging that citizens can provide meaningful input to the city, why are we literally lighting money on fire in the form of time and effort and repealing the Sustainability Plan and starting from scratch. This is unfortunately for our city, a case of ideology first, and residents last. Thank you for your attention.

Mayor Borowsky: Okay. I appreciate your enthusiasm. We have about 80 speakers logged in the books tonight. So out of respect for everybody in the room, especially mostly the citizens that are going to be patiently waiting their turn, if we can keep the applause and distractions to zero balance, I would really appreciate your cooperation.

Thank you, Mr. Johnson. I appreciate your comments. Next is Katie Nelson. Calling Katie Nelson. I don't see her. If she shows up, we can put her at the end of this list. Hillary Lopez. Hillary? Okay. Lastly, I have just been informed that Mr. Fishman has moved to a Regular Agenda item and therefore, Jennifer Heitmeyer is our last speaker for non-agendized items.

[Time: 00:09:41]

Jennifer Heitmeyer: Hello. Madam Mayor, sweet job on the pronunciation of my name. Nobody gets that. So well done!

Mayor Borowsky: Making up for all the other names I botched on the first meeting. So, apologies to them.

Jennifer Heitmeyer: Totally off topic, a suggestion I was here for the first sustainability and appreciate the concern about the time of applause. You know, the hearing-impaired community does this for applause. It might be an option for people to voice their support without taking time.

Mayor Borowsky: Excellent. I like it.

Jennifer Heitmeyer: Okay. So, get it that this is a non-agendized item SO I don't expect responses. I too share a curiosity about where Council is on progress about the sustainability report, that I believe this body nullified less than 45 days after it had been called by the prior Council.

So, I'm fairly new to Scottsdale. I moved here three years ago from Ohio. O.H.! Thank you. I knew there was no way that I could be in a room in this town without somebody saying O.H. and not somebody saying I.O. I moved to be closer to my parents. I'm an only child and I wanted to spend time with them, before it became just about caregiving, and I was happy to come here because they raved about how beautiful this city was. The pride that people took in their homes, the fact that they cared for their neighbors, they talked about the sense of community that is here in Scottsdale.

I was not involved in the crafting of the recommendations and I'm using that word super deliberately of the Sustainability Plan. I was only made aware of the plan's existence due to my participation in a cycling group called the Wheezers and Geezers who have been riding since before you have been born and

some of those guys have and let me tell you, they can still smoke me. But when I heard about the recommendations and, again, I'm using that word so deliberately, I thought this sounds like a pretty cool idea. So, I dug in a little bit to the plan. And yeah, it sounded great ways to make transportation a little more accessible for cyclists who choose to use that either as their means of transportation or just to stay fit. Full of great ideas. And I thought, I'm going to tell my mom and dad about this. I bet they don't know about this. So, I did tell them. And I expected them to be all in and instead, I was met with, oh, we have heard about that. It's horrible. We have to tear up our lawn. We have to cut down our trees. We have to get solar in our home and get electric cars. I was like, what are you talking about? And what I realized in conversation is that somehow the ideas set forth in the Sustainability Plan had been misconstrued by so many, as laws. My parents were 100% certain that Scottsdale was coming for their lawn!

When we talked about the fact, City Council controls the purse strings, and nothing could be done without your approval. Suddenly, some of those ideas didn't seem so bad after all. Now, people hate change. It's hard! And it's scary! And the older we get, the harder and scarier it is. But to maintain the good of this community, we have to change. And it seemed like maybe some of those ideas that weren't so hard, and carry is maybe a place to start.

Mayor Borowsky: Thank you, Jennifer. Very much appreciate your participation.

MINUTES

[Time: 00:13:50]

That closes public comment and, now I move on to the approval of the prior meeting minutes. I request a motion at this time, to approve Special Meeting Minutes of December 5, 2024; Regular Meeting Minutes of December 5, 2024, and Regular Meeting Minutes of January 14, 2025.

Vice Mayor Dubauskas: So moved.

Councilwoman Littlefield: Seconded.

Mayor Borowsky: Please register your vote. Thank you very much.

REGULAR AGENDA – ADDED ITEM

Item number 18 on the agenda was added to the agenda on February 6th and requires a separate vote to remain on the agenda. I would like to make the motion, actually to accept the agenda as presented tonight. Or continue the added item to either February 18th or March 4th Council meeting. And I will just narrow that motion down to accept the agenda for this evening. Do I have a second?

Councilwoman Whitehead: Second.

Mayor Borowsky: Thank you. I would like to take a vote on this item. All those in favor, please register your vote. That motion passes unanimously. Thank you very much.

CONSENT AGENDA

[Time: 00:15:15]

Next, we have Consent Agenda Items 1 through 12. Do I will ask I will say that I do have questions on one of the Consent Agenda Items and that is Item number 7 and I would like to pull that off the Consent Agenda at this time. And opening the floor to other Councilmembers that have any questions about the remaining items or wish to pull any item off at Consent Agenda?

Seeing none, let me just make sure. At this time, I would like to entertain a motion to approve Consent Agenda Items 1 through 12 with the exclusion of number 7.

Councilwoman Whitehead: So moved.

Councilwoman Littlefield: Second.

Councilwoman McAllen: Second.

Mayor Borowsky: Please register your vote. Thank you very much. Regular Agenda Items.

REGULAR AGENDA – ITEM 13

[Time: 00:16:13]

Item 13 is a presentation and discussion and possible direction to staff to related to a citizen petition submitted at the January 14th City Council meeting regarding a placement of signage throughout the off-leash activity area at Chaparral Dog Park. I understand that this evening, city staff member Nick Molinari, our Community Services Assistant Executive Director will be presenting on this item as will the citizen who presented this petition, Steve Sutton. So, I will start with the petitioner Steve Sutton. Please approach the Steve, did you want to go first, or do you want to go second?

Mayor Borowsky: Let's have Mr. Molinari. No problem.

[Time: 00:16:39]

Nick Molinari: Good evening, Mayor Borowsky, Vice Mayor Dubauskas, members of City Council, my name is Nick Molinari, I'm responsible for the city of Scottsdale's Parks and Recreation Department. I believe I'm on a time limit right now, and I will move through some background about the Chaparral Park off-leash area and, the signage at the off-leash area and then I will open up for any questions.

So, background, Chaparral Dog Park located approximately Hayden and McDonald has three separate off-leash area designations. We refer to them as cells. We have two larger areas that are designated for large dogs that are rotated essentially for turf maintenance and turf regeneration. And then one smaller area that is designated for smaller dogs. The two larger areas are approximately an acre a piece and the smaller area is just under an acre.

In 2023, the Scottsdale Parks and Recreation Department changed the signs at the off-leash area from active/passive to large/small, in response to feedback that we had had from dog park users over an extended period of time. Really, at that point, it was that people had said to staff that active and passive was very subjective. It was hard to understand what an active or a passive dog may be. And the larger and small designations seemed to be the most common within that function.

So, the Parks and Recreation Commission did hear an overview about the signage change in June of 2023. This is an aerial of the Chaparral off-leash area. To the left is Hayden, and to the top of the screen is north. So, we have one area here. You can see this area has a lot of wear and tear. We typically rotate those two areas and then the smaller areas down near the bottom.

In response to the citizen concerns and the citizen petition that was submitted by Mr. Sutton, we heard public comment from Mr. Sutton at multiple Parks and Recreation Commission meetings in the fall of 2024 and our staff had several individual meetings with Mr. Sutton during that time, and we expressed to him that we would be interested we would be willing to work with him on signage and that we would do research into best practices as far as dog park signage, which we did. The Parks and Recreation Commission in October of 2024 directed the Parks and Recreation staff to look at dog park signage, do some research and then bring that recommendation back to the commission, which we were scheduled to do next week on our Wednesday, our February commission meeting.

[Time: 00:20:11]

And then in November of 2024, Mr. Sutton submitted a citizen petition requesting that we move remove the large and small designated areas, that we go back to the active/passive and we use dog behavior instead of size. He also made some really great suggestions about additional language that we could use to further communicate expectations at the dog park.

I will go through here really quick. I won't go through all of these points. I know I'm on a time limit right here. We did benchmarking. We looked at dog parks throughout the United States. We looked at Scottsdale's nine valley comparables, which we do for most of the benchmarking that we do and then we looked at cities throughout the United States that had similar characteristics and similar population to Scottsdale. We found 28 of those cities had signage, using the terminology, small dogs and large dogs and 11 cities had other approaches and they are active, timid and passive.

I won't read through three all of these, but we looked at industry recommendations which we do for a lot of our policies and we looked at the American Kennel Club, which recommended small and large, and we looked at the trust for public land, which had similar recommendations and then the National

Recreation and Park Association, which has a lot of really good information about how to manage parks and you can see that they have several recommendations that they have made and one of them, while they recommend space for small dogs and large dogs, they also recommend space for timid dogs, active dogs.

So, through our analysis, we did find that large and small designations are probably more common in the more standardized designation for dog parks, but they are certainly not the only dog park designation. So, when we looked at that, we did a deep dive and there were lots of communities that use some other characteristic when designating the space within the dog parks. And we are open to the to the direction and to working with our citizens in terms of what makes most sense for our community in terms of dog park signage.

So, I will leave this. We are either seeking direction from City Council and City Council can make a motion for us to either change the dog park signage, keep it the same or for us to proceed with presenting the information to the Parks and Recreation Commission. I will take any questions that you might have.

Mayor Borowsky: Thank you, Mr. Molinari. I don't think I have any questions for you at this time, so we will have Steve Sutton.

Nick Molinari: Thank you.

Mayor Borowsky: Thank you.

Councilman Kwasman: Pursuant to the rule, I would like to call the question on this.

Mayor Borowsky: Thank you, very much, Councilman Kwasman, but I'm going to let Mr. Sutton who spent tireless number of hours preparing for this day. So I'm going to...

Councilman Kwasman: Of course.

Mayor Borowsky: Go ahead and allow him to do a presentation.

[Time: 00:22:55]

Steve Sutton: Pardon me, it will take me a moment to get organized here.

Mayor Borowsky: No problem.

Steve Sutton: Steve Sutton, good evening, Mayor Borowsky and Vice Mayor Dubauskas. I'm sorry. And Councilmembers, you all know why I'm here. I had Mr. Molinari's report for a couple of days and enough time to write a rebuttal, which I will not give. I will say just a couple of quick things.

In regard to what Director Molinari said, yes, active and passive as we had it before is subjective. Our new signs, which you can see here add some additional language to make it far less subjective. What is on the left-hand side, the small/dog area. And there's nothing down at the park that tells what you is small and what is large. The petition was not submitted by me. I just did the paperwork for it, and 500 people signed that petition. And benchmarking of cities that use large and small without knowing the reason why they chose that designation through some type of academic study, really doesn't mean anything other than you have got a list of imitators. Dogs don't change their behavior with the geography they live in.

Tonight, we're asking the Council to increase the level of safety at Chaparral Dog Park. The currently installed small dog area and large dog area signs provide less safety than 16-year-old passive dog area and active dog area signs they replaced. Residents of Scottsdale request that you vote tonight for the installation of the new passive dog area and active dog area signs and the new dog park etiquette signs. These signs were created by some of the dog parks most frequent users and endorsed by hundreds of other users. Physical size is not a reliable indicator of human or canine behavior, socialization and not breed or size is the most significant factor. This is why we have videos of pit bulls cuddling kittens and cats in a pack of huskies. Behavior based destination signs are used in dog parks in the United States including Anthem, Fountain Hills, Gilbert, Goodyear, Mesa and Queen Creek, Arizona.

Behavior based signs we are proposing are better than any others I have seen because they give basic definitions of active and passive, the size-based signs do not define what is small and large. Here in the United States, size-based signs are inconsistent. They start at 20 pounds for large and go up to 60 pounds for large, in 5-pound increments of behavior-based are necessary to address common situations at the dog park to prevent injury to humans and dogs. Situations with two passive dogs of quite different sizes. Larger older dogs and large breed puppies that make it unsafe for them to play with very active mature dogs. Large and small dogs that due to abuse prior to rescue are very timid and unhappy at the dog park. I have seen those dogs often become confident and happy after socializing with passive dogs.

[Time: 00:27:51]

Smaller hunting and herding-type dogs that are occasionally too active for a passive area. For example, corgis a breed that was bred to dodge the feet of cattle they herd. Most importantly, we need to give guidance to first-time users of park that have timid large dogs, these dogs are sometimes singled out by very active dogs for play that the timid dog can receive as torment and this can result in physical injury. There was such an incident causing injuries requiring stitches to close wounds that was the impetus for asking the parks to go back to passive and active dog signs. They would be located at the entry gate and provide basic guidance for deciding what is most appropriate for the dog and encourage appropriate behavior. The appropriate dog park etiquette is what our current behavior policy and regulation signs attempt to promote. There are multiple copies posted at the dog park. They are not located on the entry gates of designated areas. They are on the inside fencing, while the message of these signs are necessary, they are insufficiently effective due to language, style, design, location and most importantly very few visitors to the park say they read them or remember the details if they read them.

The new dog park etiquette signs are designed to encourage good behavior rather than warn people what is considered bad behavior. They are designed to be very large text to present a simple main message that for almost any location inside the dog park can be comprehended even only if subliminally. And smaller text inside the gate with explanation of the main message. Both types of signs have the text, talk to fellow dog owners about cooperating and keep your dogs and yourself safe.

On behalf of the several hundred Scottsdale residents requesting your help through petitions to improve safety at Chaparral Dog Park I ask that you vote tonight to adopt the new behavior designation signs and dog park etiquette signs. Thank you Mayor and Councilmembers for your time and consideration and thank you residents and members of press who are in attendance tonight.

Mayor Borowsky: Thank you, Mr. Sutton. Very much appreciate your passion for this issue. While we have requested 48 requests for public comment on this item, I would like to make a motion to approve your petition to change the signs, restore the signs to passive and active or active and passive. And I would look for a second to do that.

[Time: 00:30:15]

Councilwoman Whitehead: Second.

Mayor Borowsky: All those in favor of approving this motion. Excuse me this petition, please register your vote. Thank you, Mr. Sutton. This quest for success is approved. And I believe it was well, still waiting for Vice Mayor, but I think yeah, she's and so there we go.

Steve Sutton: On behalf of everyone who signed the petition and all those that would have liked to sign the petition, thank you very much.

Mayor Borowsky: Thank you for your passion. And have fun out there at the dog parks. Thank you for everyone who showed up for the dog park and I hope you like the results.

REGULAR AGENDA – ITEM 14

[Time: 00:31:05]

We will move on to Item 14. Item 14 is a request by four members to adopt Ordinance Number 4662 that would discontinue the use of diversity, equity and inclusion, systemic programming, to include the office of DEI, DEI programming and trainings and other initiatives that could violate state statute. The measure also asks City Council to consider directing the City Manager to reassign the Diversity Program Director and Americans with Disabilities Act Compliance Coordinator to an appropriate department and position.

We received 47 requests for public comment on this Item, and it's gonna be a long night already. So, I am limiting the comments the comment time to one minute per person. And you can feel free to you

can feel free you can feel free to collectively contribute your time to a representative that you would like to see speak on your behalf up to three minutes.

So, with that, we are going to start with public comment. The first let me go through first ten. The first individual who would like to speak on this issue is Robert Lurie, followed by Dan Ishac, Bobbie Scopa. Laurie Battaglia and Monica Villalobos. That's only five. We'll stop there. Thank you. Mr. Lurie.

[Time: 00:32:39]

Roger Lurie: Hello, my name is Roger Lurie, I've been a resident of Scottsdale for 31 years, live at 10592 East Mission Lane. I have three minutes of comments. I will try to phrase this into one minute.

Scottsdale has a nonprofit called the Community Celebrating Diversity held an MLK Dinner recently with 500 attendees. This year, I was one the recipients of the diversity champion award. You can tell I'm a white male. How did I earn this award? By showing compassion, empathy and volunteering to serve persons not like me, persons of different races, ethnicity, income levels and beliefs.

Mr. Kwasman, I too am Jewish and appreciate your commitment to ensuring that we do not tolerate Anti-Semitism. The Torah commands to treat strangers with kindness and equality. I recommend that the Human Relations Commission be charged with studying this with the focus on continued support with for empathy and care while encouraging meritocracy in the workplace.

Mayor Borowsky: Thank you, Mr. Lurie. Dan Ishac.

[Time: 00:34:08]

Dan Ishac: Dan Ishac, address on record. I'm in full agreement that Scottsdale should not lower standards or seek to fill jobs based on race, religion, gender, et cetera, however that not what our diversity office does, so either the Council office is woefully ignorant or woefully misrepresenting the situation or worse, creating division. Our diversity office does not have initiatives or guidelines to provide any group with preferential hiring or promoting. The E for equity in DEI does not exist in the diversity office in the Scottsdale or on our website. The office does seem to ensure that all qualified candidates have an equal opportunity. They also provide education to make sure that people understand the differences in culture.

For example, not everybody would know why an observant Jew would wear a kippah. Further, our diversity offices to make sure all of our visitors are welcome. Many businesses and organizations, whether one believes it to be right or wrong, require tourist destinations to demonstrate a welcoming atmosphere. That's why it's in our P.R. materials. To risk even a portion of that revenue by eliminating our diversity office is reckless.

Mr. Kwasman, at the last meeting, you correctly pointed out that Anti-Semitism is more widespread in the city, and you urged Scottsdale to define it and call it out but to call it poison using hateful words is

something you should know is not a good thing. Thank you.

Mayor Borowsky: Thank you, Dan. I appreciate it. Next is Bobbie Scopa followed by Laurie Battaglia and Monica Villalobos.

[Time: 00:35:29]

Bobby Scopa: Good evening and thanks for giving me my one minute. I'm Bobby Scopa, retired firefighter and fire chief, 45 years' experience. I have received medals for saving lives. I spent a month working at the pile at 9/11 in New York City. I have been on many of the mega fires throughout the country and I have supervised thousands of firefighters. Since retiring, I have been speaking to organizations about leadership.

Let me get down to the last couple paragraphs. This is not about hiring unqualified diverse people instead of qualified applicants. Hopefully DEI programs ensure that the very best person is being hired, even if they are black, trans or Jewish. The reason we have a DEI program is because highly qualified, diverse job applicants are being passed over exactly because they were Indigenous or gay or Muslim. DEI programs remind our city staff and citizens that we as a city value everyone regardless of their race, gender, religion or any other factor that makes them different than their coworkers. If you think the city's DEI program is not effective or needs changing, ask some of us to help and figure out what we need.

Mayor Borowsky: Thank you. I would ask you to use the hearing-impaired for your applause. I think that was a very good idea, because it just is slowing the process down and I appreciate your enthusiasm, however. Lori Battaglia, I believe you have donated time. You have two minutes.

[Time: 00:36:53]

Lori Battaglia: Thank you. I'm Lori Battaglia, CEO of Aligned at Work, and I'm a resident for 15 years, 14 years as a business owner. I came to address this tonight. I'm gonna skip my opening and not tell you about my background, but we would like to believe that people, if they just pull themselves up by their bootstraps, they will get ahead in the world. And while that's true for some, it simply isn't true for the vast majority. Like it or not, if you aren't white and straight and affluent and Christian, you probably have stories about bias and discrimination.

I'm here to ask the Council to do what you were elected to do, to represent all of us, those that voted for you, those that didn't, and those that didn't vote at all. We all deserve to be included, listened to and acknowledged. Scottsdale's diversity focus has been around for 25 plus years, but we didn't pass an antidiscrimination ordinance until 2021, lagging behind other cities in the valley. It was clear in 2018, during the marketing campaign that all voices were not represented at the table. Scottsdale called a public meeting, which I and many others attended, and we created an inclusive path forward. Now, it appears you would like to dismantle a system that's been working, in favor of making a human issue into a political one.

From a business leader perspective, if you have concerns about the efficacy of DEI programs, appoint a bipartisan team to look dig into, it analyzes it and put recommendations in place. Don't toss the entire program because one group of people decided to get offended. Again, focus on humanity, not politics. Let's keep Scottsdale as a place of inclusion and kindness where all can thrive. Thank you.

Mayor Borowsky: Thank you. Monica Villalobos.

[Time: 00:39:12]

Monica Villalobos: Thank you very much, Mayor, members of the Council, my name is Monica Villalobos, and I serve as the CEO of your Hispanic Chamber of Commerce. For 76 years we have represented and helped small businesses in this state. I'm joined today by two board members, our Vice Chair, Lorraina Valencia and the Vice Co-Chair, Lorraina Van Ash and we are here representing the over 50 general members and corporate partners in Scottsdale. We have over 1,200 total general members and over 106 corporate partners. What I can tell you is we have been thrilled to partner with the city of Scottsdale for many years. In fact, during the pandemic, when you needed more people out there shopping, you reached out to diverse leaders like myself, Luis Gonzales from the Arizona Diamondbacks and Lolo's Waffle House, we came and we showed up for you. All we're asking you to do today is show up for us as well. That Shop Scottsdale campaign was a very inclusive campaign. We have worked tirelessly with Jackie Johnson in this office to make sure that we have representation. All I would say to end is merit must include access. Please don't stop the momentum. Thank you.

Mayor Borowsky: Thank you. Next, we have Michael Norton. Seeing no Michael Norton come down, we'll move on to the next one. Former Councilwoman Betty Janik. And then followed by Betty Janik is James Eaneman, Jill Martin and then Rabbi Kravitz.

[Time: 00:40:52]

Betty Janik: Good evening, Mayor and City Council. Scottsdale has strict city codes and has been required to do merit-based hiring for years. Additionally, Scottsdale does not have any hiring quotas. Scottsdale has is ahead of the curve on all of this. Any reference to the contrary is false, misleading and grandstanding. Scottsdale is served by the most qualified employees and that's what makes us a world-class city.

The Office of Diversity has many roles, and I will just limit it to the one that I think is probably the most important, they investigate, mediate and resolve issues and laws regulating compliance with ADA and Title 6. Our city values and respects all people. Whatever God you pray to or no God at all, whether you live in an apartment or a home, whether whatever the shade of brown of your skin is, whatever your sexual persuasion is, seniors, children and those in between, and the disabled, you are welcome members of our community and in the words of Abe Lincoln, with malice towards none, with charity towards all. I urge you to reject 4662 as unnecessary and mean-spirited and retain the department dedicated to these ideals. Thank you.

Mayor Borowsky: Thank you, Betty. Next, we move on to James Eaneman. Followed by Jill Martin and Rabbi Kravitz.

[Time: 00:42:31]

Jim Eaneman: Mayor, Vice Mayor, members of Council, I'm Jim Eaneman. I have been through this before. In 1972, Berkeley enjoyed a reputation on a par with Scottsdale today, and then a new Council came in, and they swept armed with zeal and certainty that they knew best. They soon got rid of the leaders who didn't fit their political paradigms. They refined, they redirected and remodeled every department, every activity, and thus began the decline of what had once been called the Athens of the west. I urge you to remember Berkeley tonight and in all the things that come before you for the remainder of your term. Don't take Scottsdale back to a time of parochialism, narrow-mindedness and intolerance.

Last thing, I would, I believe because I worked with this for years, I have won awards for it, there has been a tsunami of misinformation about DEIA. So, I would urge this on you, take a step back tonight and don't make a reactive decision. Instead, study DEIA on a macro and a micro basis. And armed with those facts, then you can make a responsive decision, and having done these studies, I will be happy, at no cost to you, to provide you with study parameters within 14 days. Thank you.

Mayor Borowsky: Next moving on to Joel Martin and followed by Rabbi Kravitz and Stanna Michelle Slater and TrixieAnn Golberg, sorry.

[Time: 00:44:11]

Joel Martin: I want to give you a different perspective on D.E. and I. My husband Bob and I moved here from New York City, from Marin County and we selected Scottsdale as our home 24 years ago. I have volunteered for many leadership positions, including the Red Cross, Scottsdale's sister city board and others. I served two terms as the Scottsdale Human Relations Committee member. I am a coach in one of the many, many people that the US exports. I have worked in 14 countries. There is called transformational leadership. Here it is called diversity, equity, inclusion and access. From my heart to yours, please maintain the DEI people who are working so hard for equity in our hospitals. If you are a military person, it's touched your life. If you are a mother, it has touched your life. As you look to keep your children safe, and in school and educated, it has touched so many lives. From my heart to yours, diversity equity and inclusion is not about separating people. It's about unifying people.

Mayor Borowsky: Thank you.

Joel Martin: I ask that you vote yes to keep it. Thank you.

Mayor Borowsky: Thank you. Joel Martin. Rabbi Kravitz, followed by Stana Slater. And TrixieAnn Golberg after that.

[Time: 00:45:52]

Rabbi Robert Kravitz: Mayor, members of Council, thank you for granting me time to speak to you tonight, I'm Rabbi Robert Kravitz, and I have been an ordained rabbi living in Scottsdale for 50 years nearly 4 decades. I served congregations and communities elsewhere. I was proud to support the city of Scottsdale's choice to adopt the unity pledge, and I was equally delighted when the city, my city, became a Golden Rule Community and also adopted the nondiscrimination ordinance. Diversity makes cities great. Choosing to cancel people makes us weak. Canceling diversity equity and inclusion, they cannot mentally process as I do, because they can't ambulate as I do, because they cannot see the world through the same glasses as I do, because they are challenged in their activities of daily life.

Tonight, I'm speaking out. Tonight, I'm cautioning you, our City Council that removing D.E.I. is harmful to the livelihoods, security, employment and personal rights of our residents of Scottsdale. We need to be a welcoming community for all businesses and people alike. Scottsdale must continue to provide each of us with our constitutional rights of life, liberty and the pursuit of happiness. Thank you.

Mayor Borowsky: Thank you. Next, we have Stanna Michelle Slater. Followed by TrixieAnn Golberg, Jeff Jameson, Tonya Collier.

[Time: 00:47:37]

Stanna Michelle Slater Good evening, Mayor and Council, members of the public, I'm Stanna Michelle Slater. I built my home here 33 years ago in 1992. I remember then that Scottsdale was a city that would get joked about on the morning radio as Snotsdale and Snobsdale. And I have lived through 33 years and seen that in the last 25, the leaders have done enormous work to change the perception of Scottsdale. And that has attracted enormous talent, some of the best talent that ever exists is diverse, a minority person. I am the LGBTQ liaison for the city. Some might say I'm a DEI hire. I'm also a practicing attorney. 35 years. Some of you lawyers on the Council have practiced almost that long. I'm also a former Army officer in the Arizona Army National Guard and the U.S. Army Reserve. I parachuted and earned my silver wings. I think I have brought eight years to the city as the LGBTQ liaison, not as a DEI hire, didn't earn, it but because I'm transgender, but because I have something to offer, just like so many other people here who work for the city. Please do not end DEI.

Mayor Borowsky: Thank you. Appreciate it. TrixieAnn Golberg, followed by Jeff Jameson, followed by Tonya Collier, followed by Neil Shearer.

[Time: 00:49:04]

TrixieAnn Golberg: Good evening, thank you for the opportunity. I'm TrixieAnn Golberg, a six-year resident and one-year homeowner here in Scottsdale. I oppose this ordinance. As a resident who sees the critical needs in our communities, including housing, aging, infrastructure, increased heat and water uncertainty, I'm against frustrated to see the critical time of our community leaders spent recreating redundant policies. They appear to be responding to outside voices over our own community.

Community's economies, and the desert landscapes are made stronger, less vulnerable and more resilient through diversity. What today is labeled as diversity was first introduced to me as human rights, Civil Rights, equal rights, pay equity. Simply said, those terms and the vocabulary means making room at the table.

For me, this is recognizing that most people, but in particular young people, people with disabilities, the elderly, and the average working families, for me, making sure that they are heard at the table is absolutely critical. I too get tired of the term "DEI" so I change it to SEI, Scottsdale's Ending Intolerance. Thank you.

Mayor Borowsky: Thank you. Jeff Jameson, followed by Tonya Collier, followed by Neil Shearer and Reverend Ann Lyter.

[Time: 00:50:35]

Jeff Jameson: Good evening, Mayor and City Council. I'm Jeff Jameson, I have live on Astor Drive in Scottsdale. It won't take me a minute to say this whole proposal is wrong headed. I think it's mean. I think it's dangerous. If we eliminate the number of staff doing ADA compliance, we could end up in court. It also sends a message to our city employees that may dampen their abilities or desire to make a claim of their disabilities or bullying or other issues that they may face. It's something that has been in place for years, thank God we passed an equity ordinance in 2021. This goes against that in many, many ways. There's many discrepancies in this. There's language that you want to continue training, but you want to eliminate the trainers. That makes no sense at all, and I wonder if you have any knowledge at all what DEI training is all about. This is a slap in the face of all citizens of Scottsdale, a community that is quite diverse and needs to be continuing diverse so we can thrive as a city. Thank you.

Mayor Borowsky: Thank you, Jeff. Tonya Collier. Followed by Neil Shearer then Reverend Ann Lyter and Lee Kauftheil.

[Time: 00:51:57]

Tonya Collier: Good evening, my name is Tonya Collier. I live on Angel Spirit Drive in Scottsdale. I would like to speak to the topic of DEI in terms of the assumption that it means that we are under qualified or accepting positions for people who are not educated enough or who aren't trained to do the position. That is exactly wrong. We can't advance and represent our entire community unless everyone is represented, and our community in Scottsdale is very diverse, and everyone who lives here should have an opportunity to have a seat in the room to bring forth issues that someone who doesn't have that perspective would not be able to bring forth. The country and the world is larger than small and petty issues that bring us division and hurtful actions. I live here as a choice of my husband, and I hope to continue to live here in an environment that accepts me and all that I bring to the table. Thank you.

Mayor Borowsky: Thank you very much. Neil Shearer. Followed by Reverend Ann Lyter, Lee Kauftheil, and Rhonda Kelso.

[Time: 00:53:11]

Neil Shearer: Good evening, Mayor and members of Council. Neil Shearer, a long-time Scottsdale resident. Almost 21 years ago today, a man affiliated with the white Aryan resistance sent a pipe bomb through the mail addressed to my friend and colleague, Don Logan, the first director of the Office of Diversity and Dialogue. Don was seriously injured when he opened the package as were two of his coworkers. It strikes me beyond ironic that a convicted felon, white supremacist through hate-filled and violent means could not succeed in silencing the diversity office, yet the City Council could accomplish the same end by shutting down the office through a simple majority vote of the Council in your first 30 days in office.

My plea to you tonight is to pump the brakes. Give yourself time to get up to speed on the issues and facts. We already have merit-based employment. We are already complying with state, local, and federal laws. Please take the time to get up to speed, and to govern with wisdom and discernment before making sweeping policy changes that disrupt the entire fabric of what makes Scottsdale a special place. Thank you.

Mayor Borowsky: Thank you, Neil. Reverend Lyter.

[Time: 0054:37]

Reverend Ann Lyter: Reverend Ann Lyter, my address is on file. I'm a pastor with the United Methodist Church and my denomination values diversity, whether that is based on ethnicity, age, gender or whatever manmade category we might apply. Because all people beloved by God and are created in God's image.

In addition to being a minister, I bring almost 20 years of experience as a corporate employment lawyer, and my clients experienced what Forbes reports, companies that prioritize DEI tend to have happier and more innovative employees, higher retention rates and are better at problem solving. If Scottsdale has been hiring substandard employees or hiring to fulfill some kind of diversity quota which is illegal where is the evidence and why are you not dealing with that? And if there aren't substandard hires, then what is this all about? Is this Council truly against diversity? In the year 2000 this was a study published that orchestras had trouble hiring women, and the reason was because when you could see the musicians, the men were hiring men, but when you put a screen, they hired women at substantially higher rates. Bias is real and we need to address it, so that we can hire the best people. Thank you.

Mayor Borowsky: Thank you. Lee Kauftheil, followed by Rhonda Kelso, Jan Dolan and then Marion Kelly.

[Time: 00:56:00]

Lee Kauftheil: Hello, Lee Kauftheil, my address is on file. I normally wing it, but I decided to actually write something down this time. So hello, Mayor and other city Councilmembers. Before you repeal the city's DEI program, I want to make sure you understand the decades long history of attacks on this office, and

programs like and the problems at them, and in this city specifically.

Nearly 20 years ago on February 26, 2004, the city staff was attacked by a terrorist. It's the only terrorist attack against a city employee I could find. It was mentioned earlier. It injured three of our city's employees after months of aggressive phone calls, trying to get the city to shut this office down. The it was two brothers, they were twins. One of them, Dennis, he was a member of the white Aryan resistance, and a grand dragon in the Ku Klux Klan. And he was also part of many other Neo-Nazi and white supremacist movements along with his brother Daniel. Just so you know tonight, after you repeal this, those people will be celebrating the 20 years of their efforts to close this office.

Mayor Borowsky: Thank you very much, Lee. Rhonda Kelso.

[Time: 00:57:29]

Rhonda Kelso: Good evening, Mayor, Vice Mayor and Councilmembers. I stand in favor of retaining DEI in the city of Scottsdale. It's vital. We all need it. We all benefit from it. Our kids benefit from it. Our healthcare benefits from it. Every single business in this city benefits from DEI. DEI brings us diversity in by bringing different people, different thoughts and different ideas. DEI brings us equality, where equality and education provides a more solid education. It brings differences of ideas into the courtroom, into the City Council room and into the classroom. Inclusion, the act of including and accommodating people who have been historically excluded. I ask, have you ever been a member of a group? Have you ever been included? Have you ever been provided justice when perhaps you did not earn it? Equity. Have you ever been brought to a setting due to a unique opinion or skill set? Diversity. Who do you wish to deny being included? Who do you wish to deny equity? Who do you wish to deny diversity?

Mayor Borowsky: Thank you. Jan Dolan. Followed by Marion Kelly, Todd Key, Tammy Bosse and then Victoria Kauzlarich.

[Time: 00:59:05]

Jan Dolan: Good evening, Mayor Borowsky, members of the City Council. I don't think I need an introduction to many people here. But let me just say, I served this city honorably and I have lived here over 25 years. I was not a DEI hire. I got the job on the merits. I too am concerned that in a few short moments, one Council meeting, you will throw out what the white supremacists could not do.

Standing here with me tonight, in case you are not familiar with him, is Don Logan, who was the Diversity Director when I was the City Manager who they tried to kill. I ask you, do not try to kill diversity and its efforts. I can assure you, as can, I'm sure the new acting City Manager, the Police Chief, the Fire Chief, the Fire Union President, all employees of the city. The city only hires on merit. Only on merit. The only people who got a slight introduction into the door were the Rural Metro firefighters, but they were all hired on merit. So, there is no hiring based on quotas or diversity or whatever. It opens the door.

It opens the door for you to be on the City Council, for Don Logan to be alive. I ask all of you, yes, you can applaud, because if you are hearing impaired, you don't know what this means.

Mayor Borowsky: Thank you, Jan. Appreciate it. Next is Marion Kelly.

Jan Dolan: And I would like to introduce Marion Kelly, who is one of my close friends and an advocate for diversity and he will give you his speech as will Mr. Logan who we are all thankful can be here with us tonight.

Mayor Borowsky: Thank you, Jan.

[Time: 01:02:12]

Marion Kelly: Good evening, Mayor, Vice Mayor, Council, elected officials, citizenry of Scottsdale, Arizona, I'm Marion Kelly. I wear more hats than a minute will allow me to tell you about them. The 27 years I lived in Arizona, I have lived, worked and played in Scottsdale. My children are all graduates of Scottsdale schools, and the adopted child I took out of the foster care system is now seeing patients in Scottsdale.

I am here because I support equity, inclusion, and diversity in its broadest sense. And so, I don't want to confine equity, inclusion, and diversity to affirmative action, because it's absolutely the opposite. Affirmative action is a part of it but understand that affirmative action is giving the qualified people an opportunity for a spot that they otherwise would not have gotten. What does diversity and inclusion include? I will tell you that it includes ramps and sidewalk curb cuts, it includes family restrooms and changing tables in men's bathrooms. It includes breast feeding pumping stations, pay equity and all the more. Coming back to work after childbirth, not having to accept workforce harassment and many other things. I lived, worked and played here because I love Scottsdale. I'm here to support you, not work against you. Thank you.

Mayor Borowsky: Thank you so much. Next, we have Todd Key. Followed by Tammy Bosse, Victoria Kauzlarich. I don't see oh, there's Todd. Okay.

[Time: 01:03:15]

Todd Key: Hello.

Mayor Borowsky: Hello.

Todd Key: My name is Todd Key. I'm a team U.S.A. Paralympian. I have traveled all over the world, racing bicycles for the United States of America. They have incredible programs, all the places I race. Everywhere I have been. 20 years ago, a friend of mine was a quadriplegic. She was rolling down a street in Scottsdale. I've been a resident for 35 years. She was rolling down a street and came to a corner. The corner was badly designed. She fell over in her wheelchair. No one was there to help her. She burned to

death. Over 100 degrees at the time. She died in the hospital a few years later because of the sidewalks, because of no inclusion. What kind of a city are we if these are the choices that we are making? That is insane! We are here to help the less fortunate. That is our job, to create and provide.

Mayor Borowsky: Thank you very much, Todd. Tammy Bosse. Followed by Victoria. Is Tammy here? Come on down, Victoria. I appreciate it. And if Tammy is here, you can and if Tammy is here, you can come to the podium. After this speaker and maybe Tammy, Harry Maseloff, Erin Nicoletti, Larry Bernosky and Daniel Schwartz. Thank you, please proceed.

[Time: 01:05:13]

Victoria Kauzlarich: My name is Victoria Kauzlarich and I lived in Scottsdale for 13 years and I owned property here for more than 23 years. I have more than 20 years of experience at human resources and when I look at merit-based hiring versus DEI, I look at it through my human resources lens and I invite you to do the same. Follow along with me and you will find that there's a misunderstanding about how hiring practices work and how DEI's role fits in with those.

DEI and merit-based hiring don't stand alone from one another. In fact, DEI ensures a robust merit-based hiring system, because it promotes consideration of all applicants who meet the agreed upon hiring criteria. These approaches work together with DEI ensuring that merit-based systems are robust. Facts can be troublesome things. The city already hires based on merit, as I have described DEI enhanced merit-based hiring. The proposed ordinance is a path to nowhere. I hope that you can see a vote to kill DEI is another way of saying that you are not serious about merit-based hiring. Clearly if merit-based hiring is your goal, it cannot be the reason for killing DEI. What is?

Mayor Borowsky: Thank you very much. Harry Maseloff, followed by Erin Nicoletti.

[Time: 01:07:04]

Harry Maseloff: My name is Harry Maseloff, I'm a Certified Public Accountant. I live in Arizona for 45 years. And I have come here from Philadelphia originally. When I was first notified about diversity, equity and inclusion, I thought I was being taken out from the city, my first thought was what's wrong with the program? I figured I would look into it and I said, hey, it looks good to me. Are there you know, ways to check on funds that were being used incorrectly or whatever. There are orders. There's ways to make sure that everything is going right, but what I couldn't understand is why somebody would call it poison. And somebody who is Jewish would call it poison. And in this time of racism and Anti-Semitism, I just can't understand, quite frankly, especially with my background coming from Philadelphia inner city and I could go on for I along time, but I just don't see why this program should be discontinued. We need it today.

Mayor Borowsky: Thank you very much, Mr. Maseloff. Erin Nicoletti, followed by Larry Bernosky, Daniel Schwartz and Steven Mahrer.

[Time: 01:08:46]

Erin Nicoletti: My name is Erin. D.E.I. is the new conservative boogieman, like CRT, the Trojan horse that was used to wreak havoc on our schools. Without DEI on a city Council, currently dominated by women, there would be none because without DEI, women would not have the right to vote, let alone be elected to any government position. DEI is what allows Kwasman to wear his yarmulke. We all have differences, and they should be embraced as assets to enhance our community and not used against us as a way to shun us from it.

Last meeting I was shocked, by the Christian prayer especially in the presence of Councilmembers that clearly do not practice Christianity. I was even more shocked to find out that the reintroduction of the prayer was pushed by Councilman Kwasman. This too is DEI. I would say it's inclusion for me, but not for thee.

I would like to add this attack on DEI is a slippery slope. I would think twice about getting on the bandwagon. If you do check all of them, you are hurting yourself when many people are not included. Thank you.

Mayor Borowsky: Thank you.

Erin Nicoletti: DEI hurts no one. Please oppose 14.

Mayor Borowsky: Thank you very much. Larry Bernosky.

[Time: 01:10:28]

Larry Bernosky: Good evening. My name is Larry Bernosky, and good evening to the Mayor and the Council. I live at 19700 North 76th Street here in Scottsdale. And I urge the Council to vote against ordinance 4662, the so-called merit-based employment. This proposal was not only counterproductive, but a step backward in our city's efforts to foster unity, collaboration and effective problem-solving. Unfortunately, this misguided move suggests a pattern of the Council majority prioritizing ideology over analysis or careful consideration.

The Council appears to be working from an ideological playbook. Before making such a significant and damaging decision, I urge the Council to educate itself for the roles and contributions made by the diversity office. The Council must have factual justification for this proposed ordinance, and it includes specific examples of where poor decision making resulted because of DEI. To do otherwise would be a failure of leadership. I implore the Councilmembers to reject ordinance 4662 and uphold your duties to serve the true needs of the community. Thank you.

Mayor Borowsky: Thank you very much, Larry. Daniel Schwartz, followed by Steven March, Mark Rentz and then Linda Milhaven.

[Time: 01:11:58]

Dan Schwartz: Good evening. Dan Schwartz, a 20-year resident of Scottsdale address on record. The most disturbing thing about 4662 is it's purely performative addressing no other problem than pandering to some Council's narrow bases. Are we happy to the look as attested by the media here today, which appeared in the headline, Scottsdale Council looked to emulate trump policy on DEI and return to work. Will we also follow brilliant policies such as investing the city's treasury in crypto currency?

I urge the Council if they insist on this resolution to focus on its potential negative economic impact. Even more egregious is the attack on the city staff. Anyone who works for the city staff knows that they are gems of city, implying that any of them have their positions because they were hired or retained to meet a nonexistent diversity quota is slander adjacent and dishonest. I would encourage the Council to show some leadership by converting this into a study item or even better rejecting it outright. Thank you.

Mayor Borowsky: Thank you, Dan. Steven Mahrer, followed by Mark Rentz, Linda Milhaven. Steven Mahrer? Okay, Mark Rentz? Former Councilwoman Milhaven?

[Time: 01:13:31]

Linda Milhaven: Good evening, my name is Linda Milhaven I live on Belgian Trail here in Scottsdale. It seems that DEI has gotten a bad reputation. It is not and it should not be about quotas. Quotas are illegal. It is not and should not be about advantaging one group to the disadvantage of another group. It is not and should not be demanding white people apologize for being white. To me, it is about equal opportunity and understanding and respecting our differences.

While we may disagree about what DEI means, I think we agree on several things. I support the Mayor and her response to constituents stating that the city is committed to abiding by and enforcing all federal and state laws. I also agree with the Mayor when she says when we invest in the equity for all people and empower all communities, all of Scottsdale gains. I agree with Councilman Kwasman when he says Scottsdale is for everyone. Actions speak louder than words. If you pass this ordinance tonight, many will see it as a gesture that contradicts your words.

Occasionally, you will be presented with an opportunity where everyone can win, this is one such time. The President's Executive Order requires that the programs comply with federal antidiscrimination law. There's no reason to eliminate all programming on the off chance that they may violate the law. A review will give you and others concerned about the negative impacts of diversity programs the confidence that we are compliant and help to keep worthwhile programs that support your spoken goals and send a message that Scottsdale is open for all. Please do not right thing and do not pass this ordinance.

Mayor Borowsky: Thank you, Linda. Eleanor Schaffer, followed by Joe Junker, Chris Asmussen, Mark

Rentz and then Katherine Coggins.

[Time: 01:15:13]

Eleanor Schaffer: Good evening, Council. My name is Eleanor, I was born in Scottsdale, raised in Scottsdale, and I live in Scottsdale with my three children. I'm here today to ask you that the City Council does not adopt ordinance, 4662, and instead allow the Council to continue to be inclusive. Diversity, equity and inclusion are things that the city should be proud to embrace and work towards. There is strength in diversity. We should want the world to be a more equitable place, and we should strive to be inclusive. These are values that I teach my children, that I try to hold for myself, and these are values that the city should embrace and not turn away from. I urge you to work towards these values that should be celebrated. Thank you.

Mayor Borowsky: Thank you, Eleanor. Joe Junker, followed by Chris Asmussen. And seeing no Joe Junker, I would like to move on to Chris Asmussen.

[Time: 01:16:34]

Chris Asmussen: Good evening, thank you for the opportunity to speak. Good evening, Mayor and City Council, my name is Chris Asmussen, I have been a school administrator, the first 22, I was a principal here in Scottsdale. I know a little something about managing large groups of diverse people. As Danny Brown would say, little humans. We know how mean and unkind kids can be. We hear the harmful effects bullying and the intimidation; it's not just a plague on our kids. Violence is not just limited to the playground.

I contend that if we were to manage unkind behavior, we have to instill a little empathy in one another. We have to teach people to celebrate each other's differences, and then through that, recognize that we are more alike than we are different. Helping people celebrate diversity in building the skills to be able to coexist, it's building the skills that a workforce needs to compete. Businesses and businesses need collaboration and communication. It's about breaking down the stereotypes that have us judging one another before we even know one another. These are diverse times. How will you continue to unite us without DEI?

Mayor Borowsky: Thank you very much, Mark Rentz followed by Katherine Coggins, Kathryn Patten and Laura Battaglia and followed by Dr. Rochelle Armstrong.

[Time: 01:18:03]

Mark Rentz: Good evening Mayor and Councilmembers. For the record, I submitted written comments on this item number. Don't look at me as I'm speaking. Look out at the audience. Recognize the diversity is here, and you must admit to yourself that in part, diversity is a success of OID. Now, you want to get rid of a program that has been so successful, for your constituency.

I looked over your staff report, and there's nothing about policy development. It wouldn't be an argument that they are creating wrong policy. Furthermore, I'm unaware of any infraction or violation of law by this office and therefore, there's no misconduct on their part, that justifies the dissolving of this office. And finally, I looked at the fiscal aspect in that report. It is \$716,000 of a \$2.3 billion annual budget. That's less than one-third of 1% that goes to this office. I can only assume that those of you who are voting in favor of this ordinance tonight either do not understand or consequently do not support OID, OIE. I also believe if that's not the case, that you generally oppose diversity, equality, and inclusion.

Mayor Borowsky: Thank you, Mark.

Mark Rentz: Thank you very much, ma'am.

Mayor Borowsky: Katherine Coggins followed by Kathryn Patten and Dr. Armstrong. I don't see Katherine, either Katherine. Oh. There we go. Katherine Patten? All right. Followed by Dr. Armstrong, Dana Close, Michele Rose, Nancy Dallet.

[Time: 01:20:12]

Katherine Patten: Good evening, Mayor and Council, I'm Katie Patten. I'm a 16-year resident of Scottsdale. This is my first time speaking because I'm compelled to do so. You heard a lot about diversity, equity and inclusion. The city of Scottsdale is speaking in volumes about this important issue and matter. And as a mother of a young daughter, and as a woman in corporate America who has benefited from D.E.I., this is an important issue to continue.

I look out at this Council, I look out at this room, not a single person either directly or indirectly has not benefited from the diversity, equity and inclusion of others. Even today, the invocation was inclusive of those who may or may not approve of prayer. Inclusion is in the Pledge of Allegiance that we started this meeting with. If the issue is meritocracy, I will end with this. Meritocracy without inclusion is purely an illusion. Thank you.

Mayor Borowsky: Thank you. Dana Close, followed by Michelle Rose, Nancy Dallett and Caitlynn Barnes. Dana Close.

[Time: 0:21:39]

Dana Close: Good evening, Mayor Borowsky, members of Council. My name is Dana Close. I'm a 35-year resident of the south Scottsdale. While I stand with everyone here, I will jump right to the so another section of mine, due to the editing. I will focus my comments on the concerns of the physically challenges and the autistic and neuro divergent. I'm specifically alarmed by the ADA compliance coordinator and the reduction or the elimination of city funding for programs that promote inclusion, accessibility, and equity.

According to current estimates, around half a million Americans with autism are expected to enter the

workforce within the next decade. These people with unique gifts that any workforce would like to have, amongst their ranks, they may have a bit of help with office accommodation or may be best served working from home. This does not mean that the work and talents are not valuable. They could very well be more skilled in various areas than any other applicant. We would be hiring the best but sometimes the best comes in different packages that was a very fast minute. I encourage you to reconsideration and I suggest a work study so we can look at what's coming up in the future and we can work together for all of our community members. Thank you.

Mayor Borowsky: Thank you, Dana. Michele Rose, followed by Nancy Dallett, Caitlynn Barnes and then Jason Alexander.

[Time: 01:23:25]

Michelle Rose: Good evening, my name is Michelle Rose. I'm the secretary of NAACP, and the president Hodge asked me to deliver a message, the NAACP east valley branch urges Scottsdale Mayor Lisa Borowsky and the entire City Council to vote no on ordinance number 4662. Forbes recently reported D.E.I. isn't just about social justice. It's an essential component of business success, workforce innovation, and long-term economic growth. Companies with greater gender and ethnic diversity on their leadership or for more likely to financially outperform less diverse companies.

President Hodge emphasizes this is not just about one office or one ordinance, this is about the future of Scottsdale's economy and reputation. When you dismantle D.E.I. programs you don't just hurt marginalized, but families and businesses across the city. Inclusion drives prosperity. Scottsdale must decide whether it wants to move forward or backward, and we will not stand by as progress is undone. The NAACP east valley works to disrupt inequality and dismantle racism and accelerate change in key areas. Join the movement.

Mayor Borowsky: Thank you. Nancy Dallett followed by Caitlynn Barnes, Jason Alexander, Jeff O'Connor.

[Time: 01:25:14]

Nancy Dallett: I come to you, Mayor and Council as a 35-year resident of Scottsdale with grave concerns for the speed with which the Council is attempting to dismantle our city government, seemingly in lockstep with the federal government's attempt to derail values, policies, programs and laws we, you must stop alarming initiatives to undo many of the unique and enforcement visions and sustainable successes that contributed to living in this unique city.

Diversity, equality and inclusion programs lead to creativity, innovative engagement and an enhanced reputation by eliminating a dedicated director and staff to envision and implement policies and programs we say to the world, we want to dismantle our unique culture for seemingly purely political reasons, to turn our backs on the fact that we all make a contribution. We are all in this together and each of us brings something to the public imagination, and eventually can become the soft hearts of infrastructure. No Hispanic Heritage, no Holocaust Remembrance or M.L.K. Day, the next generation of

citizens will be stripped of their understanding, appreciation and opportunity to benefit from a richly diverse, inclusive, innovative citizenry that values each individual, not regardless of but because of their diverse backgrounds, gender, creativity and dedication to building a city and a world for everyone. Please keep your eyes and energy on what binds us and makes us stronger. Do not eliminate DEI.

Mayor Borowsky: Thank you. Caitlynn Barnes.

[Time: 01:27:19]

Caitlynn Barnes: Council, putting DEI and merit into a binary is simply wrong and a gross misrepresentation of what DEI does. DEI is a merit-based system that brings performance and diverse experiences together. Performance has always been rewarded, and DEI enjoys that it actually remains that way for all. DEI is not a poison. DEI is a gift. Scottsdale states that diversity is a core value and getting rid of DEI is a miscarriage of what makes this city great. Please vote to keep DEI in place, and continue making Scottsdale a progressive beautiful city to live and work in. Thank you.

Mayor Borowsky: Thank you. Jason Alexander and I understand you have donated time. So, two minutes.

[Time: 01:28:14]

Jason Alexander: Jason Alexander, address on record. A few years ago, I was managing a team of software developers and one of the guys on my team, young man, was a quadriplegic. Now, I would venture to guess that most of us have never worked side by side with a person with those particular challenges. I had never done that before. And certainly, as a manager, I had some initial concerns, just because I didn't know what those challenges would be, would I do a good job, how would it work out? Well, this young man, thank goodness, the company hired him, because he was a terrific programmer. Had a terrific personality. I mean, for God sakes the guy programmed with two fingers and his lips. It was incredibly difficult, and his mind was so sharp. He was an incredible asset to our team, both because of his skills and personality. And it would have been very easy for the folks who hired him to have looked at him and gone, gosh, do we really want to take this on? Is this the challenge we want to take on, or are we gonna let our biases and preconceived notions get in the way of hiring an extremely capable young man.

I will ask for the overhead real quickly here. Having worked with that gentleman, learning to be more empathic and learning to take each employee for what they brought to the table, it made me a better people lead. I'm glad that I grew through that process. I think he was a tremendous asset to his teammates as well as they learned from him and learned to pick up his positivity and skills. So, I think this picture says so much about our city and so much about the culture we try to create here in our city.

So, you can imagine how I was really aghast when Mr. Kwasman posted something on his Twitter describing that image as poison. Mr. Kwasman, on January 21, 2016, you got into what became a national incident in your law school class with Professor Joshua Dressler. You took issue with a comment

he made and you burst out and interrupted his class and said, comments like that affect people's lives. You went on further to say, I know how to affect people through language. So, again, when you use these words "poison," "bombarded," rooted out, how are you affecting people, sir? I mean, we are all entitled to our opinions, but the words matter. The next day on January 22, 2016, you went on the James T. Harris podcast and said you would immediately find ways you could cut the university's budget if you were still in the legislature. So should cities businesses divest from Scottsdale, based on your words? Should conventions, conference, tourists not come here based on your words? Please consider that. Thank you.

Mayor Borowsky: Thank you, Jason. Jeff O'Connor, Janice Shimokubo, Andre Miller and Nicole Baldauf.

[Time: 01:31:24]

Jeff O'Connor: My name is Jeff O'Connor, 45-year resident of Scottsdale and native of Arizona. When I first heard about this, I was so angry. I thought we lived in a different city. I'm confused why there is the need to eliminate an inclusivity policy. Is inclusivity bad? I don't get it. If inclusivity is bad, then exclusivity is good based on that. I'm looking at the Councilmembers up here, in 1960, five men and two women. Now it's two men and five women. What were you valued for on your merits back in 1960. I know what my mother was, housewife, a baker, that was it. Take care of the kids. Look where you are at now. I have seen the 60-year battle it takes to be included. You are there and now you are in power. We're on a path of exclusivity, and not inclusivity. We're going backwards. History shows us what happens when we go backwards, Mr. Kwasman. Also, do not be complicit with removing a program that has a philosophy that has enabled you to rise into power on the backs of those who fought for you. Don't do this. Thank you.

Mayor Borowsky: Thank you. Erica Ruland followed by Josh Ursu and Nicole Baldauf. Thank you.

[Time: 01:33:10]

Nicole Baldauf: Hello, my name is Nicole Baldauf, and I have been a Scottsdale city resident since 2021. Not very long I know. I moved to Scottsdale, thinking I was moving to a progressive and inclusive city. I really hope it will continue as such. DEI is obviously an extremely important measure to ensure that people are not being discriminated against for jobs that they will they are fully qualified for. I seems to me that the City Council would like to ensure that elected employees of the city are being selected based on the highest quality candidates available. That is what DEI is here to ensure is happening.

DEI is what allows me to know that when I go toe to toe for a job with a man, I'm not passed over simply because I'm a woman or that other qualified residents are not being passed up solely based on their age, race, gender, sexual orientation, ability, etc. I see many female Councilmembers in front of me who have all benefited from DEI. It's not too long ago that women had to fight for a single seat at the table, let alone five.

Finally, if you or anyone else feels so threatened by DEI, maybe you should become more qualified

rather than trying to exclude those who are. We will not go back. Thank you for voting no.

Mayor Borowsky: Thank you, Nicole. Rabbi John Linder. I will call up Dr. Raquel Armstrong. She was left out of order I guess, earlier. Thank you. And then followed by Rabbi Linder, Janice Shimokubo and Andre Miller.

[Time: 01:35:02]

Dr. Raquel Armstrong: Good evening, Mayor and Council, thank you for the opportunity to speak. My name is Dr. Raquel Armstrong and by day, I am a researcher by profession. I want to draw your attention to a case study. In the early 1990s, when Arizona failed to adopt Dr. Martin Luther King Day, the state of Arizona lost approximately \$230 billion along with the disinvestment of public events, many of which come to Arizona today. Think about the economic imperative, along with what the office of diversity, equity, inclusion and access has done in the city of Scottsdale. This office has done transformative work under the transformative leadership of Director Johnson, that would irreparably be harmed with the adoption of this ordinance. And so, thinking about all that has been heard this evening, thinking about what would be lost in this community, not just for the residents of Scottsdale but all the people who view this city, as a wonderful place to travel to, to shop, and eventually to live. Thank you.

Mayor Borowsky: Thank you very much, Rabbi Linder. Moving on to Janice Shimokubo.

[Time: 01:36:33]

Janice Shimokubo: Good evening, Mayor, Vice Mayor and City Council members, I'm Janice Shimokubo. I have served on multiple boards and commissions, and I want to make it clear as I stand in front of you tonight, speaking solely on behalf of myself. I had a 30-year career at Fortune 500 companies, of which I was a DEI hire. It was to make decisions based on facts and data. I have multiple questions to ask you: Have you conducted a full review of the Office of Diversity's programming and trainings? How much of the systemic programming violates ARS41-1494 by placing blame or judgment on the basis of race, ethnicity or sex? What data do you have that city employees are not being hired, evaluated or not promoted based on merit? And what percentage of employees have been subject to unlawful forms of discrimination. In the spirit of good governance, if you can't answer these questions tonight, then I urge you to vote no on ordinance 4662. And to conduct a study to show the consequences of any changes. Scottsdale residents and taxpayers deserve this necessary due diligence. Thank you.

Mayor Borowsky: Thank you. Andre Miller, followed by Andrew Scheck. Kathleen Ramsey and Don Logan.

[Time: 01:38:00]

Andre Miller: Mayor and Council, I'm Andre Miller, the Vice President of the NAACP Arizona State Conference. I shop in Scottsdale, dine in Scottsdale, and spend dollars that support this community. The DEI we see in various news race-based which isn't the design, the DEI we see in the various news

outlets panders which isn't the design. Scottsdale should not be carrying the water of the current resident of 1600 Pennsylvania Avenue or carrying the sentiment of those or carrying the sentiment of those who have no problem seeing migrant children sleeping on a concrete slab separated from their parents or the sentiment that America is the bastion of hope when we have a ton of work to do, and that works starts with diversity realizing it's our strength and nothing to make you feel bad in your humanity.

Some have said that DEI promotes reverse racism, and I say the only way to rid Scottsdale or any other place of racism is to reverse it. The proposed is misguided and an affront to the many advanced here in Scottsdale and beyond. Diversity, equity and inclusion is not just about a person's race but understanding and growth.

Martin Luther King said I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but the content of their character. The premise of that statement can be found in diversity, equity and inclusion. Debates we are having here today. The statement meant that we would always examine the internal and that can only be done through a willingness to learn which is afforded through diversity, equity and inclusion. Thank you.

Mayor Borowsky: Thank you. Andrew Scheck. Followed by Don Logan and Nicholas Mentha and Katie Conway.

[Time: 01:39:40]

Andrew Scheck: So how do I know that this is all about ideology? Because Monday, I called the Department of Diversity, and I asked them how many people from the City Council called you to understand what this department does, which does amazing things and only one of you did and I know which one, thank you, MaryAnn. How do I know it's ideology? Because you continue to practice it from the Scottsdale green new deal to now. There is no facts that you have about any of this.

To Councilman Kwasman. You did use the word poison, and you had a great speech last month about the Holocaust. You lost family, I did too. I lost 50% of my family to the Holocaust. As you well know in that lesson using the word poison, there was a guy from Germany who used that against our people. Remember that. When we say never forget and never again, we talk about the lessons learned. It's inclusive to everybody, because we never want what happened to us happens to anybody else. It seems to me that learning lessons about history, you are trying to repeat it. This DEI is the first step in that, keep it in place. It is for the people; it works for everybody. It's the way it's supposed to be in Scottsdale.

Mayor Borowsky: Thank you, Andrew. Don Logan.

[Time: 01:41:14]

Don Logan: Mayor and Council, good evening. Councilman Adam, I'm talking to you. I there's a lot that's going through my mind about what's happening here tonight. And what I'm hearing I had a

three-minute presentation. Mayor, I understand I have 46 seconds. This is personal for me. People have moved on from the bombing of February 26, 2004, but every day I'm reminded of that bombing and it happened because how I'm packaged. An anti-diversity extremist, who I never talked to, never knew, that attacked me and my colleagues because of what we represent. Now I read this packet here. There's nothing in this packet that suggests to me that diversity, equity and inclusion is a threat. Ding, ding. I leave you with this quote from Dr. King. The true test of a man is not where he stands doing convenience and comfort, but where he stands amongst challenge come on, y'all can help me. Anybody know how that finishes that? Amongst challenge...we need diversity training here. Thank you.

Mayor Borowsky: Thank you very much. That was Don Logan. And for the record, we don't we don't engage in the public comment. We don't participate and respond. So, apologies for that. So, thank you for the question. Nicholas Mentha.

[Time: 01:43:31]

Nicholas Mentha: Greetings, Ms. Mayor and City Council. It's an honor to be here. I'm my name is Nicholas Mentha, I'm a resident of the city of Scottsdale. These are just individual comments. I believe in the power of meritocracy, which is a form of unity and diversity. Given that it truly inspires and includes all that makes a person qualified. Merit is often assumed to mean only individual skill but a person's background, lived experiences, and cultural perspectives are also invaluable assets that contribute to excellence in service. Appreciation of diversity is not a departure from meritocracy. It is the very foundation of it.

Removing programs that cultivate inclusion, risks creating an environment where certain perspectives are systemically excluded, whether intentional or not. Without efforts that ensure fair access, we risk allowing unconscious biases to define merit rather than genuine ability, character and potential. So please, inclusion does not happen by accident. It happens by intention. Thank you.

Mayor Borowsky: Thank you. Katie Conway, followed by Robert Fishman, Yolanda Potter, Hillary Lopez.

[Time: 01:45:13]

Kate Conway: Hi there, I'm Kate Conway and I prefer to not to continue to meet you like this, each month. I have been living in Scottsdale for 21 years, and I'm a resident of McDowell Mountain Ranch. The ordinance we are discussing brings about a number of words, the first is embarrassing, also sad, frustrating, ignorant, racist, prejudiced, sexist, mean, and fearful. Diversity, equity and inclusion is a smart investment for Scottsdale. It's not just about fairness. This is a smart financial strategy that drives business success, especially here in Scottsdale. With our rapidly growing and diverse populations, companies and cities that embrace DEI are better positioned to thrive.

Research from McKenzie and Company in 2020 shows that businesses with diverse leadership are 25% more likely to outperform their peers financially. In a city where industries like real estate, healthcare, and technology are booming, we need to embrace diversity to gain the competitive edge. Simply put,

DEI is not just good ethics, it's good for our city. Join others here today to urge you to reject 4662. Let's align with some other words like fun, creativity, inclusivity, savvy, smart, wise, and big hearted.

Mayor Borowsky: Thank you, Katie. Circling back to Erica Ruhland.

[Time: 01:47:04]

Erica Ruhland: Thank you, Council for the limited time. I want our Council to know that what is being proposed goes against everything I thought Scottsdale stood for. If passed, it would result in decreased workforce engagement and halt all progress that has been made for Scottsdale. Council should be focusing on how to support DEI programs. They foster empathy among employees and citizens which is needed more now than ever. One of the core employee values Scottsdale has on all the posters, value diversity.

To the Councilmembers who decided this request was so important that it had to be added to tonight's agenda, I ask you, are you upholding the values of our organization? When a workforce is diverse, it means every employee is bringing in their expertise and experiences to help further grow the organization and shouldn't our citizens, the people we serve be reflected in our city employment? Supporting these initiatives mean that our employees will continue to be able to seek support and to continue to feel empowered to voice our ideas and participate in our workforce. Please continue to support DEI initiatives because it means supporting a better Scottsdale. Thank you.

Mayor Borowsky: Thank you. Robert Fishman, Yolanda Potter, Hillary Lopez, Isaac Young and then Zenaida Fortune.

[Time: 01:48:40]

Yolanda Potter: Mayor, members of Council, diversity, equity and inclusion, DEI is a collective effort to provide an environment where a person with a difference in disability, and gender, gender neutral, age differences and LGBTQ+ community would be welcomed. DEI is not part of a nefarious agenda that seeks to bring unqualified individuals into the workplace. There appears to be a connotation that the human resources department does not view and vet applications based on the applicants' qualifications. Data such as the applicants age, race, gender is not included or submitted to the departments for consideration. DEI is not an initiative that engages in training or orientation that presents any form of blame or judgment on the basis of race, ethnicity, or sex and compliance with ARS 41-1494.

This is a sacred moment where the city of Scottsdale can choose to stand with its sister cities of Tempe and Mesa to retain the diversity office and embrace the culture of diversity, equity, inclusion.

My final thought is this: In the future after many considerations and debates, will the city of Scottsdale land on the wrong side of history?

Mayor Borowsky: Thank you, Erica. Josh Ursu is now here. So, I will pick up where he we missed him.

So next will be Robert Fishman, Yolanda Potter, Hillary Lopez, Isaac Young and then Zenaida.

[Time: 01:50:28]

Josh Ursu: Good evening, Mayor and City Council. My name is Josh Ursu, I have been living in Scottsdale since 1997. We have lots of family here in town, and we could probably fill up this whole downstairs here with just the family that I have. We're all on same page. I have worked at Wells Fargo for 39 years and I have had my fair share experiences with DEI. And I believe there's a lot of confusion about it. Those in support of it say it promotes fairness and protects the disadvantaged, but I believe it's the exact opposite. I think it promotes divisiveness and stifles free thought. DEI attempts to eliminate our traditional values and norms through social engineering it uses coercion to apply its policies. It becomes like a it's kind of become like a secular religion. It's got its own dogmas and its own rituals. It's got its own heretics. Dogmas like equity over equality. Ritual like diversity training and pronoun declarations, and heretics those who challenge or don't conform to the principles. So right. I think it's an attempt to control thought and speech through the push for specific language use like pronouns and inclusive terminology. I have seen it in practice in my 39 years at Wells Fargo and totally reject it. Please vote to remove DEI from Scottsdale. Thank you.

Mayor Borowsky: Thank you, Josh. City Clerk Ben Lane, are we did we Robert Fishman? Is he next? There we go. Followed by Hillary Lopez, Isaac Young and finally Zenaida Fortune.

[Time: 01:52:42]

Robert Fishman: Hi, Robert Fishman, I have lived in Scottsdale for 13 years. I visited here for 40 years. I was a lawyer at the a clerk for the Arizona Court of Appeals back in 1973. So, I have I have a lot of background. And my question is why and what? What caused this? Why did this come forward? I don't get it. Do you get it? What possible benefits have been evaluated to determine that adopting this legislation is beneficial to Scottsdale? You know, the people that have come before me are a lot more eloquent, a lot more experienced, and deeply engaged in this. I haven't heard one person come forward in support of this legislation. Where are they? Where are they? Have you seen any? Are you going to speak? I hope you are. Because I'm looking forward to it.

You know, the only reason you would the only reason you would adopt this, is that you believe that Scottsdale is not using merit-based systems and thus diversity, equity and inclusion promote bias, division, racial basis and inefficiency in government. And that it's part of a woke agenda that misuses taxpayer money. Show me where. Show me the cost benefit analysis. What I'm very disturbed about is why the City Council would even want to bring this forward. That is a more important question. Are you going to do your duty and actually do evaluations that are meaningful and productive. Thank you.

Mayor Borowsky: Thank you, Robert. Hillary Lopez.

[Time: 01:54:41]

Hillary Lopez: I'm Hillary Lopez. I live on East Acoma Drive. The cost of losing this program are vast. This program promotes diversity. Diversity brings a sense for all that they belong. It brings a larger talent pool, new ideas, creativity, even stronger profits. Diverse community can enhance social cohesion by ending and reducing prejudice among certain groups. Exposure to diverse cultures and perspectives fosters empathy and mutual respect, contributing to a healthier society and minimizing hate. If we need nothing else right now, mutual respect and harmony have to be at the top. I implore you to consider the true gifts of diversity and know if you don't show our community and our children that all people matter and should be effortly representative, you are telling us that are not white or male or heterosexual or typically abled that we matter less. Just know your decision today can benefit our city or break hearts, as Martin Luther King stated so eloquently, injustice anywhere is a threat to justice everywhere. Be on the right side of history and keep our D.E.I. program. Thank you.

Mayor Borowsky: Thank you. Isaac Young.

[Time: 01:56:09]

Isaac Young: Good evening, Mayor and members of the Council, my name is Isaac Young and I am the current Director of Outreach for the Maricopa County Young Democrats. However, today I do not come to you as a democrat or as a minority or even just a young Scottsdale citizen. But what I come to you as is a human. I come to you as a human on this earth who deserves the right to be respected. Many years ago, Jim Crow and other discriminatory laws prevented access or limited access based on a criteria on lookism. Generational poverty has been set amongst families because of racist substructure. DEI is a framework that was created on behalf of the unfair and the unjust treatment towards others who did not live up to a specific agenda.

However, as a young man of faith, I believe that God creates all mankind equally. The excuse of not having the funds is very unappreciated coming from one of the wealthiest cities in Arizona. Delivering this ordinance will do the opposite of exercising our 14th Amendment by posing the actions of making one feel inferior because of the agenda that God did not create. Equity brings unity, inequity brings disunity and I want to thank you for this opportunity and I want to urge you all to not pass this ordinance that will be a disgrace to people who look and feel the same as me. Thank you, members.

Mayor Borowsky: Thank you, Isaac. Zenaida Fortune.

[Time: 01:57:47]

Zenaida Fortune: Also, Adam, what you wrote, you are absolutely right about. I am one of the vast majority who elected Jan, Adam, Kathy, Barry, Lisa into Council to represent us and not the wasps out here who want DEI, which is actually a reverse racism. All right? If you go online, you go to TikTok, you go to YouTube, you go to Instagram, and all of the comments that you read, there are thousands and thousands of comments that I have gone through of people saying that there's massive reverse racism

that's been happening in this country. All right? For example, someone mentioned about women. Have we not had women being elected to City Council outside of DEI for the last 20 years? Linda Milhaven, she's here. She was here, elected here before DEI, was she not? None of you got in here due to DEI. Rommel and Johnny Mexican and Filipino have been here for 7 and 17 years, and not due to DEI. We do not need DEI, all right? Represent us and get DEI, the world economic forum's ideals out. It is, indeed, social engineering. Get it out of our lives. And by the way, we are a conservative city, we are not a progressive city. All right? If you want to go to a liberal city, go elsewhere! Go to a liberal city. It's a shithole. That's why you are here to turn Scottsdale, to except migrants. We don't want illegal migrants here. Do not allow DEI.

[Time: 02:00:03]

Mayor Borowsky: Thank you, Zenaida. Thank you very much. And seeing no more speakers on the board, that wraps up the comments for Item number 14. So, I see a couple of names on the board, but I just want to start with first off, thanking all of you for being here tonight. It's a very lively conversation and I appreciate your passion and your participation in this civic process, and we definitely like to hear from you, even if at the end of the day we don't agree. Thank you for showing up.

So personally, I'm a native of Scottsdale, lives here all my life, went to elementary school and high school and college at ASU. I just want to say that personally my experience is that we have evolved tremendously as a city. I mean, the difference between when I was in grade school and where we are now is phenomenal. It's great. And I also want to observe. I have been not only in the political process, but I have been a practicing attorney in Scottsdale since 2006. And diversity, equity and inclusion is alive and well and highly valued in Scottsdale, Arizona and so allow me just a few more minutes here.

As a city, as your Mayor, I'm committed to abiding by and enforcing all federal and state laws which faithfully advance the principals set forth in our U.S. Constitution, which ensures dignity, rewards hard work, and excellence. The future I envision for Scottsdale is where every one of our residents have equal opportunity to dream big and achieve their goals. Scottsdale is a diverse city. We're all here. We're evidence of that. And we are dedicated to supporting each other and those who live, work or visit our city. Scottsdale will continue to prioritize merit-based hiring, performance reviews, and promotions. That reward individual skill, work ethic and productivity. We are a welcoming city and make no mistake, we are open for business to everybody.

Now, listening to all the speakers, I can tell you again, I pretty much agree with the majority of individuals here. But what I didn't hear is the tangible impact that DEI or a department dedicated to that has on our hiring, our welcomeness, our welcoming as a community, the way we do business, the way we treat employees, you have seen several former employees here that preceded DEI in any diversity training. I happen to be one of them. I was elected to City Council, not because I was I'm a woman, I agree with whoever just said that. Who knows, you know. I want I rest on my skill set and we all should do the same. So, I want you to rest assured no matter the outcome of tonight's vote, that if there is evidence of discrimination, and anything other than the qualities I espoused, you definitely call me, I'm easy to find. And so, with that, I will turn this over to the speakers who have recorded their interest in

voting, Councilwoman McAllen.

[Time: 02:03:30]

Councilwoman McAllen: Thank you, Mayor. I'm simply gonna move, make a motion that the Mayor direct the City Manager to schedule this item for a work study session at a future meeting and that we continue this action item until that we do not continue it until we can have a work study session on Item 14.

Councilwoman Whitehead: I will second it and I would like to speak to my second.

Mayor Borowsky: Please.

Councilwoman Whitehead: First of all, once again, I am humbled by the people of this community. It has been such a pleasure serving Scottsdale. The talent in this community, the heart in this community is simply amazing! You guys make me laugh. You make me cry. You make me think. You make me a better person and that's really the foundation of our democracy, isn't it? It's about working together, listening to each other, and doing things so that we can all thrive and all be safe, and so I absolutely want to second my colleague's motion. If there is a problem with our diversity, equity and inclusion department, yes, we had. It was called something else. If you don't like the name, folks. Change the name. Don't change the process. Don't change the belief in it.

I want to be clear, that the policemen who are keeping you safe tonight, they were hired based on merit. And the water scientists who want to make sure that you can drink and survive tap water, yes, they were hired based on merit. This ordinance was done behind the scenes, without a public process, and serves no purpose. The claim, the claim by my colleagues that they desire to have merit-based hiring, I got good news for everybody who wrote and we heard from hundreds of people, and the few people who wrote in support of the ordinance, what did they say? They said we demand merit-based hiring. I got good news for you! For as long as I have been in Scottsdale, and for long before that, this city has been a merit-based hiring city.

And what about the training that's so offensive. Let's talk about that training. Our community programs include Dinner and dialogue. That certainly sounds poisonous. We support community diversity partners and multicity region Unity Festival and Walk and the Mayor's Committee on Employment of People with Disabilities. Those are the programs that are at risk today for political gains because somebody up here didn't understand how the city operates, how we are the programs we have in place, and we're willing to risk it for some kind of political gain. Now, let's talk about how did we end up with this horrible ordinance? As I mentioned, it was done without community process. And I get it. When we get up here as Councilmembers, I have been up here six years. We don't know a whole lot. Anybody can get elected, as long as you get the people, you know, think that they represent you. That's fine. We're up here to learn. And the way you get an ordinance done is, a, you identify a need and often that need is identified by the very community that you serve. And then you start a community process, just like we did with every ordinance that we have that pertains to social and environmental issues. We bring the community

together because the seven of us don't know everything, so we have to listen to you. And then we bring in the experts and we bring in our staff, and we design an ordinance that actually solves a problem and does not undermine anybody but lifts everybody up. That was not done. Let me tell you something else, we have work study sessions. I have spent more time in the last six years at work study sessions. A work study session is an informal way for this City Council to discuss issues because we have to do it in a public process. But we can't just vote on something without hearing about each other. So that's the purpose of a work study session. There have been no work study sessions. Nobody on this Council who supported this ordinance asked me my opinion, asked me about my life's experience, nor did they ask you about yours. This is an ordinance that is aimed at accomplishing nothing, and solving problems that never existed and sadly, sends a message to the world that this international destination is not open for all. There is not one policy at the city of Scottsdale that will change if this ordinance is passed, but the downside risks are endless. We are better together. We are better when we have an office of diversity, because it enables us to educate the public, create events where people meet people they would otherwise not meet, and it ensures that the people we hire are the best and the brightest.

[Time: 02:09:46]

You cannot say you support diversity, you support inclusion, you support keeping Scottsdale open for all and vote for this ordinance. You know, I have been told, I hate being called a politician. And I have been told that there's a difference between politicians and leaders. Politicians say one thing and do another. And leaders deliver what they say, and they deliver for the people they represent. I encourage my colleagues if they have concerns, they should, they should support my colleague's motion. We should have community meetings. We should discuss the dangers of DEI that one of our speakers mentioned. None of those exist here in the city, but if they do, let's have those community meetings. Let's have the work study session. Find that. Find those problems and root 'em out as my colleague said.

I want to end with a photo that already appeared on previously with us. There we go. This is Scottsdale for all. This is the picture that my colleague supporting this ordinance says is poisonous. This is not who we are as a community. And, again, I give my I will give my colleagues who are new to this Council some space. There's a lot to learn when you become a Councilmember. Please support, please support the motion on the table. Let's continue this discussion. Let's truly root out problems if there are any and find ways to make this better. And, again, you don't like the name of the department, we can change that. Let's not change the values that that it stands for. Thank you.

Mayor Borowsky: Thank you. Seeing no other requests to speak, there's a motion and a second on the table. And that is for a continuance and work study session. So, I'm going to go ahead and take a vote on that. And all those in favor of this idea, register your vote.

Vice Mayor Dubauskas: City Clerk, register a no for me, please.

Mayor Borowsky: Thank you. The motion fails, 5-2. Seeing no seeing no speakers on the board. Well, let me speak to that. Do you all want to do this over again and do a work study? I don't see the point of that. You have all been here. I think that would that would not be a good, good use of your time or the

city's resources. So having said that, work study and task forces actually do cost taxpayer money, and we have heard what you have to say. Anyway, if we can Councilman Kwasman.

[Time: 02:13:13]

Councilman Kwasman: I will speak to the whole vote after this is, after this motion closes.

Mayor Borowsky: I don't have a motion on the table.

Councilman Kwasman: Okay so we are in the final vote. Okay. I want to talk about there was a specific story that was brought up that I wanted to talk about, about a professor that was at A.S.U. Law, and that professor, the the professor was in criminal law. And the day that day, you know, most 1L students, are they have to take criminal law because criminal law is a it's a required course. It's gonna be on the Bar, and Professor Dressler was a visiting professor. He was one of the most famous criminal law professors in the country and one-third of the law school class was there. The subject of the class...Madam Mayor, I will get to the point.

Mayor Borowsky: Councilman Kwasman has the floor so please be respectful.

Councilman Kwasman: The subject of class or the subject of the class was an attempt and within the first three minutes, the professor talked about Senator Ted Cruz who was running for President at that time. Senator Cruz made a phrase and said values coming out of New York are not the values of the rest of the country. Fine. He's running for President. But Professor Dressler, in a very impassioned, very become to the point of tears rolls stated the following, when he talked about those New York values, he's talking about the Jews and that's what wants for you. That's what he thinks. I was in the class. He said, do you know what he means when he said New York values. He means, pause, the Jews. That is what he said. So, I stood up in the class and I said that you can't do this, right? And the rest of the story that was told is a true story.

Here's the next part of it, and I think it's important to get to this vote. When there was a petition that was sent around to discipline me at the law school, I was called into the Dean of the Student's Office and we had a discussion. And at that time, I was able to show the dean the students Professor Dressler's personal Facebook page and on the cover of his personal Facebook page was a picture of a dog urinating on a picture of Ted Cruz.

Now what is the point and what is the connection to tonight? There is a purposeful conflation between intentions of those would do not believe in certain government programs, and those who have a heart that's aimed true and caring toward a diverse crowd, towards somebody towards a diverse community, towards a belief in equity, to a belief in inclusion, because the definitions of diversity, equity and inclusion are wonderful. They are wonderful. Nobody questions it. Diversity brings together people from different backgrounds and different viewpoints. It enhances decision-making. It prevents group think. Equity is a century's old concept of law. It boils down to treating people fairly. And who could object to making people feel welcomed where they live and work? The problem is where the rubber meets the

road. The problem is that D.E.I. as practiced here and elsewhere, it runs policies through the lens of race and sex and other identity categories. It actively prevents, it actively prevents diversity of viewpoint. It subverts equal opportunity in favor of an artificial equity outcome. It excludes those believed whose beliefs diverge from a narrow orthodoxy. Companies, as of today, that have moved away from D.E.I. include the following, as of today: Disney, GE, PayPal, Comcast, Amazon, Bloomberg, McDonald's, Walmart, Lowe's, Ford, Jack Daniels, which I think we all need one after tonight, Harley Davidson and John Deere. Scottsdale must be a city where all are welcomed, all are welcome. And they are all welcomed to build a future and a flourishing future for themselves and their families, a place where everyone is treated equally and fairly under the law. This ordinance does not get rid of our A.D.A. Compliance, nor does it get rid of our Antidiscrimination Ordinance.

And I stand with the Mayor, when she stated that if there is ever an instance of discrimination in this city, I will stand shoulder to shoulder, along with everybody on this dais. Everybody on this dais, to fight discrimination. Madam Mayor, members of this Council, we don't need another government program that is what we have heard doesn't do much at all. We don't need another government program we don't need another government program that teaches children as little as zero through five, zero through five...It teaches children 0 through 5...It teaches children zero through five a narrow...

Mayor Borowsky: We may need to take a recess. Excuse me, sir. Order, please. Let's take a five-minute recess.

Councilman Kwasman: Madam Mayor, I'm almost done. I will finish my sentence and then we are done.

Mayor Borowsky: Well, we all sat here and listened to everyone in the room. Please show respect, which is what you are asking for from us.

Councilman Kwasman: Zero through five, a very narrow viewpoint. We are better than that. We believe in equality and equal justice under the law. That is all.

Mayor Borowsky: We are not taking public comment anymore. Thank you, Adam, I'm sorry, Councilman Kwasman. Vice Mayor Dubauskas.

[Time: 02:21:28]

Vice Mayor Dubauskas: I move to adopt Ordinance 4662.

Councilman Graham: Second.

Mayor Borowsky: Thank you. Before I register the vote, I am going to, let's just register our votes. Thank you.

REGULAR AGENDA - ITEM 15

[Time: 02:22:09]

Moving on to item 15. This is another request by four members of the City Council to adopt Resolution 13353. That would direct charter officers and the presiding City Judge to consider all positions working remotely and develop a plan to return employees to work in office in a timely manner. We received two requests for public comment. I think that's all we have got right now. So, I will open it up for public comment, starting with Victor Assad.

[Time: 02:22:41]

Victor Assad: My name is Victor Assad. I have been a Scottsdale resident for 11 years, living near Old Town. And I saw this item on the agenda and because I have worked with this issue in private business, I wanted to speak with you all and what I'm speaking to, I have shared these documents with all of you. Based and what I'm really advising is caution with this, and that I believe if you move forward with this, recalling people back into the office, you are gonna drive up costs. You are gonna have turnover and it will not go well, based on empirical research. And based on the research for over ten years, and I'm sorry, did I start with three minutes. Oh, here it is. Never mind. Ten years on home based and hybrid work, I urge you not to do this.

In 2011 and 2012, I implemented a hybrid and home-based work model for Medtronics Coronary and Peripheral Stenting business based in Santa Rosa, California. It was a great success. The company aimed to reduce office space costs and redirect the money to research and development to create life-saving stents. It was very successful. Our business saved over 2 million annually from reduced real estate costs and benefited from a 22% improvement in remote worker productivity, improved morale, less turnover, and easier recruiting. Plus, the employees loved saving the commute time. I have submitted this case study, which goes over several other studies at the time that found the same thing.

But I want to call to your attention and my last 30 seconds 30 seconds, is an article that I sent to you by Brian Elliott, who looked at research at companies that had brought people back into the office that worked remotely or in hybrid work. Productivity as that CEO said, many of them, did not improve. They did not have any financial advantage, and in some of these companies, their stock price went down. Turnover went up. So, I encourage you not to move forward with this. Thank you for your time.

Mayor Borowsky: Thank you, Daniel Schwartz. Is Daniel here? Okay. Seeing no further I will hear from Councilwoman McAllen.

[Time: 02:25:39]

Councilwoman McAllen: Thank you, Mayor. Thank you, Victor, for sending us that report. It was very informative, and I appreciate the time you took to reach out to all of us. That being said, I have a question for the City Manager about bringing people back to work. Do you have an idea of how many

positions this would be? That's number one. Number two, does this take into consideration jobs that were never in the city that were tele-jobs and the cost that it will take to bring these people to work and office, pollution, all of that? And then my third and final question is: Does this affect flexibility work schedules like 4/10s, things of that nature.

[Time: 02:26:35]

Interim City Manager Greg Caton: Madam Mayor, and Councilwoman McAllen, actually have an A.R., which is administrative regulation that speaks to remote working alternative work schedules, and it's my understanding that employees are encouraged and required to fill out a form. I believe that was probably in its earlier years of the implementation of the A.R. and I believe our records are likely not up to date in that regard. So, I do not have an accurate number of how many people are remote or are actually on an alternative work schedule.

I'm very familiar with remote work, and alternative work schedules, and what you find in municipal government, specifically I will speak to the alternative work schedule first, is that many of our employees are already on one. I will just use firefighters and police officers are case in point, which have what most people would refer to as not an 8 to 5, of course. I will stop there, just because I think that proves my point. But I think what this directs us to do as charter officers is to really dig into the situation and at our discretion allow those unique opportunities. Then I will move to the middle point where I believe you asked about contract employees or people that were always remote. To my knowledge, I could certainly look to be corrected amongst the standing colleagues in the gallery, but I do not believe that is the case in any significant measure. And so, I think this I believe that answers your three questions. Thank you so much.

Mayor Borowsky: Thank you. Councilman Graham.

Councilman Graham: Was there a staff presentation for this item? Was that was that planned?

Greg Caton: No, sir.

Councilman Graham: So, this, we're talking about we're really you know, resolving to say that we prefer office work to remote work, because we believe that we see companies doing this. We, I think there's a value up here that working together in person, brings value to the taxpayers and the residents of Scottsdale. We you know, there was probably discussion in people's mind do we mandate a return to the office, and I just want to confirm my understanding when I read this is that it is not compulsory and it leaves discretion for our managers, our directors, our supervisors, and our supervisors and I just want to ask the question to the City Manager if that's how if that's how you interpret it, because I think that it's kind of it's really just a balance between expressing our value for in-person work and and allowing flexibility with our professionals. Thank you, Mr. Caton.

Greg Caton: Madam Mayor, Councilman Graham, that's exactly how I receive it and read it. I also think we are in a unique situation with the city of Scottsdale with, I will call it the increased number of charter

officers that if there is not consistent direction from the City Council, then you could have some differences of implementation within the respective areas. So, a consistent message in this regard is likely more needed in an organization such as ours and I again receive it exactly as it sounds like you interpret it. It's really our requirement, as I'm receiving it, to understand the situation to the all of levels and the numbers and then make sure it's still serving the business purpose.

Councilman Graham: Okay.

Greg Caton: There are certainly some circumstances where employees have personal situations that they have gotten used to and made life choices around that type of work schedule. I will tell you from an Interim City Manager perspective, I'm certainly very sensitive to that and we will be mindful as we develop a transition plan based upon City Council's preference.

[Time: 02:31:09]

Councilman Graham: I think that's a good signal because we are not a start-up. We are not all in the same bullpen. We have 2,700 professionals and to what I hear you saying, I think, is gonna be appreciated and valued to have a unified message that this is a value of our city. So, Mr. Caton, thank you very much for those responses and I will I will move to adopt Resolution 13353.

Councilwoman Littlefield: Second.

Councilman Graham: Sorry, Madam Mayor, I'm not trying to cut off any more debate, but I'm ready to vote when my colleagues are.

Mayor Borowsky: Let me hear, I hear your second and I would like you to speak to that, as soon as we hear from Ms. Whitehead.

Councilwoman Whitehead: Thank you, Mayor. Mr. Caton, this ordinance or this adopted procedure says, states that remote work in-person office work is preferred to remote work, because working in person allows increased efficiency for residents. Can you provide data that backs that up?

Greg Caton: Just a point of clarification, Madam Mayor and Councilwoman Whitehead, are you speaking to the administrative regulation?

Councilwoman Whitehead: I'm speaking to the item that's on the agenda.

Greg Caton: Oh, okay. I just want okay. Thank you to are that clarification, because we had the administrative regulation and that's not adopted yet. So, I was misunderstanding your question there. I would say it's twofold, when we start looking at our workforce and how we deliver our services, we have many individuals I would estimate approximately two-thirds of our staff members that are in the field every day. As I started to reference earlier, I think our first responders are great examples where they are not working remote and we have a number of other individuals, employees that are in the field

and they are not applicable to a work remote situation. I have been in other organizations over the last 28 years, and this became much more prevalent in public and private sector through the COVID environment. I think what we have seen, particularly in public service, is a return to the workplace in many instances. And specifically, to your question about efficiencies and delivering public service to our customers, and even internal customers, I do find that in many instances, in-person does deliver a higher level of customer service.

Councilwoman Whitehead: Okay, but you don't have supply specific data that you could show us. It was pretty compelling data that we received about and my own personal experiences I have professional children, I have certainly worked remote for many decades, and nobody has ever accused me of slouching. So, so I would like to see data. Again, I think what we are doing is making decisions blindly. Also, how many you mentioned many city employees, like if you were in Solid Waste, and you drive a truck, you don't work remote. So how many of our employees currently work remotely?

Greg Caton: Yeah, Madam Mayor and Councilwoman Whitehead, I think that's part of this value being sent from City Council, is that at a minimum, we do not have that today, as far as employees go.

Councilwoman Whitehead: Okay. So, we don't know so we are being asked to adopt a preferential, a policy that prefers in-person office work, but we really don't know how many people currently don't work in the office? Or what they do or how their performance is. Has there been any studies or have you done any work to identify problems with those that work remotely? I mean, I'm just asking questions. It seems, again, I'm being asked to vote on something, and not provided any data to back up the assertions, not provided any data to make an educated vote. Please tell me what you have done to evaluate people who work remotely. And, you know, working remotely, let's face it, I mean, it's that's a pretty broad stroke. Do I think that people need to get together and meet each other and talk around the watercooler? Yeah. I actually do. And I like the idea of people working, you know, sometimes in the office or finding ways to be together, but what this is this, as I read it, is is kind of pushing for everybody to return to work and I think the data that I have seen is 70% of our workforce doesn't live in Scottsdale. If I worked in Scottsdale but was allowed three times a week to work from home, and I lived in Peoria, that might work. But if I have to make that drive every single day, why not take the same job in Peoria? So, again, I don't mind this if it was backed by data and we knew exactly what changes we were making. So, you know, I appreciate Councilman Graham saying that gives you flexibility, but don't you have flexibility today?

[Time: 02:36:48]

Greg Caton: Madam Mayor and Councilwoman Whitehead, I heard a number of questions if there. I presume the last one is the one you would like me to address. And so, what I would say is that it is very important when you have six charter officers from just being one of those, and a temporary position to have the message from the board of directors from the City Council of your preference quite frankly of the organization and the governance model. I believe that that message cannot be overstated, the type of organization and the culture that we want to develop here.

Councilwoman Whitehead: Okay. So, you are saying you do have the flexibility, but the problem is you don't have the flexibility over the treasurer's office?

Greg Caton: Madam Mayor and Councilwoman Whitehead, I certainly did not you twisted my words there. I don't believe...

Councilwoman Whitehead: I didn't mean to.

Greg Caton: I don't believe that there was any insinuation, but a consistent message across the organization, across the various areas when you have a different charter officer seeing those. So, the consistency is I do feel the direction from the City Council. I think a general policy statement is which the way I intend I read this, in addition to our management opportunities to use discretion. I will mention that there are certain positions I mentioned the ones that are specifically meant to deliver services in the field, first responders, people driving solid waste trucks, for example, I think there are, in many instances positions where we compete with the private sector and those are potential opportunities where I see some lenience or flexibility, accountability, for example, people in finance, people in information technology. We certainly don't want to put our organization at a disadvantage, as competing with that top talent and as I read here, those discretions based upon the highest delivery of service to our organization.

Councilwoman Whitehead: I definitely appreciate that fact and I stressed that Councilman Graham, says that it leaves you to decide, and yes, we will lose people to the private sector, no question. The only data I have received is from a member of the public who spoke and opposes this opposes what we are voting on, and it's just against my against what I have agreed to as a Councilwoman, to vote on something without data, without knowing the impacts, without even knowing the number of employees that it could impact. So, I will be voting against it. Thank you.

[Time: 02:39:38]

Mayor Borowsky: Thank you, Councilwoman Whitehead. To be clear, the charter prohibits Council, Mayor or Council, from directing individual employees. We can only provide direction, policy direction to the charter officers. So, we're giving you a clear message that this is how we feel, and we would like you to work on it, all the charter officers. So, I don't think there should be any confusion. We can't require a mandate that people come back to work. It's part of the Charter that we cannot do that. So, I don't want to spend more time on this. Oh, Vice Mayor Dubauskas.

Vice Mayor Dubauskas: I make a motion to adopt Resolution 13353.

Mayor Borowsky: There's a motion and a second.

Vice Mayor Dubauskas: Wonderful, let's vote.

Mayor Borowsky: I will let Councilwoman Littlefield speak to it or otherwise take a vote.

Councilwoman Littlefield: Thank you. I do support this idea of coming back to work, just so that the city can offer the highest and best service that we can to our citizens at all times, that there would be someone here to answer questions and to help people out. I think that meeting citizens face to face, helps to solve issues, it helps to solve problems, and I think especially in economic development, and areas like that, it really creates an atmosphere where questions are answered, and perhaps long-term issues can be resolved more quickly. So, I do believe that this is a good thing. I'm not saying that everyone has to come back to work tomorrow, that is not my intent what I'm saying is if we can do this people should be able to come to work and to serve our citizens and our city with the highest level of service possible. Thank you.

Mayor Borowsky: Thank you. With that, please register your vote. Thank you.

REGULAR AGENDA – ITEM 7

[Time: 02:41:38]

Turning next to Item agenda number 7, and that is the parking structures structure.

Ben Lane: I'm sorry, we have item 16. It's the water item.

Mayor Borowsky: But we put the 7 off the Consent Agenda.

Ben Lane: Oh.

Mayor Borowsky: There's no public comment on the 16. Let's take seven, because staff, we will be here through the duration. Item number 7, which I pulled off the Consent Agenda is the parking structure in Old Town Scottsdale design build preconstruction services contract for the sum of \$1.629 million. Does anyone have the presentation handy? I don't want to spend a lot of time on it, I want the one slide where it shows the structure of 1.629 million to invest in. This involves a parking structure, an above ground two stories, 200 spaces at Brown Avenue, and I think it's First, right across from the old mission church and where the where the Farmer's Market currently goes on, on a regular basis now for 15 years. So, I wasn't part of this decision. There are people on the Council that were, but it was approved under the prior administration, and I know from working with the stakeholders and being friends with the stakeholders, I was not involved but I know it's been a hotly debated and activated discussion and I will tell you, I have met with some of the stakeholders, many of them, I have talked I have heard from so many citizens, don't let them scrape don't scrape you know, do away with the Farmer's Market. I think this is going to be a really big deal.

I don't think many people know that this is going to be the outcome of it, and by the time, you know, I got here, a week you know, it was on the Consent Agenda and pulled it off then. And pulling it off again. I think once people learn about this, it's going to be a really big deal.

More importantly and I ran for to be your Mayor to do things as good as we can do in Scottsdale,

Arizona, and make make Scottsdale as good as it can be, and most importantly, high-quality development, and revitalization of Old Town Scottsdale. This takes us two steps back at a minimum in my opinion. So my ask today is to continue this, and I have some really key reasons why I would like to continue this, and by the way, I met with some stakeholders yesterday, I want to do you right and good and I want to get the parking lot in the best location, the most aesthetically pleasing format so that we do have a monolithic structure, you know, in the center of the centerpiece of our Old Town that we're not going to ever see go away and there's not going to be much to do with it after this is done. That's not at all the view that we were on the page that was the parking structure. That was in the presentation materials.

City Engineer Alison Tymkiw: This Mayor, members of Council this was in the presentation.

[Time: 02:45:24]

Mayor Borowsky: Well, that's not what I'm talking about then. There was a slide show that maybe Terrance, maybe you can find it. I think, anyway, I won't digress, it's in the packet somewhere because I had it on my desk upstairs. Nonetheless, my key reasons for pulling this and wanting to work on it personally, not by committee, not death by committee, not so it rots, you know, and eventually forgotten about, but from my understanding, none of the stakeholders that that advocate for more parking like this location, none of them. So, it seems like a compromise of disagreement, which, again, I think we can do better than this.

The second reason I would really like to see this continued so that I personally have time to make this my number one priority, the revitalization of Old Town is one of my top number one priorities, and I will dedicate myself to coming up with the solution that is way better than what we're looking at right now, and it won't involve getting rid of the Farmer's Market. So not only does no one seem to like this, but when I as I mentioned, when I think the general when the general public learns about this, and is impacted, the construction that will go on in Old Town, these merchants will be, you know, impacted for a very long period of time, which is never good in that area, not only that, it will bring more traffic to the area, which I don't think is a good thing in that iconic, historic area.

So what I would like to do, two options, I have already been in touch with Honor Health, they have several parcels around the city that that the city has actually worked with them on in the past, some of which were the city of Scottsdale's property in the past, and there's no commitments yet obviously, because we just started this dialogue when the panic set in of what this is going to do for me, but this is a commitment to work on identifying a parcel in the area that I believe would prove to be a much better solution and would not have a negative impact on business owners, residents, residents first, business owners first, or visitors to the area. How long is this going to take to construct? Do you have any idea?

Alison Tymkiw: Mayor, members of Council, we're planning about a year for design and about a year for construction.

Mayor Borowsky: Can you imagine the entire block be ripped up for a year there? Yeah, I can't. That's

not going to be a great result. I would love to see it on periphery of Old Town, whether it's Goldwater or Drinkwater, if we are going to do that and see a design quality that becomes an amenity or an artistic for our city, not just a big cement structure in that location.

So, working with Scottsdale healthcare, or other parcels that I believe would be viable, I think it's important to take a hard look and a fast look, not wasting time. The second alternative is to make the existing typical parking structure of two stories, 200 paces. By the way, it's gonna cost us \$16.2 million, I believe the cost of this is. But take a look at if it has to be if we're stuck with this location, which I don't believe we will be after a thorough, deep dive into this idea and making it happen, I would like to see it become an activated resource and that will include, you know, even though it's a two-story parking garage, making it much more advanced architecturally, and allowing for the Farmer's Market to still maintain a presence on top, making the top more of park-like or amenity community gathering space and I know that's an option because we have been working on renderings for the last week on that, some of which I have shown to the well, it's only one rendering, but it's dramatic, which I have shared dramatic, which I shared with some of the stakeholders, not all of them, and I think there's no question if you put what we're about to spend, \$1.629 million on and be stuck in the process, and compared to what you can do with it, and making this an amenity and not lose the Farmer's Market, I think it's worth the you know, put it at a max month delay to come back with the answers and the viable solutions.

So, with I hope I can get the support of my Councilmembers to indulge me in pushing this down a little bit, not to, again, let it suffer the consequences death by delay. That's not at all what I'm looking to do. With that, I would like to oh, there anyone on there? With that, I would like to make a motion to approve...

Ben Lane: Mayor, we do have three public comments on this item.

Mayor Borowsky: Oh, that's right. I'm sorry. I don't see them on my board. Oh, they are here. Pardon me.

Ben Lane: Mayor, the three to speak or Dan Ishac, French Thompson and Bob Pejman.

Mayor Borowsky: Dan Ishac, followed by French Thompson and Bob Pejman.

[Time: 02:51:05]

Dan Ishac: Dan Ishac, address on record. Thank you for your comments because I aligned very closely with many of them. I believe that this parking structure is bad for three fact-based reasons. One, the majority of this Council campaigned and preaches about being good stewards of our taxpayer money. There is yet to be a parking study that this says this specific area has a parking deficit, other than on 12-day spring training games. Therefore, why would we spend more than \$15 million of our taxpayer money to build a parking structure that will be largely underutilized and vacant for as much as 90% of the year? That is not being fiscal stewards.

Second, as you mentioned, this is up with of the most historic parts of our city. And the majority of our council members repeatedly talk about the importance of preserving our western heritage. The old Adobe Mission is arguably the most historic structure in Old Town. To put a two-story parking structure immediately across the street from it is maddening to anybody who values the history of our city. Not to mention, the entire surrounding area is generally one story western themed retail and commercial enterprises. There is no amount of money that you can spend wisely that will make a two-story parking structure fit into this area.

And the third fact base you have mentioned, Mayor is that the Farmer's Market is a beloved venue for hundreds of Scottsdale residents and supports dozens of our vendors. This would permanently displace the Farmer's Market.

Now, when the prior Council approved moving forward on this, people mistakenly said that the bond language required us to put it there. That is factually incorrect. The bond language said here are three proposed sites, but they are not exhaustive, and the city will determine the appropriate site based on business needs.

So, to summarize, more than \$15 million of our tax dollars being spent on something that is unnecessary. It will ruin the look of the most historic part of the city, and it will permanently displace the Farmer's Market. Not only should this be delayed but it should be canceled. If you can find space at Honor Health, I would fully support that, because there are areas of the city that need more parking. This is not one of them. Thank you.

Mayor Borowsky: Thank you, Dan. French Thompson, followed by Bob Pejman.

[Time: 02:54:09]

French Thompson: Good evening, my name is French Thompson. My address is on record, and I hate following a liar. That guy hates the downtown. He's never said anything good about the downtown. He runs it down all the time. He's never supported anything in the downtown. He says it's gonna permanently ruin the Farmer's Market. There's absolutely no proof of that. They could move three blocks over to Goldwater and Second Street, be there for two or three years and move right, right up on the roof. The Mayor said she would like to see it up on the roof. She had some guy come in and make a presentation, said we can put it up on the roof. You just move it a little bit, Dan. It's not gonna permanently ruin anything.

There's \$21 million for this garage to be in this area. This garage was built to have two more floors put on top of it. The fact that you are now literally trying to make this not happen for years and years, is like I want to just tell you right now, if I tell you how I really feel, I'm gonna get arrested for profanity and other terrible things because this is the most terrible injustice to the merchants and the downtown area and that guy is consistently always lying about us. And I'm down there. When I'm down there every single day of the week, and I'm seeing what we need and what we don't need, he's not there. You guys aren't there. You don't know. You need to listen to the people who are on the ground. Seriously! Mayor,

I voted for you. If you want to make a cosmetic change to that thing, fine, but put it there. We have been waiting for 28 years for this to happen. This is this just I would love to just throw up right here on this podium listening you to want to change this. Don't do it. Put it there. Don't listen to this guy. Don't listen to Jason Alexander. Both of them hate the Downtown. Everything they say is against the merchants in the downtown and they don't even know anything about them. They don't go in the stores. They don't do business with them. Jason Alexander has never once been in my business. Dan has never once been in my business. He goes in there and he says, hey, these developers have bribed Bob Pejman to get art and all of this stuff. Those are lies, Dan and you are a loser too. You're a loser. You ran for City Council. You won the least amount of votes.

Councilman Kwasman: Point of order.

French Thompson: You won the least amount of votes why don't you as a loser, get the hell out of town. Go where someone wants you.

Mayor Borowsky: French.

French Thompson: Don't cut down your city, because that's what you are doing. You are cutting down your city. Mayor, I would love to see you support this garage and put it where it is garage and put it where. A first-year architectural student could make it look good with the mission and if you want to call it the mission parking garage, go right ahead.

Mayor Borowsky: Thank you. Bob Pejman.

[Time: 02:57:39]

Bob Pejman: Mayor Borowsky, Councilmember, my name is Bob Pejman. That's a tough act to follow, but, you know, I seriously feel like I'm in twilight zone, okay? So one is that why the fear mongering about the Farmer Market? That's really, you know, gaslighting and fear mongering. You are telling people the Farmer's Market is gonna disappear so they don't support this disease. During the construction ever this parking lot, the farmer's market can be relocated across the street to the empty Honor Health lot that we are leasing currently and after we build this parking lot, they can go back to their original background floor level, with now a roof above their head and if we designed this parking properly, through outreach, it's gonna be a tall ceiling above them, so that they can be on the first floor in their current location forever, now with a roof above their head, rain or shine. So that's fear mongering, the Farmer's Market is not going to be replaced and anybody you tell that to, I'm going to say that's lie.

Number two, who are these residents or stakeholders that oppose this? For go years we fought this to happen, which is on the Consent Agenda now. For two years nobody spoke against it, in writing, or in person. The historic the Old Town Historic Association said that. It's not going to be an ugly building because what's on the Consent Agenda right now has an element of significant stakeholder public outreach. That's the chance for your architect, or whoever else to influence that design. It should blend

in with the Mission. It can blend in with the Mission. That can be done.

So, this is all I'm just I just can't believe I'm here again with the same stuff, by the way that David Ortega pushed and now you are pushing here. The Honor Health lot is going to cost money. That is that is a very, very that's a prime lot. That will not be able to be purchased for under \$5 million and now you are adding \$5 million to the cost, building it on the Honor Health lot will make it go underground, which means that, you know, the whole design you know, the whole construction, you are going to end up spending 10 more million dollars on this. You can simply go on top of what the lot is, that lot was I heard that I heard that where is it here? It's short sighted to use that lot. It's not short-sighted. That lot was built from the inception to be built two or three stories above. That is the lot. It can be made to look good. We don't need to spend \$10 million more and pursue something else. This battle has been fought now. The bond was passed in 2019, five years later, we have to it was tooth and nail to get where we are now and now let's go back to square one. I'm not for it. Thank you.

[Time: 03:02:34]

Mayor Borowsky: Thank you, Bob. I appreciate it. So, my ask was to do a continuance for not more than 30 days. So that we can gather information on a higher quality, high quality being the key design before we commit to paying Chase Building team the \$1.629 million. Once we get that signed, we are not switching gears from their design on this. Because then it will be an enforceable contract, and, you know, if I'm all wet on this idea and I would love to have you gentlemen work with me on it. So, the people that said the stakeholders, not only the general public that has heard about this, people that I'm sure are here today, French Thompson told me yesterday, he didn't think it was an ideal site. John Rosenberg told me it wasn't his selection. And I heard that you didn't love this selection either. So, the information I think it's a compromise that's not in the best interest of any of us. So that's my ask. I hope we can get a better location that you will love and you will look back and go that was a great idea. Within the next 30 days, or at least a strong lead on it, and at a minimum a better design, and so I think putting a Farmer's Market on the top of something like the Civic Center parking garage is unrealistic. I think that's completely unrealistic. So, with that, I have a motion. Is there anyone that wants to speak.

Councilwoman Whitehead: I will second it.

Mayor Borowsky: Sorry, Zenaida, you were on the list before to speak. You can go ahead and speak. Go ahead. You have to go to the podium, though.

Zenaida Fortune: So, my issue is I shop at the Farmer's Market every Saturday and I have for the last decade. If this is Honor Health, that we're talking about, which is owned by Black Rock, State Street and Vanguard, they are trying to destroy the organic food supply in America and destroy farmer's markets. So, I do not support anything that involves Black Rock, State Street and Vanguard, and hospitals. Hospitals are not interested in organic farmer's markets succeeding.

Mayor Borowsky: Thank you. Councilman Graham.

[Time: 03:03:43]

Councilman Graham: Madam Mayor, I will may I make a few remarks?

Mayor Borowsky: Of course.

Councilman Graham: Okay. Thank you. So, our downtown companies desperately need more parking. When customers and visitors drive to Old Town and downtown, you want to have somewhere to park. The voters in 2019 gave us \$20 million and they demanded us to build another Old Town parking structure and that was approved by 70%. We are hiring a top architectural firm who will design an aesthetical, sensitive and cohesive structure to the area. And as far as the building height in the area, across street, there's a four-story tower. So, let's remember that.

One the speakers mentioned that there is the chance for public outreach, that the vendor is required to obtain your feedback as they construct it to be cohesive with the Adobe architecture and they will make sure that they live up to that. When voters approved \$20 million and they demanded we build another parking structure in Old Town, that was before we supercharged spending \$35 million on the Civic Center and we have made massive investments to improve and expand Scottsdale Stadium. So here we have even a supercharged area with more crowd size, with bigger crowd size, and more frequency.

So, one of the things is that we spent significant time as a Council on site selection. We started where we should start, with the parcels that we own, the Farmer's Market is built for additional structures on top of it, when it was first installed, it has a substructure that can hold additional levels. So, I think moving forward this meets both the spirit and the intent of the voter improved 2019 Bonds.

And then I will just wrap up my comment here. I want to read four brief sentences into the record from one of the downtown stakeholders that we received from- that we heard from today. This location is closest to merchants who desperately need it. And it will provide parking for Scottsdale Stadium, Scottsdale Arts and Civic Center events. The ground level of the parking structure can be designed with more height, so that once completed, the Farmer's Market will benefit from having a covered area for their events. No more no more they can have Farmer's Market events rain or shine. And during construction of the Farmer's Market, there are many areas that they can lease or use during that interim period of time. So, I think moving forward with this is meets the spirit and the letter of what voters told us to do, and it's based on significant outreach and study by this and prior Councils, and I will make an alternate motion, Madam Mayor to adopt Resolution 1338. Thank you.

Mayor Borowsky: Before we move on, Councilwoman oh, we don't have a second. You are on the board. I didn't hear a second, though. I'm sorry.

Vice Mayor Dubauskas: Second.

Councilwoman Littlefield: Yeah, I would just like to say this is something that has gone on for years and years with no solution. And it's time we made a solution to this, and we fixed this problem once and for

all. The citizens of Scottsdale in the last bond election agreed with that and they voted for \$21 million for Old Town parking as a part of the \$330 million bond funds that they approved. It was approved by 70% of the voters. So, it wasn't a slim margin. The city has so far allocated \$2.5 million of the \$21 million amount to add 54 space public parking level to the underground parking at the Artisan apartment complex. That leaves \$18.5 million to be spent on Old Town parking structure or expanding one. The Farmer's Market has always been the earmarked lot for expansion, and that has been true even Dan Worth admitted that in one of his video clips. That's where the parking garage for downtown is intended to be and is planned to be. The city just spent \$50 million to overhaul and repurpose the Civic Center mall and they did a beautiful job. It's great. However, they did not include any extra parking to accommodate the anticipated large crowds that might go there. We need the parking near the mall. This has an entrance to that mall, to the center. Therefore, adding extra levels to the parking Farmer's Market lot makes logical sense for the use of this money, and it's what we promised our citizens that we would do.

[Time: 03:09:51]

It's even if it's only for this one purpose, to help the the Civic Center mall and to help the the people who have their businesses right there, and don't have adequate parking to support clientele. The added levels to this parking garage to include parking needed for spring training as parking as not always adequate at that time, in that area, and other additional things that go on in the area is our special events occur during the year. I think we should do it as soon as we can in that parking lot. If we add it if we build it so we can build extra heights to it, we can build a really nice place for the Farmer's Market to be there too. Nobody is trying to get rid of that, we all want it. And I think it's the best most logical way. It's what the citizens voted for and have put the money up for so we can have the bond money to do it. We're wasting time and we need to do it as soon as we can.

Mayor Borowsky: Councilwoman Whitehead.

Councilwoman Whitehead: Yeah, I would like to speak to my second. We are not proposing to not build a parking garage. The old adage measure twice, cut once. It was an agonizing process. Nobody liked the idea of putting a two-story parking garage in the heart of historic downtown. So, if the current Mayor who was not part of process, wants a month to evaluate other options, I fully support that.

Mayor Borowsky: Thank you. Seeing no other speakers do you want to rephrase the amended motion, please?

Councilman Graham: Madam Mayor, I just made an alternate motion to approve motion. I can recite the resolution.

Mayor Borowsky: Repeat your alternate motion.

Councilman Graham: It's to approve Resolution 1338, City Attorney is that satisfactory?

City Attorney Sherry Scott: Yes. That's a satisfactory motion, but the motion to continue takes priority over other motions.

Mayor Borowsky: So let's proceed with that vote. Motion to continue the item for not more than 30 days to, I don't even know what date that would be.

Ben Lane: Mayor, it would be March 18th, that's the closest Council meeting.

Mayor Borowsky: So that's the active motion on the table. Please register your vote. That motion fails and so I will turn now to the alternate motion, all those in favor of approving ordinance I don't even know, agenda number 7, please register your vote. Thank you very much. Moving right along. We are at the water and wastewater presentation.

Councilman Kwasman: Madam Mayor, I move, just a break, a bathroom break.

Mayor Borowsky: I don't know. Should we take a vote on this? No, I'm kidding.

Councilman Kwasman: Just a two-minute bathroom break.

Mayor Borowsky: Why don't we take five minutes. Two minutes. Okay.

REGULAR AGENDA – ITEM 16

[Time: 03:13:52]

We are moving open to Item 16, let the record reflect there are no public comment requests for this item and if you want to speak on it see Clerk Lane. Presenting on this item is Kevin Rose. It's proposed water and wastewater and use assumptions and infrastructure improvement plans. Go ahead, Kevin Rose, our Interim Water Resources Director. Welcome.

Interim Water Resources Executive Director Kevin Rose: Thank you, Mayor and Council. What we are presenting tonight is an update to our land use assumptions and infrastructure improvement plan for water and wastewater and overall, what I want to paint is this is part of what we are trying to do related to our this is part of the public process of what we have to follow for the state statute. Now it covers a period from 2026 to 2035. This must be updated every five years. This has been done every five years. This is pursuant to the general plan. We use this land use assumption to come up with the infrastructure improvement plan to find existing and future level of service.

I will go on the next slide on the level of service that's required through defined. We use equivalent demand unit, which is attached to one single dwelling unit, we use this to estimate the cost, and the IIP is the same as the LUA. Now, state law requires us to define the level of service. And they are different for water and wastewater. The water level of the service is defined as the ability to meet the peak demand. It's the average data demand per EDU. We come up with the development fee. Currently, it's

in draft, we're still working on it and we use the development fees to charge offset costs associated with providing necessary public services to new development. It must be beneficial to the new development, and it can't be used, the development fees for existing services, and historically, Scottsdale has adopted water and wastewater fees. We have to go with the LUA and the IIP to look at the development fees.

So, the development fee process timeline began ever the development started on December 4th. We actually put this on the website the LUA and IIP and the public hearing tonight, February 11th and then April 8th, we will come back and request City Council to adopt the LUA and IIP. We have to leave it open for 30 days no more than 60 days. May 20th, if it's adopted, we'll be looking to come for a public hearing on the development fee report and then request Council to adopt those development fees, and then by September 15th, the new development fees would become effective. So, on that, I will be happy to answer any questions.

Mayor Borowsky: Councilman Graham.

[Time: 03:17:36]

Councilman Graham: Thank you, Mr. Rose. And so, what are you how would you assess the fiscal health of the fee process, and what developers are paying in and do you see any sharp increases? That's kind of three questions, isn't it? I can I can put those piecemeal unless you have a good memory.

Kevin Rose: Mayor, Councilman Graham, Council, I will do my best. So, what we're seeing with the fees and that's one reason why we went back and updated the LUA and the IIP, the past three years we have seen inflation really increase, and we looked at the last year, and we're starting to see it, I would say decrease but still high. Based on that, we know our development fees are lagging, and once we get the final report, we will be able to present to the Council what our findings are and our recommendations for a new development fee.

Councilman Graham: So, you are not totally confident in the fiscal health of the process or of the current plan, is is that what you said?

Kevin Rose: Can you repeat the question there, Councilman Graham.

Councilman Graham: We are trying to understand what our costs are. Let me ask this, you mentioned because you mentioned some inflation. What is what, in your opinion is driving the inflation?

Kevin Rose: We did come out of the COVID years. We have not updated the plan in three or four years. Coming out of COVID, we noticed the costs have gone up. We notice the costs are going down on construction costs. Based on that, we said we need to update our plan and look at the development fees to ensure the development fees are capturing the cost.

Councilman Graham: Okay well, we approved some major projects recently. I hope we have been able to capture enough, just in general do you think we are capturing enough to cover our costs?

Kevin Rose: Councilman Graham, Mayor, Council, best way I can answer that, any current development that has happened or is in process or has been approved, those costs are captured under the current ones. We will be recommending increases once we get an idea what those increases are. Any future development will not be captured under those costs.

Councilman Graham: I understand it's difficult to say. So, all right. Thank you. I will move to accept this agenda item, I lost the resolution number.

Councilwoman Littlefield: I will second.

Councilman Graham: Is there a vote?

Kevin Rose: No.

Councilman Graham: I will withdraw my attempted motion.

Councilwoman Littlefield: And I will withdrawal my attempted second.

Mayor Borowsky: Thank you. Thank you very much for the presentation. Okay. Moving on to the second public comment. We have a second opportunity for non-agendized public comment. We have received three requests, Zenaida, are you still here? John Deal? Lee Kauftheil.

[Time: 03:20:59]

Lee Kauftheil: Hi there. Lee Kauftheil. I just wanted to celebrate one of the things that you said earlier today, which was that we were awarded the best city to raise a family and acknowledge the hundreds of awards that we have gotten just like that, and for other things over the past 20-something years. So, I just wanted to, yeah, celebrate that and what a great city we have to have to have won all of those awards.

Mayor Borowsky: Well, that's a nice change of pace. Thank you very much. Okay. Moving on to our last final item, hooray. This is an item that I added to the agenda for consideration on the three options and that is to agendize a work study discussion of the Council, in order to identify specific scopes, structure, goals and need or purpose of the task force, created through Resolution number 13335, and to look at the long-term sustainability of the city by examining fiscal population and conservation needs. And the reason I am asking to do this is because there was certainly a rush to to the vote on this one, and while I supported the repeal of the Sustainability Plan, I did not and do not support re-impaneling or readopting, reorganizing a task force of seven seven residents who served on the last you know, not the same ones, obviously, but that's how the prior task force was situated and I don't think that worked out very well for anybody.

And so, I really think it's important to for this Council to have an open discussion about how we see this playing out. I asked the City Treasurer to provide me and one thing that was really difficult for me on

this prospect of re-impaneling a task force to do this again, a do over, albeit ideally with the right results but as we see in that, you never know what is gonna come out of, you know, a task force or it depends who is running it and what the charge is. So, all of those issues, I think are ripe to discuss.

I personally don't think we need a sustainability plan. I said that already, our departments are doing that. I don't think we need to impanel a seven-member group of residents to do this again, but if that was the vote and I get that, but now I think it's important to hone in and be more specific. And I learned from the City Treasurer that \$2.2 million was spent on the last task force. So that's problematic for me. I ran and got elected presumably about conserving taxpayer money. So do this again without real specific direction and this I will use this also, I'm a big proponent of direct appointments. We could we could agree to use this as a trial run on direct appointments so that we have real good input and accountability for our task force members, and I also think we need to identify how long out, you know, what is our what are the goals? How long is the task force going to be, have their charge and be together and what is their timeline? Is staff directing traffic on it? Are we, et cetera? So, with that, I see some comments here and I won't make a motion, but counsel yeah. Councilwoman Whitehead.

[Time: 03:25:06]

Councilwoman Whitehead: We spent \$2.2 million on what? Sorry.

Mayor Borowsky: The Sustainability Plan.

Councilwoman Whitehead: Okay. And we have...

Mayor Borowsky: Ridiculous, I agree.

Councilwoman Whitehead: Okay. So, we call spending money with community meetings that were requested by Councilman Graham a waste of money. That's fine. What is the purpose of a new of a new task force? Are you I'm trying to understand what you are requesting here, Mayor. Are you requesting that we not have a task force?

Mayor Borowsky: So unfortunately, the this is a whole other issue with how the agenda is being done. This was a dual-purpose agenda item, and it was one fell swoop of a vote. So, I voted no because I don't want another task force impaneled and I don't want to go down that road again, I think it's pointless and unnecessary. That's beside the point, that was the vote. To answer your specific question, that's what we have already voted on, that's the ordinance. The Sustainability Plan repealed but let's do it again with a new task force. So, I have real concerns about that. I don't you know, I'm sure everyone wants to be specific on this. I would rather see it be a subcommittee of the Council about this, at best, but direct appointments would be amazing on this task force as a trial run. So anyway, you asked me a question and I didn't mean to interrupt you.

Councilwoman Whitehead: No, you didn't interrupt me. You answered the question. I appreciate that. We have a commission, for sustainability and I just wonder why we would have a separate task force.

Mayor Borowsky: Again, that was part of the vote that took place.

Councilwoman Whitehead: I understand. I guess that's part of the work study, we can discuss whether or not we want a task force or whether we want to use the commission that's already in place.

Mayor Borowsky: My motion and agenda item deals with the facts that we got before us and I would like to do a work study that explores what the goal, direction and structure of the task force is, for the benefit of obtaining a better outcome than we did last time.

Councilwoman Whitehead: Okay. I think the outcome was fine last time. But that's fine. I can support that. Thanks.

Mayor Borowsky: Vice Mayor Dubauskas.

[Time: 03:27:35]

Vice Mayor Dubauskas: Thank you, Madam Mayor. When I went to the community outreach program over the summer, I went around and talked with several of the city staff. And I asked I won't name the names. I said, are you already doing this work? Is the sustainability office providing you additional goals? Is this something above and beyond your normal work? You're already working towards reducing water, things like that? And they said, yes, the staff said yes, these are these are our goals and the Sustainability Office is really just tracking them and putting them together.

And so my impression from speaking with several of the experts that we have hired on the city staff is that this is their profession and they are excellent at it and maybe some of what we should consider is the opportunity to take what we are obligated to do by the General Plan, which is have a sustainability plan, and direct the City Manager to put that together with the experts that they have in house and maybe that could comprise our task force. That's just an idea. But but we do have in-house experts who are already doing a lot of this work. So maybe we don't need to spend a lot of money and a lot of resident time so that's just a thought to consider is maybe we look at number two and ask the City Manager to give us some thoughts on that.

Mayor Borowsky: Thank you. Councilwoman McAllen.

Councilwoman McAllen: Thank you, Mayor. I would like to move to accept Item 18 for a work study session.

Councilwoman Whitehead: I will second that. And I will call the question.

Mayor Borowsky: You know, I will let Councilman Graham speak to this first. It was a choice. A work study session or a future meeting. I asked for a work study session. See, it's in even in the title. So it is it is one of the options. Sorry, there's some confusion on the agenda item there. Council?

Councilman Kwasman: At any point if there is any confusion, we could suspend the rule and allow for and move to have a work study session that's added to the a possibility as a number four action.

Mayor Borowsky: There's no question. We can do that.

Councilman Graham: Okay. So, I'm going to point of order real quick, because there was a lot that happened right there. Councilwoman McAllen asked to approve the item. The motion should have been for item number one. Is that what you meant to do?

Councilwoman McAllen: No, I meant, it's listed as I will ask the City Attorney for Item number 18, would the motion be to accept item 18, related to the sustainability task force.

[Time: 03:30:56]

Sherry Scott: I think that's an appropriate motion that fits into paragraph one, the first option to move this item forward to a work study agenda. And it's properly on the agenda as agendized a future work study session related to the Sustainability Task Force.

Councilman Graham: So, my apologies. I was reading the screen, but then okay. Okay. I'm getting some head nods that I wasn't the only one confused. And then Councilwoman Whitehead called the question. She called the question but so I just wanted to respect the rules the Parliamentary Order.

Councilwoman Whitehead: I didn't realize you wanted to speak. I just was thinking it was time to vote. Go ahead, I can take that back. I cannot call the question. I withdraw.

Councilman Graham: Okay. And then is this a second? Okay. Okay. I have nothing to add. Thank you.

Mayor Borowsky: So, I see no other speakers on the board. I agree with what council what Vice Mayor Dubauskas just said, and I think I made the exact same point at the meeting that we took this up under, and based on my discussions and I think I talked about this with Acting City Manager Bill Murphy, we are already doing everything we need to be doing. We're so advanced and we're cutting edge and we're this is their jobs to paraphrase what you said and we have the best in the business and we're looking to get in the best in the business, and so I struggle with why we would do the task force again until because you will remember, Bill Murphy left and so there wasn't an opportunity to really hear from him at that time of that meeting, and I agree.

I mean, I would I would be comfortable with the motion, making an alternate motion than what's on the table, that says first, direct the City Manager to coincide with what Vice Mayor just said, to report back to the Council on this, what are we missing, what do we need to do? What would a citizen's task force need to accomplish? What is what's the purpose? Because \$2.2 million on the task force is no small investment, and it's a process. And I would hate to see seven new residents show up and then we do it all over again. And maybe we don't. I don't believe we don't need it. I have been on record. I heard what you just said, and I concur entirely. When the City Manager does report back to us, I believe it's going to

be we don't need this, because we're doing it. This is our jobs in every department.

So, but assuming that was a complete not the case completely not the case then we could do a work study session to come back and bring the task force together and ideally do a direct appointment experiment, but I would rather see it be the former and not the latter. So that alternate hearing from the City Manager, I think is a good prospect first.

Councilman Graham: Okay.

Mayor Borowsky: Is alternate motion is on the table.

Vice Mayor Dubauskas: Second.

Mayor Borowsky: I have a second.

Councilwoman McAllen: Madam Mayor, I will withdrawal my motion.

Mayor Borowsky: Oh, thank you. That's easy. So now we have one motion on the table and that, to be clear is not agendize the work study session but direct the City Manager or responsible charter officer, all of them, ideally, right, to contribute to investigate the matter and prepare a written response to the Council and just to be clear, about the need, scope, and Councilwoman Littlefield's point, the purpose of what you would see a task force adding to a resident's task force adding to what we are already doing.

So, without complicate things, which I think I just did, can I have a vote on the motion, please? There was a second. Thank you, Councilwoman Littlefield. Thank you very much. And with that, this passes and please go ahead with that action, and I think we are all said and done. Does anyone have a motion to adjourn.

Councilman Kwasman: Move to adjourn.

Councilman Graham: Second.

Mayor Borowsky: Thank you very much. Thanks to all who were here. Long night.

ADJOURNMENT

[Time: 03:57:47]