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CALL TO ORDER

[Time: 00:00:03]

Mayor Borowsky: Good evening. I would like to now call the June 10, 2025 City Council Regular Meeting to order. City Clerk Ben Lane, may I please have a roll call.

ROLL CALL

[Time: 00:00:13]

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

Mayor Borowsky: Present.

Ben Lane: Vice Mayor Jan Dubauskas.

Vice Mayor Dubauskas: Here.

Ben Lane: Councilmembers Barry Graham.

**CITY OF SCOTTSDALE
JUNE 10, 2025 REGULAR AND SPECIAL MEETING MINUTES
CLOSED CAPTION TRANSCRIPT**

PAGE 2 OF 50

Councilman Graham: Here.

Ben Lane: Adam Kwasman.

Councilman Kwasman: Here.

Ben Lane: Kathy Littlefield.

Councilwoman Littlefield: Here.

Ben Lane: Maryann McAllen.

Councilwoman McAllen: Present.

Ben Lane: And Solange Whitehead.

Councilwoman Whitehead: Here.

Ben Lane: City Manager Greg Caton.

City Manager Greg Caton: Here.

Ben Lane: City Attorney Sherry Scott.

City Attorney Sherry Scott: Here.

Ben Lane: City Treasurer Sonia Andrews.

City Treasurer Sonia Andrews: Here.

Ben Lane: Acting City Auditor Lai Cluff.

Acting City Auditor Lai Cluff: Here.

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

Mayor Borowsky: Thank you very much. This evening, we have Scottsdale Police Officer, Darren Hyman and Detective Will Hathaway, as well as Firefighter Brad Reynolds if anyone requires special assistance, please let a member of our staff know.

PLEDGE OF ALLEGIANCE

[Time: 00:01:00]

This evening, I will be leading the Pledge of Allegiance. So please join us.

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.

Thank you very much and for the invocation, I turn the mic over to Councilwoman Whitehead.

INVOCATION

Councilwoman Whitehead: Thank you, Mayor. So, I am going to have a moment of silence, but I heard something on the radio today that I wanted to share. It was a N.I.H. scientist who said, you can't be brave if you are not scared. So, for my moment of silence, I wanted to pray for bravery for all of us, to to invoke what Abraham Lincoln said, the better angels of our nature and be united when so many want us to be divided. And use our differences to find the best path forward for our residents. And I just want to share appreciation for all of my colleagues and ask everybody for a moment of silence.

MAYOR'S REPORT

[Time: 00:02:49]

Mayor Borowsky: Thank you, Councilwoman Whitehead. For tonight's Mayor's Report, I would like to take a moment to commend and provide special recognition to one of our city volunteers, Henry Crowder, who I believe is with us here tonight. Great story. Henry is one of the many volunteers with the city of Scottsdale and he volunteers at the Pinnacle Peak Trailhead.

On April 5th, Henry's alertness and quick actions saved the life of a part-time city employee, Recreation Leader John O'Neal. While taking a stroll up the trail, John began to experience distress, but was able to make his way back down and it was at this point that Henry spotted John experiencing a medical emergency. Henry quickly sprang into action and took John to the emergency room at Thompson Peak, where thanks to Henry a quick thinking, John was able to receive proper and immediate care. John's wife Patty shared that the doctors attribute John's speedy recovery in part because Henry got John to the hospital in such a quick period of time. Patty went on to share that it is it is people like Henry and volunteers at Pinnacle Peak that make our parks and preserve a wonderful place to visit and experience. And in this case, potentially save a life. So that's amazing.

Henry, we cannot is Henry here? All right. Well, I will give you something here. So, you might as well come up. We cannot thank you enough on behalf of the city, and I will meet you right over there, with your certificate for your service as a volunteer. So, you don't have to stand right here in front of us. Due to your quick thinking and actions, you saved a city of Scottsdale employee, a husband and a friend. The city and Pinnacle Peak is incredibly lucky to have you as a volunteer. And my understanding is that both Henry and John oh, I missed that part. Is John here? All right. Well, why don't you come up and join us here. And please join us for a photo, and I have a certificate of recognition here for Henry Crowder, as the city's rock star volunteer.

PUBLIC COMMENT

Mayor Borowsky: All right. For the first public comment, which is reserved for Scottsdale citizens, business owners and property owners to comment on non-agendized items, I will be calling up five speakers. These speakers are to address issues that are within the Council's jurisdiction but not on tonight's agenda. No official Council action can 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 item, I note that all spots are filled. So, we'll just proceed. We have received five for first period and starting with Steve Sutton, followed by French Thompson, then Vanessa Goldberg, Jane Adamson and Dan Ishac. Is Steve here? Seeing no oh, there you are.

[Time: 00:06:46]

Steve Sutton: Good evening, honorable Lisa Borowsky, and Mayor of City Council. Last week was a terrible week for me. Zoey, my beloved 6-year-old Shih Tzu mix had to be euthanized on Monday after a week of illness. On Thursday a man at the dog park behaved in a threatening manner toward me but fortunately a young woman came to my rescue and chewed him out. Friday morning on the active side of the dog park, two pit bull mixes got into a fight, knocked a woman to the ground for several minutes. Two people received dog bites, a half dozen people started screaming at each other. Fortunately another group of dog owners communicated and cooperated together to take action, until two police officers arrived to sort out the mess. The signs we have to encourage people to communicate are working.

Last week, I emailed all of you about my main topic tonight, one Councilmember acknowledged receipt and replied by email, another replied in person in the farmer's market. I would like to thank Councilwoman McAllen for doing so and Mayor Borowsky. There is a tsunami moving through this Council. It is composed of residents opposing construction of the garage at Brown Avenue and the parking corral. The opposition is primarily based on factors that have nothing to do with the farmer's market. People and business owners don't want a garage, no matter how beautiful the design is, a garage is inappropriate for the historic and cultural aesthetics of the area, and detrimental to Old Town businesses. Many people think that there is not parking availability problem in historic Old Town, on even the busiest days there is a parking management problem.

The City Manager has the text of the petition that's circulating. The petition requests the conducting of a parking study similar to the 2015 Walker Study but only in the southeast and southwest quadrants of Old Town. The resident will expect it to be nonpartisan and objective in its methodology and parameters. The study must be transparent to the public to ensure it's accepted as being nonpartisan.

I think this Council has misjudged the public sentiments about this proposed garage. Unless the Council proves to Scottsdaleians that this garage at this location is essential, the Council may provoke a furious political response. I believe the Council is about to come under a level of scrutiny that equals or greater at any time in Scottsdale Council history. I very much appreciate the fact that you helped me in making the dog park safer and I'm in very much regret that I'm in disagreement with six of you. Thank you for

your time.

Mayor Borowsky: Thank you. And I'm so sorry about your dog.

Steve Sutton: Thank you, Mayor.

Mayor Borowsky: French Thompson.

[Time: 00:09:40]

French Thompson: Madam Mayor and City Council. Thank you for having me here. My name is French Thompson. My address is on record. I have a so this is a visual guide to Old Town parking that I had made.

There are two premier shopping areas in Old Town, Fashion Square and the area around Main Street and Scottsdale Road, both of which need parking to survive. This is an aerial view of Fashion Square. I determined that all of Fashion Square is within a thousand-foot radius which is a comfortable walking distance. It's a professionally run shopping center that has plenty of parking all around it. It's clear that the mall provides ample parking with several large parking structures. I decided to apply that same 1,000-foot radius to the crowd lot seen here from above. I also went door to door in that area and documented every address and business. There are 169 unique small businesses in that area with employees, with 401(k)s, those people are all there trying to make a living. So that and that's all within walking distance of the Corral parking garage. That makes this a perfect place to add additional parking.

Here's a little bit of historical imagery that I don't know many of you have seen.

Seen from above is the Giant Stadium in 2005 which was after the Corral lot was built.

As you can see, this was 650 parking spaces to the east, and south of the stadium.

After this photo in 2005, the city removed the 550 parking spaces to the east to build practice fields.

Then in 2019, they removed an additional 50 spaces to the south for a convention center.

That only left 50 parking spaces at the stadium.

All of which were removed without any replacement in the Old Town area.

So between March of 2005, and present day, not one single city-owned parking space has been built in Old Town. In reality, we lost 600 parking spaces. The Corral lot is city owned, and all the necessary infrastructure is already in place. The city paid quite a bit extra to build a foundation of the parking garage to allow up to three more levels on top of the surface lot.

At an Old Town parking work study, it was proposed to add three levels to the garage. In order to limit the height in keeping with the area, the City Council decided to only add two levels. For a multitude of reasons, this is by far the best location to add additional parking south of Indian School in Old Town. If you have any questions?

Mayor Borowsky: Councilman Graham.

**CITY OF SCOTTSDALE
JUNE 10, 2025 REGULAR AND SPECIAL MEETING MINUTES
CLOSED CAPTION TRANSCRIPT**

PAGE 6 OF 50

Councilman Graham: Thank you, Mr. Thompson. Did you attend the recent outreach meeting that was held in Old Town?

French Thompson: No, did I not. I had a previous engagement.

Councilman Graham: Okay, I don't know if you had any reflections or takeaways from that meeting. Thank you.

Mayor Borowsky: Thank you very much. Vanessa Goldberg.

French Thompson: Thank you.

[Time: 00:13:15]

Vanessa Goldberg: City Council, Mayor, my name is Vanessa Goldberg. I live in Scottsdale. And my address is on file. I'm here as a resident, as an outraged resident, outraged because of the decision of the Council to cancel the Scottsdale Sustainability Plan. And I would like to ask for a reversal of that decision. It does not take unusual intelligence to see that we in Scottsdale are not immune to the general threats of ongoing drought, putting a strain on our reliable water supplies, of merciless heat, causing illness, sometimes death. And raising the cost of cooling that we all depend on of extreme weather destruction with scorching wildfire and high cost to business. These are among the threats that call into question our very quality of life, and all that Scottsdale is known and beloved for.

One of the most livable cities of America, a magnet for tourism, and reliable business environment. It is for good reason then that the Scottsdale General Plan requires a sustainability plan to mitigate these dangers. So, for close to three years, scientists, analysts, Council staff and Scottsdale citizens, like me, work on a carefully crafted sustainability plan for our city. The plan was passed overwhelmingly by the previous Council last December. Our voices had been heard.

Then in January of this year, the present Council listened to public comments by over 30 residents of different ages and professions, experts of different fields, all of them passionately in support of the sustainability plan. I was one of those who spoke and I'm still in disbelief of what then happened. Councilman Barry Graham invoked a rarely used procedural rule to prevent the Council from even discussing the many arguments that had been presented. Therefore, a vote had to be taken and four Councilmembers voted to repeal the sustainability plan. This was deeply disrespectful and testimony to closed-mindedness that Scottsdale does not deserve. I am inviting the Council to reconsider this January action, to revive the Scottsdale Sustainability Plan, and to do the right thing for your city, which is, after all, your responsibility. Thank you.

Mayor Borowsky: Thank you very much. Jane Adamson, followed by Daniel Ishac. Then there are only two others then I have Brandon Gowan and Tom Frenkel.

[Time: 00:16:43]

Jane Adamson: Good evening, my name is Jane Adamson and I live at 11,000 North 77th Place and I lived in Scottsdale for 33 years. I'm currently retired but prior to retirement, I had a management consulting business and worked on strategic planning with businesses all across the country and often in Canada. So I traveled a great deal. Every time I came home and got my car at Sky Harbor, I would drive north at 101 and I would look at the mountains and the color of the sky and the desert and I would be so grateful to live in Scottsdale. That was kind of my happy time.

But now, the world is experiencing great and accelerating climate change and my city voted not to do more to protect and sustain the quality of life that we have been lucky enough to have. The actual definition of sustainability is, quote, the ability to be maintained at a certain rate or level, unquote. My work in strategic planning gave me a front row seat on business leadership and I understand the implications of opportunity costs when you kick the can down the road.

For example, right now, we enjoy substantial economic benefits from tourism, and yes, they come for the shopping and the resorts and the galleries, but they also come for the golfing and the tennis and the biking and the hiking, and our unique scenery. Our reputation now is a city that honors our environment and our commitment to livability. Losing that reputation either from inactivity or from our professed opposition to sustaining our environment will have significant and immeasurable lost opportunity costs because clearly as heat increases and other climate hazards grow, the costs of sustaining our ecosystem will only increase.

You all know the data, both current and predicted around water shortage and energy and rising heat index. So I don't need to go over all of that information. And for residents, it's also not going to take someone who follows all the climate data. It's not gonna take someone who reads the scientific journal or take or who has a degree in economics. All it takes is living in Scottsdale. A resort, a golf course or a restaurant owner knows that if fewer visitors come, how that affects the bottom line, anyone who works outdoors, police or the road repairs knows when the sun is hotter and every homeowner worries about there being enough water. So there is no explanation that's needed.

We elect you and count on you to sustain our quality of life here. Most of you on this Council basically voted against the majority of citizens like me, and repealed the adopted sustainability plan that we carefully crafted over a three-year period. Real leadership requires action now. The climate is not going to wait for us. Thank you.

Mayor Borowsky: Thank you very much. Dan Ishac, followed by Brandon Gowan, Tom Frankel and Michael Schafer.

[Time: 00:20:28]

Dan Ishac: Dan Ishac, address on record. I have two topics, first of which will be addressed by the following video:

I believe it's a toxic environment, not due to the Mayor at all. She's going to work every day with people who are you know, allegedly conspiring to throw here in jail in some leaked audio. That's the environment. When you are trying to lead a group of folks and three of them undercut you. So, it's the Council? It's three specific City Councilors. Does the Mayor know that the three of us are participating in this, no? So what we are doing is basically gathering as much information, because the three of you are the ones that brought things forward, I think through Rachel Mitchell, the county attorney. Yeah, I reached out to and Adam reached out to them. I did I not report this. I think this was Jan. We, frankly, have done a lot of research can we just 5-2 vote her out and the charter doesn't allow it. And so she has to quit or she has to be convicted to be gone. We're just trying to figure out exactly what what took place so we can determine whether or not it's appropriate for us to go forward with a criminal investigation or not. Jan, Barry and I had a conversation and so we gotta call somebody. We decided to call you guys. She's that type of person that she's everyone four of us are friends and tight. And Lisa is always has a bitch. It totally backfired. Yeah. Yeah.

Dan Ishac: I think that speaks for itself.

Second topic. I would like to understand why Kathy would nominate a person for a board or commission who has often shown a blatant disregard for rules of order at Council meetings. I'm speaking of French Thompson who has used public comment to discuss personal matters over which the Council has no purview. This is now how we reward bad behavior, by nominating a person with no applicable experience to our tourism board because he contributed to your campaign. And let's turn to Jan's foundational campaign promise about conflict of interest, the one she broke before even taking office, by accepting contributions from businesses and then again by not recusing herself from votes. Jan, we are five months in and you have yet to put on the agenda any strengthening of the conflict-of-interest rules.

Not that they seem to matter to many of you. Particularly Barry who was found guilty of violating the ethics code and Adam who has sent a vulgarity laden text to our Mayor or you Jan who has been too busy with other things. And by the way, your lack of judgment is saying all of that on tape is remarkable. But here's a thought to avoid any sense of pay-to-play how about we make a rule that no one who received a campaign contribution from an individual is allowed to nominate or vote for that individual to hold a position on a board or a commission. Seems quite sensible and I think most residents would support that. I won't hold my breath since you have demonstrated no desire to actually keep your promise. Thank you.

Mayor Borowsky: Thank you. Brandon McGowan.

[Time: 00:24:08]

Brandon McGowan: Mayor, Council, everybody. How is it going? My name is Brandon McGowan. I just moved here from the East Coast. Just moved here to Scottsdale. I just moved from Rhode Island and for some of you that don't know, Rhode Island is the smallest state in the country, not Rhode Island not Long Island, New York.

I want to introduce myself. I moved here because my girlfriend is finishing up med school. I currently own a drone company for search and rescue. I have trained with numerous departments back home. Obviously budgeting is a big thing for each state and each city. I help successfully train numerous departments back home, all the way from Boston PD for Rhode Island state police, and I have also done budget as far as buying drones for departments wholesale and so it's cheaper as far as budgeting and planning.

A little bit about my background. I currently have was a hockey player. I played on the United States hockey team. I won two gold medals and suffered a severe spinal injury that left me paralyzed and once I miraculously recovered and with that being said, I strained numerous departments and busiest time of the year is the summer for Rhode Island because we are the ocean state. We did a lot of serving for contracting works for departments, training them, leading them, educating and stuff with the company. And just providing them with solutions as far as budget planning because unfortunately drones nowadays are not cheap and as far as everything goes, it's budget and planning to buy one, you have to buy multiple.

So I just wanted to introduce myself and, you know, say who I am and my story and try to let everybody know that with me being here recently, I will try to work my way in and maybe help with some of the departments in the city of Scottsdale to either help educate, lead and do some things with them. Thank you.

Mayor Borowsky: Thank you and welcome. Tom Frenkel.

[Time: 00:26:22]

Tom Frenkel: Tom Frankel, 7340 E. Main. New Councilmembers haven't seen you. Welcome on. I have been here 40 years and have maybe seen 20 to 25 versions of the various Councils, some in disarray, some in unity, some as in ugly as some of the things that are happening with this one and some worked well. But maybe an idealistic perspective from someone who has benefited from those 20 to 25 Councils, Scottsdale is a beautiful place to live and work, and all the dissension and arguing and whatever ultimately it formed a really nice community and if I had given the opening benediction or induction or whatever you called it, I probably would have hoped that we head towards that virtue or that goal, and I guess that's what I would start off with.

The reason I am here to speak is I am a property owner and the last thing we probably want to talk about with my opening comment is the parking garage, but I am I have three or four parcels in the immediate area and maybe I will toss a little different angel than you heard before as far as the parking garage. I would probably and I don't speak for the owners in that area, but I know most of the owners on Brown and First and Second, and there is no question that a parking garage, extra parking is needed in that area. I think that and I talked to a few Councilmembers, not that I want to get on sides of this issue, but if needed, I think I could get an almost unanimous agreement of the actual owners of the real estate in an area that we would like to see a parking garage built, whether it's in that specific site. I will talk a little bit about that, but it would nobody would say no, not a good idea. Everyone loves the

farmer's market. It's not about the farmers market there's no one that doesn't love it. It's gotta be somewhere. It's not the farmers market or the parking garage. A lot of public input went into it. It's not that this came out November where and no one got noticed. An awful lot of time went into it and the idea that oh, my God this just came out November where is not the case. I was involved in a lot of it and watched it.

Reasons why I think it should inbound this location and if you could give me another 30 seconds, if I run out of time. A, it was mentioned it was designed for it. It's there. I believe it's on south end of downtown. It's not in the heart. It's closer to the medical. It's not going to ruin the Mission Church. Everyone loves the Mission Church. It's not going to ruin the blacksmith shop. Will there be disruption? Yes this was disruption in Civic Center Park for two or three years and it was worth all the hell and we're glad it's there. The same with this. Can I have another minute? I'm getting to there's a...

Mayor Borowsky: If you could just wrap up as quickly as possible in fairness to everybody else.

[Time: 00:29:48]

Tom Frenkel: All the other garages also went through the same thing. They are in use in downtown and they get used. They would cost four or five times more to be built. I what tonight talk to about Borowsky a little bit also, in that I know her. I do not believe that she would have ever wanted this as the campaign or it's not even a campaign that this would do I think she was sincere in her wishes that it could be in a different location or better? Yes. Is it self-serving. Absolutely not. I don't think it's to help her consultant who builds massive buildings and could care less for a design fee for his thing. And at this point, if there was a better location, and Mayor Borowsky, would go for it and everyone would applaud it and whatever. As someone who has lived in the area and thanks for hearing the comments.

Mayor Borowsky: Thank you, Tom. Appreciate those comments. Michael Schafer will be the last speaker.

[Time: 00:30:46]

Michael Schafer: Chair, Mayor, people of Scottsdale, I love Scottsdale. I have lived here since 1982, I think most of us love Scottsdale and we appreciate the challenges that have come forth in Scottsdale. Too many large apartments, many other things going on simultaneously. We were thrilled at the recent election, the past election. We were thrilled with the complexion of this board. We were thrilled by the belief and hope and understanding that there would be a great alignment with the board. I know a number of you personally. I like those of you that I know very much. I'm optimistic and I'm hopeful and I'm prayerful that we sometimes recognize in our world, those of us who are Christian read the Bible, that were affected by principalities and darkness and those can come across a legislative District 4, which I'm involved in and it can come across just in our politics top to bottom. We see it everywhere in our country.

And so, I just want to provide encouragement and support to the board in its entirety, that when it seems like there's no way, we make a way to come back together, to unite and find the common ground. Not all of you are going to agree all the time on all things. It's impossible. And many of us here don't agree on a number of things. We're all citizens. But I just want to extend hope and support anything that we at the legislative district might be able to do to help bring things together to put the past behind us.

Recently I was in a similar deliberation, very difficult situation, and the Bible tells us to forgive and forget. And I'm just hopeful that it's possible to just put the past behind and and restart. Just reset the computer. Reboot the computer and come back together and we I will we will support you in any way we can to bring that back together. Just thank you for what you are doing.

Mayor Borowsky: Thank you, Michael. Appreciate that.

MINUTES

[Time: 00:33:35]

That concludes the non-agendized public comment, and next, I will move on to the Meeting Minutes. I will entertain a motion to approve the Regular Meeting and Work Study Session Minutes of April 22, 2025, Special Meeting Minutes of May 6, 2025, Executive Session Minutes of May 6, 2025, Regular Meeting and Work Study Session Minutes of May 6, 2025.

Vice Mayor Dubauskas: So moved.

Councilwoman Littlefield: Second.

Mayor Borowsky: All those in favor, please indicate your vote. Thank you. Next, we have our Consent Agenda items, 1 through 21A. Let's see here.

Vice Mayor Dubauskas: Madam Mayor, was the Food Bank going to present?

Mayor Borowsky: Oh, we did. I would like to back up. Beep, beep, beep. And we are going to do we skipped over Kira's Food Bank presentation.

PRESENTATION/INFORMATION UPDATES

[Time: 00:34:26]

Tonight, we have a presentation, forgive me, Kira, my apology. We have a presentation on the Scottsdale Food Bank, and presenting this evening or Kira Peters and Sue Oh. Kira is Senior Director of Library and Human Services and Sue is Scottsdale Human Services Manager. Thank you for joining us.

[Time: 00:34:46]

Senior Director of Library and Human Services Kira Peters: Thank you very much, Mayor. Good evening, Mayor Borowsky and Vice Mayor Dubauskas and members of City Council. Sue and I are here today give a presentation on the Scottsdale Food Bank. Scottsdale Food Bank has recently moved to a new location on McKellips and Miller Road and just for brief history on the Food Bank. The Scottsdale Food Bank has been listed at Vista Del Camino Community Center for approximately 47 years. We were outgrowing that Food Bank and really the Human Services Department looking for more space for community connection and we thought if we can offer a new location for the Food Bank, we can offer more items. Because of the work of Sue and her team, we were able to successfully expand our Food Bank to this new location and we will have some great images and talk briefly about that tonight.

Just an overview of a Food Bank which most of you might already know but basically in our Food Bank, we have food boxes that include fresh produce, protein, dairy, hygiene products, pet food, diapers for vulnerable citizens in our community. We have ready-to-eat bags, and we have a bread program at Vista Del Camino where you can come in and pick up a loaf of bread, whatever you might need and head out on your way. We have a healthy packs program that benefits children in the Scottsdale Unified School District system, if they are food insecure at their home and we also support the brown bag food program at the Granite Reef Senior Center for seniors in our community that are food insecure.

And then finally, Human Services has several sites, including the two senior centers Paiute Neighborhood center and again Vista Del Camino, all of those locations serve as satellite areas if a person is in an emergency situation and needs some food.

So, here's some pictures of the Food Bank expansion. Again, I mentioned at the beginning the presentation, the Food Bank was located at Vista Del Camino and hopefully you can see the pictures, the tiny space at Vista Del Camino that we were operating in and you can see the trucks coming in too, that we were having some safety concerns with big trucks coming in to drop off food. Residents coming in to pick up their food. And so, really this expansion was just needed these are some of the images of breakdown of vista Del Camino to prepare for the expansion.

Here's some happy pictures of us moving into the new location. You can see warehouse style, a lot of space. Staff did a lot of research on how successful Food Banks operate and most all operate out of wear house-like settings. You can see the place to store the food and we have places for the volunteers to pack the bag and we had a happy grand opening celebration. And several Councilmembers were there to celebrate with us. Thank you we had that in the spring so we are all moved in and serving the community well.

[Time: 00:37:50]

Speaking of community, these are the residents that we serve at the Food Bank. Scottsdale residents, Scottsdale seniors, school districts, Scottsdale Unified School District and people and families experiencing homelessness. So those are the people using our Food Bank.

These are just some statistics on Food Bank and I think the ones most important to note or towards the bottom. Unduplicated households. So, this is through March of 2025, and we had 533 households come to pick up food from the Food Bank. And that is a total value of approximately \$596,000 of support offered to these families in need. And then also the healthy pack program, which is a program for the students and 349 students were served through this program, put together at the Food Bank.

This is a great picture that Sue, my colleague, often points out to. Many people think of a food box, you are picking up this box of canned food. Take a look at what is offered here. It's fresh produce. It's vegetables, it's meat and dairy and this is offered to people in need when they come in. It's healthy, great food and a good amount of it, especially depending on your family size. So, we love to show this picture of our food box.

These are a few stats continued. The Food Bank really operates on donations. So, it's not us going out and buying food. It is donations coming in. And so the amount of donated and rescued food equals 435,000 pounds of food that are donated to the Food Bank. And that's an approximate value of \$972,000, and then also, Mayor Borowsky was recognizing a volunteer. We have some amazing volunteers that are at the Food Bank and have contributed through March, 2,937 hours. So, we are grateful for all the donations that make this program operate.

[Time: 00:39:51]

Sources of support. How do we get the food into the Food Bank? We've got a partnership with St. Mary's Food Bank and a strong partnership with an amazing nonprofit Scottsdale Community Partners that supports the work that we do in the Food Bank through these bulleted items here to help us get emergency food boxes, grocery, rescue and weekly delivery. We also work with St. Vincent DePaul. We receive grand funding from the Salt River Pima Maricopa Indian community. And we get donations and food drives and we will always accept monetary donations.

Just the staffing and some of the costs we have five personnel that work in the Food Bank and this is where the general fund dollars do go, the staffing. Sue is one of them, it totals around \$230,000 annually for those five employees working in the Food Bank to serve the community.

As I get close to the end, I love this slide here, because these are our volunteers and it's pretty impressive. 30 plus volunteers work weekly in the Food Bank. They sort donation, organize our donated products and make the ready-to-eat bags and assist with the food box appointments and then we have group volunteering opportunities. So, if there are businesses or organizations that want to come together as a group to support community in this work, Sue's staff will work with them to schedule a time. Not only is it meeting a community need but a great team building activity to do something good together.

So, with that, that's the brief presentation on the Food Bank and Sue and I are happy to answer any questions.

**CITY OF SCOTTSDALE
JUNE 10, 2025 REGULAR AND SPECIAL MEETING MINUTES
CLOSED CAPTION TRANSCRIPT**

PAGE 14 OF 50

Mayor Borowsky: Thank you. Councilwoman McAllen.

[Time: 00:41:29]

Councilwoman McAllen: Thank you, Mayor. Thank you, Kira and Sue. Just some comments. The Food Bank, the expansion, it's beautiful. I was there for the opening. It's come full circle. I'm really happy that we're also working with other departments to bring a trolley, hopefully soon. We discussed that recently and you are already working on, that to bring a trolley from other parts of Scottsdale to get people who cannot drive to the Food Bank, because it is a little further away than the original Vista Del Camino Food Bank.

But full circle is you are talking about healthy packs. I'm sitting up here being I'm looking at our Assistant City Manager Jeff Walther who helped to create the healthy packs program with a group of people from Scottsdale Leadership and I think Chris Irish was the advisor and I was the mentor for Jeff. So full circle how our community supports our community, and it hasn't gone away. The need hasn't gone away for it. So I just want to applaud you for all of your efforts and all the wonderful things you have been doing since you became the director over the department. But the need not only was it needed ten years ago, it has escalated in our community and we are still answering that need. So, congratulations on all of your hard work. Thank you.

Mayor Borowsky: Thank you. Councilwoman Whitehead.

Councilwoman Whitehead: Thank you, Mayor. Thanks to both of you. And I concur with what was just said. I think the trolley is already in place, I know at Granite Reef Senior citizen, we are telling them the brought bag that there's a trolley to the new location. Anybody that knows me knows I will talk about the full circle here and what I'm so excited about and, of course, I have been with this with one of the programs for a long time. But what I'm really excited about is the food rescue, which you just breezed right through. But I want to stress to people that we're feeding people, not landfills.

So, this group, this department is rescuing however many tons you had up there on the screen of food, and using it to feed people. That's really exciting to me. I'm also always excited about the food that doesn't feed people but then turns into compost and then is used on local farms to grow more food. Do you happen to have the number handy of how many tons are composted?

Human Services Manager Sue Oh: Mayor Borowsky, Councilwoman Whitehead, actually Jonathan just told us that 31,000 pounds was composted in the last fiscal year.

Councilwoman Whitehead: Talk about full circle and making sure that we use every bit of food in a positive way. I'm just super excited. I can't wait to see the new location. I like the picture with my colleagues in it. Good job, ladies.

Mayor Borowsky: Thank you. Vice Mayor Dubauskas.

Vice Mayor Dubauskas: Thank you very much for your presentation. Jonathan, thank you so much for the work that you do every day. It's a pleasure to volunteer and see it for myself. The work that you do, the compassion that you show to the individuals, we heard some really heartbreaking stories and I have a lot of respect for the work that you do. One of the things that you said, Jonathan, is that this is an opportunity for a family that may be near homeless. If we can help them, give them what amounts to probably a couple hundred dollars worth of food, 200 pounds of food for a family of four is a lot of food. If we can help folks in that way and keep them in their homes. I think that's a wonderful solution, especially because this food is coming to us through donations. And so, we're utilizing it effectively and efficiently.

The really surprising thing about it is when you load up a giant cart, you start with a watermelon, and then a loaf of bread and then spaghetti squash and tomatoes. They have a refrigerator full of more eggs than a grocery store. It's lovely to see all the fresh, healthy food going out into the community. I want to thank you deeply from my heart for all the work that you are doing. It's really meaningful. So thank you.

Mayor Borowsky: Thank you very much. Thanks for the presentation and good job. Oh, Councilman Kwasman. Sorry about that.

[Time: 00:46:01]

Councilman Kwasman: No problem. Thank you, Madam Mayor. What a wonderful presentation as a former volunteer growing up in Tucson, at the Tucson Community Food Bank, it's so important. This is a curveball. I just want to give you a quick preparation. As the Arizona Sportsman for Wildlife Conservation, I wouldn't know if there's an availability currently or something I can work with your team to provide sportsmen in Scottsdale and in throughout the valley to be able to bring properly processed game meat to the Food Bank. There's always a glut and this is something that game and fish has talked about something that game and fish has talked about pretty much on an annual basis. I understand some wild game like bear needs to be prepared in a specific way, but deer meat and other meats can be provided.

I understand that this is a marginal aspect of what the Food Bank can provide, but bringing more people involved in the Food Bank has its own reward to bring more volunteers, more donations, not just not just of the specific activity, just want to get people who are involved in one activity involved in our community in a very different way.

Mayor Borowsky: Thank you. Councilman Graham.

Sue Oh: Mayor Borowsky, and Councilman Kwasman. We do have a permit through Maricopa County Public Health. So, we will definitely make sure that is allowable. And with our partnership with St. Mary's and Scottsdale Community Partners. We are always short on protein. So, we would love to see if we can get those types of donations at our Food Bank. Thank you.

Mayor Borowsky: Sorry about that, Councilman Kwasman, and Sue. And now we will move on to

Councilman Graham.

Councilman Graham: Thank you, Mayor. Kira and Sue, very good presentation. I know the food offerings that are put forward to participants are exceptional and they stack up way above and beyond any other food bank in the area. Probably the whole valley. People can I know it was on there, but I want to underscore and highlight, people can bring pet food, right?

Sue Oh: Mayor Borowsky, Councilman Graham, yes, we do ask everybody calling in for an appointment if they have pets, if they have babies, and what those needs are, if they do need pet food. We are always getting donations of pet food and we have a small grant that can purchase pet food. So, we do always have pet food on hand and we give it out to anyone that needs dog or cat food and sometimes we actually get bird food as well.

Councilman Graham: Bird food, ferret food, who knows what else. Thank you, Kira, Sue, Thank you very much.

Mayor Borowsky: Again, well done thank you for the presentation update. Thank you very much.

CONSENT AGENDA ITEMS

[Time: 00:49:03]

And now resuming, we will move to the Consent Agenda items 1 through 21A. Do any members of the Council have questions or any discussion for Consent Agenda items? Seeing none, we received no public speakers on the Consent Agenda items. And so now, I will entertain a motion for the Consent Agenda items number 1 through 21 A.

Councilwoman Whitehead: Mayor, I motion to approve the Consent Agenda items 1 through 21A.

Mayor Borowsky: Thank you.

Councilwoman Littlefield: Second.

Mayor Borowsky: All those in favor, please indicate your vote. All right.

REGULAR AGENDA - ITEM 22

Moving right along to the Regular, excuse me, agenda items. First, we have item number 22, which is the City Council review and possible reconsideration of Development Review Board April 17, 2025 decision regarding BB Living at Cavasson, which was case number 35-DR-2024. It approved design plans for a 191-unit townhome community on an approximate 18-acre site with a planned community district, planned airport core zoning. This evening, we will start with Principal Planner Greg Bloemberg who will provide the staff presentation.

Thank you, Mayor and Councilmembers.

[Time: 00:50:26]

Principal Planner Greg Bloemberg: Thank you Mayor Borowsky, Vice Mayor Dubauskas, and Councilmembers, Greg Bloemberg with Current Planning. Here to give you, I know you have a lot on your plate tonight, so I will give you a brief introduction or presentation. I will point out that since you are acting as the board tonight, I do have material and color boards should you wish to see those.

I'm here to give you, again, an introductory presentation of the BB Living project. The site is located within the Cavasson master plan, which is 130 plus acres bordered by the 101, Hayden Road, Legacy and 76th Street. Presently the only development in the Cavasson development is in that southeast quadrant, you have the Nationwide Building, two office buildings, including the Choice Hotels, retail building and a hotel. And site outlined here in yellow is the site we're talking about tonight.

So just a quick timeline on how we got here. On April 7, 2025, the Development Review Board did review this case and approved it with a vote of 5-1. And then on May 6, 2025, the City Council voted to review the DRB's decision, with a 4-3 vote. So, at that May 6th hearing, there were a couple of a few issues raised but I'm summarizing here. There was a concern raised that the colors were not compatible to the area and that the project design is not contextually compatible to the surrounding area.

So, this is just for a reference, a copy of the site plan and landscape plan, it's 121 townhome units with a central amenity area, and quite a bit of streetscaping and landscaping along the perimeter.

So, there were two different that's primarily what we are here to talk about, I believe, is the building elevations and the building design. There were two themes introduced to the board or presented to the board at the 4/17 hearing. One was the modern desert prairie theme which I'm showing you here there's some stacked stone or at least a stone element, and stucco, with a shake roof element as part of this particular design. And then here's the material for that modern desert prairie. These materials and colors are all consistent with the sensitive design principles which is our primary guide when reviewing building designs. Again, mainly stucco with some stone veneer and various shades of earthen colors.

And then the other theme that was considered was the Spanish theme, this is a little different. It has it, does indeed have stucco. There's some stacked stone but the roof element is mission tile as opposed to the shake. And then this is the previously approved materials and colors for that theme. It's my understanding, there may be some updates to the building design that the applicant would like to present to you. So without further ado, I will defer to Mr. Berry.

Mayor Borowsky: Thank you, Greg. And now we have an applicant presentation provided by John Berry with Berry Riddell.

[Time: 00:54:10]

John Berry: Mayor, members of the Council, for your record, John Berry, 6750 E. Camelback Road in Scottsdale. With me this evening is the BB Living team, which includes the architect, which presented at the DRB hearing back in April. And also with the team is Brandon Lombardi. I ask Brandon to identify himself in case it gets built and you don't like it, you know who to call. But also because Brandon is the president of BB Living. We are happy to have him here this evening.

Mayor, members of the Council, Scottsdale is unique. Our community is unique. Our community is committed to high-quality design and our community is also the home, the corporate headquarters of BB Living. In fact, BB Living's headquarters is located at Scottsdale Road and Indian Bend. There are executives and employees that are proud to call Scottsdale home. Now, from that headquarters building in Scottsdale, BB Living has been successful. They have built communities in five different states, and 20 cities, including some in the valley and states outside of Arizona. Now, this is the first time that BB Living will build a community in its hometown, in Scottsdale. And I will tell you that Brandon Lombardi, the president of BB Living. They have five other communities under review and consideration and construction at this time, and he was not active in the design of these elevations for his first hometown project here. Now, one of the things I can tell you unequivocally, is that Brandon Lombardi is now fully engaged in the design of this project and he recognizes the importance of this to his hometown company.

So, with that in mind, I want to tell you, there's a few things I would like to give you a little background on before we get to the image and the comparisons. This community, this proposal that staff showed you briefly, has 29% more open space than required. This is not putting 10 pounds in a 10-pound bag. It's gated. All the townhomes are two story. They each have a two-car and proud to say oversized garage. So, you can get two cars in there and you don't have to squeeze and there's room for storage as well. They are all three- or four-bedroom town homes. They all have backyards. As you would expect in Scottsdale, this proposal for this neighborhood has amenities that you might think read like a resort in north Scottsdale. Let me give you a quick list of some a partial list of some of those amenities. You have to have the obligatory pools, but there are also cabanas and a full outdoor kitchen, not just a barbeque, but a full outdoor kitchen, a dog park, sport courts, game lawn, a virtual golf driving range. It does not consume any water. A playground and a tot lot, a fitness center including cold plunge and sauna and an entertainment pavilion that will include an outdoor bar, outdoor TVs and barbecues.

So, with that in mind, let's go to the PowerPoint. I want you to keep in mind that this piece of property and you are acting as the DRB, not as the City Council. This piece of property is hard zoned and has the right to develop 400 apartments on this site and in fact the permitted zoning allows 84 feet on this piece of property. In fact, three years ago there was a DRB application that came through and approved but expired, it was approved for 400 apartments at this location. These are the elevations for those 400 apartments. We're here with a request for 191 townhomes.

[Time: 00:58:55]

Now what you see on the screen are elevations from the DRB hearing back in April which precipitated this appeal to you, acting as the DRB. These are some additional images presented by the applicant in April at the DR hearing and these are images existing construction for communities they have in other cities around the valley, or other states.

Now before I show you the pictures, I want to go through the list prepared by great architects that BB Living has. There's a significant amount of stone that was added on all four sides. There's these Juliet balconies with wrought iron that were added as well and deep recesses to break up the massing. They added roof elements to the buildings in order to break up the massings well. They added the accent windows with wrought iron detailing on them. The overhangs on the roof were increased by 50% to create more shade and shadow on these buildings. The gable and the overhangs were increased as well and the roof and facades were reduced and the roof elements were changed as well. The elevations on the sides of these townhomes were articulated with stone. There were additional deep recesses and more stone added. They added a porch element in stone and arched it in order to emphasize the entrance and they decorated that with wrought iron detailing as well. I don't know how many of you have pavers on your driveway. Most of us have concrete. And these townhomes will have pavers on their driveways.

Here's the pictures. This is where we are today. This is looking at the front of the townhomes tilted a little bit so you can see how it breaks up the massing buildings with the changes that were just described in these slides. Now this is the front of the townhomes. Now looking straight on, instead of at an angle and you can see the quality and the additions in the prior slides.

This is zooming in. You can see the pavers and the Juliet balcony. This does not look anything like 400 apartments that is permitted. This is the back of the townhomes. You can see the roof elements and the decorative stone with the wrought iron on them. This is show and tell. This is compare and contrast. This is before and after. On the top is the front of these townhomes that was approved at DRB. And below is what we are proposing this evening. You can see the differences on the front of these buildings.

This is the back of the townhomes. On the top is what was presented at DRB and on the bottom is what we are proposing today. Clearly substantial, meaningful architectural, material changes to the elevations. These are the ends of the townhome buildings. On the top is what was approved at DRB and below is the revision that we are bringing forward today.

Again, just a quick glance tells you that these are major changes. This is the other end of the townhomes. Again, at the top, what was presented at DRB and below where we are today. Significant changes. This is the revised material board. As staff noted we have the actual samples if you want them. They don't show as well as they are in real life, but in the middle of the column at the bottom, you can see the wrought iron. It's not a black color but it's a dark brown, let's call it. And on the far right-hand column, those are the pavers used on the driveway.

**CITY OF SCOTTSDALE
JUNE 10, 2025 REGULAR AND SPECIAL MEETING MINUTES
CLOSED CAPTION TRANSCRIPT**

PAGE 20 OF 50

Mayor, members of the Council this is, again to remind you the images that were presented at DRB. And to remind you as well, this is not 400 apartments that were approved previously but the elevations approved by DRB some three years ago. In conclusion, Mayor and members of the Council, Scottsdale is unique.

Our community is unique, and BB Living and Brandon Lombardi knows that Scottsdale is unique and they are committed to quality, just as our city is. This becomes a legacy project. This becomes showcase, a show place for BB Living throughout the country. Brandon Lombardi is aware of the importance of quality to our community. What has been the result of this involvement and the revisions to the plans and the elevations. This is a project that's uniquely Scottsdale and it's now right for Scottsdale. Mayor and members of the Council, I would respectfully request if you move forward with this case, that you affirm the decision of the April 17th DRB approval with the revisions in accordance with submittal and resubmittal on June 3rd that has been presented to you this evening. I understand you may have a public comment but I'm happy to answer any questions or wait until after public comment, thank you.

Mayor Borowsky: Thank you. Let's take the public comment, Dan Ishac and then we'll open it up for Council questions.

[Time: 01:04:39]

Dan Ishac: Mayor and Council, Dan Ishac, address still on record. Coming to this meeting, I had no opinion on the design of the project. But after hearing what the petitioner and the developer has put together, I don't understand why there would be any objections to this. But I'm speaking because I have a strong opinion about wasting Council's time on this matter. Jan, your role on the DRB is to address these issues within the DRB. The reason we have boards and commissions is to lessen the burden of city staff and the Council so they can attend to more pressing matters, for example, maybe keeping a Fortune 100 Company here, but you, Jan, chose to remain silent during the DRB meeting and you ambushed the rest of the DRB and the petitioner by bringing it to Council. You are wasting time and money. I can only think of one reason you would do so, in polite company, it's called grandstanding. You wanted a bigger audience to show your commitment to preserving the look and feel of Scottsdale. The DRB wasn't big enough for you, nor was your Op Ed in the paper.

So once again you have decided that politics trumps the needs of Scottsdale. Funny you were concerned with this project but support destroying the most historic part of Old Town, with an unneeded parking garage that will be taller than one of the only dozen nationally recognized historic buildings in all of Scottsdale. This along with your petty name calling demonstrates...

Councilman Kwasman: Point of order. Madam Mayor.

Dan Ishac: This demonstrates you, and it's not good. What is your point of the order, Adam?

Mayor Borowsky: I will take it from here. Point of order, you have called for a point of order.

**CITY OF SCOTTSDALE
JUNE 10, 2025 REGULAR AND SPECIAL MEETING MINUTES
CLOSED CAPTION TRANSCRIPT**

PAGE 21 OF 50

[Time: 01:06:44]

Councilman Kwasman: Madam Mayor, members of Council, my understanding and Ms. Scott, can you please us a ruling on this in terms of the narrowness and the scope of any public comment regarding this specific application.

Mayor Borowsky: I will go ahead and comment on that and then if Sherry, if you disagree with me. And please keep your comments, just like everybody else to the scope of this agenda item, which is the BB Living project, which I believe that you are doing. So. Go right ahead, unless you disagree, Sherry.

City Attorney Sherry Scott: Mayor and Councilman Kwasman. I do agree the public comment needs to be relevant to the agenda item we are discussing.

Mayor Borowsky: Yes, me too. Thank you, if you will proceed with the comments relevant to the agenda item.

Dan Ishac: I was actually done. But as I said at the beginning, I hope that the Council stops wasting time and supports this petition because it meets all of the requirements of our design. Thank you.

Mayor Borowsky: Thank you very much. All right. Starting with Councilman Graham.

Councilman Graham: Thank you. Thank you, Mayor. Mr. Berry, good presentation as always. When I compare the before and after of those images, there's no comparison. This is going to be a better product, would you agree with that?

John Berry: Mayor Borowsky, and Barry Graham, I'm not to agree with the design, and I'm not an architect nor did I ever stay at a Holiday Inn. That's for the DR acting to determine whether this design is more appropriate. We believe it is and hope you would find so. Thank you.

Councilman Graham: I want to commend Vice Mayor Dubauskas for bringing this to the Council. This is about better architecture in Scottsdale and this project is exceptionally better than what it was. Vice Mayor Dubauskas used all the necessary, proper, appropriate channels and the residents of Scottsdale, particularly those in the north, in this section of the city, I think he would be appreciative of the additional investments that are going to be made to the design elements and the architectural quality that's going to bring higher quality of life in this area. So good presentation. And I will be supporting this. Thank you, Mr. Berry. Thank you, Mayor.

Mayor Borowsky: Thank you. Vice Mayor Dubauskas.

[Time: 01:09:34]

Vice Mayor Dubauskas: Thank you, Mr. Berry and thank you BB Living very much for being open and receptive to the feedback. And for coming to us with a superior product. This is beautiful. I live in the

area, as I mentioned. My parents do as well, just down the street and it looks like something that would be there already. But it's going to be new and beautiful. So I would like to make a motion and Greg, can you help me with what the motion should be, as Mr. Berry recommended, is it to accept the DR decision with the applicant's updates?

Greg Bloemberg: Mayor Borowsky and Mayor Borowsky. I will ask Ms. Scott to correct me if I'm wrong but I think the motion would be to approve or uphold the Development Review Board's decision, but with the changes presented tonight.

John Berry: Mayor, I apologize. Vice Mayor. Please note that that would be in accordance with the revisions submitted to staff on June 3rd to reflect these changes.

Vice Mayor Dubauskas: So moved.

Councilwoman Whitehead: Second.

Mayor Borowsky: Yes, Councilwoman Whitehead.

Councilwoman Whitehead: Okay. Thank you. Thank you, Mayor. Thank you BB Living. Thank you, Mr. Berry. I'm supporting this project, obviously, and I am for a number of reasons. Number one, I'm really, really excited to have 400 apartments not get built. And I'm even more excited to have 191 homes get built. So, we are we know there's a housing shortage but I don't believe it's apartments. People are looking for homes. They are looking for yards. They are looking for garages. They are looking for dog parks. So, with the revisions too, I really think those add a lot of value. And I also want to say that it's always nice to have a local development team. So, for many, many reasons I'm really enthusiastically supporting this project. Thank you for bringing homes, new homes, the middle housing to Scottsdale.

Mayor Borowsky: Thank you. I don't see any other comments. So, with that, we will indicate our votes to the motion we will indicate our votes to the motion, with those modifications.

John Berry: Thank you all.

Mayor Borowsky: Thank you very much. Okay.

REGULAR AGENDA – ITEM 23

[Time: 01:12:12]

Next is item 23, which is the Truth in Taxation and public hearings on the Proposed Fiscal Year 2025/26 Property Tax Levy. This item solicits public testimony on the Proposed Fiscal Year 2025/26 Property Tax Levy and by roll call vote consider possible approval of a motion, excuse me to levy the proposed property taxes, taxes to be assessed by Ordinance on June 24, 2025. Presenting this evening is Senior

Treasurer Sonia Andrews, who will be discussing a recent revision to the proposed property tax.

I now open the public hearing and we will take now take public testimony, which we have one speaker, Bryan Scott. Is Bryan here? I don't see Bryan Scott. We will go ahead and move on I now close the public hearing. Do I have any questions from the Council before I request a motion to approve? Oh, Sonia is going to speak first. I'm getting way ahead of myself. I must be hungry.

City Treasurer Sonia Andrews: Thank you, Mayor. Thank you, Council. This is a revised presentation for the proposed property tax rate and levy for '25/26, and there was a late revision where we removed an additional levy that was originally in the proposed tax rate and levy for the Qasimyar refunds which we lost revenues on and that will reflect that. Next slide.

Before I begin with the proposed property tax text year, I wanted to go over some property tax basics, next slide. Our property taxes are assessed by different taxing districts as shown on this slide. The city's property taxes are only 15% of the total property taxes that is being assessed. Making being made up of the primary component and the secondary component. Currently in this fiscal year, the city's property tax rate for a residential owner-occupied home is \$6, and most of that goes to schools, counties and districts and the city's tax rate is the 50 cents and the 43 cents for a combined 93 cents of assessed value. The tax rate is applied to a limited property value. To arrive at the actual amount of property taxes paid. Next slide.

In the current year, the limited property value, which is not the same as the market value for a Scottsdale resident, the median which is the middle, is \$391,864. And applying the 93 cents of the current property tax rates for residents computes \$364.43 of the total \$2,351 tax bill.

Again, limited property taxes is not the same as market values. So next slide. Limited property value is lower than the fair market value or full cash value. The annual increase is restricted by law to 5%. So even in the market value increases significantly, the limited property value increase is limited to 5% and then it's used to calculate property taxes. Next slide.

And I said earlier, there's two component to the city's property taxes, the primary component which is assessed for general fund and tort settlements and the secondary which is assessed for the debt service on voter approved bonds. Next slide.

So at the current tax rate, we are one of the lowest property tax rates when compared to the peer cities in the valley. Next slide.

Now moving on to what we are proposing for '25/26, next slide, our proposed property tax rate for '25/26 combined is 91.2 cents which is 2.1% decrease from the current tax rate of 93.2. Both of the components are decreasing and I will go over each of those components and why they are decreasing. Next slide.

[Time: 01:17:06]

This is the primary property tax component. This current year is at 50 cents or more specifically 49.6 cents, and it's decreasing based on these components you see on the slide. Primarily, the appreciation of the assessed value reduces the property tax rate. We also have a that's offset by an increase because of the allowed 2% maximum levy increase, but then it's offset by a reduction in the levy that's needed for our tort settlements. New construction also contributes to the levy. So overall, with those components, our tax rate is going down from 49.6 cents to 48.9 cents and a levy is going to go up from 39.6 million to 40.3 million. Next slide.

For the secondary property tax component, the change in our secondary property tax rate is mostly due to the reduction of the amount needed for debt service. So, our levy is pretty much staying the same at 34.8 million for both years and primarily the rate goes down because we don't need to assess that much because the assessed value has gone up. So next slide.

So, at the 91.2 cents, that's proposed for fiscal year '25/26, and because of the increase in the value of the property, the actual property tax to be paid is pretty much flat. So, there is a 2% almost 2% increase in the assessed value, but then a 2% reduction in the rate. So, net/net is going to be about the same. Next slide and then again at that 91.2 cents, we remain one of the lowest in the valley. Next slide.

Adopting the property tax is a two-step process. Today, we're asking Council to hold the public hearing and adopt a motion to levy the property tax, and on June 24th, Council will be asked to adopt the property tax levy and fix the actual rates. Next slide.

So this is the action that we're requesting of the Council. And I can answer any questions that you may have.

Mayor Borowsky: Thank you, Sonia. I don't see any requests to speak by the Council, but I will check to see if Bryan Scott is here. No. Okay. Anyone have any questions on this one? Vice Mayor Dubauskas.

[Time: 01:19:42]

Vice Mayor Dubauskas: So, the property tax rate will come down, 2.1%. That's music to my ears, Sonia. Thank you for this wonderful news. Thank you.

Mayor Borowsky: All right. Seeing no other speakers. I now close officially the public hearing, and I will entertain a motion to approve the tax levy.

Councilwoman McAllen: So moved.

Councilwoman Whitehead: econd.

Mayor Borowsky: All those in favor indicate oh, roll call vote. Yes. You can take it from here, Clerk Lane.

Ben Lane: Mayor Borowsky.

**CITY OF SCOTTSDALE
JUNE 10, 2025 REGULAR AND SPECIAL MEETING MINUTES
CLOSED CAPTION TRANSCRIPT**

PAGE 25 OF 50

Mayor Borowsky: Affirm.

Ben Lane: Vice Mayor Dubauskas.

Vice Mayor Dubauskas: Yes.

Ben Lane: Councilmembers Barry Graham.

Councilman Graham: Yes.

Ben Lane: Adam Kwasman.

Councilman Kwasman: Yes.

Ben Lane: Kathy Littlefield.

Councilwoman Littlefield: Yes.

Ben Lane: Maryann McAllen.

Councilwoman McAllen: Yes.

Ben Lane: And Solange Whithead.

Councilwoman Whitehead: Yes.

Ben Lane: Mayor, the item passes 7-0. Thank you.

Mayor Borowsky: Thank you very much.

REGULAR AGENDA – ITEM 24

[Time: 01:20:47]

Item 24 is a public hearing on proposed fiscal year 2025/26, Municipal Streetlight Improvement District expenses and property tax levy. This item solicits public testimony on the proposed fiscal year 2025/26, Municipal Streetlight Improvement District proposed expenses and tax levy and considers possible approval of a motion to adopt the annual statements and estimates of expenses and levy the proposed fiscal year 2025/26 Municipal Streetlight Improvement District taxes by district taxes to be assessed by ordinance on June 20, 2025. Presenting this evening on this topic is Anna Henthorn, Assistant to the Treasurer. I now open the public hearing.

[Time: 01:21:30]

Assistant Treasurer Anna Henthorn: Thank you. Good evening, Mayor, members of the City Council this action is so solicit the public testimony on the proposed fiscal year '25/26, Municipal Streetlight Improvement District, proposed expenses and tax levy.

The Streetlight Improvement Districts were established in 1971, to allow taxpayers to pay for the operation of streetlights. The city has 357 streetlight improvement districts formed by petition of the property owners. The Streetlight Improvement Districts are established for the sole purchase of establishing public streets. It levies a special property tax based on estimated electricity cost for each district.

The operating costs for each district varies in relation to the electricity usage, number of streetlights and whether they are serviced by APS or SRP. The city completes 357 separate property tax calculations for each district representing 33,978 properties. Here is a map of the streetlight tax districts, the blue represents APS and the green represents SRP. The fiscal year '25/26 levy is \$578,426 with average of \$17.03 an average decrease of 72 cents per property lot from the prior fiscal year.

Here is the action item, and, again, it's to solicit the public testimony on the fiscal year '25/26 Streetlight Improvement Districts and I can answer any questions you may have. Thank you.

Mayor Borowsky: Thank you. And I don't have any speakers on this item. So do I have any questions?

Councilwoman Whitehead: Mayor, I will make a motion. A motion to Levy the Proposed Fiscal Year '25/26, SLD tax districts, taxes to be assessed by Ordinance on June 24, 2025.

Mayor Borowsky: Second. All those in favor, please indicate your vote. All right.

REGULAR AGENDA – ITEM 25

Item 25 is the final public hearing on the fiscal year 2025/26 budget. This item seeks to solicit public testimony on the operating budget and capital improvement plan as tentatively approved on May 20, 2025. Presenting is Sonia Andrews City Treasurer and I now open the public hearing. We will take public testimony first, and I don't no, no speakers on this. So, Sonia Andrews.

Sonia Andrews: I will have our Budget Director, Scott Selin present.

[Time: 01:25:06]

Budget Director Scott Selin: Good evening, Mayor, and members of the Council, Scott Selin, Budget Director. I want to acknowledge that there have been a couple of changes that have been posted and provided to the Council. The first is that funding for the Thompson Peak Bridge Capital Project was adjusted. There was \$5.2 million of expenditures that were moved forward from FY 27/28 to FY 26/27.

This does not impact either the FY 26/27 capital budget or the five-year total CIP expenditures and the other is the property tax issue that Sonia mentioned in her presentation about property tax.

This is the adoption timeline. We are at the final step of the timeline, which is the final adoption of the FY '25/26 budget. It's just over \$2.2 billion. Split up in 885 million for operating and \$947 million for capital and \$370.5 million in contingencies and reserves. This slide shows the details the changes that were made in the tentative budget. There were two positions added to the Mayor and Council's office which impacted both the operating budget and the reserves and contingencies at the bottom and there were no changes to the capital budget. Other than the Thompson Peak Bridge project that I mentioned at the beginning of my presentation. This slide compares the final budget to last year's adopted budget. When compared to FY '24/25, the current year's budget shows an overall reduction of \$91 million and a reduction of 4%.

Before going into the details of this slide, I want to emphasize that the proposed budget, the tentative budget and the final budget have anticipated the specific changes to compensation and to the pay tables that are listed here on this slide. The budget contains the new police pay program which makes step plan and market adjustments that will be effective on July 1 and longevity payments that will be effective on September 1st and market base adjustments to all ranks. The budget includes a market adjustment for all other employees of 2% and finally the budget provides specificity to the City Manager's organizational changes. These changes were also anticipated in the budget and resources were allocated to carry them out.

This brings me to the end of my presentation. There are slides that follow from the Council retreat that were included as a resource this evening if there are any questions and with that, I would be happy to entertain any questions.

Mayor Borowsky: Thank you, Scott and Councilman Graham.

[Time: 01:27:54]

Councilman Graham: Thank you, Mayor, thank you, Scott. Can you say more about the Thompson Peak Bridge? It was moved from fiscal '27 to fiscal '26. How does that affect the budget?

Scott Selin: Funding was moved from year three of the five-year C.I.P. which is fiscal year 27/28, to 26/27, year two. So, it does not impact next year's capital budget or the aggregate five-year C.I.P.

Councilman Graham: That's a Bond 2019 project, correct?

Scott Selin: Madam Mayor, I don't believe so, but I can get that information back to you.

Councilman Graham: Sonia seems to want to say something. Allison Tymkiw might have something to say.

**CITY OF SCOTTSDALE
JUNE 10, 2025 REGULAR AND SPECIAL MEETING MINUTES
CLOSED CAPTION TRANSCRIPT**

PAGE 28 OF 50

Senior Director Alison Tymkiw: Mayor, Councilman Graham, yes, that is a Bond 2019 project.

Councilman Graham: Thank you. So that was one of those 2019 Bond deliverables. I have gotten a few questions about that project. When when do you realistically kind of expect to see the project starting?

Alison Tymkiw: Mayor, Councilman Graham, we are currently proceeding with the design of that project right now. So feasibly we could be under construction in the next fiscal year, the following fiscal year.

Councilman Graham: So that will add a bridge on north side and so the eastbound south side will be separated from the westbound north side.

Alison Tymkiw: That's correct.

Councilman Graham: Okay, thank you, Ms. Tymkiw. Thank you, Scott. Mayor, thank you.

[Time: 01:29:28]

Mayor Borowsky: Thank you, Councilman Graham. And just to be clear we are not taking action at this point, right? This is the public hearing. You are not looking for a motion at this point.

Sherry Scott: Thank you, Mayor, was that question to the city attorney?

Mayor Borowsky: It doesn't matter Sonia.

Sonia Andrews: That is correct. That's all we are doing is the final public hearing.

Mayor Borowsky: And we don't have any so final public hearing. We have no public testimony. So, I'm closing the hearing, yes. I'm closing the hearing. Do you have a question?

Councilwoman Whitehead: Yes, Mayor. I actually have some remarks about the budget but in our packet. I'm having technology failure. I can't get my iPad up and running. But the packet that we received included the final budget and also the compensation package and I don't have the verbiage set. Is that the next item, since I am operating without my iPad.

Mayor Borowsky: So that's I think Councilwoman Whitehead is getting at the Special Meeting content.

Sonia Andrews: That is correct. So, the Special Meeting item one would be the adoption of the final budget, the five-year capital improvement plan and the fiscal year 25/26 job classification plan and pay table.

Councilwoman Whitehead: Okay. All right. I will then wait for that. Okay. Good. Thank you, Mayor. Thank you, Sonia.

Mayor Borowsky: Thank you, Scott. So what we are going to do is recess, I now close the public hearing,

which is what we just did so we will recess the Regular Meeting and move directly to the Special Meeting, which now with have Special SP1, I don't know why you are calling it Special SP1, Special Meeting, the final adoption of the fiscal '2025/26 budget estimates.

Councilman Graham: Point of order. I'm sorry, Madam parliamentarian. Can we switch from the Regular and Special and go back?

Sherry Scott: Yes, you can recess the Regular Meeting, old the Special Meeting adjourn the Special Meeting and resume the Regular Meeting.

Councilman Graham: Okay. I wasn't disputing what we were doing. I wanted to make sure that everything was...

Mayor Borowsky: Yes. Thank you. Okay moving right along.

SPECIAL MEETING – ITEM SP1

[Time: 01:31:30]

Final adoption of the fiscal year 2025/26 Budget Estimates, Five-Year Capital Improvement Plan and Fiscal Year 2025/26 Job Classification Plan and Pay Table. This item requests two actions. The first is adoption of Ordinance 4670, setting the final budget estimates for the fiscal year 2025/26 budget as tentatively approved on May 20, 2025, adopting the final fiscal year 2025/26 job classification plan, and job classification pay table in conformity with Scottsdale Revised Code sections 14 through 20, through 14 through 24. And authorizing or approving as applicable certain salary adjustments fine including the final budget city employees and Charter Officers and setting the salaries of the presiding judge and associate judges.

The second is the adoption of Ordinance 4671 approving the Capital Improvement Plan for the period beginning July 1, 2025 and ending June 30, 2030. Presenting this evening is Sonia Andrews. Do we have a second presentation? Okay. Thank you.

Scott Selin: Thank you, Mayor and members of Council. Just one slide. Oops. This is the only slide in my presentation. It provides the necessary Council action in order to adopt the budget. Happy to entertain any questions.

Mayor Borowsky: And this was based this refers back to the presentation we just saw. So Councilwoman Whitehead.

[Time: 01:34:10]

Councilwoman Whitehead: Well, this is just moving along speedily. So, I do have some remarks about the budget. I see it as an opportunity for unity. I'm thinking we're going to have a 7-0 vote and I gotta

tell you, that always feels nice. As part of a healthy democratic process, there are items, expenditures in the budget that I championed and some that I support and I do have some concerns. I want to stress that this budget is powered by the fiscal discipline and the policies of past Councils, and it's funded primarily by our voters that have repeatedly gone to the ballot box, to support taxes that cost each of us just a little amount of money but deliver that which none of us could afford without each other.

I want to talk about where that funding is coming from and that I support the continued investment in our infrastructure and new parks from the 2019 voter approved bonds and I support water infrastructure investments and transfer stations that are turning our waste into valuable resources, the 2018 transportation tax, which is improving our roads for all users and, of course, Prop 490 which is doing that which most communities don't do, and setting aside money for maintenance of all the things that we already approved and built.

I also commend the voters for approving 491, which is key, Proposition 491, which is key to our police pay program, I didn't champion but I support the 41 million set aside to improve our roads, but my cautionary statement there is the success of this investment will depend on how we prioritize and use those funds prioritize and use those funds and we are all very aware of the investments made in the 2010s, where we put pretty ahead of durability for our roads and we are paying the price for that now. So, I will be watching closely for that.

But finally, my concern is with some changes that have been made between the adoption of the preliminary budget and today's vote and that pertains to the part of the packet that is part of the budget with pay grades.

[Time: 01:36:53]

And for the voters out there, people are paid in government based on grades and there were I'm not talking about the I'm going to pull up my notes on this so I get it right. I am not talking about the police pay grade changes. Those have been extensively reviewed by, I think all of us on Council. But there have been some pay grades grades that are that are pretty steep and this is not private sector. When it comes to paying our employees, we have to make sure that it is we're managing our tax dollars, and that these increases are validated and justified through data and reports. So, I haven't seen any of that and so this is my concern. Am I'm going to give one example. I will tell you, this is always hard for me to do because the employees that fill these roles are people that I really like and respect, but it's still our duty to make sure that a, we're managing your tax dollars well; b, we can justify any expenditures; and c, we're transparent. And because this change was made and because we haven't had a public presentation. In fact, I have seen no documentation, that's why I'm calling it out in this.

So, the example I will give you is we had a position at the city that has gone up seven grade changes in less than a year. So that's pretty significant. We are talking about almost \$100,000 change in what that previous position was paid to what it could be paid with a new grade. So, we went from 37 pay grade to 39 in November for this position. And included in this budget we're going from 39 to 44. Now is this justified? I don't know. And that's exactly why I'm pulling it.

**CITY OF SCOTTSDALE
JUNE 10, 2025 REGULAR AND SPECIAL MEETING MINUTES
CLOSED CAPTION TRANSCRIPT**

PAGE 31 OF 50

So, I would like to make a motion and I hope to get the support of my colleagues to adopt Ordinance 4670 setting the final budget estimates for the fiscal year 25/26 operating budget as tentatively approved on May 20th. And adopt Ordinance 4671 setting the five-year Capital Improvement Plan as tentatively approved on May 20, 2025. I have an added motion pertaining to the pay grades, would you like me to hold off on that I see it's not up there. Would you like me to read that? Would that be I guess I will ask this of the City Attorney if this would be the appropriate time.

[Time: 01:39:49]

Sherry Scott: Mayor and Councilwoman Whitehead, if I'm understanding your question, let me answer it this way. The adoption of Ordinance 4670 will include adopting the pay classification plan that has the changes that you're referencing. So, if you can amend the pay classification plan by a motion and adopt Ordinance 4670 with those amendments to the pay classification plan, you can do that in one motion.

Councilwoman Whitehead: Thank you. I will go ahead and do that. I made my motion and I'm going to amend it to adjust the pay classification plan or to accept the pay classification plan with the exception that no unsworn positions be increased by more than two grades without specifically returning to this Council for a separate approval that includes information and justifications for the requested changes. Okay. Anyway. Thank you. Do I hear a second?

Councilwoman McAllen: Can I speak to this?

Mayor Borowsky: Sure.

Councilwoman McAllen: I think, Councilwoman Whitehead might be referring study that we requested from the Human Resources Director, and it was just published today. So maybe she did not have time to review it. I'm just saying that.

Councilwoman Whitehead: Well, I don't hear a second but I think well, I don't hear a second, but I don't think it's transparent and I don't think it's good governance to supply us with a document...

Councilwoman McAllen: I will second your motion. I mean we can vote on it.

Councilwoman Whitehead: So, I do think this is part of the very real problem I'm trying to show this is not a criticism of any employee any employee. But it is our job as a government to first be transparent and second be fully responsible for how we spend tax dollars. And I don't have time, I'm sorry to read a report a couple hours before a meeting. That is pretty already pretty full, but thank you.

Mayor Borowsky: We have a motion and a second. So, we will take a vote on it. I want to add that I have concerns about this same issue, in particular the dramatic leap. I understand the logic because there have been structural changes in the City Manager's plan to to eliminate certain positions, specifically assistant city manager positions and consolidate that into one position, but I do still have concerns about that dramatic of an increase and there is a motion on the table. If no one else has any comments,

let's go ahead and take a vote on that. Yes, Councilwoman for the benefit of all of us, including Councilwoman Littlefield, who just requested it, can you please repeat your motion?

Councilwoman Whitehead: Okay. Sorry. She's trying to challenge me. Okay. I motion to adopt Ordinance number 4670 setting the final budget estimates for fiscal year 25/26 as tentatively approved on May 20th, with an amount to the pay classification plan that that is an exception, that no unsworn position be increased more than two grades tonight without specifically returning to Council for a separate approval with information and justification and I'm going to add and the opportunity to have a discussion on the changes.

Mayor Borowsky: Thank you. Did you hear that, Councilwoman Littlefield? Okay. Great.

Sherry Scott: Mayor, sorry. Since there was an addition to that motion, can we just reaffirm the second?

Councilwoman McAllen: Second.

[Time: 01:44:35]

Mayor Borowsky: I have a question before we vote on that motion. How many positions are impacted by that revision? Not more than 20% of a classification increase?

City Manager Greg Caton: Madam Mayor, as I heard the motion, it was specifically to grade levels, and so I heard two grades, which doesn't necessarily translate to 20%, but I believe we are isolating one position and I will indicate that this motion feels a lot like revisiting where there was a year and a half of extensive study, class and compensation and six positions were moved out of the consideration at the time, by Councilwoman Whitehead and there was significant other positions that made movement, and that's why the November was referenced because those six positions were modified in November versus the June, which was the initial scheduled time.

Additionally for the record, I did provide a response to Councilwoman Whitehead, as to some initial explanation to the adjustments, this position was initially at 37 grade, and the class and compensation study referenced moving it to 40. It was subjectively pushed down to 39 and as you referenced rightly so Mayor, with the elimination, of two assistant city manager positions, we used to have three. We reduced those to one. Based on that with internal and specifically movement within the police department and market analysis that was completed and provided today as Councilwoman McAllen referenced and actually in front of your dais today represents internal alignment and market analysis which recommends and coincides with moving that to grade 44. So, circling back specifically we're talking about one position. Thank you, Madam Mayor.

Mayor Borowsky: Thank you, and that, go ahead.

[Time: 01:46:49]

Councilwoman Whitehead: Thank you, Mayor. I do want to address that. Those positions were I requested at that time that we have a presentation, and I was denied. You know, we're giving our employees a 2% raise. I am not suggesting, and I want to talk about the fact that we are a 240,000 person city, with 11 million visitors every year, we have lost the two assistant city managers that literally built this city. This is not a city that I think can operate well on two city assistant city managers and that's why Mr. Caton was hired, so that we could have three assistant city managers. So, I think that the financial health that this Council inherited is our superpower, but it's our Achilles heel as well, because when you are flush with cash, and we're using we're using vacancies as cash, vacancies aren't cash. They are possibly positions we really need to fill. So, the Achilles heel is when you are flush with cash, sometimes you don't spend as wisely as you should.

And, again, I want to stress, we're a government. Perception matters, transparency matters and the positions we were replacing were paid thank you for your email, Greg, were paid in the \$250,000 level, and this new level is well into the \$300,000 a year. So, listen, I value everybody, I especially value the people who pick up my trash and recycles, but I value all of you equally besides that. And I just think that our community deserves this transparency, a public discussion on how we spend your tax dollars and how does this affect our future ability to fill these roles?

Can I ask a question. I have to tell you, having no pension ever I mean, I just never worked in that space. I don't even know how pensions work. So that's something I will be looking in to understanding more, but we are spending a tremendous amount of your tax dollars this year to pay down ballooning pension debt, because when it comes to a government, the first thing we pay is debt. We pay debt before we hire a police officer. We pay debt before we maintain your parks. Debt comes first. And so why I'm questioning this is I don't want a future Council to say who the heck put us in this position where we can't even take care of our current residents because we're stuck with all of this debt.

So, I just want to understand the impacts of pay grade changes and how that affects the whole system. And we haven't had we didn't last year when I requested this. There was no public meeting to discuss it and I think our residents deserve to have that this time. And I will ask you, our charter officers, can somebody tell me what are the pay grades of our charter officers? I would really appreciate just knowing because I haven't looked it up. So, does anybody have that handy?

Ben Lane: Councilwoman, if you give me just a second, I will have a second.

Councilwoman Whitehead: Mr. Lane, Charter Officer Lane has it.

[Time: 01:50:39]

Ben Lane: Mayor, Councilwoman Whitehead, the grades for the charter officer are, the City Auditor is at 37, the City Attorney is a 44, the City Manager is a 48, the City Treasurer is a 40 and the City Clerk is a 37.

Councilwoman Whitehead: Okay. So that's a wide range. And I you know, so I again, I think the answer

**CITY OF SCOTTSDALE
JUNE 10, 2025 REGULAR AND SPECIAL MEETING MINUTES
CLOSED CAPTION TRANSCRIPT**

PAGE 34 OF 50

on this city charter officer's kind of gives me more reason to believe that we need some, a public meeting to discuss this requested change and it has no reflection on the people who fill these positions. Thank you.

Mayor Borowsky: City Manager, you indicated a request to speak.

City Manager Caton: I wanted for the record to comment about the pay adjustments broadly across the organization, the 2% was referenced and so what we do have is a 2% market adjustment and then we have a 3% merit adjustment, and so those are eligible and then for the individuals on the step plans, the steps move at 5% and then also they are applicable for the market adjustments as well. So, I just wanted to add that additional information.

Councilwoman Whitehead: Thank you, but Mr. Caton, the 2% plus the merit is for non-non-FD, non-PD and the step is only FD and PD, correct?

Greg Caton: Madam Mayor, and Councilwoman Whitehead, that is correct.

Councilwoman Whitehead: Okay. Thank you. So, I am I think it's easier for us to always support our firemen and policemen. I'm talking about the regular employee population. Thank you so much.

Mayor Borowsky: Councilwoman Littlefield.

[Time: 01:52:46]

Councilwoman Littlefield: Thank you, Mayor. I would like to move to approve Ordinance 4670 setting the final budget estimates for the FY 25/26 with the following changes. Removal of the Management Analyst or similar position from the Mayor's office budget, and removal of one Management Associate position from the City Clerk's office budget for Council. It's there for Council as needed if needed. This will result in two Management Associate positions in the City Clerk's office that support the Councilmembers, and a Chief of Staff and Executive Assistant in the Mayor's office. I also move to approve Ordinance 4671 approving to the Capital Improvement Plan for FY '25/26.

Mayor Borowsky: So, Councilwoman Littlefield, there was a motion on the table with a second. So that is...

Councilwoman Littlefield: Okay.

Mayor Borowsky: Not your motion. So why don't we take a vote on the motion in the second place.

Councilwoman Whitehead: The motion I made, correct?

Mayor Borowsky: Yes.

Vice Mayor Dubauskas: So, we are voting on Solange's motion?

Mayor Borowsky: Correct. There was a live motion and a second before we move on to another motion, I would like to take a vote on that one.

Mayor Borowsky: Thank you. It passes.

Councilman Graham: Point of order.

[Time: 01:54:45]

Mayor Borowsky: I sit up here listen and telling others how to vote. It's a little bit disturbing to listen to this.

Councilman Graham: Point of the order. This was for Solange's motion.

Mayor Borowsky: I don't think it's appropriate for Councilman Graham to be questioning another Councilmember.

Councilman Graham: No, we...

Councilwoman Littlefield: Mayor, I misunderstood what we were voting for. I wish to change my vote to a no.

Ben Lane: Mayor, with changing the vote, it would fail 3-4.

Mayor Borowsky: It's fine, let's just do it again or whatever, or change hers.

Ben Lane: Okay. Yeah, if you all would like to vote one more time.

Vice Mayor Dubauskas: And this is on Solange's motion. I'm sorry, this is confusing.

Ben Lane: That's correct.

Councilman Graham: Madam parliamentarian, can I consider Councilwoman Littlefield's motion, an alternate motion or a new motion.

Mayor Borowsky: She can just make the motion, Councilman Graham.

[Time: 01:56:30]

City Attorney Sherry Scott: It might be good for her to restate the motion because I don't think there was ever a second on the motion. It doesn't really matter to consider it an alternate motion at this point in time. It will be the only motion on the floor.

Councilwoman Littlefield: I move to approve Ordinance 4670 setting the final budget estimates for FY 25/26 with the following changes: removal the Management Analyst or similar position from the Mayor's office budget and removal of one Management Associate position from the City Clerk's office budget. For the and that would affect the Council if needed. This will result in two Management Associate positions in the City Clerk's office that support the Councilmembers and a Chief of Staff and Executive Assistant in the Mayor's office. I also move to approve ordinance 4671 approving the capital improvement plan for FY 25/26.

Councilman Graham: Second.

Mayor Borowsky: I have a question for the maker of the motion. You've stated that this will result in a Management Associate and a Management Analyst in the City Clerk's office, but that's inaccurate. There was an approval, unanimously, to provide for the two positions Executive Assistant and Management Associate were moved into the City Clerk's office for the benefit of the City Council, that happened back in at the last Council meeting on this budget, and also, there was a unanimous approval to add a Management Analyst or equivalent and Executive Assistant back to the Mayor's office. So the motion is, I'm just curious, Councilwoman Littlefield, are you trying to add a position to the Clerk's office now? Because that was not a reflection of where we stood.

Councilwoman Littlefield: No, I'm removing. Removing Analyst or similar position from the Mayor's office and removal of one Management Associate from the City Clerk's office. That position is in the City Clerk's office for the benefit of the Council's office, but it is not filled. And hasn't been filled.

Mayor Borowsky: So where would that leave us then in your opinion at the Mayor's office and the Council level?

Councilwoman Littlefield: The Council level would the actual members that are working for the Council would stay the same. And the same would be true of the Mayor's office at this time.

Mayor Borowsky: So that would be a Management Analyst in the Mayor's office and Executive Assistant in the Mayor's office and Executive Assistant if it remains the same in the City Council office?

Councilwoman Littlefield: It would be Chief of Staff and Executive Assistant in the Mayor's office.

Mayor Borowsky: And what in the Clerk's office because now I'm very confused.

Councilwoman Littlefield: There's two positions in the budget for the Clerk's office.

Councilman Graham: There's three.

Councilwoman Littlefield: This makes it two. It basically removes one of those positions from the budget.

Mayor Borowsky: Resulting in which positions? What are the two positions that are now in the Clerk's office for the Council? So, I know what we're voting on.

[Time: 02:00:15]

Councilwoman Littlefield: They are an Associate position in the Clerk's office, from the City Clerk's office, and they are position holders in the Clerk's office. They have actually never been utilized.

Councilman Graham: Point of order. Madam parliamentarian, is the motion clear enough?

Sherry Scott: I'm just going to be honest, I'm having trouble following the motion, but I think my colleagues understand it, the City Manager and the Treasurer, they will be the ones who are implementing it.

Councilwoman Littlefield: Would you like me to repeat it?

Councilman Graham: Is it clear to the City Manager.

Greg Caton: Yes, I'm clear on the motion.

Mayor Borowsky: Would you mind repeating it then back.

Greg Caton: I believe I would leave that to Councilwoman Littlefield to restate her motion if that be the case, but I'm happy to if you would like me to.

Mayor Borowsky: What I'm asking is what direction are you taking from this motion? That's the question.

Greg Caton: Madam Mayor, I heard the motion to be that the removal of one management if well, I will state if I need to go back, I'm happy to do the history of how we got to this point. It's the removal of one position from the Mayor's office as a Management Analyst and a removal of one from the City Clerk's office, which supports City Council, which is a Management Associate as well.

Mayor Borowsky: Thank you. Councilman Graham.

Councilman Graham: I'm sorry, Mayor I thought I was...

Mayor Borowsky: Councilwoman Whitehead.

[Time: 02:01:56]

Councilwoman Whitehead: Can you put the slide up with the ordinances to make a motion? Thank you. I would like to make an alternate motion to adopt Ordinance 4670 setting the final budget estimates for the fiscal year 2025/26 as tentatively approved on May 20, 2025 and adopt Ordinance 4671 setting the five-year Capital Improvement Plan as tentatively approved on May 20, 2025.

Councilwoman McAllen: Second.

Mayor Borowsky: All those in favor? Having failed, we will go back to the original motion and take a vote. Councilwoman Whitehead.

Councilwoman Whitehead: I have a question. I find the motion being offered to it's this is putting us in a position. We just had four Councilmembers literally vote against the budget.

Councilman Graham: Point of order.

Councilwoman Whitehead: I am speaking, Mr. Graham. I would like to have...

Councilman Graham: Councilwoman Whitehead

Mayor Borowsky: Councilman Graham, please don't interrupt. There is no point of order.

Councilman Graham: A point of order.

Councilwoman Whitehead: This is playing politics with our budget. Every single one of us up here wants to approve this budget. And to make these last-minute unclear wrangling to remove Mayor, the Mayor's staff, is putting is holding this Council hostage. I would like a clean vote on the budget as presented by this you know, unless there's a specific change that she wants to make that is different from the tentative budget we have approved to today's budget. The request I made wasn't because I was trying to change the budget that was approved in the last meeting, the tentative budget. What I was referring to in my motion was a change.

Councilman Graham: Point of order. Point of the order.

Councilwoman Whitehead: And I do not want this Council...

Mayor Borowsky: You are out of order, Councilman Graham.

Councilwoman Whitehead: I don't want us to vote against a good budget that we all worked on because there's a political maneuver to take away is the Mayor's staff. This is an outrage. I would like to understand what our options are and I would like that from the city attorney, not my colleague

Mr. Graham.

Councilman Graham: Okay. Okay. Point of the order.

Councilwoman Whitehead: You are not speaking. You don't have the floor, Mr. Graham.

Councilman Graham: A point of order. The rules of procedure, Councilwoman Whitehead the rules of procedure...

Mayor Borowsky: Councilman Graham, you are out of order. We will let the City Attorney respond.

Councilman Graham: Can a point of order always be called?

Mayor Borowsky: Not for the sole purpose of interrupting a colleague.

Councilman Graham: Not the purpose.

[Time: 02:05:27]

Sherry Scott: Mayor and Councilwoman Whitehead, respectfully, the rules do provide that a point of order can interrupt another speaker. It can. It does not require a second. It's not debatable. It's not amendable, and it cannot be considered. Once raised, it requires a ruling by the presiding officer. And if held to be in order enforcement.

Mayor Borowsky: What is your point of order, Councilman Graham.

Councilman Graham: We voted on a motion that failed and then we were in the middle of voting when Councilwoman Whitehead just began speaking and then the and then all of a sudden just inexplicably stopped voting. That is is that does that comply with the rules of procedure passed by this Council because someone is displeased with the vote, the way the vote is going they can just start speaking and we stop voting.

Mayor Borowsky: That's not what happened.

Councilman Graham: That's exactly what happened.

Mayor Borowsky: Did you register any votes, Ben?

Councilman Graham: There were four or five votes already registered.

Mayor Borowsky: Let's ask Ben.

Ben Lane: Mayor, some individuals had voted.

Mayor Borowsky: It's flashed on my screen several times indicating it was not live. In fact the button were all three lit up when I called on Councilwoman Whitehead, but notwithstanding. So that's your point of order. Let's go ahead and take a vote.

Councilman Graham: My point of order, Madam Mayor is that just because one person on this dais is displeased with their perception of what's going on doesn't mean we stop voting in the middle of when voting has begun.

Mayor Borowsky: We covered that Councilman Graham. If that was the case, that was in error. There were screens flashing up and down. I did not see us as in process of voting.

Councilwoman McAllen: Point of order, there was no second.

Councilman Graham: There was a second.

Councilwoman McAllen: I did not hear. So maybe that was part of it. I didn't hear it.

Mayor Borowsky: I was not voting.

Councilman Graham: My point of order, presiding officer, can we resume the voting?

[Time: 02:07:46]

Mayor Borowsky: There was an alternate motion on the table.

Councilman Graham: The alternate point of order, the alternate motion failed.

Mayor Borowsky: Why don't we ask the City Clerk to recap. Where are we? Which vote are we taking?

Ben Lane: So, thank you, Mayor. So, the alternate motion failed. There was an initial motion made by sorry. There was an initial motion made by Councilwoman Whitehead. That failed. There was then a motion made by Councilwoman Littlefield. Then this was an alternate motion made by Councilwoman Whitehead. That alternate motion failed and so now we are back to the original motion made by Councilman Littlefield. It that's where we are at.

Mayor Borowsky: So, let's take a vote on that.

Mayor Borowsky: Did you get a vote on that?

Ben Lane: No.

Sherry Scott: Mayor, can I add? I just want to clarify that the motion, given the screen that was put up with the with the draft motion if, could you put that up again. It talks about the tentative budget

approved on May 20th, that has changed with classification and comp plan and I want to make sure it's clear to this Council that that's with the new changes and the classification in comp plan, minus the amendments that Councilwoman Littlefield mentioned and that the second agreed to I just want to clarify that for the record before the Council votes.

Mayor Borowsky: Might as well make it as clear as it possibly can be at this point. Thank you for that.

Vice Mayor Dubauskas: So, we will vote on Councilwoman Littlefield's motion.

Mayor Borowsky: Now we have three people who want to speak.

Councilman Graham: Point of order. My point of order, can we resume voting, Madam Mayor as we were.

Mayor Borowsky: The maker the motion would like to speak. Are you opposing that?

Councilman Graham: I'm asking you as the presiding officer to make a decision about make a decision about a point of order.

Mayor Borowsky: There was obviously confusion. We have to take vote over. So we will start the vote over because I was unaware that the screen was indicating a vote. We already talked about this. You made the point there's several votes coming across the screen. So, Councilwoman Littlefield, would you like to say anything at this point? You are indicated.

[Time: 02:10:19]

Councilwoman Littlefield: I was just going to say, a reason why I believe this would be a reasonable thing to do at this time, we have necessary large increases in our budget with public safety and with other departments and while the overall budget is not increasing so much, it will as we go forward with the additional people. In order to try to keep that as small as possible and to benefit our tax-paying citizens, I believe we should all be open to reducing our departmental budgets as much as possible. After studying both of the budgets for the City Council and the Mayor's office, I made this amendment, because these are positions that are not filled at this time. They are in the budget, but they have no people there. So, I thought I would like to take some one of those from the Council office, and one of those from the Mayor's office, both of them empty positions but in the budget, and because they are in the budget, they have to be funded. So I wanted to say let's hold off for a year and get through all this and then go back. If we want to, if it shows up that we need those positions and there are still empty positions in both offices, then we can always use those open positions and we can go back next year and refund those positions and fund those positions and open them up if we find there is a need. This is an option to reduce the budget by 200, \$250,000, by the time you pay the extra fees and taxes and stuff for these folks. Both of these positions are unfilled.

No one would be fired but their salaries would be removed from the budgeting process for this year.

And, of course, we find that there is an additional need, if we find there is, for these positions either one or both of them can be reconsidered and added back in when we put next year's budget together for consideration. In the meantime, this fiscal year, we can still each hire an additional staff member to cover necessary tasks for both the Mayor's office and the budget and the Council office.

And finally, I move to no. That's just what I want to say right there. Is that's why I made this motion. It's a matter of shoring up the budget, keeping it in tune, because we have a lot of increases in staff, which will over the course of time increase our budget tremendously. Trying to get ahead of the curve.

Mayor Borowsky: Thank you, Councilwoman Littlefield. I really appreciate that clarification, but there's a major factual inaccuracy, the Management Analyst position that's in the Mayor's office position is filled, it's occupied fully by a full-time employee who would have to be terminated. That is the case currently.

Councilwoman Littlefield: Mr. Lane, can you verify that. Did I pick the wrong title?

Ben Lane: The Management Analyst position in the Mayor's office is filled right now. It's the executive it's the Executive Administrative Assistant that's vacant right now, I believe.

[Time: 02:13:56]

Councilwoman Littlefield: Can I amend my motion to make it that position?

Ben Lane: Sherry, I assume..

Sherry Scott: Yes, you could Mayor, if I may. Yes, Councilwoman, you could amend your motion if that's what you want your motion to be, provided it's also agreed to by the second, Councilman Graham.

Councilman Graham: I can confirm that.

Sherry Scott: Are you making that amendment?

Councilwoman Littlefield: Yes.

Sherry Scott: Councilman Graham, are you agreeing to second that amended motion?

Councilman Graham: Yes.

Mayor Borowsky: I don't see any additional speakers. I thinks it's because the speaker button, you've cut us off finally.

Ben Lane: Mayor, I apologize, I'm going to have to reboot this computer at some point. If people want to speak, if they could just acknowledge to you. I apologize, we will have to do all votes verbally and if people want to speak, they will just have to...

**CITY OF SCOTTSDALE
JUNE 10, 2025 REGULAR AND SPECIAL MEETING MINUTES
CLOSED CAPTION TRANSCRIPT**

PAGE 43 OF 50

Mayor Borowsky: We broke the system. Great. I don't blame it! Okay, Councilwoman McAllen.

Councilwoman McAllen: That's a really good way to get a new system, Ben. We do need a new system. Next year.

I am in need of clarification on this. I want to make sure that we are not cutting any of the Mayor's staff and it stays exactly the way it is with the position that was Isol's I believe and then the position that is currently being held as well as the Chief of Staff. That's what we agreed on a couple of weeks ago. I want to make sure that's the vote we're making.

Mayor Borowsky: That's not the motion on the table, Councilwoman McAllen.

Councilwoman McAllen: I thought that's what she was amending it to. I'm sorry.

Councilwoman Littlefield: Mayor?

Mayor Borowsky: Yes.

[Time: 02:16:02]

Councilwoman Littlefield: I'm removing two empty unfilled positions one from the Council's office and the Mayor's office. It's a cost savings. It's for the budgeting process because the budget is pretty high.

Mayor Borowsky: Thank you, Councilwoman Whitehead.

Councilwoman Whitehead: I just want to talk about the budget saving. This is the group of people who forfeited \$31 million federal dollars this year.

Councilman Graham: Madam Mayor. Off topic. Off topic.

Councilwoman Whitehead: And we talk about savings when I simply requested some clarity on a tremendous bump in salary grade and all I wanted was to have a public testimony so we could explain to our constituents. So, I think getting rid of frankly an assistant who answers the phone. Let's call it what it is. We already agreed how the staffing would be. It was very amicable, and so last-minute gotcha change because somebody got mad is all I can figure to get rid of an assistant that answered the phones and helped every one of us for the entire six plus years I have been here is ridiculous and it's not a cost savings.

Councilman Graham: Madam Mayor.

Mayor Borowsky: Councilman Graham.

Councilman Graham: I will move to call the question. Thank you.

**CITY OF SCOTTSDALE
JUNE 10, 2025 REGULAR AND SPECIAL MEETING MINUTES
CLOSED CAPTION TRANSCRIPT**

PAGE 44 OF 50

Mayor Borowsky: All those in favor?

Ben Lane: Mayor, I apologize. Do a roll call vote. This is on Councilman Littlefield's amended motion.

Ben Lane: Mayor Borowsky.

Mayor Borowsky: No for the reason that when Councilwoman Littlefield and I talked about this, she fully agreed that the Mayor's office needs a secretary, executive assistant position, and I'm shocked by this change and it screams of political gamesmanship which I know my esteemed Councilwoman Littlefield does not engage in. So, I'm very disappointed.

Ben Lane: Vice Mayor Dubauskas.

Vice Mayor Dubauskas: Yes.

Ben Lane: Councilman Graham.

Councilman Graham: Yes.

Ben Lane: Councilman Kwasman.

Councilman Kwasman: Yes.

Ben Lane: Councilwoman Littlefield.

Councilwoman Littlefield: Yes.

Ben Lane: Councilwoman McAllen.

[Time: 02:18:44]

Councilwoman McAllen: I would like to comment on my statement. I was here to vote for the police increase. I do not want anybody to say that we are not pro public safety but to take away the Mayor's staff at the last minute, I'm forced to vote no.

Ben Lane: And Councilwoman Whitehead.

Councilwoman Whitehead: I would like to make a statement as well. I will vote yes on this budget, but the fact this Council has been called the most toxic Council in multiple media outlets, I guess we upheld that we we re-earned that this session. We had a budget that seven of us worked hard on, seven of us were willing to support each other's priorities and seven of us were supposed to vote for. And we had also already resolved the issue of the Mayor's staff. So, this is an outrage. This is exactly the political gamesmanship that earns politicians the lowest level of trust and I am proud of leaders that are up here that are trying to do the right thing. I wish it was the majority. I will vote yes.

Ben Lane: Mayor, it passes 5-2.

Mayor Borowsky: Thank you. All right. We are resuming, let's see where we left off here. I will close the Special Meeting and resume the Regular Meeting.

REGULAR AGENDA - ITEM 25A

[Time: 02:20:43]

Moving on to item 25A which is the Independent Ethics Panel report of findings of fact and conclusions of law for this for period. For this item, the Council will consider and either accept or reject the Independent Ethics Panel's report, which found a technical but unintentional ethical violation arising out of the March 23, 2025 complaint filed against Councilman Barry Graham. There's no presentation on this. I don't know that we have any we have two speakers on this. So.

Councilman Graham: Madam Mayor, point of order. I need to step out at this point, don't I?

Sherry Scott: Mayor, perhaps nobody told you, I believe that Barry Graham is recusing himself from this item.

Mayor Borowsky: Yes, of course.

Sherry Scott: He should leave the dais and go into the room.

Councilman Graham: Do I announce anything or just depart?

Sherry Scott: You depart. Thank you. Sorry to interrupt.

Mayor Borowsky: No, no. That's perfect. We received two requests to speak. First is Bob Littlefield.

Councilwoman Littlefield: He doesn't have his hearing aids in.

[Time: 02:21:57]

Bob Littlefield: So, I won't spend a lot of time talking about why I think this ethics, so-called violation is wrong, and why it should be rejected. Others will come up here and talk about that. I just want to point out that this particular if you have any question as to whether or not this is a valid finding or not, there's really only one thing you need to know, which is that when which is that when the investigator who originally investigated Graham's case said there was no violation, and yet, the judges continued this. That was a mistake. That should tell you right there that this is B.S. There will be more on that.

Now, I was actually on the Council when this ethics code was adopted and at the time I remember having reservations, I would want this to be warfare. I voted this anyway, because my aspirations would

overdo that. My aspirations were not realized but my fears were realized. So, and, in fact, to that point, later on, we realized on the Council that this thing was way too restrictive in terms of its restrictions upon Councilmembers talking to staff members. In fact, it was so restrictive that we realized it was preventing people, Councilmembers from doing their jobs. So, we actually put that on a ballot and opened it up a little bit. And it's pretty clear that if someone were to actually think that this were an ethical violation on Graham's part, that we didn't open it up enough. Because there needs to be some level of there needs to be some level of interaction with the staff in order to get things done.

There is also one thing I would like to mention that I don't know if anybody up here has thought about. One of the judges on this panel said, oh, I don't think anything bad should happen to Graham, even though they said he did something wrong. There's several of you up here who have various professional certifications. I see a couple of lawyers, some real estate agents, C.P.A., at least one. All of those professions have ethics codes. They have ethics requirements. You have to think about this. If your political opponents are allowed to say that you did something unethical, that can actually hurt your ability to make a living. It might cost you your profession. So, I would say tonight, first of all, this needs to be rejected. Second of all, you need to look into the way this ethics code is written. So it truly deals with ethics, not with politics. Thank you.

Mayor Borowsky: Thank you. Next, we have Tim LaSota.

[Time: 02:25:48]

Tim LaSota: Thank you, Mayor, members of the Council, Timothy LaSota here 2180 E. Camelback Road. I'm here to urge you to reject this report from the panel. Hopefully some of you read the letter I submitted, but, you know, what we had here was a Charter Officer or excuse me, a Councilmember going to a charter officer to have a meeting and being led into a discussion with subordinates with the charter officers. The complainant tried to establish that that Councilman Graham made a request of the subordinated what they testified to was they were not given an order by Councilman Graham, and they couldn't even tell who Councilman Graham was talking to. It stunned me. I have no idea why the two members of this panel couldn't understand the difference between an order and a request. They seem to be stuck on the old code too. I don't know why that happened, but it did. But it's your job to correct their error and I would urge you to do that.

You know, one the things that was also clear is Councilman Graham sitting in that meeting, looking at a computer screen and basically not talking to anyone in particular. Led into that room by a charter officer who remained in that meeting the entire time. Accept and I know it's not been a terribly happy night on Council tonight. There's been a lot of rancor, but I would submit you to that if we are going to get into crediting these what I think are meritless panel recommendations that there's been an ethics violation, I think it's going to get worse. I I don't know I think some of you know, I used to work here, two years, in fact, I could see my old office from here. It's an unworkable system when you can't go have a conversation. I worked for Jim Lane for two years and if this is the rule, I would tell him, look, I don't know how you can have a conversation with subordinates of a charter officer. And I think we have to be very careful, the environment we create where we are nervous about what we say. We're nervous

about people pouring over our emails because we happen to have a casual conversation in which someone misunderstood something or four months later, we've got five lawyers sitting in a room arguing over what was said. That is just I think we need to get on with the people's business and not dwell on these things.

The this my favorite part about the report. Is the two judges actually said, well, we hope this doesn't have a chilling effect. I'm glad they hoped that but I can tell you that if we're going to get into this is an ethics violation for basically having a conversation which the subordinates given. And he can't tell who Councilman Graham is talking to. I don't know how to break it to them. That will have a chilling effect. It's been a rough night, rancorous night. It's not going to get better if we start crediting groundless ethic reports like this one. Thank you.

Mayor Borowsky: Thank you. The system is working again if anyone would like to speak on this. That was our last public speaker. Councilman Kwasman.

[Time: 02:29:24]

Councilman Kwasman: Thank you, Madam Mayor. I just think it's important as this body sits to be able to ask some very simple questions to Ms. Andrews if that's possible. Ms. Andrews, did Councilman Graham go around you to speak with one of your subordinate staff members?

Sonia Andrews: Mayor Borowsky, Councilman Kwasman no, did he not go around me.

Councilman Kwasman: Ms. Andrews, did Councilman Graham first go to you before speaking with any of your staff members regarding the issue at hand?

Sonia Andrews: Yes, Councilman Graham came to me first.

Councilman Kwasman: Ms. Andrews, can you go with Councilman Graham into the office. Did you join him with any discussions that went on at the staff member's office.

Sonia Andrews: Yes.

Councilman Kwasman: Ms. Andrews, were you ordinating with Councilman Graham on the project and on the on the specific actions that Councilman Graham was seeking to achieve?

Sonia Andrews: Yes.

Councilwoman McAllen: Point of order.

Mayor Borowsky: What's your point of order, Councilwoman McAllen.

Councilwoman McAllen: I believe that we are allowed to only do two things uphold or not uphold the

statement not reinterrogate our City Treasurer. That has already happened by the attorneys.

Councilman Kwasman: Madam Mayor, my reasoning for asking those questions brings the foundation of why we should not uphold the findings of the panel.

Mayor Borowsky: So, Councilman Kwasman, I will ask the City Attorney to chime in, but my understanding is this was fully reviewed, analyzed, heard by a three-judge panel, both parties had attorneys. So, I have to agree, I don't think it's appropriate to do an examination, a direct examination on the city treasurer at this point. It was a three-judge panel, two of which I know quite well. I'm sure you probably do too, and hold in very high regard as I do, Mr. Graham's attorney. So, I don't know that it's appropriate to reexamine the City Treasurer. So, I'm going to grant the point of order, and we can move on. This agenda item doesn't call for us to be the deciding body. And if you didn't watch the hearings, we all had the opportunity to. We're directed to accept or reject the panel's report.

[Time: 02:32:35]

Councilman Kwasman: Then Madam Mayor, let me just say this. Accepting this report would mean the following: You agree with a judge panel and that's agree whether you like the judge, don't like the judge, but that he interfered with the authority of a charter officer. You have to agree with that, because we do have the power of accepting a report and agreeing to it versus tossing it. You have to agree that he interfered with the authority of a charter officer and gave explicit directions to subordinate a subordinate and what you just heard in my inappropriate questioning, apparently, according to your ruling, is that that never happened. So, there's either truth or not truth here. I mean that's just the end of it. And if we are in a situation where we can't hold a committee hearing and ask a staff member that I know two members of this body were at right now where I asked a staff member to schedule something. I said it in front of one charter officer to schedule something, we are guilty of an ethics violation.

We have to think rationally here. Everybody wants to make sure that we obey the rules are ethical, everybody. We need major reform of this language. This situation is unfortunate. We should throw this out and fix the rules. Thank you.

Mayor Borowsky: Thank you. I don't see oh, there's another comment. No other comments. So, at this point, I will entertain a motion to either accept or reject the independent ethics panel's report.

Councilwoman Whitehead: Mayor, I'll just add a comment. We're not agreeing or disagreeing. We received a report, and we are either accepting the report by the professionals that oversaw this process or we're declining. So, I move to accept the to accept the report.

Councilwoman McAllen: I second that motion.

Mayor Borowsky: All those in favor, please indicate your vote.

Sherry Scott: Mayor, that motion fails 3-3. It takes four members of the Council to take an action. I think the report is deemed rejected by default of the tie vote.

Mayor Borowsky: Okay. Thank you. We don't have any second non-agendized public comment, and yes, we will invite Councilman Graham to come back.

CITIZEN PETITIONS

[Time: 02:35:52]

Next, we have receipt of citizens petitions. We don't have any; is that correct? So, moving right along on to Mayor and Council items.

MAYOR AND COUNCIL – ITEM 27

[Time: 02:36:09]

Next up we have Mayor and Council items at the request of Vice Mayor Dubauskas, requesting direct the City Attorney to draft an ordinance for consideration at a future Council meeting related to possible changes to Chapter 19 of the Scottsdale Revised Code, regarding prohibiting smoking within 50 feet of a city playground. The only possible Council action to be taken on item number 27 is to direct the City Manager or responsible Charter Officer to agendize the item for a future meeting, direct the City Manager or to investigate matter and prepare a written response to the Council or take no action. No public comment will be taken on this item. Vice Mayor Dubauskas, would you like to discuss this item?

Vice Mayor Dubauskas: Yes, Mayor. It came to my attention that we had an issue with smoking near the city playgrounds. I think we all feel very concerned about our children. I was actually surprised that we don't have an ordinance that preventing smoking near your playgrounds. What I would like to do, I would make a motion option number one to direct the city attorney's office or the city attorney to draft an ordinance to consider at a future Council meeting related to possible changes to Chapter 19 of the Scottsdale Revised Codes, which would prohibit smoking within 50 feet of a city playground.

Councilwoman McAllen: I will second it.

Mayor Borowsky: Before we take a vote, I have a question. Sherry, do you know the answer to this. Does ARS3-6-601, the smoke-free Arizona section, I don't know if you have looked at this yet, but does it already address it? I think there's a provision that you can't be within 20 feet of an entrance to a location. But I know this is a little bit different. Is this covered, by smoke-free Arizona? I know it's a very big question.

Sherry Scott: I think it is not covered already, because I think that's for interior spaces and I'm sure we're talking about outdoor playgrounds here. I do think that this is an ordinance that the city attorney's office

will be able to bring forward.

Mayor Borowsky: Thank you very much. All those in favor, please indicate your vote. Thank you. That concludes all of our business for this evening. At this point, I would entertain a motion to adjourn.

Councilwoman Whitehead: So moved.

Councilwoman McAllen: So moved.

Vice Mayor Dubauskas: Second.

Mayor Borowsky: Thank you. All those in favor.

ADJOURNMENT

[Time: 02:39:09]