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CALL TO ORDER

[Time: 00:00:03]

Mayor Borowsky: Hello, we got a big crowd here this evening. I would like to call the August 26, 2025 City Council Regular Meeting to order. Clerk Ben Lane, please do a roll call.

ROLL CALL

[Time: 00:00:15]

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.

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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: Interim City Attorney Luis Santaella.

Interim City Attorney Luis Santaella: Here.

Ben Lane: City Treasurer Sonia Andrews.

City Treasurer Sonia Andrew: 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 Lehander and Police Officer Schaleck as well as Firefighter Renaldo Iglani, hopefully I said that right. If anyone requires assistance, please see a member of the staff. For the invocation, actually Pledge of Allegiance.

For the invocation, actually, Pledge of Allegiance, I would like to call upon Councilman Graham to lead us in the pledge.

PLEDGE OF ALLEGIANCE

[Time: 00:01:04]

Councilman Graham: Very good. It would be my pleasure. I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands: One nation under God, indivisible, with liberty and justice for all.

Mayor Borowsky: Thank you very much.

INVOCATION

[Time: 00:01:23]

And for the invocation tonight, I'm pleased to welcome Pastor Dan Horner, Youth Pastor Dan Horner from Scottsdale Bible Church and he will provide the invocation for us. Thank you.

Scottsdale Bible Church Youth Pastor Dan Horner: Thank you. Something is in the water and we don't need a committee to investigate. Something has gotten ahold of teenagers in this city. We are hearing stories right now of students being saved from depression, suicide, loneliness and fear left and right in our schools in the city of Scottsdale. And right now, we have a thousand students mobilized, praying simply in God in heaven. At Saguaro, at Chaparral, in our homes, teams and workplaces as in heaven. And tonight, I invite you to join the teenagers of our city in praying in Scottsdale as in heaven.

Our father who art in heaven, hallowed be your name, your kingdom come, your will be done, on earth as in heaven. Give us this day our daily bread and forgive us our debts as we forgive our debtors. Lead us not into temptation but deliver from evil for yours is the kingdom and the power and the glory, forever and ever, amen.

Mayor Borowsky: Thank you so much. I appreciate you being here tonight.

MAYOR'S REPORT

[Time: 00:03:01]

As for the Mayor's Report, I will go backward. Last night, four of my colleagues, we talked about WestWorld at length. I see everyone wearing "protect WestWorld" stickers, which I'm a big fan of, so, this is timely. We talked about WestWorld and the concerns of stakeholders and while my colleagues did not support or at least all of them, a majority of them did not support a stakeholders task force, the, our new City Manager did commit to solve the in favor the majority suggested that the new city manager work to resolve these infrastructure and operational issues to which the City Manager agreed and in order to support that level of confidence, with the WestWorld stakeholders, and Scottsdale residents, tonight I am asking the City Manager to, within five days, provide the Council and the public

with your plan, including a timeline, milestones, for fixing the infrastructure, and operational issues along with your deadline for a final report.

I know you have plans to meet with the stakeholders in the very near future, so I think this is well on its way. So, I look forward to receiving Mr. Caton's plan. Thank you.

EXECUTIVE SESSION

As always is the case, this evening, we may move into a possible Executive Session, and if the Council makes a motion to recess into Exec Session in order to obtain legal advice on any applicable item on the agenda, the Council will hold that immediately and will not which will not be open to the general public, but the meeting would resume immediately following the Executive Session.

PUBLIC COMMENT

Now, is the time for first public comment announcement and these comments, speakers are limited to speaking on non-agendized public comment, and we only have two this evening. That is Steve Sutton and Lynn Rubicam. So, Steve, can you please approach the new podium over here to your right? Thank you.

[Time: 00:05:50]

Steve Sutton: Everybody hear me all right? Steve Sutton, address on record. Good evening, Mayor Borowsky and Councilmembers. At the meeting last night, I informed you of John Blackeneck's Sunday, June 1, 2025 email to Councilmember Barry Graham an email that initiated a series of over 30 emails in the next six days between Blackeneck, Barry Graham and city leaders in multiple offices. If all emails to John Blackeneck were as wisely written as Assistant Police Chief Richard Slavens, I probably would not be speaking to you tonight.

When Councilman Barry Graham on Tuesday, June 17, 2025 falsely reported to police that I threatened him on social media, he attempted to reinforce the idea that I was a threatening person by telling the police about John Blackeneck's absurd accusations against me. Graham also made other statements to the police I can easily prove are lies. Councilman Graham also lied to the Council and residents of Scottsdale about trying to keep his contacting the police, quote, private. Even though in less than a day he provided information about it for the posting of a libelous social media statement, claiming I was on some sort of police watch list. Barry Graham also to get the Scottsdale Police to intimidate me by violating my first amendment rights. This is documented in a police department email dated Wednesday, June 18, 2025.

In an attempt to violate my first amendment rights is appalling and far more is appalling, is what is written by city staff email dated Tuesday June 3, 2025, just two days two days after John Blackeneck's initial email to Councilman Barry Graham. That's a statement of intent to create a new policy that would violate the first amendment rights of all Scottsdale residents and the rulings of the Supreme Court has

made to protect free speech rights. The City Council would be very foolish to enact this policy as it would result in a public relations disaster and multiple Civil Rights lawsuits from individuals in the American Civil Liberties Union.

I asked the City Council and the individual Councilmembers to take the following actions, pledge to protect the first amendment rights of all Scottsdale residents; schedule park rangers to at a minimum walk through the two active cells of Chaparral Dog Park between 6 a.m. and 7 a.m. and 6 p.m. and 7 p.m. to promote safety and civility at the dog park; make a statement of disapproval of Councilman Barry Graham's unethical behavior and twice causing many of the most highly paid city employees to be participants in a wild goose chase looking for a means to retaliate against me. Please remember that Barry Graham never attacked me until I began opposing him on the parking garage at the parking corral.

Mayor Borowsky: Thank you. Next, Lynn Rubicam.

[Time: 00:08:52]

Lynn Rubicam: Thank you, Mayor Borowsky and Councilmembers. I'm Lynn Rubicam and my address is 9340 East Redfield Road in Scottsdale. I came to express my concern about the Council's decision to early the Council's decision early this year to repeal the community sustainability plan. I've been an advocate for environmental stewardship since junior high school when I started the environment club. I had a career working for nonprofit organizations focused on science and natural resources.

After moving to Scottsdale in 2016, I volunteered with Audubon Arizona, became a master gardener and was a consultant for the McDowell Sonoran Conservancy. I appreciated having the chance to read the March 2025 memo prepared by the City Manager at the Council's request after the sustainability plan was repealed, and I applaud the efforts outlined, especially enforcement of the energy conservation and Green Construction building codes. Most recently, I volunteered with Trees Matter, and I hope the city will complete the shade and tree plan described in the memo.

Summer temperatures continue to break records, and we have far too many days when ozone and particulate matter levels are harmful for children and other sensitive groups. I am concerned about the human cost and economic impact on our community members who work outdoors and experience heat-related injury, health impacts of poor air quality, and decreased productivity. Extreme heat and air pollution are likely to begin to impact tourism as national media stories crown our neighbor Phoenix as the hottest major city in the U.S. I know my family members and friends are reluctant to visit.

Finally, I am distressed at the harm done to our beloved Saguaro as they struggle to take in carbon dioxide on hot nights. To me, ensuring that everyone and everything has healthy air to breathe is a top measure of the quality of life in a community.

The causes of extreme heat and poor air quality are regional and not easy to reverse. But the sustainability plan outlined goals and actions. We look to the City Council for leadership and direction. I feel the decision to repeal the plan sends the message that these environmental and economic issues

are not taken seriously. The decision to cancel the sustainability director position amplifies this message. The annual reporting called for in the plan would have provided the public with an accessible way to know whether the community is benefiting from actions taken. I urge the Council to reconsider the decision to repeal the plan. Thank you.

Mayor Borowsky: Thank you very much. And that concludes the public comment on non-agendized items.

MINUTES

[Time: 00:12:20]

Moving now to the Meeting Minutes. Are there any revisions or questions on the Meeting Minutes? If not, I will entertain a motion to approve the Special Meeting Minutes of June 24, 2025 and Regular Meeting Minutes of June 24, 2025.

Councilwoman McAllen: So moved.

Councilwoman Littlefield: So moved.

Vice Mayor Dubauskas: Second.

Mayor Borowsky: All those in favor, please indicate your vote. Thank you very much.

CONSENT AGENDA

[Time: 00:12:46]

Consent Agenda items. We have items 1 through 15. Do any of the Councilmembers have any questions or wish to pull any agenda items off the consent? If not, I will entertain a motion to approve Consent Agenda items 1 through 15.

Vice Mayor Dubauskas: So moved.

Councilwoman Littlefield: Second.

Mayor Borowsky: All those in favor, please indicate. Thank you. That passes unanimously. We're clicking right along.

REGULAR AGENDA – ITEM 16

Item 16. This is the Regular Agenda. And item 16 is a request for a non-major General Plan amendment to change the City of Scottsdale 2035 General Plan land use designation from employment office to

employment light industrial office and to rezone a commercial district that allows a storage facility and office. Additionally, the applicant is requesting to abandon, abandon the general land office patent easements on the subject properties.

This evening, we have Meredith Tessier, Senior Planner with for staff and she will present at this time. Thank you.

[Time: 00:14:01]

Senior Planner Meredith Tessier: Thank you. Good evening, Mayor Borowsky and Councilmembers, Meredith Tessier here with the Planning Department. The case before you is the Collector's Garages at WestWorld, 4-GP-2024, and 5-ZN-2024 and 8-AB-2024. Please note this item is on the Regular Agenda because staff has received correspondence both in support and against this and the correspondence is in your action reports tonight, so I just wanted to bring that to your attention.

The subject site is located west of intersection just east McDowell Ranch Road and north Thompson Peak Parkway as highlighted in yellow. The surrounding uses is single family to the north and we have a vacant lot, storage facility and gas station to the east, and then we have WestWorld to the west and south.

Tonight, the applicant is requesting to rezone the site from single family residential environmental sensitive lands plan community district, R1-35 PCD ESL. To general commercial, environmental sensitive lands planned community district, C-4 PCD ESL. So I just want to bring to your attention that the C4 district does not allow bars, restaurants and live entertainment excuse me but one could process a special permit through that process. Additionally, the applicant is requesting a minor General Plan amendment which is going to go from employment office to employment light industrial office, all to accommodate a new storage facility.

So here we have the applicant site plan where access to the site is going to be provided with a new driveway, right along here along McDowell Mountain Ranch Parkway. The site is comprised of six new buildings, five being new storage facilities and then we have an office/club house located more in the central location of the site. As part of this request, the applicant is going to be making dedication to natural area open space to conserve the Verde Canal at that northeast portion of the site. Additionally, there is going to be some trail improvements in there to allow some pedestrian circulation, and then lastly, the applicant is going to be providing a desert buffer setback along that McDowell Mountain Ranch Parkway.

So that concludes staff's presentation. I will leave my presentation here on the action slide. The applicant has prepared a full presentation to give you a little bit more further detail on think application request tonight. Thank you.

Mayor Borowsky: Thank you, Meredith. And for the applicant tonight we have Jordan Rose, and welcome.

[Time: 00:16:41]

Applicant Representative Jordan Rose with Rose Law Group: Mayor Borowsky, Vice Mayor Dubauskas, members of the Council thank you for the time tonight. I'm Jordan Rose with Rose Law Group and with me tonight are the owners of the project, Jason Plotkey, Kyle McGinley, Payton Krutinere and Paul Basha from Summit Land who is the traffic engineer, Josh from LGE and Jennifer Hall from my office is the planner. We have a lot of supporters here tonight and we thank you for all being here and I can put your most of the other people in the audience might at rest to know that only three of them will speak. So, we appreciate you all coming out and supporting WestWorld and this project.

I will just do a very brief presentation and then take any questions you might have. This is an extension, really, of Scottsdale at its best. This is Car Collectors, this is a point of pride. This is WestWorld. It celebrates our collector car auction culture and allows for collectors to store their treasures right here near our great Barrett-Jackson Auto Auction. It makes it easier for out-of-state car collectors to keep their cars here and assets in Scottsdale and to keep returning to all of our great amenities. And as you know and as you have discussed at length and even yesterday, WestWorld is one of the Scottsdale's greatest assets. You had two public elections where the residents have voted to support WestWorld and the residents understand the significance of WestWorld. \$163.3 million in annual revenues, 1,813 jobs and \$85.6 million in labor revenue. It's just a wonderful place. And we don't build homes near airports and we don't build homes potentially near our biggest economic driver WestWorld.

[Time: 00:18:40]

This is these some are depictions of what the Car Collector experience will look like. It's very high end, very sleek, very Scottsdale, very in keeping with Barrett-Jackson. It's low profile, in fact, it's 15 feet shorter than previously proposed here. It's low traffic and similar trip generation to was what proposed, it's just a little lower actually or what is approved already. And it's 46 luxury car garage. These are privately owned. There's no liquor license attached to this. It is not open to the public. It's gated and secured. It's very low profile use and I think Meredith went through this but I wanted to make sure that you all know this and the audience knows this and as there's been some public comment that just was absolutely inaccurate. Restaurants are not permitted in C4. Bars are not permitted in C4. Adult entertainment, not in C4. Game centers not C4 and car washes require a conditional use permit approval. Amusement parks they also require a conditional use approval and these things are nothing that these owners are looking at. They are just things that were said in a letter. So, we wanted to make sure.

Finally, stipulation number one tonight, ties with this particular development plan and this particular narrative. We can't build anything else without coming back to talking to you and talking to the public about that. The project is wildly support widely and wildly supported. The staff is recommending support. We thank you for that. The Planning Commission support, Barrett-Jackson, Scottsdale Arabian, Scottsdale Quarter Horses, Arizona Bike Week, Cactus Classic, Art Week and Notre Dame Prep High School, Paul Tracy who you may have heard on NBC as a commentator, and Casey Mears the former NASCAR driver, Arie Luyendyk and they all have special connections or live in Scottsdale. The G.M.

Scottsdale Ferrari. The G.M., the marketing director for Scottsdale Ferrari and G.M. of Mercedes-Benz, Ross Brown Commercial Real Estate, Mary Turner thank you and she's here from the Scottsdale Bond Campaign Manager and then most importantly, potentially is our across the street direct neighbor Greythorn Homeowner's Association, they also just sent you a letter which I think you all got it in your pocket today in support. We thank them for this. I could go through a list of all of our residents' names but we would be here for a very, very long time. Thank you to all of them and all of you today that are here. Protect WestWorld.

I would answer any questions but thank you so much for your time and for any support you can give us.

Mayor Borowsky: Thank you, Jordan. All right. We have several speakers on this item. First of all, I will ask to come to the podium, Mary Turner, followed by Benjamin Disbrow, Chandler Walker, Michael Chiulli and Kent Krimelli.

[Time: 00:21:30]

Mary Turner: Thank you, Mayor, members of Council. My name is Mary Turner, address 5131 North Granite Reef Road. As a young professional living and working in south Scottsdale, I am proud of our great community and look forward to raising my family here. Scottsdale's a beautiful and unique place because its residents and Council in the past have invested in the future. We benefit today because of the good work and tough decisions previously made.

As you are well aware, city sales tax revenue is the primary source of funding for our local government services, including support of our public safety, preserving our beautiful parks and other critical communities' resources. Few generators of this revenue are as significant as the numerous events held at WestWorld.

In 2019, I had the honor of serving as Campaign Manager for the Scottsdale Bond Campaign. A major effort to invest in our city's future. This bond included enhancements to our parks, upgrades and expansions to our public safety stations and support of our local tourism efforts. A big part of that investment focused on significant improvements to WestWorld. Scottsdale voters strongly backed these improvements, passing the bond by 38% margin. That's why it's so concerning to see proposals for more residential development near WestWorld. It goes directly against what voters approved and undermines the significant investment that taxpayers have made in this key part of the city. Adding more residential development around WestWorld brings a whole set of challenges like more complaints about noise and smells, heavier traffic, and other headaches.

The Collectors Garage project on the other hand avoids those issues and fits with how the area was always meant to be. It's a smart way to protect the city's major investment in WestWorld without putting more homes right next to it, which would be counterproductive to the area. I proudly stand in support of the Collector's Garages project and urge you to do the same. Thank you.

Mayor Borowsky: Thank you, Mary. Benjamin Disbrow.

[Time: 00:23:44]

Benjamin Disbrow: Hello. Benjamin Disbrow, I live at 4535 East Pershing Avenue, Phoenix, Arizona, 85032, I'm here on behalf of Notre Dame Prep and I'm an alumni there. I graduated back in 2013. Matt Reelski could not be there today. He's the Director of Enrollment at Notre Dame and he wanted to write a letter on behalf of the Car Garage.

Dear Mayor Borowsky, and Scottsdale City Councilmembers. We were recently made aware of a potential new construction project adjacent to WestWorld, and our NDP campus. In fact, one of the partners of firm, Ross Brown Partners spearheading this effort is a 2014 graduate of Notre Dame. We have taken the time to learn much about their endeavor and fully support this project and impact on the neighborhood and especially NDP. Like all schools, the safety of our school and families is our most important concern. One of the primary drivers of how safe we keep our community is the traffic flow and the purposes of new ventures surrounding us. Any increase in congestion and early-morning and afternoon at our start and release times causes great concern. The concept presented for us for the storage, especially luxury cars, is exponentially safer than other businesses, parking lots or potentially more multi-family housing.

In addition, we would be thrilled to be in proximity with lessors of this space and to get exposed to Notre Dame Prep. We believe the economic impact of this plan will benefit not only WestWorld, but this neighborhood and Scottsdale as a whole. We strongly feel this project is consistent with the growth plan of Scottsdale's future. Thank you for your attention to this matter. We greatly value our relationship with the city of Scottsdale and would happily answer any questions you may have. Sincerely, Matt Reelski.

Mayor Borowsky: Thank you very much. We appreciate you reading that for us. And next, we have Chandler Walker.

[Time: 00:25:54]

Chandler Walker: Good evening. I'm Chandler Walker from United Scottsdale Firefighters Association P.O. Box 14953, Scottsdale, Arizona. Dear Mayor Borowsky and City Councilmembers, as you may know, city sales tax revenue is the largest source of funding for local government, including our parks, public safety, and many other quality of life issues. There are few bigger generators of these sales tax dollars than all the events at WestWorld. The city's own economic reports show the annual impact to be massive. We have consistently supported projects that uses the responsibility to augment task revenues, the Collector's Garage at WestWorld is such a project. More residential development near and adjacent to WestWorld makes no policy sense, as it will just add to complaints and difficulty within operations.

The Collector's project avoids this. You will also recall that Scottsdale voters approved improvements to WestWorld during a bond campaign 2019. Last year, via Proposition 490, we helped lead in those efforts. More residential development near WestWorld infringes on the approved voters. There are many housing projects in Scottsdale. There are not many WestWorlds. It sits uniquely in the hearts in

the city to generate critical revenues with the help of the entire community. We stand with all major users at WestWorld in support of the application and we hope you do too. Your Scottsdale Firefighters.

Mayor Borowsky: Thank you very much, Chandler. Michael Chiulli.

[Time: 00:27:40]

Michael Chiulli: Michael Chiulli. It doesn't sound like it's spelled. That's for sure. I'm representing some stakeholders at WestWorld today. Thank you, Mayor and Council. This letter shall serve as one strongly supporting a proposed rezoning the property along WestWorld's eastern boundary on McDowell Mountain Road for a new project known as the Collector's Garages at WestWorld.

Over the years we have rallied together to oppose more residential development near WestWorld, an incredible asset that the city's own economic impact report released just months ago, revealed hundreds of millions in annual tax revenue and benefits. Just as residential isn't conducive next to airports, it's not for economic drivers like WestWorld.

Nevertheless, developers in the past have suggested various uses along McDowell Mountain Ranch Road such as apartments and senior living which we're grateful previous city leaders have denied. Indeed, these uses were proposed for the exact parcel we write you now. As you may know, McDowell Mountain Ranch Road is an important alternate entry into WestWorld as the major users of WestWorld that have collectively spent tens of millions of dollars to help drive Scottsdale tourism, we hope you too will support the policy of nonresidential uses near one of the city's key areas of commerce. The more residential there is near WestWorld, the more complaints there are about noise, traffic and in the case of equestrian events, odor.

We have evidence of that as the result of one of the city's regrettable zoning decisions years ago allowing an apartment development on WestWorld at Bell Road. Why would it want to repeat such mistakes in the future. If you want WestWorld to be all it can be and should be, why handicap those responsible for doing so with a self-fulfilling complaint funnel. The benefits of this policy approach have already been realized. For example, the parcel on McDowell Mountain Ranch Road was approved for storage facilities several years ago. Such a place will obviously not be full of residents who may complain. It also generates little traffic just as this application would. This kind of non-residential use is why we currently support the application for the Collector's Garages at WestWorld, designed for high-end car storage. It is the perfect complement to WestWorld and a low volume use for the homes in the area. Indeed, it reinforces the notion of appropriate horsepower near WestWorld with a quiet use which is why the largest H.O.A. in the area supports the application as well. Additionally, they have agreed to deed restrict to prevent the car sales of any kind on site.

As you are aware Scottsdale voters overwhelmingly approved improvements to WestWorld during a bond campaign in 2019. And last year, via Proposition 490. As many of us were involved in those efforts, because of our passions for and the importance of WestWorld. Jeopardizing these votes and taxpayer dollars with apartments or other types of residential would be a disservice. There are many there are

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many residential developments in Scottsdale, and there's only one WestWorld. As always, we appreciate your consideration of our opinion as well as the support for horsepower we bring to Scottsdale tourism. Sincerely, Melissa Shale, Scottsdale Arabian Horse Show, Doug Huls, Quarter Horse Association, Craig Jackson, Barrett-Jackson Collector Car Auctions, Lisa Sear, Arizona Bike Week, Trey Brennen, Scottsdale Art Week and Brandon Maxwell and M Culinary Concepts. Thank you.

Mayor Borowsky: Thank you, I appreciate that Michael. Kent Kirimli.

Kent Kirimli: Thank you, Council. I would like to yield back my time. My comments in support of the project have already been mentioned. Thank you so much.

Mayor Borowsky: Thank you for that. Appreciate it. All right. Vice Mayor Dubauskas has some questions.

[Time: 00:31:42]

Vice Mayor Dubauskas: I was going to comment. Are we ready for comment?

Mayor Borowsky: Sure.

Vice Mayor Dubauskas: Okay. Great. Thank you so much for this project. I'm the only Councilmember who lives in the area. Three of our children have attended Notre Dame Preparatory and two of them will be attending in the future. With the Collector Car as well as the Toy Barn going in on the north side of Bell, we are seeing some garages go in. My hope is that what that means is we will have more cars purchased in Arizona so that we'll be able to keep those sales tax dollars in Arizona if they are bought at Barrett-Jackson or other events. I would love to see that revenue staying here in Scottsdale. I'm in support of this project. I think it will be great for the area. Thank you.

Mayor Borowsky: Thank you. I don't see any other comments or questions. Anyone would like to make a motion?

Councilwoman McAllen: Certainly. I will motion that we accept the Collector Car Garage at WestWorld. It's Resolution 13464, is it not? Yes.

Councilwoman Whitehead: I will second that and I live a couple miles from there and bike through all the time. It's gotten a lot busier over last six years and that's great.

Mayor Borowsky: I just have one comment. I think is the same group that does Apex down in the southeast valley. And I have been there. Very impressive. Got the tour. I thought it's not as big of a campus but I suspect you will do an equally great facility if not greater it looks like from those pictures. So very nice. Appreciate you coming to Scottsdale and doing business here. And with that, I will....

Councilwoman McAllen: I think Luis has a question.

Mayor Borowsky: Do we need to bone up on that motion?

[Time: 00:33:35]

Interim City Attorney Luis Santaella: Honorable Mayor and Councilmembers, there's three total Resolutions and Ordinance. So, it would be helpful in the motion that we are clear to adopt all three Resolutions and the ordinance.

Councilwoman Littlefield: There's four.

Councilwoman McAllen: I will amend that to include all three of those which are I believe that includes 13465, 13466 and 13464, is that all of them?

Luis Santaella: And ordinance.

Councilwoman McAllen: Ordinance 4683.

Councilwoman Whitehead: I will second that.

Mayor Borowsky: Alright, I don't see any other requests to speak. All of those in favor, please indicate. That passes unanimously. Congratulations and welcome to Scottsdale. All right.

[Time: 00:34:47]

REGULAR AGENDA – ITEM 17

Alright, we are going to move on to item 17. Item 17...

Councilwoman Littlefield: You might wait a minute.

Mayor Borowsky: I know you guys are excited. Happy hour is across the street. Alright. Okay. Item 17 is a consideration of a request to allow an existing office building. Can we have you guys exit quietly, please? Not that we don't want you here.

Alright. Item 17 is consideration of a request to allow an existing office building located at 10001 North 92nd Street to convert into internalized community storage facilities with accessory vehicle storage in the existing above grade parking structure and to develop new warehousing units on the parking area of the catalyst site. There are multiple options for Council consideration that will be discussed by staff and I see Meredith back up there, as well as Taylor Reynolds, our Principal Planner who will provide the staff presentation. Thank you.

[Time: 00:36:20]

Principal Planner Taylor Reynolds: Yes, thank you, Mayor, members of Council. I'm Taylor Reynolds, Principal Planner with Long-Range Planning. I will walk you through the citywide applications and how it relates back to the General Plan. After my part of the presentation, I will hand it off Meredith Tessier, Senior Planner with Current Planning to walk you through the catalyst site.

In terms of zoning code text amendments, in terms of how they're administered through our zoning ordinance, we actually have Section 1.301, which permits Planning Commission, City Council, as well as property owners of properties within the district to be amended to initiate a text amendment. So that's why we have this private application this evening. When we review them from a citywide standpoint, we look at how they perhaps implement or comply with the General Plan, address citywide land use concerns or perhaps provide new land uses that may be lacking within the city, how are they compatible with adjacent development and further we look at that they are not tailored to accommodate a single site or development which would be closer to a rezoning application. But that the zoning ordinance is intended to be uniform and to be applicable citywide. So no really arbitrary standards.

The action requested tonight is to amend the zoning ordinance land use table to allow for internalized community usage, vehicular storage, and warehousing all as permitted uses within the city's commercial office or C-O zoning district. There's a catalyst site, although this would apply citywide, the catalyst site is located at 10001 North 92nd Street.

There's been a lot of discussion since this application came forward about what is the difference between some of these requested land uses. So this slide is to indicate some of the differences between internalized community storage or some might think of it as self-storage warehouse and mini warehousing. In terms of internalized storage, these are accessed internal to the building and may not include outdoor storage, and they have the potential for adaptive reuse as we will see on a later slide. Warehousing, which is typically the storage of any goods of any type, and could be bulk storage and have exterior access. Now, the applicant is stating that their request is more similar to mini warehousing, which is not defined by our zoning ordinance, but is interpreted as being part of warehousing itself, again, exterior access, some of those roll-up door type storage units.

In terms of the C-O district's purpose, it is intended to provide an environment desirable for the use of office and related uses and promote compatibility are from citywide uses and to promote compatibility. It's typically adjacent or abuts the residential areas. So it's intended to be compatible. They are more residential in nature. Think of those smaller medical offices that you see throughout the community. On the right-hand side of the screen, you can see where all of those are located through all the C-O zoning districts are located throughout our community.

In terms of this requested the timeline of this request it was initially seen by Planning Commission in May of this year. It did have more limited application at that time, only around eight locations citywide would have would have been applicable to. It lacked standards to protect adjacent residential uses. At that time, staff's recommendation to Planning Commission was for a denial. In discussion with the

applicant and Planning Commission, the applicant requested a continuance. It was granted by the Planning Commission, in that they preferred them to work with staff to revise the application to have more broad application. So that application was updated to be more broad in its application. And then focused more on the adaptive reuse of existing commercial office buildings. So, from the outside, it would look like a commercial office building but on the inside be that internalized community storage. It also would include standards for residential adjacency.

[Time: 00:41:00]

Then finally, that updated revised application came before Planning Commission in July. At that time, the applicant included warehousing as a use. It was recommended by staff to exclude warehousing which we'll get to on a later slide as to why we recommended to exclude it as an allowable use, Planning Commission recommended approval of staff's draft of the text amendment.

This slide indicates the differences between the applicant's draft and the staff's/Planning Commission's recommended draft. They both would allow for the conversion of existing internalized community storage, both would allow for existing parking to be converted to vehicular storage, and both would include site criteria to ensure there was compatibility between the new use and those adjacent residential properties. However, the difference there being the applicant wanted to include new warehousing where you would have those externally built and accessed, drive up, roll-up units and staff's draft excluded warehousing as an allowable use.

So, the citywide implication there is the commercial office district for which they are wishing to amend is typically low impact daytime use. They serve as that transitional buffer between our residential areas and our more intense commercial areas and they are designed for that compatibility with nearby homes. When we look at citywide where warehousing is permitted, it's permitted in a variety of districts as you can see C-3, C-4, I-1 and I-G. They are not typically areas adjacent to residential neighborhoods most of which are located within the airport area. And they are designed to be more compatible with other employment opportunities.

This slide notes some of the uses that the applicant is requesting citywide. So those areas that are notated in black on the right side of the screen. I know they might be small from a distance. You can see C-1 through C-4, I-1, PNC and PCC. The warehouse use again are more intense, C-3 and C-4 and I-1 and I-G and skated on the right side of the screen in green.

Warehouse, when we look at it from a General Plan standpoint, it's typically implemented in the light industrial office land use category, where the C-O district, the applicant is intended to amend is typically implemented within our employment office land use category. It's a lot of text on the screen and I apologize for that, but just to note these are the definitions within our General Plan for both the office land use category at a General Plan land use standpoint for which the C-O office district is typically implemented in and then our more intense light industrial office land use category. So, the office land use category is more residential in scale and character and allows for a variety of office uses, minimizes impacts on adjacent neighborhoods. And then the difference there is when you look at the light

industrial office land use category, it has more specific text, not just more generalized about offices, but it can permit light manufacturing, warehousing, light industrial and heavy commercial-type activity. So it's very specific in what uses should be implemented there. And that it could accommodate truck traffic.

So, in review of the applicant's submittal compared to being implemented citywide, the C-O zoning district, compared to the office land use category, there's somewhat of a misalignment there. In terms of how an alignment could be made, would be, there's a route for the applicant to amend the General Plan, to change the definition of the office land use category to then specifically state warehousing as an implementing use. However when we look at our General Plan criteria, for changing for amending the General Plan, criteria number five changed to the amendment criteria and/or land use definition criteria is clear here in that a text change to a land use category definition that changes the use, density or intensity would be a major amendment which has not been submitted by the applicant commensurate with their text amendment. We have options at the end of this slide deck to go through. But in terms of that being an option to move forward, there is an option for the applicant to do that when we look at that part of the site.

With that, I will hand it off to Meredith Tessier specific to the catalyst site.

Mayor Borowsky: Thank you, Taylor.

[Time: 00:46:03]

Meredith Tessier: Okay, for the next segment of this presentation, I will walk you a little bit through the catalyst site which is located at the northeast corner of 92nd Street and East Mountain View as highlighted in red. The site is zoned commercial office. So that supports uses such as retail and office. The surrounding uses include medical office to the west, and north and northwest portion of the site, and then we do have a place of worship to the east and then some multifamily to southeast, and then some additional medical offices at the southwest portion of the site. And just a reminder that this is the catalyst site that this application will pertain to all 680 zoned C-O parcels. So, it's a citywide text amendment.

So here we have the applicant site plan where the existing building is a two-story office that would be converted to an internalized community storage facility. And then we have the garage that's two-story that would be converted to vehicle storage, and then what you see in the red highlights would be the new mini warehouses with that roll-up door concept. So that would be along the perimeter of site. So, staff sees that these new warehouses are inconsistent with the intent with adaptive reuse. Warehouse is not consistent with the General Plan land use category definition and lastly a citywide issue that warehousing adjacent to residential use is out of character for the General Plan land use category of employment office.

So, the applicant has located a site within the city of Phoenix which is zoned light industrial not adjacent to any residential districts just right along I-17. That left image was an office site was converted to internalized community storage facility and then that right image are your new mini warehouses with

that roll up door concept. As you can see the entire site is going to be enclosed with some security fencing and therefore, we see that this type of construction is more conducive to an industrial-type development district.

So, of the 683 C-O zoned parcels. We have two parcels we want to walk you through. The first one is the southeast corner of Royal Palms and Hayden Road. We have the existing office that would be converted to an internalized community storage facility with the potential of the new mini warehouses along Royal Palms just right adjacent to those residences to the north. Once again, we see these warehouses are inconsistent with the intent of the adaptive reuse. It's also inconsistent with the general plan land use category definition and the warehouse is also not consistent with the intent of the commercial office zoning district which is again more so focused on office and retail-type uses.

Here's the second site that we have identified. Where once again you have those existing offices that would be converted to internalized community storage facilities and then the potential of those mini warehouses all along the right hand side of the site adjacent to all those residences to the east. So again we see this is inconsistent with the intent of adaptive reuse. It will be new construction. Warehouse is not consistent with the General Plan land use category definition and lastly not consistent with the intent of the commercial office zoning district.

I will conclude my presentation with the option side. Option one is if the applicant agreed, approve as recommended by city staff and by Planning Commission's recommendation two of the three. So that would include internalized community storage facility and vehicle storage, however, exclude the warehousing part of it because we see that that is in line and consistent with the General Plan. Option two is the applicant's draft. That includes three of the three. So that's the internalized community storage facility, the vehicle storage, and the warehouse, and we see that is inconsistent with the General Plan. Option three would be to continue the case to allow the applicant opportunity to file a major General Plan amendment to update the land use element definition to include warehouses, and then lastly, is just deny the actions tonight.

So that concludes staff's presentation. I have prepared some follow-up slides just once we get to that point of where we are going to arrive tonight to give you guidance once we get there. The applicant has prepared a full presentation to walk you through the text amendment, and that language within that legislative draft. Thank you.

Mayor Borowsky: Thank you, Meredith. And I will turn to the applicant's representative now, and that's Carolyn Oberholzer.

[Time: 00:50:42]

Applicant Representative Carolyn Oberholzer with Bergin, Frakes, Smalley & Oberholtzer: Good evening. Madam Mayor, Vice Mayor and Councilmembers. I'm Carolyn Oberholzer and I'm a land use attorney with the firm Bergin, Frakes, Smalley & Oberholtzer, at 4343 E. Camelback in Phoenix. But I'm a Scottsdale resident and for the past 20 years I have resided at 9788 East Topaz Drive in walking distance

from the catalyst site. I was going to give you a presentation. I do I have a number of slides. Staff has done a robust job of presenting everything to you. I think I will give you a few brief comments and we can dive into the presentation to address any questions.

But our application has been on file with the city since December of last year. We have worked collaboratively with staff the whole time. We have gone through at least three submittals of the text, and that is before arriving at the May 28th Planning Commission hearing. We've had no real opposition to this. We have support letters on the case and it wasn't until a few weeks after the Planning Commission meeting on June 9th that we got word from staff that they thought a major General Plan amendment would be required to keep the mini warehouse component of our application in it. And it had been there the whole time.

So, I submit to you that option two this evening, does not require a General Plan amendment as staff explained, we are adding meanings to words that aren't, wasn't the intent. In the General Plan it talks about warehouse, it was not talking about mini storage. And we can call mini storage, mini warehouse, but just because we call it that, doesn't make it warehouse for the purposes of the General Plan and I would think that through all of that staff review and in the staff report, if there was a major General Plan amendment that was a requirement for that to be included, that would have been something that came up a lot earlier. So, I think that this is just a way to look at warehouse that does not fit the mini warehouse component or individual drive-ups for if you have an arm war or your holiday decorations that you want to come in and store for your own personal use. This is not a one business warehouse use. So that is, I think, really the focus of my comments tonight is on option two, and I just wanted to, you know, reiterate that this building is also 115,000 square feet. It's been 100% vacant for four years. I know that because I drive by it all the time. And it is empty all the time. And it didn't it wasn't always that way. There was a lot of traffic that came in and out of that and there always is in these medical offices, especially when the snowbirds return.

[Time: 00:53:50]

So, when this office building has been vacant, there's been a definite difference in traffic, and it is reduced. And so in listening to the community over the years and watching the cases that during the same time this four-year period with this office sat vacant you guys had a lot of cases and the previous Council come before you with apartment proposals and other redevelopment proposals and I heard my neighbors say, we don't want traffic and we don't want apartments. So, I thought when this case came to me, hmm, no traffic. No apartments. This reduces trips per day by 4,700 trips storage. You just had the case before you that is also a storage version, again, storage uses, they don't come with a lot of activity and as a result they don't come with a lot of traffic. So, I know that a lot of you ran on campaigns that were anti-apartment, anti-traffic, so this conversion will enable those promises to come to fruition. The apartment protection is also provided against apartments because by adding this use to office, you're giving these owners an opportunity to have an economically viable use for a building that does not have an economically viable use today.

And one of the components to converting this in the district is to prove to the satisfaction of staff that

the building is functionally or economically obsolete as of the date of the application. So, there is a layer of protection to ensure that there is a review of this site being proper for the conversion based on lack of activity there.

So, I would just conclude by saying that we are open to suggestions. We appreciate the work with staff, but we do not believe a General Plan amendment is required and for that reason, we reiterate our request for the Council to consider option two and I'm happy to answer any questions.

Mayor Borowsky: Thank you. We will go ahead and take a couple of speakers on this item. First, I will hear from Michal Ann Joyner, followed by Michael Schafer.

[Time: 00:55:53]

Michal Ann Joyner: I'm Michal Joyner, my address is on record. Mayor, Vice Mayor, thank you for the opportunity to speak. The attorney for the applicant is amazing, she has done a great job presenting. I do want to point out that it did pass Planning by a 5-2 vote and the two no votes are sitting in the audience today. I was one of those.

I'm here to speak against this text amendment. I'm greatly in favor of this application. This is a perfect use for the application that they came in with. They did all the right things. They went to the neighbors and the surrounding businesses and they got buy-in from it and that's the way it should be. I am not in favor of the text amendment. This would eliminate neighborhood input and possible concerns from adjoining businesses having the opportunity to speak. And I know that many businesses when they select a place to rent or lease, they look at the surrounding area.

The text amendment would completely eliminate the planning aspect of a zoning change. I asked staff how many possible applications this could affect in Scottsdale. The original comment I got was somewhere in the 300 range and I know your application is, I think 687 properties. That's 687 changes that citizens would not have a buy-in on. I know that an application under this case would still go DRB who I think are amazing and they do a great job, but DRB looks at how something looks, not whether it should be there or not. This process eliminates the opportunity for surrounding area or businesses input and I know that many of you ran on a neighbor first agenda, and I hope you will vote no on the text amendment. I love the application for this property, just not the text amendment. Thank you.

Mayor Borowsky: Thank you. Michael Schafer.

[Time: 00:58:16]

Michael Schafer: Mayor, City Council thank you for being who you are. For hearing me tonight and the people of Scottsdale. I have lived in Scottsdale since 1982. I'm a business owner and I own commercial buildings as well. I've come to City Council from time to time when I'm concerned about Scottsdale and speak at these meetings to share my view and my neighbors' view on important topics. I'm opposed to changing any zoning to initiate this storage request. I'd ask you to deny it. It's been a long time since the

city has listened to the citizens of Scottsdale. We thank God you were elected, and we are regularly aligned with the views of the people of Scottsdale. We see you all as protecting our city, protecting it. Thank you for keeping Scottsdale, Scottsdale. I live 1.7 miles from that proposed facility. I did some math. I believe the building is about 120,000 square feet with storage units of 10 by 10 indoors that would be about 1,200 units. There's 600 parking spaces. A possible 1,800 tenants. I wonder how that impacts the traffic on the streets. That's a beautiful building and I wonder what it would look like after the security fence that will have to wrap it to project 600 automobiles parked on the facility and if any of those, I expect they are older. To me, it appears to be a fire hazard not only for the building but the surrounding areas.

This building can be used for a few things, unfortunately, storage is not one of them, per our zoning rules. If we don't oppose this, it will change our zoning to allow this building to be a beachhead and turn many Scottsdale office buildings into storage units. I used to have an building office beside the gate of a storage facility. It probably had some cameras. I doubt anyone ever looked at these cameras. I saw people drive in and out with their boxes. No one ever checked what was in the boxes. There are proven concerns in storage facilities which reveals a dark side. Whether it's open 24 hours or not, they are very easy to misuse. You come through a coded gate, enter the door, maybe at night with a car or truck, but who knows what is in the box. With an increase in gangs, illegal aliens, the cartel, crime, these facilities are easy places to store stolen or illegal items, drugs, biohazardous materials and maybe even trafficked people. There appear to be three options, all of which lead to the same objective, put a storage unit where it doesn't belong.

I and the people of Scottsdale don't want our zoning changed. I ask for three no's on this to deny this tonight. I would propose that the building be sold to an entity that meets the code. The owners can take that money and buy an existing storage facility or a building where the zoning is proper to accommodate the storage facility. If that's the business they want to be in. I ask you to deny all three requests. Thank you.

Mayor Borowsky: Thank you, Michael and that concludes the public comment on item 17. And do you want to respond to any of the comments? I will invite you up to do that. Staff as well.

[Time: 01:01:59]

Carolyn Oberholzer: Mayor and Council, I do appreciate the opportunity to speak. May I have the presentation back up? I think some visuals will be helpful to address the responses. Regarding the option for this district, so the C-O district, the reason we are proposing a text amendment which is not my ideal scenario, is because the C-O district permits very few uses other than office. There are seven other districts in the city right now that permit both internalized community storage and office. And office is permitted in just about every non-residential district in the city. So, this is the struggle for the commercial office property owners, is that the only unique uses to this category are an animal hospital, and a diagnostics medical laboratory. So, offices can go anywhere, and internalized community storage can go a lot of places. So, we desperately tried to not process a text amendment, but we did not want to rezone to I-1 in this location. That would require a General Plan amendment and that would be an issue

as well for the community and it would involve traffic and all of the things that we're trying to avoid with this.

On the topic of crime, these are just some recent pictures, reports to Scottsdale PD of recent break-ins, one-time somebody came in and they broke in and they unleashed every, all 100 fire extinguishers that were in the building. Vacant office buildings are a blight to the community. The reason we are struggling trying to find the new identity is the pervasive vacancies but then the lack of additional uses that we have.

To the question about, you know, what it's going to be from the outside, the city has very significant regulations in place enforced by DRB that ensure the proper design for facilities. So, any mini warehouse addition, which again are just individual garage units have to be architecturally integrated and those also provide a securing feature.

So, with that, I just this is the language on the slide that is in particular to the miniature, mini warehouse that is only permitted as an accessory use and there are many restrictions on it that limit the percentage of the use, that limit the building height to 12 feet for these uses. And so, there are protections in place to ensure that compatibility.

And then finally, again on the traffic, I do have the traffic study report here done by Summit, which confirms the significant reduction in trips to address the gentleman's comment and then we do have the support of the McCormick Ranch Property Owner's Association. They have voted to approve this application as well as a number of emails sent by area residents supporting this. So, with that, I'm happy to address any follow-up questions.

Mayor Borowsky: Great thank you very much. There are already some requests to speak. Councilman Graham.

[Time: 01:05:15]

Councilman Graham: Thank you, Mayor. I want to acknowledge the applicant's seeking more options for the viability of the property and making it the most economically sustainable for their interests. I want to acknowledge that. I do have a few questions for Ms. Tessier. Are you taking our questions, Ms. Tessier, or Taylor? Just jump ball whoever wants it?

Meredith Tessier: Certainly Councilman Graham. We are here and available for questions.

Councilman Graham: So, option one, we have three or four options, if we did option, one would allow internalized community storage: And option two is that, would that be to approve or initiate a text amendment?

Meredith Tessier: Option two would be approving the applicant's draft which includes three of three. So internalized community storage facility, warehouse and vehicle storage.

Councilman Graham: Okay. Because they because they they want warehouse: They want warehousing there.

Meredith Tessier: Correct.

Councilman Graham: And the applicant is arguing that their use of warehouse yeah? Their use of warehouse is not our definition of warehouse. You know to that, I would just respectfully say that our definitions are strict on purpose. We don't we kind of want to, that's our plan and that's our residents vision for their community. I think about the people that live in this area. I think it was mentioned when you when companies set up here, there are schools in the area. There are many businesses in the area. There's many multifamily housing and single-family housing in the area, and I think about that and then you think about either changing this or initiating and approving in a text amendment. So, I don't support, I don't support internalized storage at this location. I don't support a text amendment. And you said that was how many properties across the city that might affect, that ricochet to?

Meredith Tessier: Councilman Graham, that's 683 parcels.

Councilman Graham: Those are my initial reactions. I'm considering here making a motion, but I will let my colleagues speak. My inclination now, I will make a motion here just to deny the application. Can I keep it that simple? Mr. Parliamentarian?

Luis Santaella: Yes, sir, you may.

Councilman Graham: Okay. Thank you.

Vice Mayor Dubauskas: Second.

Mayor Borowsky: Councilwoman Whitehead.

[Time: 01:08:25]

Councilwoman Whitehead: Yeah, I have a question for staff. So, question for staff. So obviously text amendments affect a lot of properties and that's not the path Scottsdale likes to go, generally. Would there not be a zoning case that the applicant could take that path to go down, that they could narrow down to something that's more amenable to our general population?

Meredith Tessier: Thank you, Mayor Borowsky and Mayor Whitehead. There's an option to do a zoning case. They need to identify the appropriate zoning and that's C-3, C-4 or I-1. We would need to explore it and see what is most suitable for that area and the neighbors that surround it.

Councilwoman Whitehead: And at the same time, there could be stipulations. So, I recognize the concern about not wanting to ask this Council for I I would suggest a different zoning classification with

some stipulations would be the easiest path and I you know, I'm not going to support a text amendment. I'm sorry.

Mayor Borowsky: I don't see any other speakers. I have a bunch of questions. Were you on there? Why don't you go ahead, Councilwoman Littlefield.

[Time: 01:09:57]

Councilwoman Littlefield: Yes, a General Plan text amendment like this is very different than when you are looking at one piece of property. Then you are only dealing with that one location. This has 683 locations throughout Scottsdale. And I see very little protection for those other 682 locations. I agree with Councilman Graham and Councilwoman Whitehead to what they said. And I can't approve this tonight as it stands. It's, it's way too open. There's little protection for the people who live near the other locations. And I think it needs to go back to staff, work with it, see if we can come up with something that's better for everyone. And this is warehousing all over the city, basically. And I can't I can't do that without checking every single one of those locations to see who will be affected by it and that's not a possibility at this point. So thank you.

Mayor Borowsky: Thank you. So, I'm going to direct these questions primarily to staff. I've met with the applicant a couple of times. And I talked with Erin, the Zoning Administrator. Do I have the title right? I heard that the applicant came in without the roll-up external units first time through Planning Commission; is that right?

Taylor Reynolds: Mayor Borowsky, members of City Council, it was part of their initial request.

Mayor Borowsky: It was to Planning Commission.

Taylor Reynolds: Correct.

Mayor Borowsky: And there were only two people, that were on Planning Commission that rejected that because of the roll up storage? Oh, because of the text amendment. So that was in place first time when it came through Planning Commission? I'm asking staff, actually.

Taylor Reynolds: That's correct, Mayor Borowsky.

[Time: 01:11:23]

Mayor Borowsky: So basic question, would staff be supporting this project with the roll-up units if it wasn't for the text amendments that affects an additional 630-some properties. I thought from my conversation with both applicant and Erin and I'm not going to put you on the spot Erin, because I could be recalling this improperly that that would be a good location for this.

Taylor Reynolds: Mayor Borowsky, members of City Council, that would be a separate process. So we

would be looking at a re-entitlement process which was not applied for by the applicant. A separate review process. So, we were reviewing from a citywide. There was a catalyst. We review it to a degree. That sort of request would be specific to this site and would have its own review. So, we didn't review it from that standpoint but from a citywide standpoint.

Mayor Borowsky: So, when they went out for public outreach to the neighbors, this, the roll-up garages was part of that package?

Taylor Reynolds: Mayor Borowsky, yes.

Mayor Borowsky: Okay and did they get support from the neighborhoods? I guess this is a Carolyn question. Was there any opposition in the neighborhood to the project as proposed tonight?

Carolyn Oberholzer: Mayor and Council, no. As I mentioned, the applicant was originally filed in December. We had two neighborhood meetings, the catalyst site, the current site plan was presented the at those meetings. Only one member of the public attended one of the meetings and none attended the other. The development design did change, though, in collaboration with staff. We reduced the number of exterior units in order to introduce landscaping breaks. So, the project got less intense as we got further into the review process.

We also submitted a development review application at risk which included the full design of the project architecture and mini warehouses in order to submit to the McCormick Ranch Property Homeowners Association. So they have seen it as the property and the text amendment. We sent additional notifications to the area. To that, there were several requests for more information. I believe there was one person who said they didn't want any storage there at all, and then I had on the screen a handful of ten, I believe, emails that were received from area residents that were in support. So, no nobody ever showed up to two Planning Commission hearings, and as I said we had one person show up to one of the neighborhood meetings and they were in support. They had no issues to this. I talked to my neighbors extensively. Again, I live in walking distance and have for 20 years. No opposition known except for here.

[Time: 01:15:38]

Mayor Borowsky: At what point did the staff require the text amendment? It sounds like the project went through the process for a good portion of time and then staff required a text amendment so talk to me about that. Clear that up for me.

Carolyn Oberholzer: Yes, by email on June 9th, I received an email from staff, if we want to proceed with the current application that it would need to, we would need to consider a major amendment to the General Plan. So, we went back and forth a bit on that and their recommendation on that topic stands. And it centers around the word "warehouse" and the entire ordinance, except for parking being silent on mini warehouse. So, June 9th is the day.

Mayor Borowsky: And when was Planning Commission.

Carolyn Oberholzer: May 28th.

Mayor Borowsky: So, it has gone through Planning Commission.

Carolyn Oberholzer: It was in between that continuance period that that came up.

Mayor Borowsky: So adaptive reuse, this has also come up a couple of times in conversation. This is for staff. Is this building eligible for the new state law that would allow for multifamily apartments to go in here?

[Time: 01:16:58]

Planning and Development Area Director Tim Curtis: Mayor Borowsky and City Council. I'm Tim Curtis with the Planning Department. If I could expand. During the original preop, many months ago, certainly the proposal brought some consternation with staff regarding the citywide text amendment, as well as zoning for the individual parcel. Each of those processes have challenges to them. We talked about both of those options. This applicant chose to pursue a citywide, working together and living to the Planning Commission, and continuance to continue working and then get to the point that we are at today.

In terms of the Planning Commission recommendation for approval, as you can see it was basically excluding the warehousing component but even that was not a unanimous opinion regarding that. The adaptive reuse, I believe this is in a location that might be excluded from eligibility and just getting that confirmation from some colleagues. Based off of the location and the traffic pattern and air space of the airport as an exclusion.

So again, with the Planning Commission, had some interest in some adaptive reuse of just the existing buildings and that's where the recommendation landed for you tonight. I hope that answers that.

Mayor Borowsky: Kind of, because we don't know if it's the adaptive reuse. I know we have marked up an area that would be excluded from that law, but it certainly hasn't been, you know, tested, I guess is the word I'm looking for. But it is within the description it sounds like?

Tim Curtis: That's correct.

Mayor Borowsky: Okay. That's what I was asking. So that's a concern of mine. Carolyn, I have one other question for you. The, the security fencing that was displayed by a picture earlier, is that a picture accurate does that depict what you all will be doing your clients will be doing out there?

Carolyn Oberholzer: Mayor and Council, the requirement for that site in Phoenix was in an industrial area and so that particular application of that architecture was contextual. That would certainly not be the case here. The renderings, we do have the ones that were submitted with our DRB package, they are

brick, brick masonry wall would be the perimeter that would be created behind the landscaping along Mountain View and along a small portion of 92nd Street to create that gated access. The parking structure, there's pictures in the presentation. It's all brick and contextual to that existing architecture. So that wall would match that architecture. It would not be a fence.

Mayor Borowsky: Okay. My last question for staff is there any way to get to do what they would like to do? Because this property owner this building owner has owned it for quite sometime is that right?

Tim Curtis: Mayor Borowsky, members of the Council, yeah, as far as I understand. In terms of the various options, the text amendment has recommended by the Planning Commission by staff would allow the reuse for internalized building storage and the reuse of the existing parking garage for vehicle storage. So, two out of three, to answer your question would be yes, but they also wanted the exterior warehousing. So that would be no without this text amendment, and as we talked about perhaps the General Plan amendment.

If they were to pursue a rezoning case, as we talked just for this specific site, that would have to begin a whole new public outreach and application process. It's a little premature to pine on that without knowing which district that they wanted to do, how that outreach occurred, what would be the other land uses that would be allowed in that zoning. So, there's a lot of, you know, involvement and review of an application that hasn't been submitted yet.

Mayor Borowsky: Okay, well for a property owner, this seems like the store the storage seems like a good use for this location. I'm very familiar with it too. I don't like the fact that the text amendment applies to all these other properties. I feel like there's a way to, you know, work with these this applicant to get this done the way they have it planned, without doing that, but I'm not in your shoes. I guess the answer is no not right now. So, I would like to make an alternate motion to approve it with number one number one alternative that was staff's recommendation without the external perimeter storage units. Anyone want to second that?

Councilwoman McAllen: I will second that.

Mayor Borowsky: Councilman Graham.

[Time: 01:22:25]

Councilman Graham: Thank you, Mayor. So, an alternate motion is on the floor to can we get clarity on the alternate motion?

Mayor Borowsky: The staff presentation had had on there number one, which was the staff's recommendation without the perimeter storage warehouse is the technical term you have used.

Vice Mayor Dubauskas: But it's still a text amendment. It's still a text amendment.

Mayor Borowsky: What is staff recommending? Can you put that slide back up? Pardon me. So alternate motion to adopt option 1, adopt ordinance 4688 and 13482. Second?

Councilman Graham: Oh. So, I just so we're clear, so the motion was made to approve an internalized community storage text amendment citywide is that's correct? So, the motion on the floor would affect almost 700 properties across the entire city? I think that is incredibly dangerous for our city. The first the motion on the floor would do that, and then there's been a second for it. The other option, option two, would allow internalized storage at this too site, is that correct, Ms. Tessier?

Mayor Borowsky: Okay. So, I want to go with internalized storage that does not negatively impact the 632 other properties.

Vice Mayor Dubauskas: That's not an option.

Councilman Graham: Not an option, Madam Mayor. I think I still have the floor. So, Mr. Curtis, can you answer that question about option two? Does that allow internalized storage here?

[Time: 01:24:24]

Tim Curtis: So, Madam Mayor, Councilman Graham, Option two is the applicant's recommendation, that would allow all three.

Councilman Graham: Okay. Earlier, I was saying, internalized storage but no warehouse but a text amendment. Option 2, embedded in both of those is a text amendment?

Tim Curtis: That's correct, Councilman.

Councilman Graham: Okay, that is in my opinion dangerous. That is a path that is a precedent we do not want to set. That is a chilling effect on hundreds of property owners and neighborhoods. So, I would urge my colleagues not to support that. And I would also urge my colleagues to remember that this is not allowed internalized storage at this site, and the residents have told us the General Plan, they do not want internalized storage at this site this is a dense residential area. And this has very successful businesses and property owners under the same existing zoning in that area. This is what they expect. So, I would urge my colleagues not to support the motion on the floor.

Mayor Borowsky: So, I'm going to withdraw that motion. Essentially what I'm trying to get to is I would like us to work with this property owner and how do we get there? I guess we get there by denying their application. They have been going through the process since December of last year. And certainly, their version of this is they are having a lot of difficulties getting to do something at this location without it being broad strokes across the city. I don't know how you get there. I think this is a good use, maybe not with the roll-up exterior perimeter storage units but I think it's a good use of this location.

So, I'm afraid we are getting an antibusiness reputation here as well, when we take all this time for an

applicant and just can't get the property user. And last thing I want to do is see apartments at this location, which I believe is really high risk as a matter of right. So, you know, I'm hesitant to say, close your doors. I say getting creative with projects like this for long-time property owners who undertook the process, and a good fit too. There's something not in sync there, but if the only way to avoid it applying to every other building, 632 or whatever you said, is to deny it, I'm also going to ask you to be creative and work with this applicant. I mean, I'm troubled by this. Councilman, Councilwoman Whitehead.

[Time: 01:27:34]

Councilwoman Whitehead: Thank you, Mayor. And I want to clarify, because I share some of the concerns of the Mayor about apartments here. We have a vacant building that I call unstructured housing and crime. But that said, I guess the lesson learned is our staff, our planning staff, I think, is the best in the state. So, thank you for your work on this. And I always encourage the applicants to work with staff. And so, there are paths besides text amendments and text amendments you all could your client could build the most beautiful wall but the other 700 may not and our ability to enforce the idea via DRB is really limited and could be getting more limited. So, I think as the Mayor said, there is isn't an option tonight without impacting is citywide parcels. And so, I'm not gonna support that. But it's not that I don't support some sort of zoning that has will provide good use of the land, low traffic and honestly, I agree, prevent more apartments in this area because we do have high traffic in that area. So, thank you.

Mayor Borowsky: Councilwoman Littlefield.

Councilwoman Littlefield: Thank you, Mayor. Mayor. Well, I kind of agree with both Councilwoman Whitehead and Councilman Graham. We need to work with this a little bit more if we possibly can, if there's any way to get what they want without doing a General Plan amendment. This is the problem with General Plan amendments, it affects the entire city. And that can have a lot of unintended consequences going forward. And that is my biggest concern. I have a problem with that. It allows for the unintended consequence. I like what you are trying to do. So, I would suggest we try to find a way does it have to be a General Plan amendment? Is there any way we can just work with this particular piece of property to get where she wants to go? That's really my question.

Tim Curtis: Mayor and Councilman Littlefield, I think that there's certainly other options out there and and believe us that we have been working with the applicant and we definitely would like to continue working with the applicant. So don't get us wrong there. I think that it looks like the direction for the applicant is the alternative of looking for an appropriate zoning designation to rezone this property and then working through the creative criteria to reduce its impacts but still make this property as viable as possible.

Councilwoman Littlefield: Let me ask you one other thing. It's probably a stupid question but I'm not a zoning expert in any way shape or form. Can you take this one property and have different zonings on different parts of the property?

Tim Cutis: So, Mayor and Councilwoman Littlefield, there are not particularly in our commercial zoning districts, there are not district size limitations or maximums. Theoretically, you could do something like that. It would be unusual, but that may be a creative approach that we look at.

Councilwoman Littlefield: Why don't we try a little cut and pasting here and see if we can bring that back. My big concern is this affects over 600 other parcels in the city, and they don't know about this. And I think that that is the a huge concern going forward. If we could make it so it wasn't a General Plan amendment, and we just change the zoning so that we could dice it, if you will, splice it a little bit. Maybe that's a way to weed through this. I don't know, just a thought. Thank you.

Mayor Borowsky: All great comments. Councilwoman Littlefield. On that note, I don't see do you have anything else, Carolyn? I don't know. Okay. Go ahead. It seemed like you wanted to say one final thing before we took a vote. You don't have to.

[Time: 01:32:01]

Carolyn Oberholzer: Mayor and Council, procedurally, if this is an appropriate time, I would like to request that we withdraw the application.

Mayor Borowsky: I think that's a great idea. I would do an alternative motion to approve that.

Councilwoman Littlefield: I will second that.

Mayor Borowsky: All right. We have a motion and a second. No requests to speak. All those in favor, please indicate by aye.

Councilman Graham: Oh, Madam Mayor, point of order. Can we do that, Mr. Parliamentarian?

Mayor Borowsky: I just did an amended motion after I withdrew motion previously.

Councilman Graham: If I could just hear from the Parliamentarian.

Luis Santaella: Mayor, members of Council, so the applicant is seeking to withdraw their application.

Councilman Graham: Right.

Luis Santaella: There was a motion on the table to deny the application and then there was an alternative motion to accept the withdrawal. Probably the simplest thing is to acknowledge the withdrawal of the application.

Councilman Graham: Without a motion.

Luis Santaella: Without a motion.

Mayor Borowsky: Okay. That's all you need acknowledgment. Okay. Let's acknowledge that and I guess we're done. Excellent. Thank you. Good luck. That concludes, I think that was item number 17.

CITIZEN PETITIONS

Where am I here? Next, we have number 18, receipt of citizen petition. I don't show any.

MAYOR AND COUNCIL – ITEM 19

And so moving right along, we have Mayor and Council items, 19 through 21. First up is Boards and Commissions 2024 Annual Report presentations. Tonight, we have presentations from the Library Board and Loss Trust Fund Board. Calling up the Library Board. Thank you. Thank you for being here tonight. Of course, welcome. Thank you.

[Time: 01:34:02]

Staff Representative Michael Beck: Thank you. Good evening. It's my pleasure. I'm Michael Beck. I'm the staff representative and serve as your Library Director and I will be co-presenting with our Library Board Chair, Dr. Freda Hartman. Okay. All right. So, the Library's Board purpose so you can see the purpose of the Library Board, shall advise the City Manager and the City Council on general policy relating to the operation of the library. The recommendations the board shall be advisory only and shall not be binding upon the City Manager or the City Council. The Library Board consists of seven members appointed by the City Council and each member will be appointed for a term of three years or until the successor is appointed. All right? Next slide, please.

So, some of the key accomplishments we greatly appreciate the Library Board and its service. They help advise the library to be innovative and creative in the services and the programs that we offer. And so as far as part of that wrap-up on the strategic plan, so in 2022 to 2023, the library embarked on a community assessment and that came to fruition a library five-year strategic plan and I will recap real quickly on year two. We're always looking to increase access to the library for our community and our residents. The Library Board was able to help us with the website. We work with Kelly Corsette and his city communications team, and we unveiled a new website. We want to make things easily accessible. We consider that our fifth branch. It's open 24/7 and we want to reserve materials and the board was instrumental in giving us feedback and adding more pictures and reducing a lot of the text and making it a little bit more user friendly.

Also, for that, we always try to strive, and the board is very helpful in giving us ideas to be innovative and creative. We look for ways to offer the services that make the Scottsdale public library in the state, I'm biased but we do take a look at being innovative and creative, some of the things that we have done is taking risks and pilots. Some of the things that they were in was the Mustang story wall and the library was able to use and fund 100% with not 1%. We were able to get library gifts and that made a change for our Mustang residents what that did was create a safe and secure environment for our library patrons. The idea is that the kids can let loose and the adults can have a more quieter

experience. That's one of the innovative ways that the board helps us weigh in and be creative.

Some of the other things we have done is try to increase access. It's about the four physical libraries but we also had the hold it locker at Granite Reef and we're working with other city departments and other nonprofits on the ability to maybe do like free little lending libraries where they can come in and we'll have QR codes where they can scan and then hopefully be able to get a library card registration, access to our digital materials and then have some print materials available that way. And so the board is very critical helpful to and the community partners. And with that Chair Hartman will talk about some of the community outreach the board does.

[Time: 01:38:01]

Chair Dr. Freda Hartman: It's my pleasure to talk about the community outreach.

Mayor Borowsky: Can you activate your microphone. Thank you.

Freda Hartman: Can you hear me now? Okay. Yeah. Very happy to talk about community outreach because this is the major area of engagement by the board members. I'm gonna talk about very briefly four areas of community outreach. One is event participation, as you might imagine. The library has a really robust menu of events every month. And the Library Board members do go out and they participate in these events, going out into the community or they may be some internal event staff recognition or appreciation events. We have the volunteer appreciation events. We have the external events which are the Bonanza, for example, that occurs in the spring. We have the Ultimate Play Date that's usually in the late fall. And we also have other general Scottsdale activities like Parada Del Sol and we're there in the parade. Also, the Spirit of Literacy Awards. So, a good example of the engagement in events.

Secondly, we do try to facilitate connections between the organizations that we are engaged in or employed in, that might have some connection to the public libraries with the library. So, if there are partnership opportunities available there, the library and Director Beck is very good about reaching out and trying to see if those connections make sense and how. That can be furthered for the library. So, we do try to facilitate that. Some of the organizations have been sister cities, the Scottsdale Unified School District, colleges and universities, those are examples of how we try to help the public libraries make those connections.

Third area is each of our board members and we have seven, each of them serves as a board liaison. There's a liaison role to one of the branches. And in that capacity, they go regularly by regularly, we mean every month. They go out to their branch. They circulate. They meet the patrons there. They talk to them, find out what's on their mind, what do they like? What do they maybe think we could do a little bit better. They participate in events and all of that is what they devote to that particular branch, and so they build the connection, and the relationship which becomes' strong and we appreciate that.

The, the fourth area that they work in, and this is a little bit more along the lines of helping each board member to be the best in their advisory role that they can possibly be. In order to be the best, you need to be up to up to date and conversing with what's happening with libraries across the board, externally. You have to have that connection and be really mindful of that and engaged in that. So, what do they do? Our board members participate in conferences. The American Library Association Conference, the Arizona Library Association Conference, other conferences, some of them are remote, online. So, they're available to our board members, but they get a lot of insight into what's happening in the field of libraries.

What are some of the key trends, what are the issues? What are the talking areas and discussion areas. They bring that all back to every meeting in which we have an agenda item, which is member reports. So, everything that they have done during that past month, they have the opportunity to report and make public and, you know, what they learned, what they think is valuable to share with Director Beck and the staff.

[Time: 01:42:01]

So, this is what we do in community outreach. I do also want to talk about policy reviews just a minute because every one of our board meetings, the board members are engaged in providing feedback and input to policies. Every board meeting, we have usually one policy that's been worked on in the prior month by the staff member, who brings us the original version, the marked up version, and the one that came from that so that we have an opportunity to see what's been updated and we can comment on that.

So, part of our board meeting discussion consists of providing input and feedback on that policy. And we have been, I think, very successful in doing that in terms of raising some awareness on areas that maybe weren't captured in the original draft, and we thought would be a good idea to to take a look at and see what the staff thinks about that. So, for example, one of the areas that we we were engaged in had to do with the rules of conduct. That was the policy, Rules of Conduct. And as you know, there was the new cafe that opened up at Civic Center, it's very popular. And so in in conjunction with that, the board members raised the idea that in rules of conduct, it really relates also to making sure you are a good citizen and a good neighbor. You don't you know, you clean up your trash. Be conscious of that. And so that was something that we suggested to be incorporated into the policy. Something about that. So that it would become part of the record and end that would be a positive.

Same thing with unattended children. As we look at that policy, there was a long policy. This was some maybe inconsistencies between paragraphs, first part of the policy, last part of the policy. So, we would do that kind of discussion and input on it. So, in terms of policy reviews, we do the advisement and we carry out what we think are, you know, our due diligence, as far as advisement and hopefully it's valuable to to the department and director Beck can speak to that but we will move forward to what we're looking at in the future. So, looking forward, Director Beck's gonna talk about that.

Mike Beck: All right. Next slide, please. So, again, like I mentioned earlier. So, we are ready to embark on

year three for our implementation of our strategic plan. We want to meet the community and the residents where they are, and so, again, it's not necessarily about the four libraries but it's hard to believe we are already at event season again. So, the library makes a concerted effort to make sure that we're at every major city event, do an info booth and signing up people for cards and renewing people for cards and telling them about the unique services beyond the traditional library. Everybody knows the library has the market on books and we have the Seed Library, the culture past programs where residents can go to the botanical gardens for free. That's over \$120 value for residents. And so there's some unique opportunities that residents don't always know and to go out in the community and tell them.

And also highlighting some of the pilot and the new services that we have coming up. Recently the library I have a really good library team. You know, I also represent 118 employees. They help make my job easier. We recently awarded five LSTA Grants, at almost \$50,000. That may not sound like a lot, but in library land that's more than double what normally our awards go for. We are looking to pilot some really innovative programs, like mobile WiFi hotspots and we are also do writers in residence. So we will have published authors come in and help aspiring authors come in and take a look at their scripts and any tips from the publishing world. That goes into the heart of library espousing literacy efforts in the community. And so we are excited for the future.

We also have another initiative coming up. We partner with Scottsdale Unified School District, Scottsdale Community College and other institutions of higher learning to develop a college and career corner. So, in about three weeks we will have a College and Career Week with the culmination of the college career and working with SUSD and we will have a number of the informational booths to help us kick off that unique service. We'll also have the opportunity to, you know, to partner with the school district to augment and supplement what they do as an avenue of what they do beyond the schools. And so we'll have the ability for students to work with their parents and caregivers to do one-on-one appointment sessions on scholarships, doing their FAFSA applications. And so for a free service. And one the other grants that we were awarded was a College Now Resource, which will give them an online confidential opportunity to talk with a dedicated and certified counselor as well if they don't want to come into the library.

And so we're really pushing the envelope and doing some really unique things and I appreciate the Council and the leadership of Mr. Caton and Director Peters to really support the efforts that the library is doing to help us make successful and to take those risks. And so with that, Chair Hartman will talk a little bit more about some of the changes in technology that we are facing.

[Time: 01:47:33]

Dr. Freda Hartman: And we are being very future oriented. Of course we're talking about how we're positioning the library, or rather how the department is positioning the library with our advisement. In terms of serving the entire community. So, we're mindful that there's small business and entrepreneurship that people want to start their own business and control their lives and that's part of the College and Career Corner service that's provided. And we're mindful of the changes in technology

and what those bring about, and how it's incumbent upon all of us to stay up to date on what technology is. Technology is expensive, though. We talk about what technology is available out there, and how it's evolving. It's like mushrooming as we all know. Rapid evolution. We're not the libraries, we're not strangers to technology, and those changes. But we also recognize that, you know, there has to be a kind of gradual growth in it, as well. Because frankly, we learn along with the technology, right? We don't automatically become experts.

Digital engagement is becoming more and more important as we found in technology. That means a lot of what were materials, physical materials are now moving into digital materials and digital collections. There's more in terms of eBooks, audio books, streaming services, those are the ones that patrons are asking for. And the patrons are all the way from the children all the way up to the seniors. They are asking for these services and, of course, again, they are very, they are very diversified and very value added but they are also expensive to do. And it has to be done strategically as Director Beck is very good at doing.

Two of the areas that are most exciting, I think, and you probably heard a lot about this, artificial intelligence and how we're using artificial intelligence in the library. I sort of feel an ownership when we say we're using it, right, because we are representing the patrons, and we're representing the community. And artificial intelligence is the next really big issue in technology. And what that will allow us to do, it's amazing if you have ever looked at using artificial intelligence to do research or find the answer to a question. You don't have to look through 20 books. You can go in there and within one minute you can find the information that you are looking for. So that type of evolution is going to be really important in the future of the libraries.

[Time: 01:50:17]

There's another one, it's called virtual reality. And I do want to commend Director Beck for his efforts in pilot in getting a request in for an award that the library was given to pilot virtual reality. I don't know whether you are how familiar everybody is with that, but that's in essence taking something that's two-dimensional and making it multidimensional. And adding color and layers to every single thing that you see. And it's a huge learning experience.

So these are all very positive movements that the department of public libraries is doing and the Library Board is delighted to be a partner in that and we feel like we are a full partner in terms of advising the director and his staff in different directions that we see what we hear from patrons, what we hear from business community and other organizations in the community in terms of their needs. So with that, I think we're going to close our presentation.

Mike Beck: Correct. So again, just to bring it to a close, we're happy to answer any questions but I want to take a moment to, again, thank the support of this Council again for approving the SGA Grant which have helped to build the Mustang sound wall. And with that, we will answer any questions.

Mayor Borowsky: Thank you so much. That was wonderful and informative discussion. Thank you.

Councilwoman Whitehead.

[Time: 01:51:48]

Councilwoman Whitehead: I want to thank both of you, Dr. Hartman and Michael. I am, I'll tell you, we have updates from the city, which it's longer hours or more participation in events. I have learned so much in this presentation. So, we you know, well beyond what even the city is trying to put out there. So, I support and the Seed Library was a special one for me. But I just really appreciate it. It really shows how important our boards and commissions are but thank you.

Freda Hartman: We have given you a fraction of what we experience.

Councilwoman Whitehead: You've got a lot of energy.

Freda Hartman: What we experience every single month. The Library Board members are truly dedicated people who take extra time to get up to speed on the issues so they can be the best that they can be in their advisory role. And that takes an investment on an individual and collective basis because their families are involved too in that.

Councilwoman Whitehead: You know, the conferences that adopt having each member adopt a library, all of that is time consuming but what makes I really, really appreciate it?

Freda Hartman: Thank you very much, appreciate that.

Kike Beck: Thank you, Councilwoman.

Mayor Borowsky: Thank you, Councilwoman McAllen.

[Time: 01:53:07]

Councilwoman McAllen: Thank you, Mayor. Thank you, Michael. Thank you, Dr. Hartman. I know you talked about what the commission does, and the library is doing and there are more programs. I was on a Zoom this morning. One of your Senior Library Managers Sarah Kaufman invited me to be part of a group to look into possibly expanding Read-On Arizona in Scottsdale. It used to exist, and now they're looking at bringing it back. So, there's so many more programs that you're beginning also. So, thank you for allowing us to be a part of that and asking me to be a part of that and for all that you do.

Mayor Borowsky: Councilwoman Littlefield.

Councilwoman Littlefield: Thank you, Mayor. And thank you for what you do. I will probably your oldest and longest patron of the library. We had a library card when I was 4. You went downstairs is and you had a flashlight. So, you turned off the overhead lights and you crawled under the stairs with your Oz book and you read all about the wizard and the evil witch and you had games and made-up stories and

it was one of the most wonderful times that any any children could have. And we went every week. It was the highlight of our week. We had evil witches down there and good witches down there and we had wizards and we had Dorothy and Toto and we lived the life of the books. It wasn't just those books. It was a lot of children's books that you had down there. So, I ask you, don't make everything bright lights and no secret dark places where you can have your own imagine come to life. There's a lot of places and a lot of caves and all kinds of fun stuff that kids can play with it and remains in their memory all of their lives.

I remember those days just like like new and my friends across the way and I, we my mother would get us in the car and we would travel down there and spend the afternoon in the basement of the Little Red Schoolhouse because that's where the library was then. And we just had wonderful being wonderful adventures. And then we had to go home and it was not so much wonderful.

Mike Beck: That's a wonderful story. Thank you for sharing.

Councilwoman Littlefield: Thank you very much for what you are doing.

Freda Hartman: Thank you. You know, we talk about technology a lot but I can't tell you how many patrons will tell us there's nothing more satisfying than I come to the library and I have a book in my hand. And I sit down in a chair that's really comfortable and I start reading it. And then I find a friend who I can talk to about the book. And it becomes a community building event. So that's, I think one of the great untold stories of how central libraries are to building the dynamic, the fabric of the community. So I want to call that off to.

Councilwoman Littlefield: Very true.

Mayor Borowsky: Thank you so much. Wonderful job. I appreciate your volunteering for us and hard work and enthusiasm.

Freda Hartman: Thank you so much.

Mike Beck: Thank you. Have a good evening.

Freda Hartman: Take care.

[Time: 01:56:42]

Mayor Borowsky: Now I will invite the Loss Trust Fund Board up.

Staff Representative George Woods: Good evening, Mayor, City Council, George Woods Safety and Risk Management, presenting for the Loss Trust Fund Board. I have Austin Brooker. He's with the Alliance Group of Companies and he will be co-presenting with me today. Our next slide, please.

Oh, I'm sorry, I also have Mrs. Denise Plug, she's an assistant on the Board and another member of our board, Mrs. Tammy Smith and Mrs. Lori Davis who is the Counsel out of the Civil Litigation Division.

The purpose of the Loss Trust Fund Board is to oversee the administration of the Loss Trust Fund and ensure adherence to the declaration of trust this includes the retention of actuarial services, auditors and advisors necessary to carry out the business and the purpose of the Loss Trust Fund.

The Loss Trust Fund also authorizes the Safety and Risk Management Director to procure the necessary insurance and coverages to meet the city's property and casualty exposures. The Loss Trust Fund Board recommends modifications of the terms and conditions of the trust document to City Council. Next slide, please.

The makeup of the Loss Trust Fund Board consists of five members. All members are appointed at large by City Council. Members of the Loss Trust Fund Board must be qualified in a field related to risk management. The term of each member is three years from appointment, with a maximum term of six years. Liaison myself, George Woods and we receive advice from Lori Davis, Deputy City Attorney with the Civil Litigation Division. Next slide please.

We will talk about a few key accomplishments coming out of the Loss Trust Fund Board and some decisions made out of the Loss Trust Fund Board, I will turn it over to Mr. Brooker.

[Time: 01:59:30]

Vice Chair Austin Brooker: Thank you, Mayor, members of Council. This year the Loss Trust Fund Board reviewed and took action on several key items. The first is the funding confidence level topic. One of our most important areas of focus this year was reviewing the appropriate confidence level for the Loss Trust Fund. Each year the board submits a report to city Council with the recommendation on the amount that the Loss Trust Fund should be funded. This is based on an analysis completed by a third-party actuary. The funding confidence level recommends how much we need to set aside to cover claims for the upcoming year. That ranges from best case scenarios and worst-case scenarios. It uses national data to determine what is most probable for our organization in the city of Scottsdale.

Now some background. We transitioned to a new actuarial in 2023, it was Aon and now it's Oliver Wyman. To keep the 85% confidence level, the fund would require an additional \$5 million more than we would typically have recommended. Their analysis indicated that the city's historical funding amount lined one a 75% confidence level on their scale. In other words, an 85% confidence level on Aon is roughly the same in dollars amount as the 75% confidence level with this new actuarial, Oliver Wyman.

So, the board had a detailed discussion between fiscal prudence and fund surplus, and we discussed costs, contingency reserves and possible volatility. We debated whether to maintain the confidence level at 85%, revise it down to 75%, or meet in the middle and adopt a stepped approach. Ultimately the board unanimously approved a motion to budget at an 80% confidence level for fiscal 2025-2026. This effectively split the difference and allows flexibility as we monitor ongoing claims in loss development.

This decision provides a prudent balance. It strengthens reserves without requiring an immediate 2 to \$3 million in additional allocation but moves towards a more conservative allocation over time. The changes made to the trust and the ordinance.

So, in addition to these confidence level discussions we had discussed and approved recommendations to city Council on changes to trust language, and city ordinance regarding departmental claim deductibles they were subsequently approved by Council. And to raise the property claims deductible for each city department and whether it was a preventable incident.

[Time: 02:02:07]

Our third key accomplishment listed is the review of that actuarial study I mentioned earlier. And so, the board we had an in-depth presentation and discussion of that annual actuarial study completed for the property and casualty programs this was delivered by Adam Hirsch of Oliver Wyman and while no action was required it provided critical insights for myself and the board regarding future planning. Next slide, please.

The upcoming opportunities challenges and outcomes, looking ahead, the board will continue to evaluate the city's funding confidence level to ensure that the trust remains financially strong. We anticipate ongoing discussions this year around emerging risks actuarial assumptions ensuring alignment with best practices and municipal risk management. We see our role as helping the city taking proactive it remains strong and reliable and that really concludes our property on the activities of the Loss Trust Fund Board. On behalf of the Board I want to thank Council for the support and engage. I'm happy to take any questions or comments or feedback at this time.

Mayor Borowsky: Thank you, Austin. Appreciate your work on the board very much. Councilwoman Whitehead.

Councilwoman Whitehead: Just very interesting. So, thank you for being here, and really for that work that you have done. So thank you.

Mayor Borowsky: Thank you, George. And thank you for being here. That concludes the boards and commissions report presentations.

MAYOR AND COUNCIL – ITEM 20

[Time: 02:03:14]

And moving on to item number 20, at the request of Councilman Kwasman, a request to direct the City Manager to agendize for a future Council meeting an item regarding presentation, discussion and possible direction related to photo enforcement cameras including speed detection systems and red-light cameras. I will turn it over to you, Councilman Kwasman.

Councilman Kwasman: Thanks, Madam Mayor. All we're asking here is just a presentation from law enforcement to talk about how the utilization of red-light camera provide for the public safety, whether there is a differentiation in efficacy between cameras at red lights and then cameras also off of red lights. So along thoroughfares, how the funding mechanisms work with with red light cameras, fees, and so on. So very simple. Easy easy presentation.

Mayor Borowsky: Thank you. Vice Mayor Dubauskas.

Vice Mayor Dubauskas: Thank you Madam Mayor. I see we have our Police Chief here in the audience. I would like to ask if you are supportive of this motion this request? Okay. Thank you, sir.

Mayor Borowsky: Thank you. Also, a prior Mayor and Council item we talked about having a presentation on the light and the red lights and the lagging left-hand turn arrows. I would love to see this presentation combined with that one. I think it might centralize that discussion. All right. With that, we have three choices. Direct City Manager to agendize this item for a future meeting, direct City Manager to investigate and prepare a written response or take no action. I will make a motion to number one, direct City Manager to agendize the item for a future date.

Councilwoman Whitehead: I will second that.

Mayor Borowsky: Did you want to say something.

Councilwoman Whitehead: No, I will just second your motion. Thank you.

Mayor Borowsky: Thank you. All those in favor, indicate with aye button. Yes. All right.

[Time: 02:05:55]

MAYOR AND COUNCIL – ITEM 20A

And then Councilman Kwasman also has 20A, which is direct the City Attorney to conduct a comprehensive review of Scottsdale Revised Code Chapter 2 related to the code of ethical behavior general and make this doesn't make sense to me the way this is stated but why don't you talk about it.

Councilman Kwasman: Yeah, this is not as nebulous as that makes it look like. I just want to make I want to do a full review. I think a timely review of any type of ethics, of ethics rubric for any city, any legislative body should be reviewed. This was something I talked about when I ran for office, and this would be an ongoing, it wouldn't be a single presentation. It's just it would be an ongoing study to then be presented at the appropriate time with no specific deadline of having a full comprehensive review of how Scottsdale works and their ethics and whether there's you know, other cities might have an ad hoc committee or otherwise, right, and have a full comprehensive ethics package that then would and it might be just nothing. It might be doing absolutely nothing but we're looking for you know, it would be something that God willing would get unanimous support moving forward. Just one of those regular

good old-fashioned auto maintenance items on government structure.

Mayor Borowsky: I think that's a good idea City Attorney. Do we do that as a matter of regular protocol or is that just kind of on the shelf and requires special actions to direct you?

Luis Santaella: Mayor and members of the Council it would require special action in that we wouldn't normally take a look at this particular code without direction since it affects you all directly. I think Councilman Kwasman has stated exactly my understanding of the item. We would compare and look at all the different cities in this area and perhaps out of state, look at the current code, make any recommendations for improvement that are appropriate, and we'll take our time and we'll do a thorough deep dive and get back to you with a work study.

Mayor Borowsky: Sounds great. Anyone have a motion?

Councilwoman McAllen: So moved.

Councilwoman Whitehead: Second.

Mayor Borowsky: Well, number one, agendize it for a future meeting or just number two, to direct the City Attorney to investigate?

[Time: 02:08:38]

Councilman Kwasman: I would prefer. Madam Mayor, would you want direct Madam Mayor, Luis, would you prefer it to be a how would you see and envision, would you want it to be an agendized item for future meeting because that would then that agendized item would then give you the direction also or do you want to just send it to you right now? What, in your opinion, what is the best course of action for this?

Luis Santaella: Mayor and members of the Council, I would prefer to have you direct me to look into this.

Councilman Kwasman: So number two.

Luis Santaella: Number two.

Councilman Kwasman: Thank you.

Councilwoman McAllen: So, I will motion to adopt number two, direct the city attorney to come back at a later time with the review of that.

Councilwoman Whitehead: Second.

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

MAYOR AND COUNCIL - ITEM 21

[Time: 02:09:40]

Moving on to item 21, this is Boards and Commissions boards, commissions and task force nominations. I will turn the rest of the meeting over to the Vice Mayor for this process.

Vice Mayor Dubauskas: Thank you, Madam Mayor. This evening, the City Council will be nominating Scottsdale residents interested in serving on citizen advisory boards, commissions, and committees. The Scottsdale City Council is responsible for establishing City policies and enacting laws in support of those policies. The Council relies on volunteer, citizen-based boards and commissions to research issues and make recommendations in support of the Council's mission and goals. The information and recommendations provided by Council-appointed advisory boards is a valuable tool in helping Councilmembers in their deliberations.

Appointments for these positions will be made at a Special City Council meeting on September 9th. As we begin our process this evening, I'd like to note to my colleagues that an applicant only needs to receive one nomination in order to advance to interview before the Council. When I call on you, if your chosen applicant or applicants have already been nominated by a Councilmember, please state "no additional" and we'll move on in the process.

AIRPORT ADVISORY COMMISSION

Thank you, now let's get started. Our first is the Airport Advisory Commission. We have one opening. The Airport Advisory Commission advises the City Council on policy matters relating to the operation of the airport, proposals for development, airport area land use, fees and safety concerns. There is one vacancy and eight applicants. The applicants are: Fred Atarian, Craig Bennett, David Ganz, Michael Gonzalez, Steven Kressler, David Mecartney, John Sloan, and Carl Stein. I will now entertain nominations for the Airport Advisory Commission. Each Councilmember can nominate one applicant. I will start with Councilman Kwasman.

Councilman Kwasman: Thank you, Madam Vice Mayor. Craig Bennett. I nominate Craig Bennett.

Councilwoman McAllen: David Ganz.

Councilwoman Whitehead: John Sloan.

Mayor Borowsky: Fred Atarian.

Councilwoman Littlefield: David Mecartney.

Councilman Graham: Your mic was not on.

Councilman Graham: No additional.

Vice Mayor Dubauskas: And I have no additional. Fred Atarian I was going to read them off. Craig Bennett, David Ganz, David Mecartney and John Sloan have been nominated.

BOARD OF ADJUSTMENT

[Time: 02:12:36]

The Board of Adjustment, we have one opening. The Board of Adjustment is a quasi-judicial body that hears variance requests, appeals of the Zoning Administrator's interpretation/decisions, and decides on administrative decisions or zoning requirements, which create unnecessary hardships in the development of property because of exceptional or extraordinary conditions. There is one vacancy and two applicants. The applicants are: Kenneth Erler, Martha West. I will now entertain nominations for the Board of Adjustment. Each Councilmember can nominate one applicant. Starting with Councilwoman McAllen.

Councilwoman McAllen: Martha West.

Councilwoman Whitehead: No additional.

Mayor Borowsky: Kenneth Erler.

Councilwoman Littlefield: No additional.

Vice Mayor Dubauskas: Okay. So we have nominated Kenneth Erler and Martha West.

BUILDING ADVISORY BOARD OF APPEALS

The Building Advisory Board of Appeals. There is one opening. There is currently one opening on the Building Advisory Board of Appeals. However, the City did not receive any applications for consideration. The current opening will be included in the next cycle of board and commission appointments. As such, we'll move on to the next commission.

[Time: 02:13:45]

HISTORIC PRESERVATION COMMISSION

Historic Preservation Commission, there is one opening. The Historic Preservation Commission oversees the development and management of Scottsdale's Historic Preservation Program. Special qualifications here: As outlined in the Scottsdale City Code, each member shall have demonstrated special interest,

knowledge, or experience in at least one of the following: building construction, history, architectural history, real estate, historic preservation law or other historic preservation related field. There is one vacancy and one applicant. The applicant is: Mark McCurdy. I will now entertain a nomination for the Historic Preservation Commission.

Councilwoman Whitehead: Mark McCurdy.

Mayor Borowsky: No additional.

Councilwoman Littlefield: No additional.

Vice Mayor Dubauskas: Mark McCurdy has been nominated.

LIBRARY BOARD

[Time: 02:14:35]

Library Board. This is one opening. The Library Board advises the City Council on general policy relating to the programs, services and future development of the Scottsdale Public Libraries. The Board oversees the Library Special Revenue Fund, which is made up of donations and funds generated through the sale of used books and magazines. There is one vacancy and seven applicants. The applicants are: Hailey Beal, Mac Cobb, John Groseclose, Mary McBride, Jillian Nusbaum, Patricia Pellett, Monica Sonnenklar. I'll now entertain nominations for the Library Board. Each Councilmember can nominate one applicant. Mayor Borowsky.

Mayor Borowsky: Patricia Pellett.

Councilwoman Littlefield: John Groseclose.

Councilman Graham: No additional.

Vice Mayor Dubauskas: No additional.

Councilman Kwasman: Monica Sonnenklar.

Councilman Graham: Microphone.

Councilman Kwasman: Monica Sonnekclar.

Councilwoman McAllen: Mary McBride.

Councilwoman Whitehead: No additional.

Vice Mayor Dubauskas: John Groseclose, Mary McBride, Monica Sonnenklar, and Patricia Pellett have been nominated.

TOURISM DEVELOPMENT COMMISSION

[Time: 02:15:55]

The Tourism Development Commission, two Scottsdale hotelier openings. The Tourism Development Commission advises the City Council on matters concerning the expenditure of revenues from the Transaction Privilege Tax on transient lodging (the bed tax) designated for tourism development. Special Qualifications: As specified in the Scottsdale City Code, the Tourism Development Commission shall consist of representatives of the tourism industry in Scottsdale, including a minimum of four Scottsdale hoteliers, one member of the Scottsdale Convention and Visitors Bureau, and a balance from elements of the tourism industry. There are two Scottsdale Hotelier position vacancies and two applicants. The applicants are: Stephan Miller, Alex Shelton. I will now entertain nominations for the Tourism Development Commission. Each Councilmember can nominate two applicants. Councilwoman Littlefield.

Councilwoman Littlefield: Stephan Miller and Alex Shelton.

Councilman Graham: Yep. We're done.

Vice Mayor Dubauskas: We have nominated Stephan Miller and Alex Shelton. This concludes our nomination process this evening. Individuals nominated will be contacted by city staff with additional information. I would like to take this opportunity to sincerely thank all who applied to serve on a citizen advisory board or commission. Even if you were not nominated, your application will remain on file for one year for consideration at a future date if there are additional vacancies. Thank you, Madam Mayor.

Mayor Borowsky: Thank you. That concludes our business this evening. Thank you all for being patient this evening. A motion to adjourn.

ADJOURNMENT

Councilwoman McAllen: So moved.

Councilwoman Littlefield: Second. We are done.

[Time: 02:17:34]