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CALL TO ORDER

[Time: 00:00:03]

Mayor Borowsky: Good afternoon, welcome. I'd like to call the April 14, 2026 City Council Regular Meeting to order. City Clerk Ben Lane, may I please have a roll call.

ROLL CALL

[Time: 00:00:10]

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

Mayor Borowsky: Present.

Ben Lane: Vice Mayor Adam Kwasman.

Vice Mayor Kwasman: Here.

Ben Lane: Councilmembers Jan Dubauskas.

Councilwoman Dubauskas: Here.

Ben Lane: Barry Graham.

Councilman Graham: 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.

[Time: 00:00:41]

Mayor Borowsky: Okay. Tonight we have Scottsdale Police Officers Ryan Lowing, Kyle Shollack and Ray Wilburn as well as Scottsdale Firefighter Dave Billingsley and Brandon Rollins, thank you all for being here to serve us this evening. If anyone requires their assistance at any point in time tonight, please let a member of our staff know or one of the uniformed officers.

Are for tonight's Pledge of Allegiance I would like to call on Councilwoman Maryann McAllen.

PLEDGE OF ALLEGIANCE

Councilwoman McAllen: 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. For the invocation I'll turn it over to our esteemed Councilwoman Kathy Littlefield.

INVOCATION

[Time: 00:01:36]

Councilwoman Littlefield: Thank you, Mayor. I would like to ask for a moment of silence to think about those who are in need, who are hungry tonight who need shelter and do not have it. Please say a prayer for their well-being and their safety, thank you.

Mayor Borowsky: Thank you, Councilwoman Littlefield. For tonight's Mayor's report oh, sorry. Pardon me. Let's start over.

Councilwoman Littlefield: Thank you, Mayor.

Thank you, apologies again, Kathy. Councilwoman Littlefield.

MAYOR'S REPORT

For tonight's Mayor's Report, I will proudly be recognizing Scottsdale Volunteer Appreciation Week. And in furtherance of that, I've issued a proclamation which celebrates the extraordinary individuals who give their time, talent and service to our community. And we could not do it without them truly. In fiscal year 2025, more than 4,695 volunteers supported the City of Scottsdale and its programs. Contributing over 129,000 hours of service. And that incredible commitment translates to an estimated 4 million dollars in savings for our community. But more importantly, it reflects the spirit of generosity and civic pride that makes Scottsdale an amazing place to live and work.

I would like to personally thank the community for stepping up and supporting the Mayor's Office and we truly could not have done everything that we have accomplished over the past year without your support, and on that note, not only do I want to thank all of the 4,700 volunteers, but I'd like to personally thank our volunteers at the Mayor's Office, Jimmy Forsini. Geoff Barnes, up there, you can always count on Geoff for being here. Siemian Walther was there, be he might be here somewhere. Linda Rizzo, Susan Wood, Rene Higgs and Steven Covan. So, thank you for that. With that, I'm going to be presenting the proclamation to our volunteer coordinator, and also I'd ask Geoff Barnes to come down and accept that for us too.

So, I'm going to go ahead and read the proclamation so everyone can hear. Whereas volunteers play a critical role in assisting the city to perform the mission of simply better service for a world class community. And whereas the Scottsdale Volunteer Program and residents and matches their talents

end and enthusiasm with numerous services, programs and departments and in fiscal year 2025, as I mentioned, more than 4,700 volunteers contributed over 129,000 impressive hours in service. Volunteers contributed a value over \$4 million as I mentioned, and whereas by sharing talents and time personally benefit by spreading love for Scottsdale as do all the citizens and businesses of Scottsdale.

I, Lisa Borowsky, Mayor of City of Scottsdale do hereby proclaim April 19 through the 25th as Scottsdale Volunteer Appreciation Week. Thank you very much, and Brandon, our Volunteer Coordinator, is here to accept that. So, I'm going to come down and do that.

I should have asked if any of the other volunteers were here from the Mayor's Office that I mentioned. I don't see anybody. So, thank you so much. That's incredible work, everybody.

PRESENTATION/INFORMATION UPDATES

[Time: 00:07:12]

So, for our presentations tonight, we have the Employee Recognition Program, another worthy recognition and program. The City Council recognizes employees with more than 20 or more years of service as of April 2026. And we have Holly Peralta, Communications Interim Senior Director, to go over that with us and tell us who has accomplished this great milestone and beyond.

Communications Interim Senior Director Holly Peralta: Thank you so much, Mayor Borowsky, and members of the City Council. As you mentioned, I come up before you every month to talk about our years of service employees, these are employees who have served 20 or more years with the City of Scottsdale, and we like to take a moment to thank them for their dedicated work. I know that we have a few here with us tonight, and I'd like to invite them to come forward for recognition.

At 20 years of service, we have Mele Koneya and Peter Jenson with us tonight and at 30 years of service, we have Holly Beard. If you'd like to come up, we'll take a picture of you with the Mayor and Council members, thank you again for your dedication and years of service to Scottsdale.

EXECUTIVE SESSION

Mayor Borowsky: All right. Thank you all for that, and congratulations. Next, the public, possible Executive Session as is always the case, during tonight's meeting, the Council may make a motion to recess into Executive Session. If authorized by the Council, the Executive Session will be held immediately and will not be available to the public, the public meeting would be resumed after the Executive Session

MINUTES

Next we have Meeting Minute approval of the Minutes from Special Meeting Minutes of February 24, 2026, Executive Session Meeting Minutes of February 24, 2026, Regular Meeting and Work Study Session Minutes of February 24, 2026, and I'll entertain a motion to approve these.

Councilwoman Whitehead: So moved.

Councilwoman Littlefield: Second.

Mayor Borowsky: All those in favor indicate your vote. There we go.

CONSENT AGENDA

Mayor Borowsky: Consent Agenda, we have items 1 through 11 on the Consent Agenda. I will ask if any of the Councilmembers have any questions or wish to have a discussion on the Consent Agenda items, and I see that Councilwoman Dubauskas has indicated such.

Councilwoman Dubauskas: Thank you, Madam Mayor, Rick, I just want to say best of luck on item number 9. Very excited for the tour last week, and excited to have more parking at the airport. Appreciate it.

Mayor Borowsky: And with that, I don't see any other request, we have a public speaker on number 9 so I will invite Maria Tutelman up to address us at the podium to your left, my right.

[Time: 00:11:42]

Maria Tutelman: My name is Maria Tutelman, and I have lived in the area for 30 years now. Scottsdale Airport has increased significantly. But a noise impact study has not occurred since 2005, there are many planes flying to and from the airport. They create more and substantially louder sound. Noise abatement procedures, that are also 21 years old are not being closely followed nor monitored, where I live, it is higher elevation than the airport, so planes fly a lot closer to the ground and the noise is deafening. You can't. Is that better?

Mayor Borowsky: Maybe push the microphone.

Maria Tuttleman: I'll take the mask off too. My name is Maria Tutelman and I have lived in the McDowell Mountain Ranch area. For the last 30 years, Scottsdale Airport has grown significantly, but a noise impact study has not been done since 2005, which is 21 years ago. There are many more planes flying to and from the airport. The planes are larger and heavier, requiring more airport maintenance, and they create more and substantially louder sound. Noise abatement procedures that are also 21 years old are not being closely followed nor monitored. Where I live, it is higher elevation than the airport. So, planes fly a lot closer to the ground, and the noise is deafening. Since 30 years ago, there are more larger, there are more, larger and louder planes that now fly day and night over my house at all hours of the day and night, as late as 11:00 p.m. and as early as 3:00 a.m.

I urge the Council and Mayor to not approve any funding for any additional expenditures for the Scottsdale Airport until a noise impact study can be completed so that Scottsdale residents are not charged with paying for city operations, significantly and adversely affecting the quality of life, including their health and well-being. Thank you.

Mayor Borowsky: Thank you, Maria. I don't see any other speakers or any speakers on other Consent Agenda items. With that, I will entertain a motion to approve Consent Agenda items 1 through 11.

Councilwoman Whitehead: So moved.

Councilwoman Dubauskas: Second.

Mayor Borowsky: Please register your vote. Thank you.

REGULAR AGENDA - ITEM 12

[Time: 00:14:56]

Moving on to the Regular Agenda, first we have item No. 12 which is the State Legislative Session update, presented by Sara Sparman, Government Relations Manager, and Dr. Mark Osborne from Kutak Rock. Good afternoon.

Government Relations Manager Sara Sparman: Good afternoon, Mayor and Council. Thank you, my name is Sara Sparman, Government Relations Manager for the City of Scottsdale. Today we are doing, this is our third series of the Legislative Session, which if you recall, began back January 12th and we've been trucking along. We've been trying to provide updates every other month or so, so that Council is aware of some of the Bills the city is tracking. And we have today Dr. Mark Osborne with Kutak Rock, who will be giving an in-depth status update, as to where we are at currently in this session with deadlines as well as more priority pieces are currently resting. So, Mark.

Dr. Mark Osborne, Kutak Rock: Thank you, Mayor and Council for having me again. It's been kind of a mixed session, some good, some bad. What we expected. To give you a sense and scope of the activities we're working on, we're working on about probably 40 to 45 active bills that Sara, Dan and I spend a lot of time on. I'm going to touch on a handful, but please, ask questions if you have an interest in ones I don't mention. To give you a sense of where they are at, we're on the 93rd day of session, in theory they try to target 100 days, they're not going to make it. We've only had 63 bills signed, to give you a sense of the legislative year, still a lot of stuff working its way through the process, 42 have been vetoed, and we have three as of today that are still awaiting action.

The budget negotiations have stalled, and so this is a fairly common tactic, the governors use, the governors says, if you send up another bill, until I see a budget, I'm going to veto it, that has ground the legislature, not to a halt, they're doing a lot of legislative work, but that final step is not occurring unless you're the one that wants to test the governor's press release and see if your bill will get through and not get vetoed.

Here's kind of the status to give you a big picture of where they are with the budget discussions, the legislature as I reported, the last meeting, sent up what we call tax conformity package, all the changes that happened in the federal level, they want to mirror those at the state level, that has about a \$450 million price tag on it. The governor vetoed that, not once, but twice, different variations of that. One of the things that's really stopping the budget debate is what to do with Prop 123, if you remember, Prop 123 relates to education, it's basically a way to increase the amount that they take out of the land trust in terms of rates of return. It used to generate about 300, \$350 million a year, that increased drawdown, we're not talking about selling more land, it's about the corpus or interest that you spend. That is due to be reauthorized, the governor has proposed increasing that drawdown. The current the

former law is around 5%, she's looking at around more like 8, 9%, and she's using that fund to fund her budget priority, legislature does not like that idea, so they're at kind of an impasse, that's one of the reasons they're having a hard time moving forward, so the governor broke off budget negotiations, until the legislature presented her with an actual budget, they're working on that now, through a very collaborative process, in terms of the republicans, not with the democrats, and then once they do that then the real negotiations will happen, I'm hoping in the next week or two, or three, or four, that that's going to come together. So, we're still on track to meet our June session time frame.

As many of you know, we have a new legislator for our district. Mr. Chaplick is running for Congress. Cody Ream, many of you know him, he's been active in the water discussions, and he's already met with Sara and some of her team, we're starting to build that relationship, he is running for re-election as well. For all appearances, I think he tends to vote with the conservatives at the Legislature, which is probably not a shock to a lot of folks.

Kind of key deadlines to give you a sense, all the bills are through committee. Just crossing bills over, and then they're doing concurrences, that type of activity. Theoretically, the last day for conference committees, when one House amends the bill, and the other House doesn't like how they amended it, is the 17th. The 100-day target is 425 and that will come and go next week, and we'll keep chugging along, that's where we are in the process, the speed and the tenure is very similar to what we've seen in other sessions, this is what divided government looks like.

Key legislative issues, we scaled this way down, just so we if there's stuff that's not on this list, we're tracking it, Sara knows it, I'm long winded so she edited me aggressively.

[Time: 00:21:18]

One of the victories that we did I put a third read? 1167, this is allowing electronic posting for public meetings, and notices. Scottsdale as well as a number of municipalities work with Senator Angus and the newspapers. And after years of I think we've been trying to do public notice reforms since Mr. Kwasman was in the Legislature with no success. I think we're actually close enough to get this done. This will help streamline some of our notice procedures, if there's changes in meetings, there's a more streamlined mechanism to accomplish that. So, I think we anticipate this will go through, once the budget provisions are made going forward.

One of the challenging bills that we have been working on was a concern, because it really impacted local control is, Senator Bullock ran a bill that would allow private contractors to basically self-certify a lot of the permitting processes, I think that a number of municipalities were concerned about that. The bill got out of committee. Senator Bullock's committee, I can't remember which right now, didn't have the votes on third read, this is an issue we're going to continue to see as continued focus it's not that cities are opposed to using private contractors, but those decisions should be made at the municipal level, not through a state preemption.

This is 1431, one of the ones that I think, if you said there's some bills that keep Sara and I up at night, this is one of them. This is a bill that basically would preempt a lot of our ability to do design standards, and one of the things that I think has made the Scottsdale community great is having the high quality amenities, the look, the feel, this would really erode that process, the bill barely passed out of the

Senate. They put it through the committee of the whole without any amendments, and we're counting votes on a daily basis on this one. Along with a lot of the other municipalities. Again, it's a local control issue that allows cities to help define the communities they want, and work with your voters instead of having the Legislature do a top-down approach.

Another bill of concern is kind of a preemption on mobile food vendors. The area we're probably most concerned about, in terms of a policy is the lack of background checks for some of the mobile food vendors, especially when they're sending in the neighborhoods, you think of ice cream trucks or where there's kids, other sensitive populations, being able to retain that kind of background check, I think is very important. And the Bill is still waiting to be heard in the Senate.

One of the interesting concepts. And I'm being kind when I say interesting concepts, is the Legislature a certain group of probably the more conservative legislatures say, we have a way to keep costs down, we're going to prohibit not ourselves, local governments from increasing any fees or costs at all for the next four years.

[Time: 00:25:11]

You imagine and this would have this is the Bill version. In a minute I'll show you the SCR version, they were going to put that to the voters, it would have provided limiting ability for you guys, particularly in the water area, to increase fees if you needed to, as we have to acquire a new water source, and imagine trying to think through in your budget four years ahead, in a highly inflationary environment. The good news is, the bill died in the House. And by a fairly significant margin. So, what do they the supporters of the bill do, they do a strike everything amendment. Put the Bill over in the Senate, and made it into an HCR, meaning the voters would have the choice to preempt. And right now, I think we're feeling reasonably good that we have the votes to keep it off the floor, but it's tight. And so that's something I think we're spending a lot of time and effort on.

This one was an early concern, that luckily did not go too far. This would have been an issue for us, once the Colorado River shortage, we couldn't put more water resources into our long-term storage credits. Really limited the tools we're going to need, depending on what they do with the Colorado river. Legislature is paying very close attention to Colorado River discussions. They're meeting with the governor's office regularly; there's a lot of updates. The water trade association for the municipalities has been very active, educating the impact of what could happen in the legislature depending on whatever shortage determination. They have to affirm whatever strategies that we develop through legislation.

Similarly, just saying, we're all working together, kind of a message to Congress and the Trump Administration, please don't harm Arizona, we've made a lot of hard decisions, and we should not be treated unfairly. The bill never got heard in committee and the Senate, but you can kind of get a sense that the legislature is very focused on water and kind of in a wait and see mode, very nervous about what's going to happen with the Colorado River discussions. With that, I'd be happy to answer any questions on any of the Bills I talked about, or other issues and leave it up to you guys.

Mayor Borowsky: Councilwoman Littlefield? Thank you very much, Mark.

Councilwoman Littlefield: It wasn't me.

Mayor Borowsky: No problem. Vice Mayor Kwasman.

[Time: 00:28:13]

Vice Mayor Kwasman: Thanks Mark, I appreciate the updates. I just want to make it clear to the public that a city position is not necessarily a unanimous position by this Council, unless it is signed in a letter of support, so there are certain bills that while the city, and I respect the city's position under the city manager, and trust the city manager wholly in their wisdom, there's certain bills that I would differ from the city's official policy, including HB21, 2118 that includes food trucks, food truck licensing on a personal belief. I would like people to know that I truly believe that we can make it in this world, individual food trucks can make it in this world without asking the city permission of how to do business, and free markets are the best path toward a prosperous society. Thank you.

Mayor Borowsky: Thank you, Vice Mayor. Councilwoman Whitehead?

Councilwoman Whitehead: Can you provide updates for the public on short term bills and ADU's? Thanks.

Dr. Mark Osborne: Thank you, Mayor and Councilwoman Whitehead. We made progress. The bill is not going to make it to the end of, so we worked with the city of Sedona, Scottsdale, had a number of stakeholder meetings with the Airbnb industry. And Representative Bliss sponsored legislation that would have enhanced our ability to regulate I would say it's more focused on the party houses and the bad behavior, and not paying fees, and those type of issues, the bill passed through the House. It got delayed because you have to get a majority, the majority, we have of the Republicans, for it to be heard in the Senate, we had to make some last-minute modifications. We did that, and by the time the Bill got over there, we had missed the committee's last deadline, we tried to get it put into the Appropriations Committee, but the President of the Senate tries to keep those committees as pure as possible. We made progress, it's not going to pass this year, but I think we have the bones to get something through next year.

The second thing I would mention is, there are a whole host of other short-term rental bills you're starting to as I said, in the last talk I gave to you guys. There's a growing momentum that more and more needs to be done, that pendulum is starting to shift in terms of people realizing the impact, and one of the things that I think we need to do to kind of highlight some of these issues is get more of the legislators in our community to see where we have these concentrations and some of the impacts it's having on our community, so they can touch and feel it. It's one thing to say, Sedona, 30% of the town is Airbnb's and VRBOs. It's another thing to say, have you seen this community, this street is all Airbnb's, that's kind of the update, but happy to provide more context.

Councilwoman Whitehead: So in at the House level, it was overwhelming, was it not?

Dr. Mark Osborne: It was and Dan, give me the pull up the vote, it was with a lot of the Democrats, yes, it was almost unanimous with the Democrats as I recall, the challenge is, there's an informal rule that

by the Republicans, that you have to get a majority of the majority caucus. While the bill vote was...37 to 14.

Councilwoman Whitehead: So, 37 to 14 is not considered a landslide number?

Dr. Mark Osborne: It's a healthy margin. The issue was, there were a couple Republicans, who didn't like dealt with sex offender database issues, how it was drafted. We had to go back and clean that up, we got those folks back, but that literally took a week and a half of lunchtime, and by that time, the process and they're still a very strong element at the legislature that doesn't want any regulation on that number is starting to shrink, but it's still prominent as you can see.

[Time: 00:33:08]

Councilwoman Whitehead: Okay, so it there was with why wasn't it heard at the Senate? Explain that one more time? I don't quite understand.

Dr. Mark Osborne: I'm sorry, Mayor, Councilwoman Whitehead. There were very strict timelines of when committees have to be heard, and there's timelines for when the agendas have to be posted. So originally, we got the bill through the House. It didn't have a majority of the majority, so we had to send it back, make the amendments, and by the time we sent it back, the deadline for the committee that it was supposed to go to, that agenda setting had already passed. So, we missed the last committee agenda. So...

Councilwoman Whitehead: So, this year, we have nothing to tell our residents? Our residents are suffering, and there's no path forward to give cities local control to additional local control to help our residents, is that your conclusion on short-term rentals? I know it's I'm not blaming you, I wonder if you see any path forward, where we may get additional local control or not.

Dr. Mark Osborne: Mayor, Councilman Whitehead, right now, I don't there's always a chance, but I would say the window is closing or is closed. And it's frustrating, but I I always like to look on the positive side. We have the vehicle now, and I'm anticipating and I hate to say next year, but the and the Legislature could completely change, and we could be able to do really significant changes as well.

Councilwoman Whitehead: Okay. One other question on the ADU, any progress there?

Dr. Mark Osborne: We the bills, we got bills introduced, we still have, particularly in the Senate with the Senate President, a very intense private property rights, not a big fan of municipalities, the bill was placed into the most unfavorable committee in the legislature. So, we I know it's not a victory, but we're making progress, and we're on the offense, it's just getting stuff passed takes more effort than...

Councilwoman Whitehead: We almost didn't lose. Thank you no, I appreciate your work.

Dr. Mark Osborne: Yeah, I look at this as...We keep grinding and grinding, it doesn't mean we don't come back next year. The good news is, we had some good education, we had our local delegation, generally was very helpful. Mr. Kavanaugh, Mr. Gress in particular were helpful, those are the good things, similarly, I know Mr. Gress was working on the historic home issue. You would have thought that

one would be a no-brainer, making sure they can't build duplexes and triplexes, that was a big, big fight that had a similar fate, but making progress, and it's it's a challenge.

Councilwoman Whitehead: Okay. Thank you.

Mayor Borowsky: Thank you, thank you Mark and Sara, it's a shame about the STR Bill, it sounded like you were too polite to say it, politics at work at the last minute. I don't know. The shell game of who's on first, and where's the bill. Hopefully we don't lose steam on that going into next year. And a special shout out to our Scottsdale Representatives, really appreciate all of them who are doing a lot of hard work for us. So, everyone that our current representatives and Senate members really doing a good job for Scottsdale.

Dr. Mark Osborne: And one last thing, I will say, one of the things I noticed representing you, we've been doing a lot of work, we didn't talk about it here on law enforcement related issues, between your police chief and city attorney, they care a lot of policy clout down there, and they're well respected, it's been a nice thing to come down, where what does Scottsdale think. And that's a statewide thing, and that's something that should be it was a nice, I wouldn't say surprise, it's something to be proud of.

Mayor Borowsky: Thank you for that, and congratulations to the individuals you're referring to, appreciate it. And thanks for the hard work. On ward. Next, we have did you want to say something else, Sara? Okay.

REGULAR AGENDA – ITEM 13

[Time: 00:37:55]

Thank you very much, item 13, which is the Design Build Manager Construction Contract for Bond 2019 Project 63, Old Town Parking Structure. Otherwise known as the parking garage at Brown Avenue. Tonight I'm going to invite Alison Tymkiw, City Engineer and Transportation Director. So come on down, thank you.

City Engineer and Transportation and Infrastructure Senior Director Alison Tymkiw: Good evening, Mayor, members of Council, the item tonight is item 13 is the design build manager construction project for Bond project 63. So, the item you have before you is to adopt Resolution No. 13635, authorizing contract No. 2026-048-COS in the amount of \$3,820,557 to provide design build manager construction phase services, guaranteed maximum price one for the 2019 Bond Project 63, specifically the Brown Avenue Parking Structure expansion.

So, a little background, voters approved just 21 million for project 63, to provide additional parking facilities in Old Town. And in July of 2024, City Council approved the use of these funds to add two levels to the existing city-owned parking structure, located at 1st Street and Brown Avenue. Our recent staff action, in accordance with Arizona Revised Statutes, Title 34, we issued an RFQ for design build manager services for this project. 8 firms submitted statements of qualifications, five finalists were interviewed by our panel, and Chasse Building team was selected by the panel as the most qualified. Following that, at the February 11, 2025 meeting, City Council adopted Resolution 13318, authorizing

contract 2025-004-COS for design build manager preconstruction phase services, with Chasse Building design team. For Chasse Building team, for the expansion of the Brown Avenue parking structure.

Just as a brief reminder of the design build manager process, basically, a single entity is hired to provide design and construction services, and per Arizona revised statute, title 34, the selection is made based on qualifications for the type of construction to be awarded, the design build manager, must follow a subcontractor selection plan, that selects subcontractors based on qualifications alone or on a combination of qualifications and price, and the qualified subcontractors are competitively bid, and design fees and the construction fee to the design build manager are negotiated.

And why was the design build manager process chosen for this project? The construction schedule is compressed to complete work between peak event seasons, construction logistics needed to inform the design process, requiring an integrated team.

[Time: 00:41:28]

Additionally, this project is predominantly provided by a precast concrete subcontractor, and it is critical to have them on board early to inform the design and contribute to construction logistics. Quality will be a single point of responsibility as design and construction are integrated, and early communication to the Old Town stakeholders regarding design and construction issues were vital.

As far as the design, the parking structure design adds two above ground level to the existing structure and will increase capacity by approximately 186 spaces for a total capacity of 412 spaces. We had three public outreach events which were conducted at different phases of the design and comments were incorporated into the design. A second level step back from Brown Avenue was requested, and the exterior is designed to complement the surrounding structures and to comply with the Old Town design guidelines.

We have a couple renderings to show you. This is where you can see the step back that we were referring to on the second level. It pushes some of the massing away from Brown. This is the next view from First Street, looking Southeast and it shows the simulation of the western storefront. This is the view from Second Street.

Our tentative construction schedule is as follows, we plan phase one, which is demo and preparation for the precast, in the summer of 2026. This actually this slide was presented to the public at the last meeting in March. Late summer/early fall, we're preparing for a precast concrete, fall of 2026 is when cast in place concrete is planned, winter of 2026 we'll be working on the interiors of the garage, and spring of 2027, we will be working on exteriors of the garage, and providing the garage open for spring training. And that will lead us to summer of 2027 just to do some of the final work as that are as landscaping, site work, public art and any final completion, since we had to stall a little bit, to allow the parking for spring training.

So as far as funding for this project, it is available in that Bond 63 project build parking structures in Old Town. So, again the total funding for that Bond project is \$20.96 million, so far about a half a million have been spent, so 20.42 is available. Again, it's 2019 Bond funding. So as a reminder, as we presented in July of 2024, of the 20.96 of the funding available, 2.2 has been earmarked for 55 public

parking spaces, and a future development, which would leave approximately 18.7 million for this project. And currently we are targeting approximately 18 million for the construction of this project. So it looks like we should have potential savings.

Proposed next steps, this again is the early procurement contract. So, it's the first construction contract with Chasse Building, and it's for GMP1, it's early procurement to allow for long lead items to be procured, it will include demolition and construction work for the precast structure, this early work is included in GMP1 in the amount of \$3.18 million. The remaining construction work the contract GMP2 will be brought to Council under GMP2 in June of 2026 and this will complete the construction contract for the parking structure.

So again, the requested action is to adopt Resolution 13635 authorizing the contract for GMP1 for construction materials with Chasse Construction. This action is necessary to begin fabrication of the precast concrete elements to minimize the construction duration and complete the structure for use during spring training of 2027. With that, I'm here to answer any questions you may have.

Mayor Borowsky: Okay. So, I have Councilwoman Whitehead. We have a lot of speakers, we have 20 speakers. So, I think yeah, we can go ahead and start with the speakers, and you can be on standby. I'm sure some information will come up as pertains to your presentation. Now we're going to take the speakers that have signed up to speak on item No. 63, starting with I'm going to ask everyone, there are 19 speakers here, and I'd like to have you limit it to two minutes. If there is additional information that we haven't heard or you think there's a compelling reason to take your third minute, please advise and certainly we'll give you the difference. But in the interest of everybody's time and respect, we want to hear everything you have to say, but if you can say it in two minutes, that would be all the better. I'm going to start in advance for your consideration on that.

Starting with Steve Sutton, followed by Ethan Knowlden and Yvonne Cahill. Go ahead and approach Steve, you know where the podium is. We're not going to start your two minutes yet. Hold on, we can't hear you.

[Time: 00:47:24]

Steve Sutton: We should be allowed to speak all the time that is allowed, I know I've spent hours preparing for this.

Mayor Borowsky: Welcome Steve.

Steve Sutton: I can't do it in two minutes.

Mayor Borowsky: Okay, then let's give you 3.

Steve Sutton: I was expecting 6, because someone donated me time.

Mayor Borowsky: You know, on that note, thank you for pointing that out. I have Steve Sutton with donated time from Susan Wood, and then later on the list, I have Susan Wood with donated time from

Steve Sutton, that was the confusing part. Where's Sue? I don't see her. So, Steve, can we do it in 4 and we can take up the other issue?

Steve Sutton: I timed these things very carefully Mayor Borowsky.

Mayor Borowsky: What do you need?

Steve Sutton: I probably need under 6, I can do it in 5, probably.

Mayor Borowsky: Okay, let's see what we can do. Hopefully, no one else has that much. Go right ahead.

[Time: 00:48:32]

Steve Sutton: Steve Sutton, address on record, good evening, Council. Last night at the City Council Candidate Forum, I heard statements I previously heard from City Councilmembers, city staff, volunteers and residents. The gist of these statements is where these residents two years ago, why didn't they protest then. They were engaged in sustaining a fulfilling life for themselves, while being confident in the people they elected as leaders, to make decisions and ensure the vast majority of their constituents are sufficiently and made confidently aware of any controversial and divisive plans of the city.

Building a garage in historic Old Town, in front of the Old Adobe Mission, should be anticipated as being controversial and divisive, it is not a failure of residents not paying attention to city government, to react soon enough, it is this Council and previous Council's failure in leadership to adequately keep residents informed in a timely and comprehensive matter. Stop blaming your constituents who depend upon you and take responsibility for your failure in leadership.

We're going to have a fancy presentation by Mr. Tom Frankel over here, the middle-aged gentleman in the green polo shirt can I have the Elmo turned on? And it's going to be of this map here. I only have black and white. You'll notice a lot of buildings have dark tops this is part of a plan to try to convince people that doing this garage is heavily supported by the owners of businesses down there.

Mr. Frankel also submitted a list of 40 parcels and the owners that own them in support of building this garage. However, those 40 parcels which are supposed to be within three blocks of Old Town, they're not. First off, one of them is down at Scottsdale and Thomas Road. Some of them are on the other side of Scottsdale Road, where there is a conveniently located garage. And there are actually 19 owners of those parcels. There's not 40 of them. One of the people that supposedly is supporting this garage on Mr. Frankel's list, has actually signed my petition that was submitted to business owners saying they don't want to have the garage built. And they own six parcels in Old Town. Tom, have you a lot of explaining to do to give me enough material for the next three meetings.

To all Council members, I doubt that many people believe that any board of directors of a private corporation with a budget the size of the City of Scottsdale, would use seven years out of date information, to spend \$18 million dollars when they have current data indicating that thousands of their shareholders are furiously angry and will vote to remove corporate officers for malfeasance, pardon me, misfeasance. Scottsdale's 2015 parking study in Old Town the most recent comprehensive

study did not find a need for a garage in historic Old Town. The 2019 Bond election does not require or justify building a garage at the parking corral, some Councilmembers have been deceitful and hypocritical, deceitful in claiming the voters voted to build a garage at the parking corral. Hypocritical because the early 2025 Axon referendum by claiming it would be a low turnout election. But they used the vote by mail only 2019 Bond election, which was one of the lowest turnout elections in Scottsdale history to support building a garage at the parking corral. Incredibly hypocritical Mr. Graham. Thousands of Scottsdale residents have told the Council they want the farmer's market to continue its 17 year tradition at the parking corral rather than moving to the City Hall parking lot so the garage can be built. Thousands of Scottsdale residents have told the Council, the cultural and historical significance is not appropriate for this type of parking structure. Regardless of any enormously expensive, phony, 19th century facade being installed.

This Council is very close to having tens of thousands of voters believe the Council is committing misfeasance. The Council is very close to being removed from power in the elections in June and November of 2026 and 2028 and possibly sooner through recall elections. Any Councilmember who votes to build the parking corral garage extension without a parking study is placing their seat on the Council in peril. Before causing irreversible harm to Scottsdale and the very possible destruction of your careers as Councilmembers, vote no on this agenda item, prepare a future Council meeting agenda item for a vote to delay this project and until a new parking study can be completed to determine if a garage is needed or alternative parking is sufficient.

Mayor Borowsky: Thank you, Steve. Thank you very much. Next, we have Ethan Knowlden, followed by Yvonne Cahill, and Patty Badenocho.

[Time: 00:53:57]

Ethan Knowlden: I'm from New York, I can talk fast. I think I can get this in 2 ½ minutes. Thank you for your time this evening, let me tell you about what I won't complain about. I won't complain about the use of a design build contract, perfectly acceptable means of approaching this project, we used it successfully on DC Ranch, I won't complain about the design, the design is subjective, whatever the design is, some are going to like it, some aren't. You could have done, you know, residential you could have done retail on the first floor, but it would reduce the number of spaces and raise the cost for the garage, not a great option. I won't complain about building the parking lot in front of the Mission, the corral lot has been in front of the Mission for 20 years, and the lot behind the Mission for even longer. I won't complain about the construction plan; it looks like a reasonable attempt to minimize the impact on adjacent businesses.

I will question the cost of this structure; however, it seems high for the number of spaces you are adding. I'm sure staff has a cost breakdown of the project, and a couple slides would you know, if you could share that information with the public, it might be helpful, and that might be a good idea. Here's what the Council doesn't have and therefore cannot share any data supporting the need to expand parking at the corral site. If you read the 2015 parking study as I have, you know it doesn't call for adding parking at this site. It does identify zone two, which is what we now call the entertainment district as the quote logical location for a new parking facility. The study came to this conclusion based upon the demand for all day parking generated by the Galleria office complex, and Council has

addressed that need with the garage on Stetson, east of the Galleria using \$20 million from the general fund. But is the corral site expansion needed?

We have lots of opinions and anecdotal evidence, great photos of parking lots full and empty, just no hard data. Let me borrow a phrase from our city manager. Let's go slow to go fast. I know people have been talking about parking in Old Town for years, probably decades, what's one more year to get it right? Take a few months, take \$100 to \$200,000 to do a study, find out what the real need is for additional parking in Old Town, where the Old Town parking structures need to be. At a minimum, you'll have some cover, if the study supports continuing the corral construction, but you might learn there's a better solution, that would be a win for the city, the merchants and the taxpayers. Thank you for your time.

Mayor Borowsky: Thank you. Let's keep the applause down, it will make things go faster. I appreciate your enthusiasm, though. Yvonne Cahill, and then Patty Badenoch and Maddie Scott.

[Time: 00:56:49]

Yvonne Cahill: Hello Mayor, and Council, my name is Yvonne Cahill, address is on record. I'm here tonight representing the President of the Arizona Preservation Foundation, Jim McPherson, who submitted a letter to Council regarding the proposed parking structure plan to Brown Avenue, across the Street from the Old Adobe Mission, within historic Old Town Scottsdale. Jim could not be here tonight due to a prior engagement, I don't have time to read all of his letter, here are some of his concerns about the Old Town parking garage. He writes, the Old Town Adobe Mission constructed in 1933 is among the communities' most significant historic landmarks. Equally important to its setting, within the historic Old Town, an area identified in the city town, Scottsdale urban design and architectural guidelines as embodying Scottsdale's historic legacy and frontier town and western character.

The guidelines recognize historic Old Town as one of the community's most character defining environments. Noting its unusually high concentration of historic resources. And its importance to Scottsdale's identity and visitor experience. Given the proximity of the project, the Mission and the character defining buildings along Brown Avenue, the foundation respectfully encourages review of several key considerations. Whether the proposed structure scale massing and visual prominence align with the guidelines of the other buildings in the historic area, emphasis on maintaining historic Old Town's pedestrians scale and historic character. Preservation practice recognizes that historic resources drive significance, not only from individual buildings, but from their broader context, including Streetscape, relationship, sight lines and can I just finish. I know I'm running a bit over. I'm almost done. New development should reinforce the authenticity that gives historic Old Town its enduring culture and economic value.

The Arizona Preservation Foundation supports thoughtful planning solutions that balance mobility needs with stewardship of Scottsdale historic place. We respectfully encourage continued evaluation for this project through the lens of the city adopted urban design and architectural guidelines to ensure that future improvements strengthen rather than diminish this historic environment that defines Old Town Scottsdale. We appreciate the opportunity to offer these comments and would welcome

continued collaboration as a preservation resource moving forward, sincerely Jay McPherson, President and Board of Directors, Arizona Preservation Foundation. Thank you.

Mayor Borowsky: Thank you for being their voice tonight, Yvonne. Appreciate it. Next, we have Patty Badenoch, Maddie Scott and Michael Fernandez will follow.

[Time: 01:00:03]

Patty Badenoch: Good evening, Mayor and Council. Patty Badenoch, 50-year resident, so my children have told me. Several months ago, I visited the historic Old Town shops to ask them if they wanted the garage to be rebuilt where the farmers market is held on Saturdays. Many shopkeepers didn't even know about it, this list I made is three pages long, about 48 shops who said, no. Since then, Steve Sutton went around and found even more saying no. Who on this Council even bothered to visit and talk to these merchants? The Council majority will show complete lack of integrity when they vote yes on this issue. What's going on? Redevelopment?

Besides the garage, well, look, show this on the overhead. It's already started. I wish to see the historic Old Town keep honor and sustain its historic history and continue the tourist draw it represents, we are denied a new parking study to even determine if an elevated garage at this site is a must. And this is the only place it can go? Why not build it on the eastside of the Council parking lot, place the solar panels on top of that, it's much closer to the Civic Center mall, and let the farmer's market stay where it is. The architectural design of this site in question, should reflect and honor the historic nature of what the historic Old Town represents, this Chasse rendering doesn't even come close. The fake windows and shutters shown adjacent from the historic Old Town Mission, and Cavalliere's Blacksmith Shop is another example of complete disregard for the surrounding history of the nature of this place, adding insult to injury. Thank you.

Mayor Borowsky: Thank you, Patty, next we have Maddie Scott and Michael Fernandez.

[Time: 01:02:27]

Madeleine Scott: Madeleine Scott, address on record, good evening Councilmembers, I oppose the project to build a garage extension at the parking coral, this is a historic area, and consequently building a garage at this location should be a matter of last resort, after all other options are eliminated, and that has not been done. The last parking study was conducted 11 years ago and does not support building a garage. The result of a low turnout vote by mail only Bond election conducted in 2019, cannot possibly be a representation of the eligible voters in 2026. Many Scottsdale residents and business owners during the last year, have expressed their opposition to building this garage to the Council through multiple petitions, the Council authorizing the payment of \$18 million for a garage providing only 185 additional parking spaces, is financially irresponsible use of taxpayer money. Ending the 17-year tradition of the farmer's market at the parking corral, is something thousands of Scottsdale residents oppose. I and other Scottsdale voters will vote against any Councilmember that votes in favor of building this garage. Thank you for letting my young voice be heard. Have a great day.

Mayor Borowsky: Thank you. All right. We need some live music in here, to go with the applause. Thank you very much Maddie, Michael Fernandez, then Crystal Carroll and Maria Tutelman.

Mayor Borowsky: You want to go over there so everyone can see it? If you want to step by that podium. All right. Go right ahead Mike.

[Time: 01:04:09]

Michael Fernandez: I'm going to need three for sure.

Mayor Borowsky: Sure.

Michael Fernandez: Michael Fernandez address on record. After being personally involved in Scottsdale politics and downtown Scottsdale issues for decades, I took a step back to get my priorities back in order. Now that my priorities are in order, I'm going to try to help fix the Scottsdale City Council circus, most of the Councilmembers think they know what's best for the downtown area, in my opinion, you don't have an understanding for what's best for the downtown, that's because you're not financially invested in a business or property in the downtown, like my family was for over 60 years. So, yes, I have a good understanding of what's best for the downtown, it's not any garage addition on that location.

Our business has moved to another area in Scottsdale, and we sold our property because of the stupidity of previous Council decisions that were negatively affecting our family, I know building this garage addition across from the Old Adobe Mission will have a forever negative impact on the historic Old Town area, and the west, most western town's character.

I would like all of you to please look at the picture Patty put up, you all know the saying, a picture is worth 1,000 words. That's right, ugly, ugly, ugly. It's a superimposed picture of light rail wires running up Scottsdale's high-capacity transit corridor, it would have changed Scottsdale forever into the west ugliest western town, if a previous City Council would have voted in favor to implemented it in the historic Old Town area. Now, do you understand why this parking garage should be left alone? Changing it will forever destroy the charm of historic Old Town and forever desecrate the Old Adobe Mission's surrounding character. As most of you know, the Adobe Mission Church was built by the hands of the Hispanic families who moved here in the early 1900's, seeking a better life. That building and its symbolism to this day has a sacred place in the hearts and souls of religious Hispanic community. Do not desecrate our beautiful memory in a has been thoughtfully preserved so you can prop up your political egos and the egos of your donors. It's not worth selling your souls.

I will close with this tonight. Take another good long close look at the picture that could have changed downtown forever. Who's going to be the Councilmembers that save the one-of-a-kind look, and uniquely beautiful character of the west most western town, historic Old Town and the sacred Old Adobe Mission, and vote to leave the site just the way it is. Or are you going to be the Councilmembers that will be remembered forever for destroying the west's most western town. Heroes or zeros, God's watching.

Mayor Borowsky: Thank you, Mike. Crystal Carroll followed by Maria Tutelman, and Michelle Koker? I hope I'm pronouncing that right.

[Time: 01:07:49]

Crystal Carroll: Crystal Carroll, address on file, thank you for having me. Well, here we go again, it's been three months since I last spoke to the Council about this issue, it's what brought me here in the first place, I just want to remind you guys, real leaders, real leaders aren't about being right. Like you can be wrong real leaders learn, they adjust and do what's right for the city. I just implore you, Barry, Jan, we know who runs things, come on, guys, have you 15,000 signatures of people who don't want this. Do not let this be your legacy. When you double down on stubbornness, ego or a few donors, this is not right for the city. Whether you don't like some of the people up here, you don't like some of the citizens, think about why you were elected, why you're up here. Put your egos aside, put away all the politics.

People just are asking for a parking study. Why not be open to doing that for the people? Think about when you first started running, why you got in this? I believe everybody got in this with a good intent. I think you guys need to go back and find the reason why you originally ran. It is okay to be wrong. I always tell my kids, the most dangerous person is somebody who is always right. Because then you don't learn from your mistakes, guys, I implore you to stop being so stubborn and be open minded. At least do the parking study to see if it's needed.

You know the parking garage, the people didn't vote to put it there, I'm asking you as a citizen, as someone who owns a business in Old Town, to go back and rethink about what the people want. I think it's important, I have a bunch of other stuff here, the parking garage price is crazy, astronomical, it's not responsible to do this to taxpayers, we have to pay that back, guys, your taxes go up, it ends up being roughly around 30, \$35 million, you're paying back. I know this is not what you want for our residents. Thank you for listening.

Mayor Borowsky: Thank you, Crystal. All right. Maria Tutelman followed by Michelle Koker and Alex Pappas.

[Time: 01:10:39]

Maria Tutelman: Hi, again, I'm Maria Tutelman. I've lived in Scottsdale for more than 40 years, I actually went to high school with Maryann, for many years now, the Old Town farmer's market has been a landmark of the type of experience visitors come to have in Old Town, why now move this important landmark. Why not build a multilevel parking structure, on the currently existing large ground level parking lot located just next to this important landmark, and close to the Osborne hospital so hospital staff and patient visitors can use. The hospital currently has limited parking, which is overtaken by Scottsdale Stadium visitors, I urge the Council and Mayor, to consider an alternative option, so that this long time and important landmark can remain where it should be. Thank you.

Mayor Borowsky: Thank you so much, Alex no, I'm sorry, Michelle. Is Michelle here? Michelle, going once, twice? All right. Next, we have Alex Pappas, Kathy Hartnett and Pat Lowman. Pat, you'll be after those other two. Alex Pappas? No? Kathy Hartnet.

Pat Lowman: I'm here.

Mayor Borowsky: Then we are with Pat Lowman.

[Time: 01:12:22]

Pat Lowman: Thank you, Mayor, and Councilmembers. I'm going to give you a little different perspective than we've already heard, so I hope you pay attention. Over the past year, thousands of residents have signed petitions opposing the garage. Among them, business owners voice the same oppositions at the January 7th Old Town Summit, yet the Council majority is committed to spending \$21 million plus interest and Bond funds, which will ultimately increase our property taxes.

Fact, Steve Sutton walked the historic neighborhood and gathered six signatures from the 34 business owners who said no to the garage. These business owners authenticated by petition, his petition, by putting their signatures on Steve's petition.

Now, let's look at Mr. Frankel's letter to the Council, I might add, not signed. Not signed petitions, a letter from property owners in the area against Steve Sutton's signed petition, but not one signature from his list to support the garage. So, are we just supposed to take his word? Continuing with a closer look at the 40 properties which sounds impressive, until you find out those properties belong to just 19 owners. Mr. Frankel himself evens two, ten of the properties sit on the west side of Scottsdale Road, in which there is onsite parking available at many of the properties. So, I ask you, what is the real motivation for building this garage? Well, the plan is in motion. The storied site of the Kiva Theater at 7217 East Main Street was recently purchased and is already in the planning stages for redevelopment. The purpose of the garage extends beyond parking. It's fundamentally about creating leverage.

The long-range plan is to demolish the irreplaceable shops of Old Town, which everyone loves, and redevelop the entire area. Current property owners will cash in and sell to the highest bidder. Building the garage is simply the first domino to fall. Once it falls, historic Old Town the beginning and heart of this community won't be revitalized it will be destroyed. Please recognize the importance of the history, legacy, culture, and of course what is working? And let us maintain, help and continue with the prosperity we have all benefited from, and not start tearing it apart piece by piece. Until it may be nothing more than a distant memory.

Mayor Borowsky: Thank you, Pat. All right, Tom Frankel followed by Carolina, and then Bob Pejman. I think Tom Frankel is next, right.

[Time: 01:15:56]

Carolina Grandestaff: I think you can hear me.

Mayor Borowsky: All right, are you Carolina?

Carolina Grandestaff: I am Carolina Grandestaff, a resident of Old Town downtown Scottsdale. When we moved here in 1973, I believe Herb Drinkwater was running for Mayor. And at that time, I worked his way helping win Mayor. He was a great Mayor. He made this moratorium of downtown, it was not to exceed over two stories, and he kept his word. I like that. I like when someone keeps their word. The second that man died, guess what, look at our downtown. It doesn't look like it did. I'm a Scottsdale

ambassador, I have a vested interest down here, I work the Scottsdale Marketplace, I love it, it is fun. Everyone I spoke to, everyone said, can't do this, it's not going to be the same. It's not really needed, I parked in the garage downtown, I use it, I walk it, I see all the visitors, what does that really mean to our tourists. Oh, good, let's go see the garage. Oh, I'm just like, no, I don't think so. Shall we go to Las Vegas then? It looks the same. I'm not interested, I hope it never happens, I will work tirelessly to see that it doesn't.

Mayor Borowsky: Thank you, Carolina. Now we have Tom Frenkel followed by Bob and Raul Zubia.

[Time: 01:17:56]

Tom Frenkel: Mayor Borowsky I would ask for a couple extra minutes, as I do own a number of lots in the area and I spent quite a bit of time talking to the property owners in the area, I'll try to keep it as brief as I can.

Mayor Borowsky: How is three, Tom?

Tom Frenkel: Probably four, I'll do my best.

Mayor Borowsky: Okay.

Tom Frenkel: Tom Frenkel, I'm a resident 40 years in downtown Scottsdale, I'm a property owner 40 years in downtown Scottsdale, and also a merchant in downtown Scottsdale. It's quite interesting, the speaker who spoke just prior to the last speaker, Pat, was it? And Steve Sutton. It's very interesting, and truthfully, disturbing to see people that feel as passionately against it as I feel passionately for it, and I think everyone here does love Scottsdale. And I don't probably share the views of them, and I would like to share the views I do, have I respect the fact that you care about Scottsdale, and so much time has gone into it, by people that don't share the views that I feel today that I'm going to express.

I don't normally get politically active; this is one of the only times I have. I kind of go with the flow. I am very passionate about it, and have been watching this issue since 2019, when parking was called for in the Bond election, which I was active in and supported. As far as the particular site, it was proposed in 2019 as an option. Maybe not specifically, but as something that we needed parking in the Old Town. And it's being built on a site where there is parking already and accommodating for additions to that lot.

What's been continually portrayed as in the heart of Old Town and going to destroy the Old Adobe Mission, the blacksmith shop, I would submit that we are night and day on that, in terms of my thought process, I believe it's on the south side of Old Town. I do not think it will destroy the Mission, which I value as much as I you. I do not think it will destroy the blacksmith shop, in fact you could make a decent case that potentially with added parking exposures, those two important things would get more visits. I don't think it takes away from them, we differ on that I think it's a good sounding board to say, we don't want to destroy them, does it really? Does the existing parking really destroy it? Hold on.

Mayor Borowsky: You wanted extra time, can you have a conversation with what you're trying to communicate to us, that would be great so we don't involve the audience.

Tom Frenkel: Okay, I feel parking is, that's quite limiting, but I do feel parking is needed in that area right now. And I'm unfamiliar with how this is it because what I heard was being portrayed quite differently in terms was that the two minutes or four minutes.

Mayor Borowsky: Let's give you another minute, Tom, thank you very much. Is that good?

Tom Frenkel: I'll try.

Mayor Borowsky: Okay, great.

[Time: 01:21:41]

Tom Frenkel: What was portrayed as the stakeholders in the area, of which one of them I am, we're against it, a lot of them were against, the merchants were against it, I spent three days last week, personally out of a busy life, visiting that entire area. The yellow you see up there is the actual corral parking lot proposed addition. And the two to three blocks surrounding it, the green represents people that I met with, property owners, not merchants, property owners who I either spoke with personally or on the phone. During that process, it's very difficult to get ahold of that many owners, so I had to talk to the merchants to get their owners, to get the owners' numbers.

The green represents people in favor of it, and in fairness, I did not go to the blacksmith's shop, I assume they're against, I did not go to the Mission, I don't know how they felt. But I did not have one property owner that said, we didn't want to see that happen, and I will respond to Mr. Sutton's comment, I did visit the Bishoffs, the five to six property owners, the five to six lots they don't own, and I spoke directly to Mrs. Bishoff, are you in favor of this or not? Gave the reasons why I was in favor, and she specifically said to me, I support it. That was as of last week. But overall, there was almost unanimous support.

In closing, I would say that a lot of talk about the farmer's market. My hope is, when eventually the farmer's market moves and it's located in Civic Center park, and we're a year out, in a park that was renovated for \$40 million in a green setting with a library, and with a children's park, and a lot of amenities, I don't know how many people who and there's no one that I know that doesn't want that farmer's market, if you picked a setting for that farmer's market and said, we're going to have it in Civic Center park or the concrete place it is now. I would question who would say what a good idea to leave it where it is. Thanks for your support. My hope is, the people who make a habit out of chopping down things that are getting done, put it productive things and into supporting other things.

Mayor Borowsky: Thank you, Tom. All right, moving on to Bob Pejman, Raul Zubia and Sam West.

[Time: 01:24:31]

Bob Pejman: Mayor and Council, good evening, Bob Pejman, a lot of experts here, a lot of experts, right? I'm point to a simple fact, if the area was not under parked, the city would not be leasing spaces from Honor Health, which by the way we just lost. If the area wasn't under parked, you wouldn't be selling phantom spaces to Old Town Tavern so they can expand. The area is under parked. It is. Now, let's get to this issue at hand. Over the past year, tens of thousands of dollars and by the way, I have an

extra minute donated. Tens of thousands of dollars have been spent to cast this parking garage in a negative light. And recently, full page ads are put in to recruit speakers with a QR code. This isn't organic, if you have to go spend money to recruit opposition, this is not organic.

Solange recently stated only a handful of people really support this. Tom Frankel is right here on the projector, 45 parcels, close by, very prominent businesses, that's not a handful of people, let's go back to the 2019 Bond. Solange, you were a part of a Council that unanimously approved the 2019 Bond, which included in bold letters, CIP63, build parking structures in Old Town, that's not disputable. You had a chance before then, to ask for a parking study, you didn't. Fast forward to last year, last February, when you approved a \$1.6 million contract for the design, you also had a chance to ask for a parking study leading up to it. You didn't. Three open houses, great design. Political pressure is making you bow to special interests that want to stop this. What I mean by special interests, I'm talking about political interests. I

was at the open house, not the open house, the candidate forum last night, I didn't see so many people bowed, Raul, Ethan, were all against it, because political pressure is being applied to go against the garage or else you'll lose the election. Think about this, what are you going to tell the voters now? You're going to say, oh, back in 2019, we told you there was a parking shortage here during events, we want \$21 million of your money. Your hard-earned money, fork it over so we can build this. Seven years later, we're going to go back and say, we're not sure if that was needed back then. And that we were honest with you, let us spend more of your money now, so we can find out if we were honest with you back then. That's what this parking study will do. And furthermore, this is not a short-term thing, have you to wait until the next season followed by the reports, followed by the deliberation, two year delay, effectively kills this. If it doesn't kill, it increases the cost by another 20%, for all the people that complain about the costs, that's the aren't cost is so high now, you sat on this for years, it would have been done 12 million three years ago, now it's 18 million. Two years from now with a parking study, it will be 22 million. Thank you.

Mayor Borowsky: Thank you, Bob. All right. Raul Zubia, Sam West and then Janie White. And then we have two more.

[Time: 01:28:06]

Raoul Zubia: There's a lot of passion in this room.

Mayor Borowsky: Welcome.

Raoul Zubia: Raul Zubia, address on file. The proposed Old Town parking garage is a major capital investment with long-term impacts. Well, it's meant to address parking needs, there are real concerns about whether it is the most cost-effective solution, whether the demand is accurately understood or how well it fits with where mobility trends are heading. I know we've gone over this many times, I think it's worth repeating again, the cost for this is enormous, it will cost nearly \$90,000 a stall if it's built out. That's as we said earlier, that's \$21 million, that's a lot of money. And with inflation the way it is, the tariff threats, that number is going to go up, and I do agree with Bob Pejamn on one thing, it will be more expensive. But that is why we need the parking study.

That parking study is from 2015, and since then we haven't been able to figure out if the parking is needed, if we need more parking, because nobody will do a parking study. I think the parking study is what we need so we can be sure that those spaces are needed, and that parking at that garage is worth building.

And we talked about mobility, with everybody coming to Old Town, most of them take ride share, they will take Lyft, Waymo and Uber. So that already eliminates a lot of parking spaces from having to be used. The other part of it is that it will completely change the look of Old Town. We're going to have an Old Town that looks like a shopping center right there on Brown and Second Street. And it is just not the way Old Town should look. Old Town should be the old character Old Town that looks like it did, I don't care if it was 1951 or 2026 that should have that charm that people come and visit. Thank you.

Mayor Borowsky: Thank you, Raul, really appreciate it. Sam West followed by Janie white and Rachel Lorraine, I think.

[Time: 01:30:25]

Sam West: Mayor Councilmembers, my name is Sam West, thanks for the meeting. I've been living in Scottsdale since 88, I've been in construction architecture for 70 plus years, I've done my own study of the parking requirements for downtown, it's a current study. This study is based on the number of square feet of different uses that are involved in Old Town. When I say Old Town, I want to clarify something, I mean the area that's bounded by Scottsdale on the west, Brown on the east, Indian School on the north, and Second Street on the South. Today there is an excess of required parking. The question then becomes let me go back to this other study, I've never seen, I've just heard about it, I did find out one thing about the original study, and that was, that it included the City Hall complex and parking requirements, that's how you justify a parking garage.

I'm going to go back to planning and zoning now, you don't ever mix uses. Are you with me? If I'm going to build a shopping center, I have to provide the parking for it. So, if the City Hall complex needs parking, we need to build a garage somewhere and pay for it out of that. That's probably as far as that aspect is concerned. The more important thing, and a lot of people have talked about it, is the character of Old Town. You don't destroy something like this, in one whack, you chip at it day after day year after year. And that's what's going on here. What's going to be built is detrimental to the income of the businesses in Old Town Scottsdale. I was involved in Old Town for nearly 10 years, starting with the Bishoff Building at Main and Brown. I got acquainted with multiple merchants and owners that have been involved in downtown since the '50s. And it's getting this is one more change that's going to kill it. Everything that's there now is good, the thing on Saturdays, the farmer's market, you complain about parking. You know you can't there's not enough money to buy the advertising that the farmer's market brings and people coming to Old Town Scottsdale. To move it is detrimental to business in old town.

So, I guess what I'm going to lead up to, and I'll conclude, because there's been so much else said, you have to stop this. It's wrong, and I'm going to bring something up and ask a question. Is your obligation to the citizens of the City of Scottsdale, their interests and desires or is there obligation to a special interest group sometime somewhere. You are elected to represent us. You're not elected to represent somebody else. Thank you for your time.

Mayor Borowsky: Thank you, Sam. You know, I'm going to turn the mic over to Councilman Graham who's really mad you're clapping. And stop talking directly to me, why don't you talk to the audience.

Vice Mayor Kwasman: Mayor, I'm going to have a point of order, I'm going to ask for decorum from this Council including the Mayor.

Mayor Borowsky: So, we have plenty of decorum, just because the clapping is offensive to some. If you'll limit it as I said in the outset, some up here are getting very annoyed by it. I'm going to move right along, with hopefully no more interruption.

So next we have Janie White, followed by Rachel Lorraine, and Michael White has donated his time, and the last person to speak will be French Thompson.

[Time: 01:34:33]

Janie White: Good evening, Mayor and Councilmembers, first off, we've been here over 70 years 70 years, my dad was the first Mayor of Scottsdale, he coined the phrase, the west most western town. We're currently still property owners, we have tenants. And I'm here to read Marilyn Atkinson's statement, she's really the OG of Old Town, she knows everything, she's been around forever, I wish she could be here herself, but I'm going to read what she said.

She said, good evening, Mayor and Councilmembers, my name is Marilyn Atkinson, and I come before you tonight as a former President of the Old Town Merchant's Association, and Chair of the Architectural Committee. Marilyn knew everything, trust me. For 50 years, my family has owned property and operated a retail business on Brown Avenue. Over all those years, one challenge has remained constant, parking. It has always been an issue, and it continues to be one today. I second that.

In July of 2024, less than two years ago, I asked for your support to add two stories to the existing corral parking garage. That request didn't come lightly, it came from decades of firsthand experience and from listening to the concerns and countless of countless merchants who depend on access and convenience for their customers. The city once responded to those concerns 23 years ago by building the original corral lot, but since then, we've gone in the opposite direction. The city removed 600 parking spaces near the stadium, while expanding the Civic Center to host more events. Very recently, we lost the use of the Honor Health parking lot, which the city was leasing to address the parking needs of spring training and Scottsdale Arts of events.

Now, with new restaurants expanding in that area, the demand for parking is only growing, meanwhile the voters made a clear decision in 2019, they approved a Bond with the can I keep going?

Mayor Borowsky: Are you close?

Janie White: Yeah, I'm close.

Mayor Borowsky: Go ahead, thanks.

Janie White: The voters made a clear decision in 2019, they approved a Bond with the promise in that the city would provide additional parking to meet demand. That was not vague, that was a commitment. I'll be honest, I had initial concerns about the garages design, like many in this community. I care deeply about preserving the character of Old Town, but I've taken the time to review the plans, and I believe the design team has done a thoughtful and commendable job ensuring the structure will blend with its surroundings, and I have to say, I think it's awesome. It looks fantastic. I urge you to approve the construction of the two-level addition of the garage. Thank you, Marilyn Atkinson.

Mayor Borowsky: Thank you, Janie. Appreciate that. Rachel Lorraine is next, and then French Thompson will be last.

[Time: 01:37:48]

Rachel Lorraine: I'm a long-time stakeholder in historic Old Town, where my family has owned restaurants and retail spaces for decades. I've seen how critical access and parking are to the success of this district and how long this has been a challenge. This is not a new issue. For decades, Old Town has struggled to keep up with peak demand. The city acknowledged that reality in 2003 with the construction of the corral lot, which was intentionally designed to accommodate future vertical expansion as demand increased. Since then, Old Town has become more of a destination.

The 2019 Civic Center expansion significantly increased capacity, bringing more visitors into the area, at the same time we've lost existing parking supply, including over 100 spaces from the Honor Health lot. The result is predictable, during peak times there isn't simply parking. From where I sit, this isn't theoretical, I hear from tenants and businesses, who are frustrated because customers can't find park and chose to go elsewhere. That depends on the foot traffic. Voters recognize this need as well as recognize this need as well, when they improve funding in 2019. With the corral site identified as a practical location.

What's been disappointing, what's been disappointing, instead of working toward solutions, the anti-garage group has focused on casting the project in the most negative light possible to generate opposition. Meanwhile, businesses continue to deal with the consequences of inaction. At this point, calling for yet another study only prolongs that decision, a decision that has already been embedded and funded. We know there's a need, we know where it can go, and we know the longer we wait, the more strain we place on Old Town's economic vitality. I urge you to move forward and deliver on what was promised. Thank you.

Mayor Borowsky: Thank you, Rachel. Finally, we have French Thompson, and is Michael White here? I want to make sure I'm not missing anyone. Thank you.

[Time: 01:39:56]

French Thompson: First off, before I start, City Council, I promise you I'm not going to get any applause. And I'm also not going to threaten any of you. My name is French Thompson, my address is on record. So, this was a question put to ChatGPT. Can lack of adequate parking lead to redevelopment in Old Town area? Yes. In the downtown areas, insufficient parking can absolutely help drive redevelopment.

Not by itself, but by making existing businesses weaker and properties easier to replace. The bottom line, if customers can't park, they go somewhere else. Foot traffic drops, sales drop. Local parking dependent businesses start to fail or move out of town.

Now you have vacancies and underperforming properties in high value areas, this is when the developers swoop in. This isn't anything about the Mission, this isn't about the farmer's market, this is about the city selling that lot to some developer so they can put apartments on top of it, you people that don't want it built there, do you want apartments? Because that's the direction it's going to, if they don't build this parking garage. I don't know how you could possibly think more parking is going to run any business out of business. How more parking for the people that need foot traffic is going to have a deteriorating effect on those people. I don't know how a church could be hurt by having more parking across the street where more people could come into that church.

So, the downtown land is just way too valuable to sit idle. Struggling properties become prime candidates for development, often with mixed use, apartments, hotels and projects that rely less on traditional parking. This is Al answering this. I've heard people come here over and over, threatening City Council people over this. You vote for this, we're going to make sure you don't get elected. Isn't that nice? They're simply bullying, you guys are bullying the City Council saying, you're threatening them. So Solange for you. You voted with a 6-1 majority to approve this contract for a garage. You have it in your power tonight to help keep this thing moving forward. Let's together with the rest of City Council put this part of it to rest and take care of this tonight. Vote yes to approve the construction contract of the Brown Street parking garage. Thank you.

Mayor Borowsky: Thank you, French. Appreciate it. That concludes the public comment. We are going to open it up for Council discussion. Any questions we have for Alison is where we left off.

[Time: 01:43:22]

Councilwoman Whitehead: Thank you, Mayor, thank you to everybody. I am in close contact with Tom Frenkel, I have no doubt he's been working hard to talk to the stakeholders, the property owners in Old Town, our job isn't to, I have no doubt a property owner would like us to let us invest in this garage. Our job is to make sure a garage is needed before we spend your tax dollars. We would not be here with this controversy tonight if in 2021 and again in 2022, again and again the request for a parking study had been done. And I will tell you that supporters of this parking garage were very aggressively against a parking study, and in government perception matters, so not allowing us to do a parking study years ago, and then again when the parking garage was approved, and Mayor Borowsky began here as Mayor, she asked for a parking study, and we supported it twice, I think we've asked for a parking study, so parking studies take away any question.

When we're resorting to ChatGPT to decide whether we need parking, yeah, we know we need a parking study. So again, my position isn't pro or against a parking garage, but it's about fiscal responsibility, something I've been very good at for eight years on this Council. Major taxpayer investments must be supported by data.

I want to talk about the costs. We talk about the 18 to \$20 million parking garage, that doesn't take into account the interest and Bond fees. We're talking about roughly \$20 million, that's everyone's property

taxes going up, and then \$10 million locked in interest and Bond fees. That comes out of the general fund. I talk to a lot of people that support the garage, they tell me, why don't we have the trolley, we do have the parking, they say, it's difficult to get from the northeast quadrant to the southeast quadrant and other quadrants, we need a trolley, \$10 million is going to buy a lot of trolley.

We hear about the need to invest in Old Town, I will tell you the past Councils I have been on, with two different Mayors and currently this Mayor, so three Mayors, we have asked for investments in Old Town, and they've been denied and defunded by this Council this year, and that 10 million would buy a lot of those investments that we want to make to make to improve Old Town and attract more people to your stores. I'm hearing from some of the supporters of the garage, that their stores have their sales have been cut in half, that's a lack of foot traffic, not a lack of parking.

I also want to talk about the bond. Bonds aren't a they're not a free a blank check, that's the word I'm looking for, bonds aren't a blank check for a Council to spend a bunch of your money and raise your taxes, I want to be clear about that, the Bond 2019 was one of my first of many successes on this Council, we worked with the community and we got overwhelming support for those bonds, again, a bond was a list in this case, it was a list of we had 58 projects, so nobody voted on the garage or where the garage was, they voted on package, three questions with 58 projects. And in 2004 I supported bonds then too, and there was a helicopter to rescue people out of the preserve or look for wildfires, you know, the fire department wanted a helicopter, that was very, very expensive, voters approved it, the fire department found a better way, a cheaper way, to rescue people and to protect the Preserve, that helicopter was never bought.

[Time: 01:49:49]

Just because voters approve a project in a bond package doesn't give this City Council the right to build it and spend their money and raise their taxes. We're still required to do due diligence and again, since 2021, I've requested just that, and I suggested even back then, if you deny the parking study now, you'll have nothing but trouble later, and here we are.

I want to end with something too. When hundreds of residents come to me, I'm not just talking about the people here or the people that signed petitions at that farmer's market, I happen to be in the community a lot, and I happen to knock on a lot of doors, and while again, I don't doubt that the landowners in Old Town would like a parking garage, I can tell you the residents are furious, because we are defunding a lot of things residents want, including water infrastructure, and we're giving them a parking garage, we're raising their property taxes, taking \$10 million out of the general fund, and we're refusing to give them data to back it up, so yes, I did vote no. I'm not here to be right. I'm here to do the right thing. And when the facts change, and when the costs spiked, and the residents speak, I change. And I'm going to vote no.

Mayor Borowsky: Thank you very much. All right. Any other speakers? Councilwoman Dubauskas.

Councilwoman Dubauskas: Thank you, Madam Mayor. I appreciate your perspective Councilwoman Whitehead, thank you. This has been an issue that's taken all of us by surprise. I was sitting in the audience in 2024, through the Work Study and I watched the prior Council work through this issue, they had a lot of questions, they solved a lot of concerns. A big part of it was where should it be, should

there be one, two, beautiful, should it be ugly. Ultimately what was decided, we needed two, win in the south quadrant, one in the northeast quadrant, it should be beautiful if it's going to be in the southeast quadrant. Part of the calculus at the time, and I think what we have to consider here is that there has been a loss of 600 parking spaces from Scottsdale Stadium. That naturally is going to have an impact. We found out last week, we lost the contract with Honor Health for 100 spaces, that's new, and it hasn't actually impacted the area yet. But 100 spaces is a lot, especially during spring training season.

As you all know, we are working with Old Town, we're working to improve our marketing contracts and we are working to bring more people to Old Town. We're marketing to bring more people to Old Town, As the only Councilmember who lives in north Scottsdale, I realize a lot of my neighbors don't come to Old Town, they don't dine in our restaurants, they don't come to spring training. Part of it, my parents are in their 80s, and they say to me, I don't, I can't find parking, I'm not going to go there, I'm in my 80s, I'm not comfortable walking around. The issue is a real issue that impacts people from all over the valley, and I don't think we can say that ride share will solve it, because we are working through our marketing to bring in people from other parts of the valley, to bring life into Old Town

So, one of the things that was written in the COGS letter to Council is that with the Civic Center renovation. The amphitheater draws 2,700 people on a weekend, per event. That's a lot of people, and we didn't add any parking. So taking all of that information into consideration, I also thought about, what are the things that have been said here? There's been a lot of conversation about, do we need the parking garage? And Councilwoman Littlefield and I, we have our office hours, and so Steve Sutton came to us twice and talked to us about the parking garage. I thought, you know what, I'm going to go out myself, because I don't know that any of us on Council have done that have actually gone out and talked to the merchants, talked to the employees, talked to the property owners right there. Because I've spoken with property owners separately, but I haven't seen it myself.

So, I went out last week with Tiffany, the new Old Town Specialist who is charming. She goes and meets with the Old Town merchants and brings them up to date on the work we're doing in the City of Scottsdale, she was offering them passport opportunity to increase their business over the summer so they could be recognized. It was lovely, in the course of two days, we met with over 50 shops, and I'll give you some of the comments I received. I wrote them down as I was talking to folks. We talked to one group of ambassadors, and they said to us, you know, we don't have anywhere to park, when we want to restock the cart, there's nowhere for us to park, we have to park illegally, we have to park at the Bishoff's, which is private parking. We're not sure what else to do, we can't restock the cart. There's no parking here for the Ambassador cart. One gentleman who is a property owner, said he owns 22,000 square feet in Old Town, he's been there for 25 years, and the garage is needed very much. And an employee told me customers complained about parking, sometimes they drive for 30 minutes looking for parking and end up parking a mile away.

[Time: 01:53:36]

Another business owner told me they've been working on this parking garage for more than 20 years, another business owner took us into the back of his shop, and showed us the alley way where he parks, and he said people in spring training season will park in his private spot in the alley, so then he doesn't have anywhere to park. Some employees said, free parking, no more parking tickets. One of the things that hasn't been talked about, but several employees did say, they don't have anywhere to park, they

park in front of the stores, and there's a three hour time limit, then the employees have to get up and rush when the meter maid is coming, otherwise they'll get a \$55 parking ticket.

One row on one Street, they were telling me they have a text chain, they text each other when the meter maid is coming so they can move their cars. They've been told not to park in front of the store, but they say, gosh, I don't have anywhere else to park. One person said to me, that parking garage is fancy, I thought it was going to be all rectangles, this is beautiful. Another person said, it's always so hard for us and our customers to park, we have to fight for parking. I heard that phrase over and over, we have to fight for parking. There's nowhere else for employees to park, we park in the space for visitors, one employee actually, this is a restaurant owner, he said, sweet, I'm sick of getting parking tickets.

Now, another person said, this is great, I love it, I heard a story of a jewelry shop, and the person had a repair, they were driving and driving, they had an appointment to pick up their jewelry repair, finally they called the shop owner and said, I can't find anywhere to park, can you bring it out to me in the street. That's potentially a lost sale, this is a repeat customer who was not able to go into the shop because they couldn't find parking.

Another restaurant that's been here 20 years you would all know the name if I named it, on Saturdays, it's our busiest day, we're right next to the farmer's market, and the folks don't want to come to a restaurant, they want to take their kale home and cook it themselves at home. They park in our parking lot, then our customers don't have parking.

I heard positive feedback about the farmer's market, there's a concern that on Saturdays, it does reduce the parking, so I thought it was important to go ahead and have those conversations, meet the merchants, the employees and meet the shop owners where they're at. And share that with you tonight. Thank you.

Mayor Borowsky: Thank you, Councilwoman Littlefield?

[Time: 01:56:23]

Councilwoman Littlefield: Thank you, Mayor, I did not go out walking on the streets as Jan did, but I heard back from a lot of people, some of whom came to my office to talk to me about this issue, and they're very concerned that we will not approve this parking garage tonight. Because they say it is desperately needed for the businesses, for the Old Town businesses to continue to survive. And she was talking and saying, this isn't a case of nice to have, it's a case of we need more parking, period. If we want to keep Old Town alive, that is the message I got in my office two days ago, by someone who knows this area very well.

I'm sitting here, I'm a native of Arizona, I've lived in Scottsdale almost all of my life, I certainly don't want to do something that hurts or harms Old Town in anyway shape or form. But I do want to do something that will help it and to help it to continue to grow and to maintain itself and to make sure that the customers that come here have a place to park their cars, so they can shop.

First and foremost, as I look at this as a Councilman, what do I do first and foremost, the citizens voted in the last Bond election, in favor of building a parking garage in Old Town. That's what it said. Voters

were clear, more downtown parking was needed back then even. If we wish to support our downtown business district, especially during the peak season and during the large events that come to the downtown and the Old Town area. After years of study, public hearings and input from every stakeholder expanding the existing corral parking structure, is right now the only feasible location that we have.

We currently own the land, and it connects to our newly expanded Civic Center plaza, how nice. Also, the underground level of the garage has already been built and is currently heavily used. And this is far more cost-effective solution for our taxpayers, that underground parking level was built to support parking to go above it. So, it doesn't need a restructuring, finally, the location is excellent for many city businesses, in the Old Town downtown area, adequate parking is easy access, and should help the businesses throughout the entire area. On the east side, the lot opens up to the Civic Center plaza, making it easy for folks to attend the many activities that are held there, and to attend the sporting events and the ballpark or shop in the new locations of the farmer's market.

The address to address one of the fears I have heard mentioned, the garage will not negatively impact the Old Adobe Mission. If anything additional parking would help attract more people to have lunch and dinner in the area where they can ensure a safe and adequate parking, and lighting at night. We should perhaps we should consider building a pedestrian opening on the side of the garage facing the Mission for easier access.

At the March open House, the contractor's team told us the minimum steel enclosure will occur, but in no case will Brown Street be closed. During the construction, Brown Street may be a little awkward, but it will stay open.

Finally, the outer architectural look and feel should enhance the overall look and feel of the Old Town's western character. So that's what we're striving for, we don't want just plain steel, we want something that will fit. And that's hard to do with a garage, but that's what we're looking for, that's what we're all striving for. The original corral lot was built 23 years ago, in response to an extreme shortage of parking in historic Old Town. And in the Civic Center. The original design included structured engineering to accommodate 2 to 3 future additional levels on top of the garage.

[Time: 02:01:10]

Subsequently, in 2021, the city spent \$35 million to repurpose the Civic Center to increase the events threefold and build an amphitheater that will hold 3,000 people. We need to have them be able to park their cars so they can come. However, in the process, the city did not build any new parking spaces. Not only that, just last week, the loss of the Honor Health lot at the corner of Drinkwater and 2nd Street, which was used to park over 100 cars for spring training and other large events, that's gone away. We have it no longer. That's why adding additional two levels of parking on the parking corral structure is even more urgent now. I believe that despite the vocal opposition, the City Council must stand firmly with the residents and the small businesses who have come to us for this project. They made we made a promise to the voters, and they expect us to keep that promise by delivering the parking infrastructure in Old Town that it needs to continue to grow and prosper. I do not want to see those businesses close because their customers can't fit. I believe it is our legal and moral obligation to do so. Thank you.

Mayor Borowsky: Thank you. Vice Mayor Kwasman.

[Time: 02:02:41]

Vice Mayor Kwasman: Thank you, Madam Mayor. I want to thank you Madam Mayor, I want everyone to know this was a contentious issue of course for over a year now. The Mayor and her office has done an excellent job in inviting alternatives and to the parking structure that would have been varied in project, I don't want to get into the details of the project, out of respect of those interested who clearly didn't want to speak today, I didn't understand why they wanted to speak, if they had alternatives to the parking structure, let's say that the Mayor did yeoman's work in trying to make sure there were vulnerable alternatives. There were still height issues, I don't think we're going to resolve the problem, but I want to start with thanking her.

Secondly, I want to tell a little anecdote, I live in McCormick Ranch, and I usually get down myself to Old Town outside of Council matters, as a big baseball fan. I love spring training, and as recently as this year, it took me 45 minutes to try to drive around to find a parking spot with my dear friend and attorney Ilya Shapiro to visit Baseballism, which is one of the coolest stores downtown. I understand it's anecdotal evidence, I was texting Jan at the time, I was literally saying, where's the parking garage, I can't find parking with my friend.

I want you to know that everybody here is trying to find the right kind of solution. Just as the farmer's market, we found a great solution for the farmer's market, and it's because of Solange, and because of the Mayor, and because of Kathy, and because of Maryann, and my colleagues, that we found that out, that solution that worked for everybody for the long run. The long run is what's truly in my opinion important.

And to those who are opposed to this garage, I want you to think about what Scottsdale is going to look like ten years from now, we have a quarter of a million people in this city now. It's not going to be a quarter of a million ten years from now, it's going to be far more in this city and I'm going to tell you, that's just a fact whether you like it or not. There's going to be more people here. And there's going to be more pressure on parking, and more pressure on parking and more pressure on parking, and if you don't build your infrastructure correctly. You're going to face an impossible cliff. I want you to look at a road that's a good allegory for this, that's the 303. There is right now the demand for the 303 is far less when it was built I'm sorry, when it was built especially, it started years ago, the demand was far less than what it's going to be 10 years from now what it is today now even.

Right now, we need parking in Old Town, a decade from now, we're not going to have an opportunity to make the changes we will need, and we're going to be wishing we had this one back. So, for those reasons, I'm going to be supporting this measure. Also, I'm a big, I want to reiterate also Mr. Pejman's statement about a parking study, it's not a two-month issue. January, February, March you have to do a parking study and I would reject any parking study until then because you have to see what it is when Scottsdale is busy, the busiest, right? And so it's a year. And then it's months after that and then if you don't get the parking study back by the time you do the budget next year, it's another year, because you have to put it in the budget, now you're looking at two years, and now you're looking at cost increases for two years from now, you are looking at contracts that we've already signed, that we've already agreed on, that Solange has voted for already, before she votes against it, she's voted for it.

This train is moving forward, I'm not a big fan of bonding on a good day, my colleagues and I have argued about this, I'm a big fan of zero based budgeting, we shouldn't have a budget for Scottsdale, we should have appropriations for Scottsdale, taxes in, taxes out, but I understand municipal bonding is a fact. I will academically argue it until I'm blue in the face, but the voters paid for this, we better deliver for those voters, even if it's years later, we can't we cannot renege on those responsibilities.

[Time: 02:08:11]

With that, I'm going to move to adopt Resolution 13635, authorizing contract No. 2026-048-COS, with Chasse Building Team, for an amount not to exceed \$3,820,557 to provide design build manager phase one construction services for the expansion by building additional levels of the Brown Avenue parking structure in the in Old Town Scottsdale. And No. Two, authorizing the city manager or designee to execute any other documents as necessary to carry out the intent of this resolution. Locations at 7234 East 2nd Street.

Councilwoman Littlefield: Second.

Mayor Borowsky: Thank you, there's a motion, but I haven't spoke yet. I don't know if anyone else wants to speak on this, I have a question for Alison, before I get there, I want to start with this parking garage conversation for me started before I got sworn in in 2025. I'm familiar with the Bond, I couldn't have been more surprised this was on our first agenda after having campaigned for not only once but twice for Mayor, a total of a couple years there, and one of my key priorities was to revitalize and beautify Old Town, and I think this garage does exactly the opposite of that.

So, starting with location of this garage, it couldn't be in a worse area, as I understand it, it was the best of the worst of alternatives, it was compromise between stakeholders that couldn't agree. Even the people that supported putting it here, thought it was not a great location for it, some years ago, and the location, it's the historic district, as I think all of you know here, maybe not all of those watching Channel 11 this evening, which it should be dedicated to at a minimum, preserving and protecting the charm and character of Old Town Scottsdale, which a park garage that's 100 paces from a 600 space Civic Center, AZ 88 parking garage, does not do. It does not protect and preserve the charm and character of that area, I can think of so many better alternatives for that and we had alternatives, one of the first things I focused on was looking, asking the Council to look at alternatives, there was a hard no on that, still to this day, a year and three months later, I don't understand it, I don't understand why anyone would want to put the parking garage at this location, without exploring exhausting every other alternative that we could find, namely, someone brought this up tonight, and I think it was I think it was Patty, maybe, why aren't we putting building on top of our parking spaces out here, and spending \$2 million on 61 solar covers for the parking lot that's outside of City Hall, that, parking lot's not going anywhere, why wouldn't we build another 186 spaces on top of that?

[Time: 02:11:54]

I'm completely baffled by that, and while, you know, I'm going to concede that the farmer's market does not in fact own the parking corral, but it certainly has become a welcome and cherished use and highly beneficial for the Old Town area. So, there's so many things, including wouldn't that be a great park, right? Some people, Councilman Kwasman alluded to this earlier, some very creative individuals

approached the city back in December. And up until last week, about an option where they would purchase this parking corral, pay us money to make a really nice project. No appetite for that whatsoever in terms of our city administration and I'm assuming that's based on the political will of the Council. So, it's very sad to me. Someone mentioned shareholders in a corporation. Can you imagine if you were a shareholder in a corporation that was operating off anecdotal evidence only? Councilwoman Dubauskas went on for several minutes about her experience, I walked Old Town in the Brown well, Old Town all over. But in this particular instance, the Brown and Second Street and Brown Avenue and talked to every business owner. We ran into a lot of employees that work there, but my point was to speak to the decision makers, and I one I don't even I can't recall if there was one person that supported the garage, I don't think there was, I think I met three that are probably in this room that support the garage, in a year and three months.

So back to my point, if you owned, if you were the shareholder and corporation, they're making decisions of anecdotal information and experience rather than data and evidence, 2015 parking study, we have no evidence to support this, let's assume however, we do need parking, it shouldn't be at that location. This is going to result in a degradation of our Old Town charm and character in our historic district. Do we want to be the inner-city? That's where parking garages live, in the inner city. Take a walk through the Civic Center parking garage, no offense to our maintenance people, parking garages are not designed to be aesthetically beautiful on the interior or provide a great experience for people. All of which, they provide parking.

[Time: 02:14:47]

So back to I appreciated the point, and the comment and the compliment from Vice Mayor Kwasman, I also thank him for his willingness to be open minded last week, he was in fact open minded, and I really appreciated it, didn't get any traction, which is unfortunate, but nonetheless, I appreciate it. So great cities are about planning and getting infrastructure correct. Not about happenstance, not about, well, it looks good here.

If we were really trying to plan our Old Town thoughtfully and downtown core, the parking would go on the periphery of our Old Town core, and we would be investigating, not only wayfinding, which has been rejected so many times this last year. We would be putting the parking on the periphery of all the Old Town area, and we would have realistic attractive ways to get people from block to block, for example, a trolley or something more advanced than a trolley, I don't know what that is, a large people mover that goes from block to block. That's what would get people out of their cars, and to the shops, and spending money.

So, putting in unsightly garage in the middle of what should be the centerpiece of historic Scottsdale, such a bad idea. The cost. Oh, yeah, we're working on outdated information, what corporation does that? What corporation does that, \$2 billion budget, that's what we manage, why would we be relying on 2015 data? It's absurd, I mean, you really could not run a private organization this way.

Before I get to cost, I had a question for Alison I had. And again, anecdotal evidence, Tom Frankel, I appreciate your investment in Old Town, I have known you a long time, you are a very wise businessman, and you've provided a lot of opportunities for a lot of tenants including what we have Pinyon right now, the new restaurant that just opened. I want to anecdotal again, when I looked at your

list of property or business owners and property owners, you know, I only had two numbers on the whole thing, out of 14 or whatever it was, and I contacted them, and the decision makers didn't agree to be on the list. I'm confused, but again, going back to my point, I don't think anecdotal evidence should be driving this decision, it's really too bad. The facade goes to cost, someone blamed the cost on improving the facade, I do agree with I think it was Patty that said that maybe it was Carolina. It does add insult to injury. A fake southwestern facade, I think that's not the direction we should be going for our future. And that should not be the legacy of this Council. I'm going to ask Alison just this question, because I'm curious what you think about the cost, there's been a lot of discussion. When I did the math, I think you said it's 186 spaces that are being added and it's \$21 million. That comes out to \$113,000 a space. I mean, that's pretty simple math. But is that really what we're looking at?

Alison Tymkiw: Mayor, members of Council, so the overall project budget is \$21 million, the bond project number is \$21 million, right? We have always been reserving \$2.2 million of that for the 55 public spaces in the private artisan development per development agreement, that leaves us with \$18.7 million remaining. That's basically the remaining budget to build this garage, our current estimate is that we are looking at closer to \$18 million for the construction of this garage, for the total budget of this garage. If you're just doing the straight math of 180 spaces into \$18 million. 180 spaces into 18 million, yes, it is \$96,000 per space, but what you have to remember is this garage, we're building two levels, we're building two levels above an existing level, so if we were actually building this garage, just on the ground and there wasn't an existing parking lot there now, we would be building those spaces too, for a small amount of money. Really, you're not comparing apples to apples, realistically, the number you would compare would be the ground level plus the other two levels into the \$18 million, and then you're looking at a \$60,000 per space.

Mayor Borowsky: Okay, I heard comments that's three times the national average, I don't think that matters, different markets are different. But you're recommending this at that cost, is that right?

[Time: 02:20:12]

Alison Tymkiw: Mayor, members of Council, yes, and we do have examples of parking structures in Arizona, there's one in Sedona, that's currently being built, and it's roughly between \$90 and \$100,000 per space, it is an aesthetic building, it's been designed to fit into the Old Town character area, that took a lot of different cost. Additionally, we listened to the public, the public was concerned about the massing on Brown Avenue, we have the step back on the second level, that adds cost to the project. I mean, there are reasons why the cost is where it is.

Mayor Borowsky: Have you looked at going higher in the City Hall parking spaces?

Alison Tymkiw: Mayor, no, we did not.

Mayor Borowsky: No, well, I personally think the price is absurd. I don't know, you're the engineer. But that seems extremely high. And it seems like based on how high it is because of all the reasons you just said, we should be looking at an alternative location. Can you talk to us about what it will ultimately cost with the bond funding? Someone mentioned \$10 million burden on top of the 21 million, is that...

Alison Tymkiw: Mayor, members of Council, I have to refer to our city treasurer for that.

Mayor Borowsky: I would love to hear from our city treasurer, I should have asked her. I'm sorry Alison.

[Time: 02:21:38]

City Treasurer Sonia Andrews: Mayor Borowsky, members of Council, issuing debt for about \$20 million would add another \$10 to \$11 million of interest costs.

Mayor Borowsky: Wow, now it's \$130,000 a space, maybe. All right, thank you, Alison. Thank you very much for chiming in to our city treasurer, I very much appreciate that clarification.

I'm going to close by saying I'm a hard no, I've been a hard no since the get go, I think this is a really bad idea, I think, you know, come July and November, and come next year of pain that's going to be suffered down there, I think we're all going to hear about it. In any event, we are elected to be stewards of making good decisions on behalf of our residents and our taxpayers. And those decisions should be in the best interest of our city, while they may not appeal or resonate with every single resident or every single business, we are the stewards that are responsible for that and sometimes they're uncomfortable decisions.

In this case, I believe the right decision is to find an alternative location, first and foremost, to obtain current data on whether we can make things that we've got already better, or do we need another parking lot? We don't have that. So we're also stewards of our taxpayers money and based on the explanation about the cost of this, I think it's an egregious overstep and breach of our duty in that regard to approve this at that cost, given all the pain and opposition, and so on. So, I'm going to close on that, I don't know if I see anybody else who wants to speak, Councilman Graham does, and that is all I have to say for now. Thank you.

[Time: 02:23:38]

Councilman Graham: Thank you, Mayor, I'm ready to vote. I just had a I just had a quick question. I didn't hear anything about the alternate idea that was sort of brought up by Councilman Kwasman or the Mayor, could a little more about that be shared with the audience before we vote?

Mayor Borowsky: No, unfortunately, we can't, because well, I'll just tell you, I asked the city manager, and the city attorney's office to provide a response, I think it was Friday of last week, which seemed to be a pretty straightforward interpretation, we did not get that, I don't think there's any point to it right now. Councilman Graham, I like where you're going with this, I certainly would love to make an alternative motion to do a 30 day continuance on that, as I said last week, to our city manager, I think it warranted a presentation and a discussion to the Council because as I indicated, at that time, if I were for the garage, even if I were for the garage, and I was in that position, I would have wanted I would have wanted to hear about it, so...

Councilman Graham: If I may ask then Mayor. Mr. City Manager, could you share just a little bit so we could have a full picture and then we can move forward. Thank you City Manager.

City Manager Greg Caton: Madam Mayor, Councilman Graham, I was invited to a meeting last Friday, coordinated by the Mayor that included staff members and Vice Mayor Kwasman, at that meeting,

there was a proposal by private individuals to essentially have a residential units on top of the corral. They also had a business plan that was just to the east of our property. And what the Mayor is referring to, I may look to my colleague, the city attorney to assist, is a law that allows or an ordinance rather to have adjacency by a property owner that therefore could acquire public land without public process, if you will, or transparency. And so that was essentially the proposal that was the first time I heard of it, it was referenced there was some discussion, the latter part of 2025. That came out, that was through the Mayor's office, city manager's office, I was never aware of that type of proposal, and through Vice Mayor Kwasman, we had suggested those individuals bring that forward this evening. In the spirit of transparency for public discussion to see if that was an interest to Council to pursue and potentially delay the action in evening. It's my understanding that was not received in a favorable light, and so, therefore, we didn't bring that forward for your consideration. Thank you Madam Mayor.

Councilman Graham: Okay. Well, thank you for sharing that, I'm not interested in selling the corral parking lot to develop high density housing. I think we're ready to vote then.

Mayor Borowsky: We have a motion by Vice Mayor Kwasman, I think, and there was a second, is that right? Yes. You made the second, there we go. Well, without further ado, let's go ahead and take a vote.

Mayor Borowsky: That does pass, and with that thank you all for coming. We appreciate your input for all of this time, and we will move on to I think we're done. Yeah, got it.

PUBLIC COMMENT

All right. Next, we have public comment, which is reserved for Scottsdale citizens, business owners or property owners on non-agenized items that are within the Council's jurisdiction. No official Council action can be taken on these items and speakers are limited to three minutes to address the Council. We do have some speakers listed, Steve Sutton, Melissa Kemp and French Thompson. If you would still like to speak and you haven't signed up, please see the city clerk. As soon as individuals clear out, we'll get Steve Sutton to come up and start the...Thank you, go ahead, Steve.

[Time: 02:29:07]

Steve Sutton: Can I get the Elmo on please, thank you, Mr. Frankel for leaving your color copy of this map out here. I'd like to point out to everyone, this enormous space right here is almost all Tom Frankel's property, only maybe half at most of these parcels are in green, which means all these other people did not get on Tom Frankel's list, which is of a mysterious origin and certainly questionable considering he's got the Bishoff family Limited owners in here, and this, can we see that? That's not the right way, there's the signature of Bishoff, Mrs. Bishoff right there, saying she doesn't want this garage. In fact, people complain about parking there for every year I've lived here, and I've lived here since the 60s, a lot of whining and complaining about it, even yet businesses are still open. In fact, a business has been there since 1927. Now, if we're having such a problem with parking and it's going to cause these businesses to go bankrupt, how come we have so many businesses around?

There's just way too much lying and deception going on here. Way too much. It is going to catch up to you, this is the modern age, you cannot hide this stuff from the public. And, believe me, every bit of it is going to be exposed, every bit of it. Don't think this is not. Mr. Kwasman, you are responsible for why

we don't have a parking garage. You voted against having a parking study it last September, you has a petition with 500 signatures on it, we could have conducted it.

Mayor Borowsky: Steve, Steve, can I interrupt you? So, this is non-agendized comment period.

Steve Sutton: Yeah, this isn't on the agenda. This is not about a vote on the garage. It's just me talking about the garage.

Mayor Borowsky: Okay, let's stick to the non-agenda, because the garage in fact was agendized tonight.

Steve Sutton: Mayor, I believe what was agendized was a vote on buying construction materials not on proceeding with the garage.

Mayor Borowsky: Correct. Go ahead, let's focus on what you want to talk about in the next minute and 30 seconds.

[Time: 02:31:27]

Steve Sutton: And, Councilwoman Dubauskas, that was an interesting story, when you're creating a story, you can't have a story that just has a protagonist. You have to have an antagonist. You can't have a single person you contacted that told you they didn't want the parking garage. I have a real problem with that story. A real problem with it.

I talked to thousands of people, I have talked to some who want the garage, but most don't. You know who's going to be hurt at the Old Adobe Mission, Mr. Frankel? It's going to be all those future brides and grooms, who walk out there in the afternoon, to have their wedding pictures taken while standing in front of it, with the sun in their face, except it's not going to be in their face anymore, it's going to be the shadow of a garage. They're going to be looking at a garage, instead of a beautiful Saturday afternoon sunset. That's who's going to be hurt. This idea that there's more parking needed down there, is ridiculous. How have these businesses survived for decades down there? It's just absurd to say you need more parking. These claims, you lost all these parking spaces, there are other alternatives you haven't looked at.

And the Mayor mentioned one, you never looked at this, this is the most logical place, right here, you put one level above ground directly behind City Hall, bridge over Bennie Gonzalez but you have not considered that it is the easiest access to the Civic Center mall, because it's right here. It is also the safest place for people to park if they're going to the baseball stadium, because they're walking down the very peaceful and quiet 75th Street rather than this multiple left and right turns through multiple intersections to the baseball park.

Mayor Borowsky: All right. Thank you. We appreciate it. That was three minutes and 31 seconds actually. Thank you. I did miss the bell, sorry about that. Next, we have Melissa Kemp followed by French Thompson.

[Time: 02:33:39]

Melissa Kemp: Hopefully you can see this while I'm talking. Sorry, I always get the frog in my throat when I get up here. Thank you. Mayor and Council, Melissa Kemp, McCormick Ranch. Part seven of my series what it costs when public input is treated like noise instead of data. Let's remember why open public comment matters, this is the forum where money and influence cannot buy you a better seat at the table. The same rules, the same microphone and the same clock for everyone.

Conflicts of interest can happen when money and interest do get close to the dais, outside of City Hall and Council meetings. Conflicts of interest happen because they're a basic concept, the presence of adverse interest. Somebody wins and somebody loses when there's a conflict of interest. Conflict of interest rules don't work like the red or green traffic signals, red stop, green go, it's more of a yellow caution light, they're met to be guardrails or a warning light. A common-sense trustworthy rule, they avoid I'm the appearance of impropriety, especially when they are in public service and serving the citizens. If someone appears to have a conflict of interest, don't argue or deny it, manage it. Conflicts of interest happen all the time, they're normal in life, families, communities, everybody has them. They're a normal consequence of being a human and having an interest. Having a conflict of interest it's not shameful, it's not bad. What's shameful and harmful is pretending you don't have one, or failing to recognize it, because you think your behavior sets you aside or apart from it. Look, what isn't recognized cannot be disclosed, and what isn't disclosed cannot be managed.

So, managing a conflict of interest has three basic things. One, recognize an adverse interest, can somebody win and somebody lose, if so, there's your signal, you probably have a conflict. Two, when you recognize them, avoid it if you can, in this case if you have a household stake, financial, political or relational, you can make a reasonable voter pause and say, that's a conflict, you probably have a conflict. So, if you can't avoid it, for the Littlefield's, I doubt long-term married couple like the Littlefield's are going to get divorced, you can't avoid this conflict of interest that's present with the Axon matter. It exists. So, third, if you can't avoid it, then manage it in the public's interest. Recognize it, disclose it, recuse yourself and step back. That's the appropriate thing to do. Councilwoman Dubauskas recognized a conflict and stepped away dais. That was refreshing. Jan Diubauskas and Adam Kwasman are trained and educated as attorneys. Ms. Dubauskas has a history of compliance work. Managing conflicts of interest doesn't belong just to one person, it's a shared interest among the City Council for the benefit of the trust of the City Council. If you have that training and you know what it is, why are you not helping create a community that's actively helping Councilwoman Littlefield identify and deal with her conflict of interest. Colleagues holding colleagues accountable to the same standard, especially when litigation is a matter will only increase your trust, not decrease it, it seems to me tonight, you're going to need a lot more trust.

Mayor Borowsky: Thank you. All right, there's one more here. We have another public do you want to wait to close public comment to do that? I think that's the protocol. Hold on. Sure, thank you. French Thompson, are you still going to speak? He's gone. I saw him leave. So go right ahead, thank you.

[Time: 02:37:44]

Vice Mayor Kwasman: Thank you Madam Mayor. Regarding conflict of interest and the community of conflict of interest, I was on the other side of the Axon issue as Councilwoman Littlefield, whom I

adore, and she did exactly I want to let everyone know, the members of the public, she did exactly the right thing, when there was a question of a conflict of interest, she went to the attorney, the city attorney, who decides whether something is a conflict of interest. That's the process we're trained to follow from the first day of our orientation of being members. She did exactly what I would do, what Councilwoman Dubauskas would do. When she recused herself, she went to the city attorney and said, is this appropriate? The city attorney acted accordingly and made a ruling and acted appropriately. At the end of the day, we are a community, bound by doing the right thing, even though Councilwoman Littlefield and I disagreed on that vote, she in no way acted inappropriately or was conflicted out, she was given counsel by the attorney that it was not a conflict of interest, thank you.

Mayor Borowsky: Thank you. That concludes non-agendized public comment. And Oh, Councilwoman Littlefield, thank you.

[Time: 02:39:03]

Councilwoman Littlefield: Since I was mentioned directly, I also would like to say thank you very much that is true, I did go to the city attorney, he went to several other city attorneys throughout the state of Arizona, got their opinions, came back and said, there is no conflict. I am an individual person, I make my own decisions. And believe it or not, my husband does not tell me how to vote when I'm up here on this die agency, any more than I told him how to vote when he was up here. We are individuals and separate people. What he does is his business, what I do is mine. Thank you.

CITIZEN PETITION

Mayor Borowsky: All right, moving right along, next we have receipt of citizens petitions. We do have a petition presented by Steve Sutton, and you'll have three minutes to present Steve the petition. Come on up.

[Time: 02:39:54]

Steve Sutton: So, just to be clear, this petition I submitted is only signed by people who have businesses. Business owners or property owners, business properties. In the area known as historic Old Town between Scottsdale Road, Brown Avenue, Indian School and Second Street. It does not include the areas that are behind Brown Avenue, where Mr. Frenkel owns properties along the mall, doesn't have signatures from anybody in the mall area. Just the people right there in the true historic area. And secondly, since you do not understand intuitively what was being asked of you when we submitted these resident petitions, which was similar to this, what was being asked, we're asking you to create an agenda item to stop this garage. That's all there is to it, just stop this garage. At the very least, this would give you an opportunity to do the responsible thing of conducting a parking study, to make sure we need it.

This petition has 34 signatures on it, it only has 34 signatures because it's difficult for someone like me who's a resident to contact all of these owners, it took many hours, far more hours than Mr. Frenkel. This is not a list of names of parcel owners, which I might add is mainly property owners, not businesses. These business owners do not want this done; it affects this business. They benefit from

having the farmer's market there, they share customers with the farmer's market. I just cannot believe how ridiculous this situation has gotten.

I would have never been involved in this except for the fact that when I did the reasonable thing in asking for a parking study petition be circulated back in the end of May, as soon as I did that. I was attacked immediately online with terrible things being said about me, horrible computer-generated images of me, and all the people doing this are associated with Councilman Barry Graham. And you know exactly who I'm talking about Mr. Graham. That was a big mistake. No one has filled me with more resolve in my life to fight for a cause after that. Especially after spending so much time down at the farmer's market and realizing how incredibly important this is, to thousands of people that that market remain there. After realizing the incredible historical significance of the Old Adobe Mission to many people and to Scottsdale, it needs to be protected from people who do otherwise.

Mayor Borowsky: Thank you, Steve. All right, the Council has three options with respect to this petition, and they are on the board. What's the petition, what are you asking for Steve? Let me go back to the notes here. To stop.

Steve Sutton: To stop.

Mayor Borowsky: To stop, okay.

Steve Sutton: To stop the parking garage.

Mayor Borowsky: All right. Anyone have any questions or comments? Councilman Graham.

[Time: 02:43:53]

Councilman Graham: Mayor, thank you. I will take motion No. 3 take no action. And I would like to take an opportunity, the petitioner made very accusatory and derisive comments about me that were false and I did not appreciate. And it's just time to put personal grudges aside. This is about what's best for the city. So please, I implore you to take personal vendettas, set aside your personal vendetta and let's move forward together for the city. Thank you.

Mayor Borowsky: Councilwoman Whitehead.

Councilwoman Whitehead: I want to say, I think we just had the vote, this Council had a discussion where the take no action on a citizen petition just is not acceptable. I'm going to make an alternate motion to direct the city manager and/or charter officer to agenidize the petition, sorry number two, direct the city manager or other responsible charter officer to investigate the matter and prepare a written response to the Council with a copy to the petitioner.

Councilman Graham: Point of order, I made a motion, can someone make an alternate motion before we have a second?

Mayor Borowsky: Well, the motion dies for lack of a second. Was there a second?

Interim City Attorney Luis Santaella: I don't believe there was a second, but I don't know if that was a matter of someone chiming in to talk.

Councilman Graham: An alternate motion for something that is not seconded is out of order.

Mayor Borowsky: Okay, so are we going to agree it died? I guess it died.

Councilwoman Whitehead: Mayor, I would like to move to direct the city manager or other responsible charter officer to investigate the matter and prepare a written response to the Council with a copy to the petitioner.

Councilwoman McAllen: I second that motion.

Mayor Borowsky: Vice Mayor Kwasman.

Vice Mayor Kwasman: I would like to make an alternate motion to take no action and the reason is...

Mayor Borowsky: Why didn't he second it?

Vice Mayor Kwasman: Now, I'm the alternate motion. The motion was Mr. Graham's motion. I didn't second it, because I didn't think it was going to be necessary. I agree with Councilwoman Whitehead, we just switched places, so the first motion is now Councilwoman Whitehead's motion, we're the alternate motion. The reason why in this scenario, I agree with you like 95% of the time, but in this scenario, this is literally just undoing a vote that we just took, so taking no action wouldn't be prudent the at this point not taking no action wouldn't be prudent, because we don't need the city manager to write a report about a vote we just took. That's what the report is going to say. With that, I move to take no action as an alternate motion, can I have a second?

Councilwoman Littlefield: Second.

Mayor Borowsky: So, that was a lot of words.

Councilman Graham: Why didn't anybody second my motion?

[Time: 02:47:09]

Mayor Borowsky: That's what I said. Why didn't you second his motion, we could have saved ourselves three valuable minutes. Councilwoman Littlefield now seconded the motion. I'm going to agree that no action is appropriate, because you cannot reconsider a vote unless it's a member of the prevailing party. So, Steve the city manager can't provide you other than the Roberts Rules, which and the Council procedure, which is there's no action to be taken on that petition. I'm going to support that. Let's take a vote. I'll add unfortunately. Okay, so moving right along.

MAYOR AND COUNCIL

Next, we have Item 15, Mayor and Council items. Vice Mayor Kwasman has added to the agenda for discussion and potentially agendizing the appointment of Interim City Attorney Luis Santaella to the regular full time city attorney position, along with the consideration and possible approval of an employment contract, setting forth the city attorney's compensation and benefits. Vice Mayor Kwasman please talk to us about this request.

Vice Mayor Kwasman: Thank you, Madam Mayor. The interim city attorney has done yeoman's work, in navigating complex litigation issues including both controversial and non-controversial. He is currently in the process of a major overhaul of our ethics codes, he has answered any and all questions at least to my understanding. Not understanding a single question asked by the Mayor, by the staff. He was not in town at that time, he getting a pass of being in Washington, D.C., at that time, representing major organizations, but I think he has more than proven himself as an outstanding city attorney, and with that, attorney to attorney, I love supporting great people doing great work. And it's time for him to be our city attorney normally. I literally forgot that he was not the he was still the interim, we're getting into budget time, let's make this official.

With that, I move to agendize an item regarding the city attorney employment and employment contract request to direct the city manager and city clerk to agendize a future City Council meeting for possible action regarding the appointment of Interim City Attorney Luis Santaella to regular full time city attorney, along with the potential approval of an employment contract setting forth the city attorney's compensation and benefits.

Councilwoman Littlefield: Second.

Mayor Borowsky: We have a motion and two seconds, so all in favor? That motion carries unanimously. Look at that.

COUNCILMEMBER REPORTS

All right. That brings us to Council Reports. And Councilwoman I don't see any on my list, but please indicate if you would like to talk. Councilwoman Whitehead.

[Time: 02:50:49]

Councilwoman Whitehead: I'll just bring up a couple of things. First if all, I want to thank police and our transportation staff for the Tour de Scottsdale. As I said to the city manager, it looked like somebody swept the bike lanes, so it was an incredible event. A real showcase of Scottsdale. I also want to thank Scottsdale Leadership, and we were at the Paiute Center this Saturday, they tuned a rocky, hot no place to sit or play area for kids near the family services. So, that was a really nice event. Thank you.

Mayor Borowsky: Thank you, Vice Mayor Kwasman.

Vice Mayor Kwasman: Thank you, Madam Mayor, I want to thank this Council this past day, we the past two days, both internationally, as well as in the state of Israel, the commemoration of Holocaust

Memorial Day, both the international day was Monday, and the day in Israel, which tends to the Jewish calendar was today. This Council has really shown a commitment to making sure that one of Scottsdale's largest, if not the largest minority community, the Jewish community has been held steadfast. We've had public safety issues at schools and Synagogues. Chief LeDuc, I can't thank you enough. You and your team, rapid response toward potential violence towards the Jewish community, and making sure that my children are safe. And that's something that's really really powerful and amazing, and the city manager as well, keeping us notified of potential threats. Working with, alongside I want to say, Phoenix, and working alongside the state legislature, so that it really is a community effort of intelligence to keep the community safe during this difficult time.

The rise of antisemitism, we've never seen this in America in our history before, and it's very scary coming both it's not unique to a certain political party or political spectrum, unfortunately, it is a disease that is ubiquitous, and needs to be stamped out in its entirety, I want to thank this Council and remind them a year ago, we passed an agendizing motion to adopt the IRA definition of antisemitism that I think is very important we do here as well, it's supported in a bipartisan fashion, both nationally and among different states and cities and municipalities across the great nation. Hopefully we can get that on the agenda soon and get that in the code. And again, thank you.

Mayor Borowsky: Thank you, Vice Mayor. Councilwoman Dubauskas.

[Time: 02:53:42]

Councilwoman Dubauskas: Thank you, Madam Mayor. I wanted to remind everyone that Councilwoman Littlefield and I will have office hours right here in the Kiva and learn about your issues and see how we can help you. I wanted to give a shout out to Scottsdale PD. I had an opportunity to tour the forensic lab last week. It was absolutely wonderful. As a resident, I participated in the Scottsdale Citizens Police Academy, I remember at that time, they were working through some hiring issues, and talks about DNA backlogs and all that stuff, they have worked so hard and they have really hired excellent teams, they're all caught up, they are working on all cylinders, it was lovely to see, thank you for taking the time with that opportunity. I appreciate it.

Then I also wanted to call out the Scottsdale Firefighters Association; they are working with the community to help those in need. So, the Firefighters Association donated over 4,000 bottles of water for our summer heat program, we have over 100 seniors who are homebound. And the heat in the summer really puts them in jeopardy, we have a program called Beat the Heat, you can donate to that through mid may, of course, they accept donations all the time, Gatorade, sunscreen and snacks, things like that, the Scottsdale Firefighters Association, the water will probably last at least through the end of the summer if not into the fall. 4,000 bottles is a major donation. Thank you to Scottsdale Firefighters Association. We appreciate it.

Mayor Borowsky: Thank you. Councilman Graham?

[Time: 02:55:23]

Councilman Graham: Thank you, Mayor. I want to congratulate our Parks and Rec team for a successful Bunnanza. I think Councilwoman Dubauskas was in attendance. I want to remind people on Saturday

night, April 18th, you have two choices, 4:00 p.m., can you come to the Scottsdale Stadium's 70th Anniversary, and I want to tell you, the first 1,000 people that show up 4:00 p.m. Saturday will receive an anniversary commemorative pin upon entry. Only for the first 1,000. But if you can't make it down South, up north, there will be movie night at Scottsdale Airpark. I'm not sure what movie they're going to be playing, does anyone know off the top of their head? I know the movie. Star Wars, a New Hope, which was probably my second or third favorite of the original trilogy. Empire strikes back was probably the number one. Thank you.

Mayor Borowsky: All right. Last but not least, Councilwoman McAllen.

[Time: 02:56:24]

Councilwoman McAllen: Thank you, Mayor. I wanted to congratulate the Scottsdale Arts this past week, they celebrated art rages, my brother was on the original staff at the Center for the Arts, so it's kind of like coming home, more importantly, being a nonprofit, they raised over \$1. 5 million for arts in our city, and that is quite incredible under the leadership of Gerd Wuestemann, him and his trustees have done a fabulous job. So, congratulations to Scottsdale Arts and the show was fabulous.

On Friday night, I had the pleasure of attending the investiture of our newest judge in Scottsdale. Judge Patricia George. And it was lovely, there were judges from all over the valley attended. Also, members of our local her church members attended, her family attended, her husband taught my children at Kiva, just today they found out their son was accepted into law school. I love that kind of flow that their son was elected and she's now our newest judge. Congratulations and we're lucky to have her.

Mayor Borowsky: Excellent. Thank you all, and that concludes our business for tonight. And we appreciate you being here. And move to adjourn.

Councilwoman Whitehead: So moved.

Mayor Borowsky: All right.

ADJOURNMENT

[Time: 02:58:02]