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This document was created from the closed caption transcript of the December 6, 2022 City Council Regular and Work Study meeting and has not been checked for completeness or accuracy of content.

A copy of the agenda for this meeting, including a summary of the action taken on each agenda item, is available online at:

<https://www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Council/archive-agendas-minutes/2022-agendas/12-06-22--regular-and-work-study-agenda.pdf>

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**CALL TO ORDER**

[Time: 00:00:03]

Mayor Ortega: I call the December 6, 2022, City Council regular meeting to order. City clerk, Ben Lane, please conduct the roll call.

**ROLL CALL**

[Time: 00:00:14]

Clerk Ben Lane: Thank you Mayor. Mayor David Ortega.

Mayor Ortega: Present.

Clerk Ben Lane: Vice Mayor Tom Durham.

Vice Mayor Durham: Here.

Clerk Ben Lane: Councilmembers Tammy Caputi.

Councilwoman Caputi: Here.

Clerk Ben Lane: Betty Janik.

Councilwoman Janik: Here.

Clerk Ben Lane: Kathy Littlefield.

Councilwoman Littlefield: Here.

Clerk Ben Lane: Linda Milhaven.

Councilmember Milhaven: Here.

Clerk Ben Lane: Solange Whitehead. Councilwoman Whitehead are you there?

Councilwoman Whitehead: Yes I'm here.

Clerk Ben Lane: City Manager Jim Thompson.

Jim Thompson: Here.

Clerk Ben Lane: City Attorney Sherry Scott.

Sherry Scott: Here.

Clerk Ben Lane: City Treasurer Sonia Andrews.

Sonia Andrews: Here.

Clerk Ben Lane: City Auditor Sharron Walker.

Sharron Walker: Here.

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

[Time: 00:00:49]

Mayor Ortega: Thank you. We have emergency services here in the building should anyone need assistance. Please stand for the pledge of allegiance. Councilwoman Janik.

Councilwoman Janik: 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 Ortega: Thank you. We continue to think and forefront in our minds the country of Ukraine and the people of Ukraine as they fight for their freedom and democracy. So let's take a moment of silence.

Thank you. So holiday lights is back and in full swing at the McCormick Railroad Park. No trip to the park is complete without a spin in the historic Charro's Carousel or a cup of hot cocoa from Hartley's General Store. Don't miss this tradition. Next I will call on our city manager Jim Thompson to provide the city manager's report.

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City Manager Thompson: Mr. Mayor, I believe we have a presentation this evening.

Audio from Video: Hi, I'm public affairs specialist with five fast things happening around the city you need to know. Starting at number five, gateway markers are getting a new look. Residents will soon be welcomed to the city by new artist designed gateway markers selected by the community. The design represents the old with the new and the harmony of nature with the built environment. The new markers will initially be built in 11 locations and replace existing entry markers. Installation will begin in mid-December and be completed by the end of January.

Coming in at number four, Scottsdale Fire will participate in a \$4 million grant to address occupational-related cancer. Firefighters have a 9% higher risk of being diagnosed with cancer and a 14% higher risk of dying from cancer than the general U.S. occupation. The University of Arizona will lead the study in partnership with the Arizona State University. The research will test the effectiveness of whether blood or plasma donations lower levels of cancer-causing forever chemicals. Firefighters encounter these substances in many ways including burning household items, potential contamination from personal protective equipment and firefighter foam which is used to put out burning liquids.

Next up at number three, phone scammers are using caller ID software to mimic calls coming from Scottsdale police. Scammers tell people they have a warrant and demand payment over the phone with credit cards, gift cards or money orders. Police employees will never ask for payment over the phone to clear a warrant. Hang up if you receive one of those calls then report it to the police nonemergency number at 480-312-5000.

At number two, the Maricopa County flood control district is starting construction on the flood mitigation project in Scottsdale. It entails a levy system to contain the 100 year flood along rawhide wash from pinnacle peak road to happy valley road. It will remove more than 850 homes and buildings from the floodplain. Work will extend from Pinnacle Peak Road to the Miller Road alignment.

Wrapping things up at number one, Scottsdale recognized city staff at the annual 2022 employee awards on November 30th creating a program for local high school students to learn about court interpreting, improving safety for our solid waste workers, tackling lifeguard recruitment challenges with innovative incentives are just some of the ways employees made Scottsdale even better this year. You can read a summary of those honored and their contributions at [scottsdaleaz.gov](http://scottsdaleaz.gov) and search 2022 employee awards. That's Scottsdale's fast five for December. Thanks for watching.

[Time: 00:06:02]

Mayor Ortega: Thank you. I'll introduce --

City Manager Thompson: Mr. Mayor.

Mayor Ortega: There you go.

City Manager Thompson: I have one more presentation from Karen Churchard. Thank you.

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Karen Churchard: Good evening, Mayor and council. Thank you for the opportunity to give you an overview of the city's holiday events in the upcoming Scottsdale super season as part of the city manager's update. The seventh annual sing along and tree lighting which several of you participated in, thank you for that. We have more than 50 events this year that's been curated by the tourism and events staff. That's the largest lineup of events to date that will continue through the holiday season. During the month of December, we will host several free events and activities such as meet Santa at the farmers market that includes a free printed photo. Many of the events and activities that are in partnership with the Old Town businesses such as the Prancer's Puzzle rides which is an outdoor take on an escape room style scavenger hunt that takes place on golf carts by our local business puzzle rides.

[Time: 00:07:30]

Additionally we're thrilled that ten Old Town restaurants and bars collaborated with our department to create 20 experiences ranging from dinners to tastings to food demonstrations for the holidays. There's 12 crafting merry make and take opportunities by five Old Town merchants that are being offered from painting an ornament to knitting your own chunky blanket and much more.

Next we have throughout Old Town lighting and decor that's abundant in many of the districts and the Scottsdale Waterfront, Arizona Canal area is a don't miss opportunity to really see the holiday decor at its finest. And on Saturday evenings we have the free Scottsdazzle stroll that provides live entertainment and food offerings by local merchants.

Additionally McCormick Stillman Railroad Park which the mayor mentioned is doing its nightly entertainment through December 30th. So staff began planning for the upcoming Super Bowl about 18 months ago. And we appreciate the funding request that City Manager Thompson brought forward to all of you as part of the fiscal budget and thank you for proving about 50 plus projects that range from ADA ramps to updated crosswalks to landscaping to painting and improvements in the entertainment district. We're actually adding more projects, recently the old town alley cleanup and recycling project which is spearheaded by Councilwoman Janik.

For the past eight months, 21 departments and three partners have been meeting to get prepared for not only the super bowl but all of the events taking place through what we're calling Scottsdale Super Season which is a promotion that we are doing in partnership with experience Scottsdale, our destination market organization. So beginning on December 12th, Experience Scottsdale will launch a media campaign targeted to visitors and residents which will run through Super Bowl week. First in our Super Season lineup is the Barret Jackson Collector Car Auction to be held January 22nd through the 30th at Westworld where for more than 50 years enthusiasts from all over the world have flocked to see these unique sought after valuable automobiles as they cross the auction block.

Next, our beloved historic western events, the city began promoting five years ago as Western Week. Little did we know until Joan told me that as much as 50 years ago it was called Western Week. So we're thrilled that we brought that back as a tradition and that this event takes place annually the first weekend of February, features the 65th annual Hashknife Pony Express, the 68th annual parade, the art walk, two days of free admission at Scottsdale's Museum of the West.

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And a newer but very popular event, the 7th annual Arizona Indian Festival that we'll welcome back here at our redesigned Scottsdale Civic Center. The same weekend on Saturday evening the Thunderbirds will present their second annual concert in the coliseum at the famous 16th hole featuring Maroon 5 and the Walker Hayes. Which then leads us to the Waste Management Phoenix Open that attracts the largest galleries of any golf tournament in the world. And 2023 marks the 26th consecutive year the tournament will have been played at TPC Scottsdale. The same week as the open, greater Phoenix will welcome Super Bowl 57 being organized in partnership with the NFL and many local and national stakeholders such as the City of Scottsdale. Scottsdale will host the AFC team at one of our resort properties as well as the NFL Wives' association charity fashion show at Scottsdale Fashion Square along with what I'm sure will be many corporate private events.

Additionally Scottsdale will once again host ESPN who will broadcast live on several of its popular shows beginning on February 8-February 12 which is game day. The city is creating in partnership with ESPN and Arizona Super Bowl Host Committee, the historic Old Town ESPN Main Street tailgate which will be a free event that will feature our merchants and restaurants within historic old town. And we get a little breather for about three days and then we kick off the 68th annual Scottsdale Arabian Horse Show which is the world's largest show featuring 2200 horses representing 1300 owners.

Last but certainly not least of our super Scottsdale season is the city will welcome back the San Francisco Giants and its fans at Scottsdale Stadium as part of the 76th cactus league beginning February 26-March 25. As Super Bowl 57 approaches, we will be seeing beautiful sunset and red rock images from throughout Arizona as part of the NFL's promotion which includes this image taken in Scottsdale's McDowell Preserve. The City of Scottsdale is proud to host holiday events and so many historic and mega events each year and we look forward to promoting the Scottsdale Super Season this January through March 2023. Thank you.

[Time: 00:13:11]

City Manager Thompson: Thank you, Mr. Mayor.

Mayor Ortega: Thank you so much. We are on the threshold of an epic events season. The best season of all time. So continuing, for your information, during tonight's meeting the council may make a motion to recess into executive session to obtain legal advice on any applicable item on the agenda. If authorized by the council, the executive session will be held immediately and will not be open to the public. The public meeting will resume following the executive session if requested.

Next, we will open public comment. Public comment is an opportunity for Scottsdale citizens, business owners, property owners, to comment on any non agendized item that are within the council's jurisdiction. Advocacy for a candidate or a ballot measure during the council meeting is not allowed pursuant to state law. But it must be within our jurisdiction and as a new public comment, the council cannot take any action on those items. The speakers would be limited to three minutes. Clerk tells me there is no public comment.

So therefore I will now close public comment. Next, we also added an item to the agenda. Item 16A was added to the agenda on November 30, 2022, and requires a separate motion to remain on the agenda as presented or to be continued if the council wishes to. Now I entertain a motion to add item 16A.

Councilwoman Janik: Thank you, Mayor. I'd like to make a motion to add item number 16A. It was added to the agenda on November 30, 2022 and requires a separate vote.

Councilwoman Littlefield: Second.

Mayor Ortega: Thank you. We have a motion and a second. Any discussion? Seeing none, please record your vote.

Councilwoman Whitehead: yes.

### **CONSENT AGENDA**

[Time: 00:15:22]

Mayor Ortega: Thank you, next we will proceed with the consent agenda including item 16A. Items 1-16A is an opportunity as all of the information is posted and presented, it's an opportunity for any public comment on any of those items as listed. And therefore I would open comment for consent agenda items. I see there is one person wishing to speak regarding item number ten on the consent agenda. That is Frederick Detmann. If you could please come forward and address item number ten and tell us your address and you have three minutes. Thank you, sir.

Frederick Detmann: My name is Frederick Detmann. I'm about a 30 year resident of Scottsdale. I'm here representing an organization that you probably have never heard of, except for Mr. Thompson. It is called the Arcadia Vista Improvement Company. Our roots go back to 1917. We were incorporated in the state in 1954 as a not-for-profit. And we provide flood irrigation to an area of north downtown Scottsdale. We are all volunteer and we have one problem and that is the abandonment of the alleys. I have a letter from one of the city services which kind of piques my problem. In this particular case the city is abandoning the right-of-way to the alley and nothing else. In the second paragraph it says the city's decision to remove one particular function from the alley, the weekly collection of refuse and blah, blah, blah, so forth.

We have the same type of situation come up repeatedly. This alley in reference is an L shape with the north and south fragment and an east and west fragment. The east and west fragment is blocked by a concrete block wall and the north and south segment is accessed by our irrigator on a regular basis, a cyclical basis. And most recently about two weeks ago, he was walking in that alley and the proof of vegetation was so thick that he didn't see a ladder that was lying in the weeds and he fell and injured himself. I mean that's just the worst thing that happened to us. But basically the maintenance of the alleys after this abandonment is something that I think I'd like to encourage the city to stress. Since I have a few seconds, I'll tell you, if you lived in Chicago and you had six inch snowfall, the first thing you do is grab your shovel and go shovel the walkway out to the street. Then you take care of your driveway. Next thing is that strip of concrete along the street, it's not your property. But if you don't do it you're going to get a ticket or advice from the city.

Next you're going to get sued from that person even if it's not your property. The attitude of the citizens in Scottsdale should be maintenance of the properties that are city property that are nearby there or just in a position of their particular properties. Thank you.

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Mayor Ortega: Okay, we also have an opportunity for any council members if they have any question on any consent agenda items 1-16A. I do not see any requests to speak and also I will call on Councilwoman Whitehead because she is remote. I don't see any requests. At this point we would close public comment on consent agenda items. And may have a motion to approve consent agenda items as agendized?

Vice Mayor Durham: So moved.

Councilwoman Caputi: Second.

Mayor Ortega: Good we have a motion by Vice Mayor Durham and a second. Seeing no discussion, please record your vote.

Councilwoman Whitehead: Yes.

Mayor Ortega: Thank you, that is unanimous. I do want to mention item 12 and 13 had to do with audits performed by the subcommittee. So thank you for your work and that was the action that we took based on your recommendations.

**ITEM 17 – FISCAL YEAR 2021/2022 ANNUAL FINANCIAL AUDIT**

[Time: 00:22:05]

Mayor Ortega: Next we will move on to regular agenda items 17 and 18. Now, we ask that you participate, if you are coming forward or someone is speaking I'll try to be about as clear as possible that we allow three minutes. However as council members and for those attending, all meetings shall observe the same rules of order and decorum applicable to us and to city staff. So we do not have any unauthorized remarks or demonstrations from the audience which is applause, stamping feet, whistles, boos, yells, and/or demonstrations shall not be permitted. The meeting moves a lot faster and I've asked to make this admonishment. Violation of these rules could result in removal from the meeting by city staff.

We do have a list of several speakers for item 18. However we will now go to regular agenda item number 17. Our presenter is Sharron Walker, distinguished city auditor and Britney Williams Heinfeld with the auditing firm.

City Auditor Sharron Walker: Britney and I are going to do a little bit of a tag team tonight. First I want to do a brief introduction on the financial audit for members of the public. Then I'll turn it over to Brittney, she's a partner with Heinfeld Meech. Then it will come back to me to discuss a requirement and then I'll present the requested action. Next. So in terms of background, the charter actually makes the city council responsible for designating the CPA to perform the annual financial audit.

And the council's assigned the contract administration responsibilities to my office. It's the city treasurer's staff, the accounting and finance staff who actually compile the hundreds of pages of financial disclosures that the team audits. And then when that process is finished, we present the results to the council's audit committee.

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They receive the reports on November 14th and recommended that they come to the city council for acceptance. And so now I'll turn it over to Brittney so she can tell you what the financial audit results were for this year.

[Time: 00:23:36]

Brittney Williams: Great. Thank you, Sharron. Thanks so much for having me here tonight. I'm always glad to come and present our results of the audit. As Sharron mentioned, we had a successful meeting with the audit committee last month. It went very well. I think we're able to answer any questions. But I will definitely be here with more questions this evening. Let's go ahead and get started. I saw on the agenda item that it was about 700 pages you got to read through before we got here tonight so hopefully you're well versed in all of that. Just kidding.

But we did issue a number of reports, the first of which is the auditor's opinion on the full financial statement that the finance department prepares. And we gave an unmodified opinion on those financial statements saying everything was materially correct. It was a very well done effort. It always is. They work very hard and it's a very high quality report. We also issued our auditor's opinion on the seven component units of the City of Scottsdale, five CFDs, the municipal property corporation and Scottsdale preserve authority. All seven of those component units received an unmodified opinion as well which is a clean opinion, no issues. We also issue a communication to governance that goes to the audit committee as well as you have it in your packet here tonight. It addresses any sort of significant accounting practices, any estimates that management is allowed to make in those financial statements. If we were to have any difficulties during the audit or disagreements with management, those types of issues would have been disclosed in this letter. There were no such issues, it was very clean and a standard report as usual.

We also perform a single audit which is an audit of the federal expenditures of the city. The city had significant federal expenditures this year as you can imagine from all of the COVID-19 federal dollars that have been released. We audited many of those programs as our major programs for the year, we alternate which federal programs we audit each year. In our single audit report, we issue a report on internal control and compliance. We did note one significant deficiency there which we went over with the audit committee, but we can also discuss here if you'd like. It basically had to do with P card transactions and having timely review of those. But I believe that management has issued a response, implemented a procedure, and corrected the situation. We also issued a report on compliance, internal control and expenditures. There were no issues with that. You can see a full schedule of expenditures of federal awards in that report if you want to see every single federal dollar that was spent during the year. The total of \$42.5 million for the fiscal year 22.

We have also shown an unmodified opinion for the federal compliance audit. Then there's always a scheduled prior audit findings, if there had been something in the prior year, we report on that. We're required to report on that. And we did report that the prior year audit deficiency had been fully corrected this year. We also issue another state funding compliance report on highway user revenue fund monies and we did see that the city was compliant with the state requirements for that report. And we have a few reports left to issue, we're not quite done. There is a HUD report that gets filed with the Federal Government and that's due on March 31st as well as the annual expenditure limitation report



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which is due to the state at the same time, those are usually issued around February. So those are still to come. Then I think I'll turn it back over to Sharron before we open it up for questions.

[Time: 00:27:44]

City Auditor Sharron Walker: So like I mentioned last year there is one additional state compliance requirement and it's actually at the very end of this citation because Brittney just presented the audit results so that's the first part of it. And the second part is the governing body is to demonstrate compliance with section 411494. That relates to HR type training and the acting HR director has provided his assessment that the city's training and orientation materials comply with that statutory requirement. And then the next slide, Brittney.

So the action that we're asking for tonight is to accept the financial audit reports and accept the staff report of compliance. But as Brittney mentioned we're happy to take any questions that the council may have.

Mayor Ortega: Thank you very much. And as you know Scottsdale maintains a very high three star bond rating and this audit is a part of our performance as a distinguished city in the United States. I see councilwoman Littlefield wants to speak.

Councilwoman Littlefield: Thank you, Mayor. I move that we accept the financial year 21-22 annual financial report as presented.

Councilwoman Janik: Second.

Mayor Ortega: Thank you. We have a motion and a second.

City Auditor Walker: Excuse me, Mayor, the slide is gone now. But if I could ask for also accepting the staff compliance report.

Councilwoman Littlefield: Add that in, please, also. And accept the staff report for the city's compliance with ARS number 41-1494.

Councilwoman Janik: Second.

Mayor Ortega: Thank you, we have a full clarified motion including the items recommended by the city's audit committee. Please record your vote.

Councilwoman Whitehead: Councilwoman Whitehead yes.

**ITEM 18 – ADOPTION OF RESIDENTIAL, ENERGY, AND GREEN CONSTRUCTION CODES UPDATES**

[Time: 00:30:25]

Mayor Ortega: Thank you, that is unanimous. Outstanding. Next we will move on to regular agenda item 18. And just to also mention on item 17 there was no public comment, request for public comment on

item 17. Next we will move on to item number 18 which is the adoption of residential, energy, and green construction code updates. Our presenter is Michael Clack, chief development officer.

[Time: 00:30:39]

Michael Clack: Good evening, Mayor and city council. We're here before you this evening to discuss the adoption of the 2021 residential energy and green construction code updates. Next slide, please.

Mayor Ortega: You might stand closer to the mic.

Michael Clack: Sorry about that. As you all may recall the last time we were before you, we gave you a little bit of background about these building codes they have developed by the international code of council of which Scottsdale is a member of and is supported by various organizations that you see there up on the slide. Next slide will show you why this matters to the City of Scottsdale. They provide clarity in the code provisions while enhancing life safety, they include community value and quality of life.

There are also provisions in there that protect natural resources. It also accounts for new technologies as these codes are being developed. I think it's important to point out also that the 2021 codes are consistent with the city's adopted general plan because it references each of these elements that you see there on the slide. 2021 residential energy and green construction codes were presented to the city council back in August 23, 2022, as a work study session and what the council gave direction to staff to do was to advance the building and fire code amendments in September, conduct additional public outreach, and advance the international green construction code for council consideration as a mandatory code before the end of the year.

On September 20, 2022, the city council adopted eight different building code and fire codes and when I say eight different codes, we're talking about the mechanical code, plumbing code, the international building code as examples. On September 27th as directed by the city council, we did conduct additional public outreach. We had a community open house where we discussed the international residential code, the international energy conservation code, and the international green construction code. More than 80 people attended both in person and virtually, and the majority of the comments that we received that evening were in support of the adoption of the codes. Getting into some of the individual codes, the 2021 international energy conservation code is applicable to single family, multifamily, and commercial buildings.

The energy components of the code addresses the thermal envelope, heating and cooling systems, service water heatings, electrical power and lighting systems and solar ready zones. On the next slide, you'll see that the IRC which is the international residential code and the international energy conservation code are local amendments. There is an amendment for new single family homes to make them EV capable, in other words have the ability to have the capability for electric cars to be charged.

And when we say EV capable, we're talking about installing a raceway for future wiring, and reserving an electrical service panel space in the event that one buys a electric vehicle and they want to be able to have the ability to fast charge it in their home. A new multifamily and hotels there was an amendment to make 20% of the parking spaces EV capable with 4% installed. And I do want to point out very quickly that we have recommendations from two boards and the new multifamily and hotels there was

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consensus between those two boards, but there was a difference of opinion on the single family homes which we'll get into in later slides.

For the EV capable charging and the international residential and international energy conservation code, we just want to point out some of the benefits. Residents can have these EV charging stations easily installed. They can contract with an electrical contractor or an electrician to install it and because the infrastructure is there, it makes it much easier for the electrician to pull the wire and put in the breaker into the space that's reserved for that in the electronic panel. It supports a net zero emissions goal. Some people may think of some of the disadvantages, the technology may change, the technology is changing constantly, and the electrical circuit breaker may not be used because of some changes in technology. We don't know how quickly that will happen, but we just felt it was important to point that out.

[Time: 00:36:28]

And because you've got the infrastructure in there, there's added minimal expense to the homeowner to have that installed. The next item that's up for an amendment to the international residential code and the international energy conservation code has to do with sealing insulation. There's a requirement in the residential code versus R49 which is found in the proposed 2021 code. And you can see there on the slide the difference in the thicknesses of the insulation, 12 to 13 inches for R-38. And 15-17 inches for the R-49. In the diagram next to the insulation, we just put in what would have to happen in order to accommodate that additional thickness, some of which we're doing now as far as to accommodate the R-38. That is what we're showing is a energy trust that is raised up in order to accommodate that additional thickness. Keep in mind that if we go with an R-49 that would have to be higher.

The one thing I do want to point out is that the representation that you see up there is for batt insulation. There is foam insulation that can be installed which is much thinner, but the foam insulation itself is more expensive. If we can go to the next slide. So what are the benefits for R-38, the benefits are you continue to have annual cost savings. The R-38 will not increase the up front costs that could result from higher exterior walls and roof heights. And what I think is important in Scottsdale is that there's a possibility it may conflict with zoning height restrictions. So it's just something to keep in mind. The R-38 also avoids additional complexity and construction constraints versus the R-49 benefits, it will result in an increased net savings over the life of the home for 30 years. And there is improvement in the occupant comfort by having the additional insulation provided.

Next we want to talk about some of the major provisions in the 2021 international energy green construction code. And as you can see up there, the provisions in the code addresses site, water, energy, environmental quality and material resources. I think it's important to point out that some of the things that we're doing as you can see up there on the slide we're already doing in other areas of our Scottsdale revised code in terms of storm water for example we have a storm water provision. Many of those requirements are also found in the green construction code. We also got provisions for water conservation and the international plumbing code and energy provisions in the energy conservation code.

Moving to the next slide, we just wanted to point out what some of those significant changes are. We have a low VOC materials and finishes. And VOC stands for volatile organic compounds. Basically the

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best way I can describe it to you is if you're familiar with the smell of fresh carpet and the glue that's associated with the carpet or a freshly painted house on the interior and the strong odors that you get, those are volatile organic compounds. And so what the code will be requiring and that we're already seeing today is lower VOCs where that smell is not as present or you won't notice it as much. It also addresses heat island mitigation, the EV ready charging infrastructure. It deals with construction waste management where certain construction waste can be separated into recyclable or what might go to the landfill. Low impact building materials, water efficiency which I think is very important to the council and as far as indoor water requirements, but also outdoor water requirements where we're not watering sidewalks for example. And on site solar recharging abilities. So we just want to talk very briefly about the benefits if it's mandatory and some of the impacts. So the benefits are having a mandatory international green construction code is that it reduces energy, water use, and waste over the life of the building. It improves indoor air quality.

There's consistency and certainty because if it is mandatory, every commercial building that comes in for a permit will be required to adhere to this requirement. And it will demonstrate our continued regional and national leadership in green buildings. The impacts if it's mandatory, yes there will be some increased construction costs, there might be some debate or discussion as to how much or how little. But I think that it's safe to say that there will be some increased construction costs. Increased review and enforcement expenses to the city which means that we would have to have additional staff or resources in order to review plans that are submitted to us for permitting to make sure that they're in compliance with the international green construction code. The new requirements by some maybe considered burdensome due to their unfamiliarity with these requirements.

[Time: 00:43:13]

But the more we do that obviously hopefully they will learn from their experiences and they'll get more in the groove so to speak in order to comply with the code. And then some of the requirements may be difficult to achieve immediately mainly because of the unfamiliarity with it. We did receive community input and you can see some of the organizations that we've reached out to that participated either at the building advisory board of appeals meetings or the Scottsdale environmental advisory commission meetings which leads us to the next slide which is going to be the recommendations.

And first off are the recommendations from the building advisory board of appeals. And the recommendations are the adoption of the international residential code and the international energy conservation code with all amendments. They do not recommend EV capable charging for single family homes. They do support the EV charging infrastructure for multifamily and hotels. And they recommend maintaining the R-38 insulation for single family homes. They also are recommending to council regarding the international green construction code making it mandatory for zoning and planning bonuses voluntary for all other commercial projects.

And then we have recommendations on the next slide from the Scottsdale environmental advisory commission. They too are recommending the adoption of the international residential code and the international energy conservation code with all amendments. They are recommending EV charging capabilities for single family and multifamily hotels. So there is a difference there where the building advisory board of appeals is not making that recommendation. The Scottsdale environmental advisory commission is making that recommendation that council adopt that provision.

They are also recommending that the council adopt a provision for R-49 ceiling insulation for new single family homes. And they are also recommending the adoption of the international construction code as a mandatory code for new commercial and multifamily buildings. In a few minutes we have two action items for the council to consider. But at this point, Mr. Mayor, I'll turn it back over.

Mayor Ortega: Thank you, at this point there are several speakers so I'm going to open public input and comment. We have several speakers. Natalie will be followed by Duran. So please state your name and affiliation and then address. And also you've got three minutes.

[Time: 00:46:31]

Natalie Chrisman Lazarr: Thank you, Mayor Ortega, honorable council members. My name is Natalie and I reside at 7647 East Turquoise Avenue in Scottsdale, Arizona for the last 20 plus years. I am here before you as a representative and the chair of the Scottsdale environmental advisory commission or SEAC. SEAC is comprised of Scottsdale residents with expertise in engineering, planning, earth science and/or business that you've appointed to provide guidance on environmental issues within the city. When we last spoke I expressed SEAC's overwhelming support for a mandatory green building code based on the IGCC that furthers not only Scottsdale's green building leadership but also aligns with and implements the voter approved 2035 general plan.

A mandatory IGCC in Scottsdale can be implemented in a responsible and affordable manner with amendments that provide lots of options to comply. I am here also to echo our previous guidance and say your direction to staff at the last meeting discussing code adoption was to reach out to the public and gather additional input on the proposed provisions. In response, over 80 individuals took time out of their schedules to provide feedback at an open house led by city staff in late September. As noted in your packet starting on page 59, 10 questions were asked of community participants. The questions were specific and included all of the major provisions of the IGCC as amended for implementation in Scottsdale.

Overwhelmingly the participant responses supported each of these provisions. In fact six of the questions received only positive or neutral comments. In some instances the negative comments that were received for the other four responses were that the proposed measures didn't go far enough. You've heard from experts in the building community that developers are not having a problem complying with similar requirements. In fact costs are negligible with appropriate planning and that the IGCC is proven to produce buildings with lower operational costs.

Mayor Ortega, honorable council members, I respectfully ask you to listen to the feedback of Scottsdale residents that you requested and increase the overall quality of buildings in our city with a mandatory IGCC. A mandatory code saves time and levels the playing field for builders and developers by clearly identifying the rules that everyone must play by. The benefits of mandatory code far outweigh the cost and hesitance about adopting something new. Our cleaner air, conserved resources and mitigated urban heat island will reap dividends as they position our city for resilience and sustainability in the future. Thank you.

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Mayor Ortega: Thank you. Next we have Duran. Once again Duran. Collin Potter, please come forward. Okay. We will give another go for her. Julianne Anderson. Sorry, Julian. Julian AJ Anderson.

[Time: 00:50:31]

Julian Anderson: Full name, Mr. Mayor, I'm sorry. Mr. Mayor, Vice Mayor, council members, ladies and gentlemen, my name is Julian Anderson, I live in Scottsdale. Resident of Scottsdale for 24 years. I'm here in my capacity as vice chair of the building advisory board of appeals for the City of Scottsdale. And I want to provide some insight into the building advisory board of appeals recommendations.

First I would like to say that the building advisory board of appeals has considered each of the recommendations that it has placed before you. It's done those with great care. It has tried to balance a variety of things. Council's aims with the general plan, health and life safety. The goals of the various codes and indeed the cost impacts to the residents of Scottsdale. But the building codes especially while the initial cost burden, it is true, is borne by those nasty builders and developers, the fact of the matter is it is always passed on to the residents and renters. Nothing is free. So we need to keep that in mind in times of high inflation.

So I'll now address the three items that were discussed where the building advisory board of appeals has a different view from others. First with regard to EV capable charging for single family homes. The argument for providing EV capable for single family homes is essentially that charging is not available for electric vehicles. And the fact is it is. Every garage has a 110 volt outlet. The issue is simply that the charging is slow. So it's not fair to say that you can't charge an electric vehicle currently. But further I go on to tell you that the amendment as it is currently worded is poor. It is vague and it is particularly conflicting. I can read it to take that somebody in the City of Scottsdale is required to build a garage merely to fulfill the requirement that they have EV capable charging. I can read it to say that you can avoid the thing altogether by simply building a carport and not a garage. I don't think that amendment is ready for prime time.

In regard to roofing insulation, we support the city council staff recommendation to stay with R-38 to R-49. The cost is significant, the impact on savings to the homeowner and the environment is minimal. Finally with regard to the mandate, we do not oppose IGCC. It opposes the mandated implementation at this time because it is also not ready for prime time. It's an overlay code. It has to trickle down and be able to match with all of the other codes that it impacts. And in the packet that you have before you, that has not been done. You'll be in fact adopting a code that isn't ready for prime time. It is said that it's widely adopted. In fact we researched and found only eight jurisdictions in the U.S. have adopted for all building classes at this time. Thank you for your time.

Mayor Ortega: Thank you.

[Time: 00:54:20]

Raejean Fellows: I'll move it down a little bit being shorter. Will that work? I'm Raejean Fellows. It's a pleasure to be here commenting on this very important green measure. I am a long time Scottsdale resident and owner of electric vehicle since 2015. Driven over 80,000 miles electric. Since retiring in 03

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and owning a successful small business, I have volunteered for non-profits including as chair of the McDowell Sonoran Conservancy.

Today I am education director on the board of the Scottsdale electric vehicle association. So EV friendly building codes, why is this important? Why difference will your yes make today in our great City of Scottsdale? And why is regulation even necessary? 90% of EV charging happens at night at home in your garage. Fueling your EV is not like going to a gas station. Charging an EV is a lot more like charging your cell phone. You plug in at home or at work and go and do something else. It's easy and it's convenient. And yet there is a big segment of our Scottsdale residents who are left out. Left out of participating in the benefits of owning an EV. I'm talking about our service workers, hotel and restaurant staff, teachers, firemen, healthcare, hospital workers, people who live in apartments and condos and some of whom earn low to moderate income.

And what EV benefits are they missing out on? Well the big four are lower vehicle costs over the lifetime. A Tesla model three surprisingly beat out a Toyota Corolla for lifetime cost. It has lower maintenance costs. EVs have 1/10 the number of moving parts of a gas vehicle. No oil changes. Lower fuel costs. An EV is typically 1/4 the cost of a gas car for fuel. And now you have a chance to get a tax credit from the IRA lowering the initial cost of the vehicle by as much as \$7,500 or \$4,000 for a used EV. And there are over 115 EV models today. Some at price points equivalent to an economy gas car. So you can imagine what kind of difference that would make to these folks, many of whom are living paycheck to paycheck. So if you live in an apartment or a condo in Scottsdale, you very likely have 0 ability to charge your EV near your home. So removing this obstacle by ensuring that a minimum amount of charging infrastructure is installed at construction in apartments and condos is a simple but vital action.

Lastly, will the builders do it on their own? Well we are seeing that across the country that slowly builders are seeing that buyers want EVs, but construction is happening more in high-end, not in multifamily. And I just see now that the Arizona multifamily association is opposing this. So these people will be left out unless you help. So please say yes to EV friendly building codes to ensure that we can offer this benefit to everyone who wants it, not just the well to do in Scottsdale. So please cast your vote for IGCC, mandatory and IECC and IRC with option A. And let's join Flagstaff, Avondale, Sedona, and Tucson to be one of the first five cities in Arizona to be EV friendly. Thank you.

Mayor Ortega: We have John Martinson.

[Time: 00:59:10]

John Martinson: Yes, my name is John Martinson. I live at 31421 North 69th Street in Scottsdale. This is regarding number 18 adoption of residential energy and green construction code updates. Number one IGCC is mandatory with proposed amendments. Number two, IECC with proposed amendments. Number three, IRC with proposed amendments. Number four, option A amendments to the IECC and IRC. Let's future proof Scottsdale. This vote is a vote for developers and builders of new construction. These developers and builders will become more competitive, yes, that's right. EV owners will favor renting and owning properties with charging infrastructure already in place.

With the continuing growth trends spurred by newcomers moving here from other states, Scottsdale will be a preferred place to live for EV owners supporting our real estate community. This vote is a vote

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for economic development, tourists arriving here on road trips will look to whether our city is friendly to EV charging. I always select my hotels by whether they have EV charging. One of the most exciting of the 115 EV models is the Lucid electric cars. They're made in Casa Grande, Arizona. Can we lure more automakers to our valley? EVs are good for business and employment. This vote is a vote for low to middle income Scottsdale residents who will be able to drive cars with lower lifetime costs in fueling and servicing. This vote is a vote for renters and condo buyers who will have a basic level of readiness for charging capability. This vote is a vote for the health and well being of Scottsdale residents.

This vote is a vote for clean air. This choice is good for our quality of life here in Scottsdale. Dr. James Bristol could not be here tonight but submitted a written comment regarding EV effect on air quality and disease avoidance in children and older adults. This vote is a vote for keeping Scottsdale an attractive place for people to live in and to visit. This is a simple and easy vote. The cost to builders is minor. When we consider the major benefits of adding up front charging infrastructure where it is most needed, the choice is easy. This is important to do now because the costs of retrofitting later are 4 to 6 times later. And that is just the average. We have projects in Scottsdale like Scottsdale waterfront condos that have received much higher retrofit estimates. In fact, prohibitively higher estimates. My own experience in retrofitting a home required running conduit from the panel above my roof down an exterior wall and through the wall at substantial cost and delay due to permitting. And lastly, this is a chance to be one of the first five Arizona cities to lead the charge on EV friendly building codes. We will be joining Flagstaff, Sedona, Tucson, and Avondale. These cities realize that EVs are increasingly popular and that their owners will want to visit and live in places that can fuel their EVs conveniently. Let's be ahead of the curve. Please cast your vote for these EV friendly building codes, mandatory IGCC and IECC IRC with option A. Thank you.

Mayor Ortega: Thank you, Mr. Martinson. Linda and Gerald.

[Time: 01:03:39]

Linnea Brudenell: Good evening. Thank you for the opportunity to speak this evening. My name is Linnea. I work here in Scottsdale. I'm the director of sustainability for Nelson & partners. As the director of sustainability here, I have focused my career for the last ten years exclusively on mandatory and voluntary sustainability and resiliency compliance in the commercial sector across many, many different markets internationally and nationally to ensure our projects are not only compliant with energy codes, local amendments, and required sustainability ordinances, but also delivered on time and on budget. In the post pandemic design and construction market, our clients and their financing sources are demanding high performance buildings with healthy indoor air quality, stringent water conservation, electrify occasion, energy efficient buildings, as well as energy and water resiliency planning.

Water conservation is among the topmost requested feature of our high performance buildings. I have personally been in the proverbial trenches and I am still in the proverbial trenches working on IGCC projects here in Scottsdale. Compliance with the IGCC is currently a development incentive used during the planning and zoning process. It's straightforward and easily understood that add 0 cost to the project if it is built in from conceptual design and compliance information is included in the construction documents and contract specifications clearly stating the IGCC requirements for bidding. Additionally, many of our projects require a third building rating green building rating to qualify for financing. Banks are now requiring this because of a building product using a TPC, third party certification is proven to be



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of higher quality and lower operational costs. IGCC compliance for this type of project parallels the owner's project requirements for the TPC. The IGCC as proposed is heavily amended and provides many options for compliance. It is essentially an IGCC lite. For example solar is a requirement in the IGCC, however the proposed amendments allow for other options.

Transitioning to a mandatory aversion of the IGCC should be painless and the market is familiar with this code. Many of the proposed provisions in the IGCC are codified in other markets. For example in Austin where our other office is, 50% of the construction waste aversion is required for all new commercial construction projects. There is also a code requirement now for all commercial multifamily projects to provide equal volume trash and recycling collection. In other climate zones there are mandatory code provisions to prevent hurricane damage, provide seismic protection and structural allowance for snow loads. We live in the desert where extreme heat and drought provide code to protect our limited water and energy resources. Promote indoor air quality and resource conservation. We support the adoption of the IGCC as mandatory and as proposed with local amendments. In addition I'd also like to add that the local AIA chapter has also signed a letter of support for the mandatory adoption of the IGCC. Thank you so much.

Mayor Ortega: Thank you.

[Time: 01:07:29]

Gerald Leenerts: Thank you, city council, for listening to everybody today. My name is Gerald and I live around 68th and McDowell in the historic neighborhood of Village Grove. We have been there for six years. Really enjoy it. I had a script, I was going to stick to it. But at the end of the day to me what IGCC, IECC, IRC means is that we're being thoughtful. We're thinking about who we are as a society and we're thinking about what it means to live and be a part of our home. And to me we need to think and think hard about how do we create a beautiful landscape while using little to no potable water. How do we help have a better air quality, have better quality of life. And we do that by adopting these measures that promote building in a more sustainable way.

So I mostly want to really be thoughtful about what we're doing here. And so all I really want to say is that I appreciate that this is on the ballot and I hope that we vote to make this mandatory, make IGCC mandatory. IECC and IRC need to be included. Option A needs to be approved. We should have EV installment easy to use for when electric cars are the way of the future. I also would like to say I oppose option B, we need to increase the R value. There's a lot more that we can do here to make a more sustainable, healthier culture. With that, thank you. I want to respect your time. So that is all I have.

Mayor Ortega: Thank you very much. And I see you have family members here. And I want to say how much we appreciate the family as you said participation is about our future. I have for you, your son a Scottsdazzle ornament. Here you go. Thank you for being so patient. And is that grandma? I have one for grandma too. Thank you for coming here and being with us. You have amazing patience and also attention really. Greatly, greatly appreciate it. We'll go to Suzanne Brown and Barney Gonzales. Suzanne is with the Scottsdale area association of Realtors.

Suzanne Brown: Thank you for that introduction. I am Suzanne Brown. I'm the director of community and government affairs for the Scottsdale area Association of Realtors. I'm here this evening to speak in

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support of Scottsdale's proposed energy conservation energy code changes for single family residential homes to require electric vehicle charging station infrastructure. As representatives of the housing industry, we have previously been asked to weigh in on the proposed building code changes.

Back in August, we had voiced our support of the proposed amendments to the building code which impact residential housing. Today we continue to stand in support of those changes. When our members sell Scottsdale, they're selling all of the features that a home has to offer, comfort, convenience, neighborhood amenities, safety, efficiency, and a whole host of other things that go into that home buying decision. The industry also demands that we anticipate the future needs of homeowners. It is estimated that 25% of U.S. households will have at least one electric car by the end of 2025. Put into perspective, this change for residential new builds is a remarkably small cost requirement and is a chance to get out ahead of a fast growing trend.

The cost to add the EV capability after the fact is far more expensive. Because the proposed change does not require more than a minimum of a single raceway receptacle and a reserved breaker space to be installed, this allows for the flexibility of the homeowner to accommodate the technical specifications of their electric vehicle which can vary from manufacturer to manufacturer. Similar to prewiring for security systems, sound systems, and cable throughout the house, things that 20 years ago were not part of a new builds infrastructure, that time has come to add EV charging capability. In conclusion, I'm proud to restate that the Scottsdale area association of Realtors is in full support of the proposed changes presented in the new section R404.4 and R404.4.1 for the Scottsdale building code. Thank you.

Mayor Ortega: Thank you. Next we have Barney Gonzales. And then I will call again if Caryn Potter is here.

[Time: 01:13:11]

Barney Gonzales: Thank you again, Mayor Ortega, Vice Mayor, Mr. Durham, council people. I am here as a private citizen to voice my opinion on specifically the codes on the EVs. Now the EV code in the green code has two options. Either we make it mandatory or not as far as con sizing it down. I have gone to the building advisory board when they've met and they've talked about it. I've been to a couple open houses. I'm here as a private citizen, not as a planning or zoning commissioner or any representative from the City of Scottsdale. I'm here because I believe that I could probably afford an EV and I probably could afford to retrofit my house for an EV. But I have a lot of neighbors who will not be able to afford this. I have a real problem with anything that says it's mandatory. Most of the houses that live in the middle part of town of Scottsdale from Indian Bend south all the way to Roosevelt bound on either side by granite reef, these were built in the 50s by John Hall, Butler Homes and a few allies. Many of these houses especially the ones supplied by SRP only have 100 amp service.

Now to change a 100 watt service to be able to make it work with an EV if you get the same EVs which are usually used by the American companies but not typically by all foreign car manufacturers, would be upwards of over \$2,000 I estimated just in rehabilitating these older structures to allow them to have these EV charging systems. I have no problem, as you probably know, I don't normally say it, but I agree with everything that was said tonight. They're part of the future. They're great. Everything is wonderful about it. But the problem is when you make it a stand in saying that everybody has to follow this makes

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it pretty hard for some people to afford it. My recommendation tonight personally is to not take the demand to make it so that somebody does not have a choice. Thank you.

Mayor Ortega: Thank you. Next we have Caryn Potter. And before I called on Duran, but he was not in attendance. So please continue, Ms. Potter.

[Time: 01:16:21]

Caryn Potter: Good evening, Mayor Ortega, and city council members. My name is Karen Potter and I'm speaking on behalf of sweep, a public interest organization dedicated to helping Arizonans save money on their electric bills by also saving energy consumption. Sweep is proud to be here tonight to support the three I codes in front of you today for consideration. The 2021 international residential code, and the international green construction code as well as option A. By proving the I codes in front of you today with provisions such as the charging infrastructure requirements, the City of Scottsdale will unlock significant savings.

These are cost effective solutions to meet its future and current energy needs and to save citizens and businesses money on their energy bills now and in the future. Ensuring our homes and buildings are constructed using proven methodologies and technologies in the 2021 I codes will deliver a substantial economic and environmental benefits for the city and guarantee superior building performance. In utilizing a recent study from the Pacific Northwest National Laboratory, one of the U.S. Department of Energies national laboratories, the City of Scottsdale and its residents stand to benefit in the following ways, one Scottsdale homeowners can gain more than \$100,000 in economic benefits annually with energy savings attributed to the 2021 code cycle.

Two, Scottsdale residents can annually save upwards of 4500 megawatt hours of energy. And three, in the adoption of the 2021 code cycle, more than 1100 metric tons of CO2 can be reduced annually. With the adoption of these codes, the City of Scottsdale can hope to reap significant consumer and environmental benefits. Specifically in the IECC as national building codes adopted by state and national jurisdictions, it is in essence to ensure a minimum durability of quality, health, and safety. And the benefits of these codes are compounded when they are adopted together with the IRC and the IRGCC. With that tonight, I would like to urge the city to adopt all of these codes together as well as with option A for tonight. So thank you so much for the opportunity to speak.

Mayor Ortega: Thank you and with that we are concluded with public comment. At this point we will look at any questions or a motion. I see Councilwoman Janik.

Councilwoman Janik: Thank you, Mayor. First of all I want to thank Michael Clack and Anthony Floyd, our staff that worked so hard on all of these regulations and documents. It's very difficult work. It's very hard to understand for council people with all of these initials and acronyms. And I want to thank all of you for staying, for sharing your thoughts. And I especially want to thank that young guy in the front who has had very good behavior, so thank you. And with that being said, I'd like to make a motion to adopt ordinance number 4575, resolutions number 12499, 12503 adopting the 2021 international residential code, and the 2021 international energy conservation code IECC including all amendments in

attachment 2 and 3 with an effective date of January 7, 2023. Additionally add EV capable charging infrastructure requirement for new single family homes.

Mayor Ortega: Second. We have Vice Mayor Durham.

[Time: 01:20:49]

Vice Mayor Durham: Thank you, Mayor. When I was a lawyer, some judges did something they call hot tubbing which is to take two experts on opposite sides of an issue and force them to argue with each other or to come to some kind of conclusion. I wanted to see if Mr., I've lost my sheet, if Mr. Anderson and Ms. Lazarr would be able to discuss the issue of the insulation. I mean you have opposing positions on whether or not it should be 38 or 48. And I'm particularly interested in the issue of Mr. Anderson said it would be a significant cost to build. And I'm also interested in the issue of here in Arizona unlike Minnesota where Minnesota lives where you need more insulation in the roof because that's where the hot air congregates. So I can understand much more insulation in Arizona. I'm not sure why it's necessary here. So if the two of you could give --

Mayor Ortega: Vice Mayor, we closed public comment. And I would say that the purpose would be to direct to staff perhaps any technical questions. Because as you said experts testimony of record already. But as members of a building advisory board, I would prefer to have the staff sort of not adjudicate this, but just answer your question as to what the different viewpoints may be. And so that would be then we could act on that. You've pointed out the differences. And I would like the staff to kind of respond to that. We also have the green building architect expert as well. So I'd prefer to call on our experts so to speak.

Vice Mayor Durham: Okay. All right. Could you answer that?

Michael Clack: I'm sorry, could you repeat the question one more time.

Vice Mayor Durham: Yeah, the first question is Mr. Anderson said that there was a significant cost to the heel trust and actually I have another question for you while you're here so that would be good. So Mr. Anderson said there was a significant cost to the heel trust and the second issue is here in Arizona, the cool air, the time when we need the insulation is in the summer and that's the time when the cool air sort of is in the lower part of a building. So the insulation in the roof is less significant. And the third is that in your presentation, you said that R-38 will not increase costs. So are we, it sounded like you were suggesting a change to R-38 and I was confused by that. Are we currently using R-38 right now?

Michael Clack: Yes, sir. Under our current codes, the 2015 codes, we're using R-38. The 2021 international residential code has a recommendation of R-48. It will increase the height of the heel trust if you're using that insulation. If we're using batt insulation it will increase the height of that heel trust which means little more engineering, a little bit more material being used, and labor as well to put that in. So how much more would be I'm not really able to tell you exactly how much more it would be. But it would be a cost increase if you were to go that using the batt insulation.

Additionally some of the other things we found out in the course of our research and everything, we had some energy raters who were maintaining that what they're seeing out in the field isn't exactly to what

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the code is requiring being installed. So by keeping the R-38, either way it goes whether or not we go with the R-49 or the R-38, there's going to be an increase of focus and emphasis on making sure we get that right in the plan review process, not in the field, but in the planning review process so that the drawings accurately depict what is going on and then the inspectors, all they have to do is go by what's in the code.

And that was part of the reason for the recommendation that I made that Mr. Anderson told you about earlier to go with the R-38, making sure that we get that right. Plus there was also concerns in that how much more, what's the cost benefit in that. And it gets down to some potential diminishing returns.

You're not getting as much back in the insulation. But I don't want to downplay that too much or up play it. Because it's a fact, there is increased performance in terms of cooling and maintaining the coolness of a structure here in Scottsdale.

[Time: 01:27:12]

Vice Mayor Durham: You just referenced that. What about the energy savings where we mostly need insulation during the summer and not during the winter.

Michael Clack: Excuse me.

Vice Mayor Durham: Yeah, where the cool air as I say sort of congregates towards the bottom half of a building.

Michael Clack: Right. The cool air, the thing that the insulation will do in the house and the thermal envelope here in our region of the country, we're more concerned about keeping houses and buildings cool. So we don't want that cool air to escape to the outside and we don't want the hot air from the exterior of the building to migrate inside. And so the additional insulation will benefit that. In the more northern climates like Minnesota, Buffalo, New York for example that's been in the news recently, you want to keep that heat in the house and you don't want it escaping to the outside and you don't want that cold air coming in.

So that benefits you in terms of the thicker insulation is a benefit in the northern climates as well. So there's benefits both for the northern climate and the interior climate. I think somebody said it best that I heard a few days ago when you talk about the R value, if you think about your clothes, when it's really cold outside you want to put on a thicker coat, jacket, you warm up, you layer up to keep your body warm. When it's hot outside, you go a little bit less, you're not going to wear that heavy jacket because it's going to maintain that coolness inside. Houses don't exactly work that way as our bodies do because we want to maintain that coolness and we want to maintain the efficiency of the air-conditioning equipment to keep our houses cool with as little cost as possible.

Vice Mayor Durham: Thank you.

Mayor Ortega: Councilwoman Caputi. Councilmember Milhaven.

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Councilwoman Caputi: I assume we're going to take this as action one first and action two second. So I'm going to make my comments about action one first. I think we all agree with councilwoman Janik, we need to adopt the latest updated building codes. That will put us at the cutting edge with most cities in the valley. That's a place where we already are and of course want to stay there. I think everyone on this council cares passionately about sustainability, myself included. I think we just have different ideas about how we actually get to certain places.

[Time: 01:29:57]

So I support the recommendations of our building advisory board. I think that they are the experts in this area. I work with electricians every day. And being up to date on issues of health and safety in the field is completely critical as I know. The building codes are appropriate for addressing issues of health, safety, and welfare, not for overreaching regulations more appropriate in our zoning codes. I think we need to balance the cost and benefits which haven't really been analyzed for us. We're hearing a lot of it's more expensive, it's less expensive, but I haven't actually heard anything making that argument that we're going to save money. And I really feel strongly that we can't interfere with the free market here.

Government should not be micromanaging private businesses and our individual choices. The general plan was mentioned a couple of times. It actually also says in our housing plan general element that we should reduce government, financial, and regulatory constraints and whenever possible offer expeditious processing of development proposals with housing affordable which I completely agree with. So I don't necessarily support mandating the EV capable charging for single family homes. I think it's been said people plug their electric vehicles into a GFI in their garage. There really aren't barriers to retro fitting a new single family home to justify a mandate on this. The market is going to provide it. When people ask for it, the builders will make sure that it is provided. The market is working correctly. Remember that most homes in Scottsdale are already existing.

So we're talking about maybe .3% of our going forward housing stock. It feels good to say that we're making this mandate, but what is the impact actually? We still haven't quantified that. I think that if we cared about having a meaningful impact on climate, we would be looking at housing options that use land and water more efficiently which would have a much greater bang for the buck. And most importantly which hasn't really been brought up here yet tonight, the technology is changing rapidly. We've got our military is already looking at wireless charging stations. I've heard talk about having solar panels on cars. And Toyota is currently testing hydrogen fuel cells at the moment. So we're going to force everyone to pay for things that they may actually not end up using which I can't support that. So I would be okay with multifamily EV ready. Although I do want to just make the tiny comment that taking up valuable parking spots in our commercial buildings is probably not going to go over that well with the people of Scottsdale.

But again I'm not going to bother giving my opinion on multifamily. I don't feel as strongly about that mandate. So I would like to make an alternate motion to adopt ordinance number 4575 resolution No. 12499, 12503, adopting the 2021 international residential code with an effective date of January 7, 2023. And including option B retaining minimum ceiling insulation value of R-38 instead of R-49 for single family homes.

Councilmember Milhaven: Second.

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Mayor Ortega: Okay I hear an alternate motion and a second. I will be able to speak to both motions and applicable to I do not support the alternate motion. The worst tax that we can experience in life is poor insulation, poor windows, under insulated places where we live, where we work. That is the worst continuing tax that is addressed by these provisions whether they deal with electrical, plumbing, or insulation. It is our job to look at public benefit. And many times I see builders proclaim that they provide R-60 in attic insulation. And they're very proud to say that, or they're very proud to say well the minimum is R-38, but we provide market wise an appealing savings to the buyer.

[Time: 01:34:38]

There's some other things that are important about adoption of the primary motion. And I would be voting against the alternate motion since it is on the floor. I have a couple of other things to say. That is that these codes have been thoroughly studied and presented through the AIA architects. I happen to be a member of that as well. And they have been tested nationally and they have been debated nationally. And at this point we're down after all of those complexities to two issues. One about insulation which is recommended. And to somehow feel that we're wiser and older and wiser than what is adaptable and what has been accepted just for pennies in terms of costs.

But yet costing returning dollars over time. That is our responsibility to do. Second part, there was discussion about insulation. So I will speak to that. The insulation is provided in the roof to deflect heat. Deflect heat. That's the main job of insulation in the summer. We get a lot of intensity, and yes if we're fortunate to have air-conditioning, it maintains our cooling. But the role essentially is for deflecting the heat and giving a late lag time to get through to the space because when the heat hits the livable space it's got to be countered by the coolness underneath. Yes it will help maintain the cool air, the cost of energy and so forth equally at the same time when we have a winter as hard as we have them here, it gets to 50 degrees or 45 degrees, we want to preserve the heat that's here and so whatever is generated and going in our utility bills, that's important.

But also to stop the coldness from penetrating in. The coldness that's outside is also we're trying to deflect that. That's the role of the insulation. It's equally, there are other provisions that ask that we insulate the slabs. So heat and coolness you can lose a lot because of the stem of the building. No one will argue that we should go back to single pain because builders can save a lot of money. And that's just great, it's a wonderful market condition and why should we interfere with that. Well we're Scottsdale. And Scottsdale, we're not going to do it partially and then somehow give an exemption about a basic like roof insulation. The other fact is one can argue and I heard this argument in the early days back in 86 when they said gee sprinkler your buildings that's just going to add another \$1.20 to the cost of your house. Wow. It could be voluntary. Let's make it voluntary.

Well you know who was testifying in that case, the firemen were saying we're going to save lives. The insurance people were saying your insurance bill is going to be substantially lower and it's not voluntary. We made it mandatory. I was here when the discussion was completed here. And the same home builders were saying oh my gosh it's going to cost a buck 20, and look how many lives have been saved and so forth. So we do have a distressed situation in our environment where we're short of water. Where every drop counts. And where the electrical provisions that we're doing are for maximum efficiency. Yes, I hope for better technology, but the cost of an empty conduit, believe me, an empty

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conduit from the vicinity of a panel to anywhere near where a car could be parked with a pool wire is so minimal. Any builder would add that as say oh it's got a perk on that as well. Or let the buyer beware.

Let the buyer beware that there's insulation that got cut out of this code by us up here because we thought that we're so much wiser. So it is a matter of being, it's not even penny wise, it's totally foolish to try to any subterfuge for marketability of our Scottsdale standards. At this point I don't know if there's more discussion on the alternate motion. Did you want to speak to your alternate second otherwise we'll vote on it shortly and move to the main motion?

[Time: 01:40:05]

Councilmember Milhaven: There's several other people that would like to speak so I don't know that we need to move to a vote. But I did want to comment on the matter at hand. But before I do that, I'd like to point out that our rules of procedure do not preclude the vice mayor from asking anybody here a question if they'd like to. And then I'd also like to remind the mayor that you call on folks in the order that we request to speak.

With regard to the issue here, my thinking or my questions were along the lines of Vice Mayor Durham's, that my understanding is the staff recommendation to stay with 38 really relates to enforcement and conflicts with other building codes and building requirements that might make the R-49 not practical. And that the R-38 was much more enforceable. And then I think what Mr. Clack taught me was insulation is not a linear relationship. So twice the insulation doesn't give me twice the comfort or twice the impact of the insulation. And so the difference between 38 and 49 is really quite small. But the conflict with other codes really creates other issues. And Mr. Clack, maybe you could expand on that for me.

Michael Clack: One of the things that I did point out is with the higher heel trust, you're going to raise the height of the overall roof which may be in conflict with some of our height requirements for certain zoning applications. That was one of the things that I was pointing out earlier where there could be a conflict. And the enforcement is something that energy raters, independent energy raters have informed us about and looking at it, we just want to make sure we get that right and that was pretty much it.

Councilmember Milhaven: So I'm supportive of the motion with regard to the main part of the motion for EV capable, I could really go either way. But I really feel strongly that we should accept the staff's recommendation about retaining R-38. Thank you.

Mayor Ortega: I see remotely Councilwoman Whitehead.

Councilwoman Whitehead: Thank you, Mayor. And thank you for explaining how insulation works. It's one of the most mundane and effective tools we have to lower people's utilities bills. Unfortunately air might be cooler and go to the bottom of the house, but air mixes and heat in the attic is one of the biggest causes of discomfort and high utility bills. So I absolutely support Councilwoman Janik's motion. And I also want to point out that having a spot for a breaker is really cannot be stressed enough an insignificant cause for the EV in the houses. And I also want to just say that codes is exactly what we do.



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And I really appreciated the speaker comparing these codes to the codes that make sure that people don't die when we have earthquakes.

Codes that are in other parts of the country to protect from roofs caving in from snow. So I am enthusiastically supporting Councilwoman Janik's motion. And I'm actually very honored to be part of this discussion. Scottsdale's conservation ethic is just many generations long. And we just as a city have always had the ability to dream big dreams, come together as a community, and I cannot believe the broad group of stakeholders that have come together to support this and then get the job done. I think it's just part of our DNA. And I do want to thank the American lung association, Arizona Ford a 53 plus-year-old business group that works on keeping our state healthy environmentally. Arizona Institute of Architects and the Phoenix Metro Chapter, Southwest Energy Efficiency Project. And that's just a sample. So that's typical how we get things done in the city. With that, I will let others speak.

Mayor Ortega: Thank you. Councilwoman Littlefield and Councilwoman Caputi.

Councilwoman Littlefield: Thank you, Mayor. And thank you for the work that you and your staff have done to put this together. I'd also like to thank the commissions and advisory board. All of the people that have been active and spent their time and efforts on bringing this to us to look at. I was going to support Councilwoman Janik's motion with a second but the Mayor beat me to it. I will be supporting her motion. I think it's important that if we do this at all, we do it right and we make it happen. Thank you.

[Time: 01:45:34]

Mayor Ortega: Councilwoman Caputi, Vice Mayor Durham.

Councilwoman Caputi: The example you gave about mandating sprinklers, I think there was a comment about hurricanes and different things. That's my exact point, we certainly should be mandating code requirements that take care of health and safety and life. That's absolutely what we should be doing. I'm simply saying that we should question the mandating of extra goodies. But either way I'm really excited that as a council here tonight it seems that either way we are going to adopt these base upgrades to our codes and I think that's a very good thing. Also I just want one last little comment, the payback period for changing the insulation from R-38 to R-49 is I believe around 177 years. So again when we do cost benefits, I do think that that should come into play. Thank you.

Mayor Ortega: Okay, Vice Mayor Durham, and then myself.

Vice Mayor Durham: Thank you, Mayor. I'm not sure if it's appropriate to make an alternate motion at this time. But I would move to support the staff's recommendations which is the mandatory adoption of the IGCC with the addition of option A and with the adoption of option B. I don't think anybody is arguing about whether we should insulate houses. The issue is how much insulation do we need. And I haven't heard any evidence that would indicate that the benefits of this added insulation outweigh the costs. And one thing I would also add to that is I would like to ask if Mr. Clack could report back to us in six months about the success of increasing enforcement to make sure we have R-38.

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Mayor Ortega: Thank you, Vice Mayor. I hear a second. And apparently the first-in, first-out rule will apply. I have to comment about a couple of things here. Part of the testimony mentioned that 80% of the homes are already built and there's a remainder of multifamily. The reference was made of any hardship in providing an EV capable, that only what we are considering today only applies to new construction, okay. So it should not be intimidating to anyone who may have listened and heard differently. It is also true that when people gut houses completely and gut the shell and then they come before the city, sometimes they're caught and we tell them you must sprinkler that house, it may not have had sprinklers before, but exceeded a certain percent of improvements. And so that is clarified as well. Builders understand that.

[Time: 01:48:53]

And builders should understand that we have a level playing field. The question of whether or not staff came up with this alternate based on whether or not a trust matters or not is in my opinion as an architect somewhat irrelevant. I don't see personally when you look at the trusses that are used nowadays and when they're built nowadays there is no significant cost there. That's my 40 years of experience. I find in Scottsdale, they're more concerned about a deeper truss. So you can put a recessed light in there and the insulation. Remember also when they say R-38, that doesn't mean 38 inches, right. Or R-48. What is an R-38 bat?

Michael Clack: 14 inches.

Mayor Ortega: 14 inches, 12 inches. You know what I mean. So these thicknesses do relate to life and safety because you know when you save money on your utilities, you can feed yourself a little better. You have a little bit more money to go out and enjoy our nightlife or take the family out. When you don't and there's enough air pockets in all this discussion that I don't need a proof to say and we will vote on an alternate motion, I had to distinguish between first of all with Councilwoman Caputi, did you have excluding the 48 inch?

Councilwoman Caputi: Yeah, I wanted the action number one the way it is. And I want the option B not the option A.

Mayor Ortega: So you're not going along with mandatory. I just want to clarify this so you're saying no mandatory and you also want a thinner insulation?

Councilwoman Caputi: Yeah I don't want it to take 200 years.

Mayor Ortega: We can prove that or disprove that however you want to do it. Because insulation settles over time. There's other factors. So to clarify in your instance you're also advocating Vice Mayor that the insulation be reduced to 38 --

Vice Mayor Durham: No. I'm saying we should keep it where it is.

Mayor Ortega: Well it is at 38. But adopting the new code that recommends 48 or 49, excuse me, you're making that a reduction in the code that is spoken for in the First Amendment.

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Vice Mayor Durham: It's not a reduction, it would be keeping our current standards, and as I understand it we haven't been consistently enforcing the current standards. And that's why I'd like Mr. Clack to come back in six months and tell us how this is working out. So I would keep our current standard of R-38.

Mayor Ortega: And let me respond to that a bit because again I'm just trying to clarify where you're coming from as well as where you're coming from. When codes are adopted, staff is trained. Staff is trained to be specific according to the, excuse me? Yes, but I want to clarify his secondary add on to your add on. So that's my job to try to clarify so everyone knows what you're voting on. So you are proposing that it be mandatory. So let's clear that one up. You're proposing that it not be mandatory? Is that correct? Excuse me? Okay, so you're both mandatory.

Vice Mayor Durham: On the IGCC.

Mayor Ortega: Yeah, and I want to clarify with okay mandatory is the next step. But I thought you mentioned mandatory along the way. Okay so you're wanting the code the primary motion was the code with the provisions and then also speaking for the mandatory aspect on the next code. That's the main motion. You covered --

Councilwoman Janik: No, on the main motion it was just action one and option A, not option B. We could vote on that separate if we want. But we've got enough going right now.

[Time: 01:53:49]

Mayor Ortega: So because there was discussion about mandatory and not mandatory and whether it was, well okay. So at this point to double clarify, the building code, sorry city attorney, I'm just trying to clarify where the motions are because things are flying over here.

City Attorney Scott: Yes, thank you, Mayor. I'm a bit confused as well and wanted to clarify the second alternate motion that Vice Mayor Durham made. So were you intending to make the motion for action one to adopt ordinance No. 4575 and resolution number 12499 and 12503 with both option A and B?

Vice Mayor Durham: Yes, my motion is identical to the staff recommendation.

City Attorney Scott: And just to clarify, we're getting to the green building code action item next. We haven't, I think that Councilwoman Caputi's point has been you said the IGCC and I think you really meant the IRC.

Vice Mayor Durham: I'm sorry, I thought the IGCC was part of the main motion. So yes, my motion then would be simply to take action one which is to adopt both option A and B. I'm sorry.

City Attorney Scott: Very good. So you've got two alternate motions, Mayor.

Mayor Ortega: But they appear to be saying the same thing to me.

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City Attorney Scott: No, if I may, Mayor, the second alternate motion which will be voted on first is to adopt ordinance No. 4575 and resolution number 12499 and 12503 with both option A and B. The second alternate motion is to adopt that ordinance and those resolutions with only option B. And the third alternate motion is to adopt that ordinance and those resolutions and action one with only option A. So you've covered I think all of the possibilities.

[Time: 01:56:18]

Mayor Ortega: Okay, I just wasn't sure where they crossed over or not. Okay, so we're going to vote on in summary okay, summarize as you just did, Vice Mayor's option because I'm reading he wants R-38 and somehow he was trying to stipulate a stipulation of six months which is not a part of a stipulation to come back with information. So I want to clarify that as well because in the training process we don't have a -- so the action is asking for that according to vice mayor. If you support that, are there any other, Councilwoman Whitehead and then I still see city attorney. So Councilwoman Whitehead.

Councilwoman Whitehead: Thank you, Mayor. I want to point out virtually all of the speakers other than the gentleman from the building advisory board soak in favor of Councilwoman Janik's motion which is to adopt the energy conservation codes with just option A. And I also want to point out that it is my understanding that these codes are very flexible. The one thing Scottsdale well is to accommodate our developers. Especially when it comes to cost. So if in fact the developer does not want to do the added insulation, they have the option just to make sure that they are compliant with the R-38 throughout.

And I also want to point out that unlike those of us up on the dais and me virtually, the international code council that spent several years to get to these recommendations is very well qualified to do that and would not adopt codes that were not ready for prime time.

And so these are well vetted codes by the national experts including our very own expert Anthony Floyd. And again just to reiterate that insulation is mundane and effective and there is an option for those builders that don't want to do the R-48. So I just want to make sure because it is getting confusing for people to recognize that the speakers we heard and the letters we wrote were in support of Councilwoman Janik's motion which was to adopt the international residential code and the international conservation code with option A which makes houses EV capable. Thank you.

Mayor Ortega: Thank you. And I will call on Councilwoman Milhaven noting that your seconded his alternate motion as well as Councilwoman Caputi.

Councilmember Milhaven: I thought everybody ought to have a point of view. I thought you should have every option. If Vice Mayor Durham wants to additionally add to have staff report back in six months to see if there are ways to reconcile other codes with the R-49, that is entirely appropriate. And that was what I seconded if Councilman Durham wants to lead that in his motion. Is that what your intention was?

Vice Mayor Durham: Yes.

Mayor Ortega: So you are amending a stipulation about code enforcement or reporting back. But at this point we will vote on the alternate motion and please register your vote.

Vice Mayor Durham: Which?

Mayor Ortega: Mr. Durham, yours.

Councilwoman Whitehead: Councilwoman Whitehead no.

Mayor Ortega: You the -- thank you. The alternate motion fails. Now we'll turn to the alternate motion by Ms. Caputi. I want that restated just for the record. It does vary from the base motion and let's clarify that.

City Attorney Scott: Yes, I'm happy to do that if Councilwoman Caputi would like. I believe the motion was to adopt ordinance No. 4575 and resolution No. 12499 and 12503 with option B only. Is that correct?

Councilwoman Caputi: That is correct.

[Time: 02:01:22]

Mayor Ortega: We see no further discussion. Please register your vote.

Councilwoman Whitehead: Councilwoman Whitehead is a no.

Mayor Ortega: The alternate motion fails 5-2. Next we are at the main motion and the main motion may be restated because we still have another code to vote on. Let's restate that one directly.

City Attorney Scott: Happy to do that, Mayor. Adopt ordinance No. 4575 resolution No. 12499 and 12503 with option A only.

Mayor Ortega: Please register your vote.

Councilwoman Whitehead: Councilwoman Whitehead is a yes.

Mayor Ortega: Okay, the motion passes 5-2 with Councilwoman Caputi and Vice Mayor Durham opposing. Next we will continue with our presentation.

Michael Clack: If we could have the next slide action two. No, mandatory. That would be slide number 18. Thank you. Yes, the action item number two as the council directed us to back at the workshop, we brought the international green construction code for consideration as a mandatory code. I wanted to point out that the adoption of this code would have an effective date of the latter of July 1, 2023, for the date that the city zoning ordinance is amended in response to ordinance No. 4576.

Mayor Ortega: Councilwoman Janik.

Councilwoman Janik: I would like to at this point make a motion if it's appropriate to adopt ordinance No. 4576 and resolution 12505 adopting the 2021 international green construction code IGCC including

all amendments in attachment seven as a mandatory code for all new commercial building projects with an effective date of the latter of July 1, 2023, or the date the city zoning ordinance is amended in response to ordinance No. 4576.

Vice Mayor Durham: Second.

[Time: 02:04:14]

Mayor Ortega: Thank you, we have a motion and a second. I will repeat a couple of things. And noting that the date of effective when it becomes in effect. So whenever a code is adopted, it requires training of staff. It requires competency. In this case, it requires an additional step and awareness both to the building community so that everyone is aware of what is in Scottsdale common practice and where we can improve on water conservation, on energy conservation, and there will be a rollout that will be required with all ordinances. I try to clarify that as well on the previous discussion with that code. There's always a rollout that the administrator does and we don't require him to come back and reexplain how his process is because that has to be rolled out. And that's your competency to get that done.

The education component is vital, the message that we're sending to the public, both consumers as well as potential buyers and the multifamily industry, single family industry is that we can be an effective city and there's lots of pluses to come into Scottsdale including our codes. So it would take other decisions for the other 80% of the homes. In most cases those that have single panes and even where seniors are not able to afford a double pane or other insulation, we have a fund and we have I believe the last report was to spend about \$600,000 to help seniors again avoid that brutal tax of your utility bill. So that's the part that the city does to outreach and help seniors with limited means. I see Councilwoman Caputi and Councilwoman Janik.

Councilwoman Caputi: I know it's late but I have a couple of more things to speak on about this because I think it's really important. I support the IGCC of course, this is what I do for a living, but I oppose making it mandatory. We are already doing most of this. The market is solving the issue on its own. We do not need a government mandate. Again I do this for a living. LED light fixtures are no longer, it's just a thing, right. You don't need to mandate it. People are just doing it because that's what the market has asked for and we don't even see a request for any other kind of technology anymore. So again the market is working. When the technology changes, people are going to be spending money on features that they don't need or want. Again LED light fixtures are a great example.

We started out with those went away in two seconds. We are going to need more staff to enforce this mandatory code which is already mostly being done. City expenses for additional employees to administer these codes are going to be significant although we're brushing over it here. And permitting times are also going to increase by months. We actually can't add to the cost of housing construction and create onerous regulatory burdens without inviting problems from our state government. I'm here to tell you that builders are already struggling with rising costs and issues with the supply chain. So the codes certainly shouldn't be making that worse. I agree with our building advisory board again the experts in this area. I think it can be mandatory for zoning bonuses, but voluntary for other buildings. This is how most of the jurisdictions in the country are handling it today. We're already adopting the updated international energy code. We already require lead certification on government buildings. So

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mandatory IGCC I believe is going to have unintended consequences on development in our city. For example, you're mandating that every new commercial building over 5,000 square feet is going to have to implement solar technology.

Again that payback has got to be decades before that will make sense for a building that small. To repeat myself we shouldn't be increasing red tape and bureaucracy and costs just so we can say we're leading on this. This is going to impact our local developments significantly. Developers are going to pass these increased costs through to the end users. We're going to be making housing even less affordable when we're already struggling restoring housing costs. I think our report from a few weeks ago told us 47% of residents are now housing cost burdened. This is only going to increase that problem. Commercial lease rates are going to increase. This will affect Scottsdale businesses and Scottsdale employees. People are continually writing to us on our emails saying they don't want Scottsdale to become California. That is what this mandate is doing. The savings in utility bills won't come close to making up for the increased costs of mandating this IGCC which we are all going to pay for.

I believe we should adopt the codes as intended by the code development organizations as Councilwoman Whitehead suggested. Of course they've done a lot of research on this. And for the most part the IGCC was developed as an overlay guide which I support, not as a mandatory code. Almost no one else has made it mandatory and there is a reason for that. So I would like to, I'm going to try to do this correctly.

The city attorney talked to me beforehand. I'd like to move to amend the alternate action too as presented. So it would be ordinance No. 4576 and resolution No. 12505 with amendments to make the 2021 international green code and city amendments to the IGCC mandatory for zoning and planning bonuses and voluntary for all other commercial projects with a January 7, 2023, effective date. Thank you.

[Time: 02:10:46]

Mayor Ortega: Thank you. I see or hear no second so that dies and thank you. Councilwoman Whitehead, Councilwoman Janik.

Councilwoman Whitehead: I'll keep it snappy. But today's code adoptions are really exceptional even by our own standards. And it's true leaders lead from the front. So once again Scottsdale is in a leadership position, but we're far from first. We know that there are states throughout the country that have adopted these codes statewide as well as cities such as Las Vegas and Salt Lake City and Austin as was brought up.

And while I respect Councilwoman Caputi and her industry of selling lighting equipment to the building industry, we've heard from the building industry quite clearly that these costs are negligible and that routinely cities are approving projects for workforce and low income housing that meet the IGCC standards. And I also want to point out when we talk about costs, whose costs are we talking about?

There might be some minor up front costs to the developer and maybe those costs are passed on, however what I'm looking at is the lifetime cost of these buildings for the residents and the health impacts not only to the residents that live there but to the whole community. So we know that when we

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pass these building codes, we're going to deliver higher performing buildings with healthier indoor air, stringent water conservation, energy efficiency that delivers lower utility bills for as many years that these buildings are housing people, cleaner air, healthier people, reduced urban heat, and a more resilient community. This is a minor cost for spending a few extra dollars on insulation and other items in these requirements.

And I want to also point out that it was mentioned many times, the cost to make a building better is quite minor. The cost to retrofit a building is either much more expensive or prohibitive. And thank goodness California decided to protect its residents from earthquakes and I won't cite many other codes in our country. In Scottsdale the fire sprinklers. So I enthusiastically support adopting these as mandatory and once again leading the way and giving future residents and current residents the reason to move here because they know we care about them.

Mayor Ortega: Councilwoman Janik.

[Time: 02:13:43]

Councilmember Janik: Thank you, Mayor. I don't want visitors to come to Scottsdale in the valley of the sun in 2040 and say this used to be wonderful and it's now a ghost town. I want us to thrive into the future. I want us to be here in 2040, 2050, 2060. And if we don't take these steps now, we won't be here. And there have been many experts that have written on this. We are in an urban heat island, we are short on water.

We let the residents decide how much water they needed to use. I moved here 18 years ago from Colorado, I was on restrictions then. I moved to the desert and there's no restrictions for water. Everybody has got the greenest lawn around. That shows you how sometimes giving people the choice doesn't work. Maybe it works with lifeboats, but it certainly hasn't worked with water. We certainly could be in much better shape. This action will put us on the right track so we can survive so we have the tools to do it right. Thank you.

Mayor Ortega: Thank you. And I see no other hands up. I would just add that the motion which failed for second is the standard multifamily playbook. And it is not going to fly here in this chamber. I believe that what we're doing as a responsible body with a policy in a positive way, in a positive way, is a greater benefit saying that it only applies to zoning cases when our properties are already zoned for buildings and such. So they wouldn't even go through a rezoning or up zoning process and fail to meet the standards that we're expecting. It's not acceptable to do less and for that I'd ask everyone to record your vote.

Councilwoman Whitehead: Councilwoman Whitehead is a yes.

Mayor Ortega: Okay so it's 6-1 the motion passes. Congratulations. With Councilwoman Caputi objecting. Next I will move on to -- continue, Mr. Clack.

Michael Clack: I'm done.



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Mayor Ortega: I'm sorry I don't have a Scottsdazzle ornament for you. But please enjoy, we have an amazing promenade with great things for kids. So at this point we will move on to the opportunity for a public comment. Public comment involves an opportunity for anyone to step forward on an item that may not be on the agenda but would be within our jurisdiction. I see that there's no request for public comment. Therefore I will close public comment.

Next I will announce whether or not there is a citizen petition on the floor. There was none received and therefore the item number 19 is closed regarding citizens' petitions. And that matter is done. Finally, we have a we're coming to one more meeting which is a Wednesday meeting which is tomorrow. And so I will invite everyone back and those interested parties. At this point I request a motion to adjourn. And a second?

Councilwoman Janik: So moved

Councilwoman Littlefield: Second.

Mayor Ortega: Please record your vote.

Councilwoman Whitehead: Councilwoman Whitehead is a yes.

City Clerk Lane: Mayor, I apologize. We still have work study.

[Time: 02:18:11]

Mayor Ortega: Excuse me. At this point actually I do want to announce that the work study item was taken off, we could convene for the work study, I guess. I will clarify that. So I will reconvene for the work study and noting that everyone is present. However, I do wish to clarify that the work study item which was the quarterly fiscal year to be presented by our treasurer will be or can be moved to January when we have the full council. So I am open to a motion to move the work study item to January 10, 2023.

Councilwoman Janik: So moved.

Councilwoman Littlefield: Second.

Mayor Ortega: Thank you, I have a motion and a second. All in favor say aye or indicate your vote, excuse me.

Councilmembers: Aye.

Mayor Ortega: And a yes from Councilwoman Whitehead. So just to reiterate, thank you so much for your patience. At this point I would ask for a motion to adjourn the work study that was so brief.

Councilwoman Janik: So moved.

Councilwoman Littlefield: Second.

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Mayor Ortega: I have a motion and a second from Councilwoman Littlefield. Please record your vote.

Councilwoman Whitehead: Yes.

Mayor Ortega: Unanimous. Thank you so much. See you manana.