SCOTTSDALE CITY COUNCIL MEETING



Second Amended Meeting Notice and Agenda

[Reworded Item Nos. 21 and 22]

COUNCIL

David D. Ortega, Mayor Tammy Caputi Tom Durham Betty Janik

Kathleen S. Littlefield Linda Milhaven Solange Whitehead

Tuesday, October 5, 2021

The City Hall Kiva Forum (Kiva) is open to the public during City Council meetings at a reduced capacity. Seating in the Kiva will be available on a first come, first served basis. Once capacity has been reached, individuals will be directed to a nearby location to view the televised meeting. The Mayor will announce the names of speakers in advance to give those attending the meeting from the nearby location sufficient time to enter the Kiva and make their comments in person. As seating in the Kiva becomes available, individuals waiting in the nearby location will be asked to come to City Hall.

City Council meetings are also televised on Cox Cable Channel 11 and streamed online at <u>ScottsdaleAZ.gov</u> (search "live stream") to allow the public to virtually attend, participate telephonically, and listen/view the meeting in progress. Unless an exception is made, or unless otherwise noted, the Council will not begin discussion on any new items after 10:00 p.m. Items that are not heard will be continued to the next scheduled Council meeting (October 12, 2021).

In-person or telephonic comment is being accepted on items on the Consent and Regular Agenda (Items 1 through 22). To sign up to speak on these items, please click <u>here</u>.

Scottsdale citizens may also speak on items that are within the Council's jurisdiction but are not on the agenda, with a total of 15 minutes at the beginning and 15 minutes at the end of the meeting dedicated to comment on non-agendized items. To sign up to speak in person or telephonically on a non-agendized item that is within the Council's jurisdiction, please click <u>here</u>.

Online Request to Speak forms for Consent, Regular, and Non-Agendized items must be submitted no later than 90 minutes before the start of the meeting and you must indicate whether you will be addressing the Council in person or telephonically.

Written comments on any of the items on tonight's agenda that are submitted electronically at least 90 minutes before the meeting will be emailed to the Council and posted online prior to the meeting. A written public comment may be submitted electronically by clicking <u>here</u>.

5:00 P.M.

Marked Agenda

REGULAR CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

persons with a disability may request a reasonable accommodation by contacting the city clerk's office at (480-312-2412). Requests should be made 24 hours in advance, or as early as possible to allow time to arrange accommodation. For TTY users, the Arizona Relay Service (1-800-367-8939) may contact the city clerk's office (480-312-2412).

FOR ADDITIONAL INFORMATION VISIT: <u>WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION</u>

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Call to Order – 5:00 P.M.

Roll Call – All present

One or more members of the Council may be unable to attend the Council meeting in person and may participate telephonically, pursuant to A.R.S. §38-431(4).

Pledge of Allegiance – Councilwoman Janik

Mayor's Report – Mayor Ortega thanked Councilwoman Janik for her dedicated service as Vice Mayor over the last eight months and welcomed Tammy Caputi as Vice Mayor.

Mayor Ortega read and presented a Proclamation for Scottsdale McDowell Sonoran Preserve Month to McDowell Sonoran Conservancy Chief Executive Officer Justin Owen.

Mayor Ortega announced that the Scottsdale Police Department is asking for assistance to locate a missing 20-year-old autistic male named Najib Monsif. Please call the Scottsdale Police Department non-emergency number (480-312-5000) with any information.

Presentations/Information Updates – Scottsdale Arts President and Chief Executive Officer Gerd Wuestemann gave a PowerPoint presentation.

Scottsdale Arts Update
 Presenter(s): Gerd Wuestemann, President and CEO

Public Comment – None

Public Comment time is reserved for Scottsdale citizens to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak form must be submitted together with the petition(s) before the Mayor announces the second Public Comment period.

Speakers may address the Council once under Public Comment at the beginning or the end of the meeting, but not both. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Council during** "**Public Comment.**"

CONSENT AGENDA ITEMS 1-20

How the Consent Agenda Works: The Council may take one vote to act on all of the items on the Consent Agenda or may remove items for further discussion. Items <u>not</u> removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

– Councilwoman Littlefield made a motion to approve Consent Agenda Items 1 through 20, except for Item 6 [Curaleaf Conditional Use Permit (8-UP-2021)]. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

1. <u>Barrio Cosita Liquor License (48-LL-2021)</u> – Approved on Consent.

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.

Location: 15801 N. Frank Lloyd Wright Boulevard, Suite 100

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

2. <u>The Union Jack Bar Liquor License (61-LL-2021)</u> – Approved on Consent.

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.

Location: 15689 N. Hayden Road, Suite 125 Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

3. <u>Hecho A Mano Cigar Lounge Liquor License (63-LL-2021)</u> – Approved on Consent.

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) State liquor license for an existing location with a new owner.

Location: 34482 N. Scottsdale Road, Suite 130 Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, <u>tcurtis@scottsdaleaz.gov</u>

- Fratelli La Bufala Liquor License (66-LL-2021) Approved on Consent.
 Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for a new location and owner.
 Location: 7300 N. Via Paseo Del Sur, Suite B
 Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- Grain to Glass Distribution, LLC Liquor License (67-LL-2021) Approved on Consent.
 Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 4 (wholesaler) State liquor license for a new location and owner.
 Location: 502 N. Hayden Road, Suite 833
 Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 6. <u>Curaleaf Conditional Use Permit (8-UP-2021)</u> Councilwoman Janik made a motion to continue Item 6 [Curaleaf Conditional Use Permit (8-UP-2021)] to the November 16, 2021 Council Meeting. Councilmember Durham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

Request: At the request of the applicant, continue to the November 16, 2021 City Council meeting. **Staff Contact(s):** Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, <u>rgrant@scottsdaleaz.gov</u>

7. <u>WestWorld Sports Complex Multi-Use Sports Fields Construction Phase Services Contract</u> – Approved on Consent.

Request: Adopt **Resolution No. 12277** authorizing Construction Manager at Risk Contract No. 2021-153-COS with Valley Rain Construction Corporation, in the amount of \$3,426,451.81, to provide phase one construction services for Bond 2019 Project 53 – Build Multi-Use Sports Fields in the Area of Bell Road.

Location: East end of WestWorld adjacent to McDowell Mountain Ranch Road and Thompson Peak Parkway

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

8. <u>Booster Pump Station 83 A/B Rehabilitation Project Construction Phase Services Contract</u> – Approved on Consent.

Request: Adopt **Resolution No. 12288** authorizing Construction Manager at Risk Contract No. 2021-156-COS with MGC Contractors, Inc., in the amount of \$1,270,842.55, to provide phase one construction services for the Booster Pump Station 83 A/B Rehabilitation Project. **Location:** Northwest corner of Frank Lloyd Wright Boulevard and 90th Street **Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, <u>daworth@scottsdaleaz.gov</u>

9. <u>Airport Perimeter Fencing Improvements Project Construction Bid Award and Fiscal Year (FY)</u> 2021/22 Budget Transfers – Approved on Consent.

Request: Adopt Resolution No. 12272 to authorize:

- 1. Construction Bid Award No. 21PB021 with Western Fence Co., Inc., the lowest responsive bidder, in the amount of \$479,073.70 for construction services in connection with the airport security fencing improvements project.
- 2. A FY 2021/22 budget appropriation transfer in the amount of \$104,039 from the Grants funding source to the Aviation Fund funding source.
- 3. A FY 2021/22 Aviation Funds Capital Contingency budget appropriation transfer in the amount of \$229,600 to be funded by Aviation Funds.

Location: 15000 N. Airport Drive

Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov

 Aviation Business Center Lease Agreement – Approved on Consent. Request: Adopt Resolution No. 12243 authoring Agreement No. 2018-015-COS-A2, the second amendment to the agreement with Volanti Restaurant and Lounge, LLC, for the lease of restaurant and office space in the Scottsdale Airport Aviation Business Center. Location: 15000 N. Airport Drive Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov

Starr Contact(S). Gary Mascaro, Aviation Director, 460-312-1755, gmascaro@scottsualeaz.go

11. <u>DUI Impaired Driving Enforcement and Education Grant</u> – Approved on Consent. Request: Adopt Resolution No. 12269 to authorize:

- 1. Acceptance of, if awarded, a grant from the Arizona Governor's Office of Highway Safety in the amount of \$102,000 to reimburse the City for overtime costs related to DUI impaired driving enforcement and education.
- The Chief of Police, or designee(s), to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with the acceptance of the grant.
- 3. A budget transfer in the amount of \$102,000 from the adopted Fiscal Year 2021/22 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.

Staff Contact(s): Jeff Walther, Chief of Police, 480-312-1900, jwalther@scottsdaleaz.gov

12. <u>Bicycle and Pedestrian Safety Education Grant</u> – Approved on Consent.

Request: Adopt Resolution No. 12270 to authorize:

- 1. Acceptance of, if awarded, a grant from the Arizona Governor's Office of Highway Safety in the amount of \$50,000 to reimburse the City for overtime costs related to bicycle and pedestrian safety education and enforcement.
- The Chief of Police, or designee(s), to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with the acceptance of the grant.
- 3. A budget transfer in the amount of \$50,000 from the Fiscal Year 2021/22 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.

Staff Contact(s): Jeff Walther, Chief of Police, 480-312-1900, jwalther@scottsdaleaz.gov

13. <u>Selective Traffic Enforcement Program Grant</u> – Approved on Consent. Request: Adopt Resolution No. 12271 to authorize:

- 1. Acceptance of, if awarded, a grant from the Arizona Governor's Office of Highway Safety in the amount of \$80,000 to reimburse the City for overtime costs related to the Selective Traffic Enforcement Program.
- 2. The Chief of Police, or designee(s), to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with the acceptance of the grant.

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3. A budget transfer in the amount of \$80,000 from the Fiscal Year 2021/22 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.

Staff Contact(s): Jeff Walther, Chief of Police, 480-312-1900, jwalther@scottsdaleaz.gov

- 14. <u>Human Exploitation and Trafficking Unit Proactive Operations Grant</u> Approved on Consent. Request: Adopt Resolution No. 12294 to authorize:
 - 1. Acceptance of, if awarded, a grant from the Hickey Family Foundation in the amount of \$23,757 to purchase investigative tools and equipment that will assist the Human Exploitation and Trafficking Unit in conducting proactive operations.
 - The Chief of Police, or designee(s), to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with the acceptance of the grant.
 - 3. A budget transfer in the amount of \$23,757 from the Fiscal Year 2021/22 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.

Staff Contact(s): Jeff Walther, Chief of Police, 480-312-1900, jwalther@scottsdaleaz.gov

15. <u>Proposition 202 Grant Funds Acceptance</u> – Approved on Consent.

Request: Adopt **Resolution No. 12268** authorizing Intergovernmental Agreement No. 2021-150-COS with the Fort McDowell Yavapai Nation to accept Proposition 202 Tribal Gaming Funds in the amount of \$10,000.

Staff Contact(s): Shane Stone, Management Associate to the City Manager, 480-312-7826, <u>shstone@scottsdaleaz.gov</u>

16. <u>Rassner Memorial Scottsdale Library Endowment Allocation for Fiscal Year (FY) 2021/22</u> – Approved on Consent.

Request: Adopt **Resolution No. 12249** approving the distribution of \$18,000 in interest income from the Rassner Memorial Scottsdale Library Endowment Fund for FY 2021/22 and authorizing the allocation of funds to recommended activities.

Staff Contact(s): Kira Peters, Community Services Administrator, 480-312-2691, kcpeters@scottsdaleaz.gov

17. <u>Library Board Code Amendment</u> – Approved on Consent.

Request: Adopt **Ordinance No. 4520** amending Scottsdale Revised Code, Chapter 20, Parks, Recreation and Cultural Affairs, Article II, Section 20-17 relating to the officers and rules and regulations of the Library Board.

Staff Contact(s): Kira Peters, Community Services Administrator, 480-312-2691, <u>kcpeters@scottsdaleaz.gov</u>

18. <u>Water, Sewers, and Sewage Disposal Code Amendment</u> – Approved on Consent.

Request: Adopt **Ordinance No. 4519** amending Scottsdale Revised Code, Chapter 49, Water, Sewers, and Sewage Disposal, Article III, amending Sections 49-75 and 49-82 to adopt new water and wastewater development fees.

Staff Contact(s): Brian Biesemeyer, Water Resources Executive Director, 480-312-5683, <u>bbiesemeyer@scottsdaleaz.gov</u>

19. <u>American Rescue Plan Act Funding – Approved on Consent.</u> Request: Adopt Resolution No. 12292 to authorize:

- 1. The acceptance of \$29,244,706 from the American Rescue Plan Act (ARPA), Coronavirus Local Fiscal Recovery Fund grant to be allocated in two equal awards of \$14,622,353 planned in Fiscal Year (FY) 2021/22 and FY 2022/23.
- 2. The use of such funds for the 'Revenue Loss' category in the Interim Final Rule issued by the Department of the Treasury to implement the Coronavirus Local Fiscal Recovery Fund

established under the ARPA for the provision of government services, which the city will apply to Public Safety.

- 3. The City Manager, City Treasurer, and their designees to prepare and submit reports regarding use of the funds and to take any other actions necessary to carry out the intent of this Resolution; ratifying the submitted report.
- 4. A FY 2021/22 budget transfer in the amount of \$6,095,935 from the General Fund Public Safety Fire Operating Budget to the General Fund Operating Contingency.
- 5. A FY 21/22 budget transfer in the amount of \$8,526,418 from the General Fund Public Safety Police Operating Budget to the General Fund Operating Contingency.

Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

20. <u>Plaintiffs Virgil Doerfler, Song Hyon and Virgil Doefler, LLC Settlement Agreement and General</u> <u>Release of All Claims</u> – Approved on Consent. Request: Adopt Resolution No. 12290 authorizing Agreement No. 2021-158-COS with Plaintiffs

Virgil Doerfler, Song Hyon and Virgil Doefler, LLC, in the amount of \$78,000 to settle Plaintiffs' lawsuit against the City and its employees.

Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, scott@scottsdaleaz.gov

REGULAR AGENDA ITEM 21-22

How the Regular Agenda Works: The Council takes action on each item on the Regular Agenda.

***21. Greenbelt 88 Rezoning (15-ZN-2020) – Councilwoman Whitehead made a motion to continue Item 21 [Greenbelt 88 Rezoning (15-ZN-2020)] to the November 16, 2021 Council Meeting. Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

Request: At the request of the applicant, continue to the November 16, 2021 City Council meeting. **Staff Contact(s):** Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, <u>rgrant@scottsdaleaz.gov</u>

***22. <u>92nd Street Non-Major General Plan Amendment and Rezoning</u>

(3-GP-2021 and 6-ZN-2021) – Councilwoman Janik made a motion to continue Item 22 [92nd Street Non-Major General Plan Amendment and Rezoning (3-GP-2021 and 6-ZN-2021)] to a date to be determined in the future. Councilmember Durham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

Request: At the request of the applicant, continue to a date to be determined.

Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, <u>rgrant@scottsdaleaz.gov</u>

Public Comment – None

Public Comment time is reserved for Scottsdale citizens to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak form must be submitted together with the petition(s) before the Mayor announces the second Public Comment period.

Speakers may address the Council once under Public Comment at the beginning or the end of the meeting, but not both. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Council during** "**Public Comment.**"

CITIZEN PETITIONS ITEM 23

Citizen Petitions: This portion of the agenda is reserved for the submission and/or consideration of citizen petitions. There is no limit on the number of petitions a citizen may submit; however, **each citizen is limited to a total time of three minutes to speak to his/her petition(s)**. A Request to Speak form must be submitted, together with the petition(s), **before** the second Public Comment period begins.

23. Receipt of Citizen Petitions – None

Request: Accept and acknowledge receipt of citizen petitions. Any member of the Council may make a motion, to be voted on by the Council, to: (1) Direct the City Manager to agendize the petition for further discussion; (2) direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner; or (3) take no action. **Staff Contact(s):** Ben Lane, City Clerk, 480-312-2411, <u>blane@scottsdaleaz.gov</u>

Mayor and Council Items – Councilwoman Janik reported that ballots for the November 2, 2021 Special Election regarding the Scottsdale General Plan 2035 will be delivered this week and encouraged residents to vote.

Adjourn the City Council Regular Meeting and Convene the City Council Work Study Session – 5:29 P.M.

– Vice Mayor Caputi made a motion to adjourn the City Council Regular Meeting. Mayor Ortega seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

CITY COUNCIL WORK STUDY SESSION

- City Council Work Study Session called to order at 5:40 P.M.

Roll Call – All present

Work Study Sessions: Work study sessions provide a less formal setting for the Mayor and Council to discuss specific topics, at length, with each other and City staff. Work study sessions provide an opportunity for staff to receive direction from the Council and for the public to observe these discussions.

Public Comment: To provide an opportunity for public input yet continue to maximize the amount of time available for the Council to have focused discussions, spoken comment (maximum of five speakers) is being accepted on the item(s) on tonight's work study session agenda. To sign up to speak, please click <u>here</u>. Request to speak forms must be submitted no later than 90 minutes before the start of the meeting. – Natalie Chrisman Lazarr, Chair of the Scottsdale Environmental Advisory Commission (SEAC), discussed heat island effects and mitigation strategies and the SEAC's support of recommendations from the Arizona State University study (which is the subject of tonight's Work Study) and a possible Tree and Shade Plan for Scottsdale.

If you have thoughts or suggestions on the work study session item(s) you would like the Council to consider, you are encouraged to submit your written comment(s) electronically by clicking <u>here</u>. Written comments that are submitted electronically at least 90 minutes before the meeting will be emailed to the Council and posted online prior to the meeting.

1. Urban Heat Island Mitigation Study Update

Request: Presentation, discussion, and possible direction to staff regarding the Urban Heat Island Mitigation Study.

Presenter(s): Tim Conner, Environmental Initiatives Manager and David Hondula, Arizona State University Professor

Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, <u>rgrant@scottsdaleaz.gov</u>

– Environmental Initiatives Manager Tim Conner and Arizona State University Professor David Hondula gave a PowerPoint presentation.

- Councilmembers provided the following recommendations:
- Provide recommendations on methods for enforcing tree replacement.
- Determine a balance between water conservation and heat island mitigation.
- Analyze and test the use of water needs in the desert to determine proven results.
- Reorganize the timeline to move up community engagement and citizen input on land temperature and story maps.
- Provide a cost versus benefit analysis for the City Council's evaluation.
- Divide the city into similar characteristic (prototype) areas and select one or two to evaluate the processes and budget considerations.
- The City Council should follow the guidelines adopted in any sustainability plans.
- Consider a holistic approach to sustainability.
- Engage community groups to assist with proposed landscaping improvements, including planting trees.
- Investigate the possibility of adding shading to alleys.
- Include transportation elements in sustainability plans to reduce heat loads on major streets.

• Incorporate enforcement mechanisms related to broken and/or leaking pipes and irrigation systems.

2. <u>Sustainability Planning Process Update</u>

Request: Presentation, discussion, and possible direction to staff regarding the City's Sustainability Planning Process.

Presenter(s): Tim Conner, Environmental Initiatives Manager and Bill Campbell, Arizona State University Walton Sustainability Services Portfolio Manager

Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, <u>rgrant@scottsdaleaz.gov</u>

– Environmental Initiatives Manager Tim Conner and Arizona State University Sustainability Services Portfolio Manager Bill Campbell gave a PowerPoint presentation.

- Councilmembers provided the following recommendations:

- Encourage citizen involvement by informing the public, offering opportunities to view or listen, and possibly participate, in all workshops and meetings.
- Send out regular reports to citizens with updates on the process.
- Incorporate transportation elements into the sustainability plan by encouraging installation of, and identifying locations of, available electric vehicle charging stations.

Adjournment – 7:09 P.M.

– Councilwoman Whitehead made a motion to adjourn. Councilwoman Janik seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi, and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.