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**CALL TO ORDER**

[Time: 00:00:01]

Mayor Ortega: I call the April 26<sup>th</sup>, 2022 city council regular meeting to order. City Clerk, Ben Lane, please conduct the roll call.

**ROLL CALL**

[Time: 00:00:12]

Clerk Lane: Thank you, mayor. Mayor David Ortega.

Mayor Ortega: Present.

Clerk Ben Lane: Vice Mayor Tammy Caputi.

Vice Mayor Caputi: Here.

Clerk Ben Lane: Councilmembers Tom Durham.

Councilmember Durham: Here.

Clerk Ben Lane: Betty Janik.

Councilmember Janik: Here.

Clerk Ben Lane: Kathy Littlefield.

Councilmember Littlefield: Here.

Clerk Ben Lane: Linda Milhaven.

Councilmember Milhaven: Here.

Clerk Ben Lane: Solange Whitehead.

Councilmember Whitehead: 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: 00:00:36]

Mayor Ortega: Very good. We do have Scottsdale police officers Anthony Wells and Sergeant Brian Heider, as well as the firefighter Derrick Owen, should anyone need assistance. Let's begin with the pledge. Councilman Durham.

Tom Durham: 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 keep the Ukrainian people and country at the forefront of our thoughts. Let's pause in silence as we hope for their freedom and democracy.

[ Moment of silence ]

Thank you. So it's earth week in the world, and here in Scottsdale. We had a great day at the Thomas water facility, but there's plenty of other events throughout the week, ending with arbor day on Friday, the 29<sup>th</sup>.

Also, we continue to keep the Salt River firefighter paramedic Tyler Packer in our thoughts, as he continues to recover as well as the family and friends of the Salt River fire department, as they grieve the loss of the firefighter, EMT, Brendan Bessee.

### **PRESENTATIONS**

[Time: 00:02:53]

Mayor Ortega: We will move on to the presentations. We have an earth week presentation. Stephanie Hirata is the public affairs specialist, Lisa McNeilly is the sustainability director. Hello.

Stephanie Hirata: Hello. I'm Stephanie Hirata, public affairs specialist with the office of communication and Lisa McNeilly. It's a pleasure to talk about you are our week-long celebration to recognize earth and arbor day.

We kicked off earth week this past Friday on April 22<sup>nd</sup> at Pima Park with the mayor and council green expo breakfast. We had 12 booths at the event, city department and local organizations talking about a variety of sustainability topics to encourage residents to think about the environment and take action, whether it's reducing waste by reusing products, recycling or composting, being more mindful about the amount of water we use and avoid wasting it, planting more desert-friendly trees when provide us with so many wonderful environmental benefits, including the air we breathe and providing shade and, of course, so much more.

We appreciate all who attended to educate and spread awareness and promote sustainability. On Saturday, members of the Scottsdale environmental advisory commission and city staff were at the Old Town Scottsdale farmer's market, giving away small assorted desert-friendly trees. We talked with people about the importance of planting trees, and citizen inventory which is a citizen science project, encouraging residents to count trees right outside their homes.

We will hear more about the tree inventory project at the arbor day celebration this Friday. And one resident actually came up to us and was very proud to share that they had picked up a tree from our table last year and showed us photos of how their tree is growing and thriving and you can see the before and after photos on the right-hand side. Also, over the past few days, the city held its adopt a road spring cleanup with keep Scottsdale beautiful.

City employees and residents took to the streets to pick up litter and they set a record. A total of 71 volunteers participated in this cleanup to celebrate Earth Day. 501 people cleaned more than 142 miles of roadway and removed more than two tons of trash. Adopt a road participants commit to at least

three cleanups a year and so even though we have groups throughout the year cleaning our roadways, we encourage as many groups as possible to get inspired by Earth Day and to get out and clean their designated areas.

We also partnered with the McDowell Sonoran Conservancy to host a few guided walks at the preserve to admire nature's beauty right outside our doors. At these events, natural resource coordinators shared their knowledge about the preserve and the wonders of the Sonoran desert. We have a few upcoming events, ending on Arbor Day, Friday, April 29<sup>th</sup>. We have one more guided nature walk at Brown's Ranch. There are two virtual webinars on Thursday.

Scottsdale 360 is a virtual learning series about people, policies and programs that shape our community. This class, in particular, Water Wise will be about how we're asking residents and businesses to voluntarily reduce water use by 5% due to the Colorado water shortage. Gretchen Baumgartner will talk about the city's resources portfolio, conservation efforts and how residents and businesses can help.

[Time: 00:06:40]

The second one in the evening is part of our green building webinar series, the nonprofit organization Solar United Neighbors will talk all about solar power, and last, but certainly not least, we will end our week-long celebration with a tree planting. It will be at 8 a.m. at Bell Road Sports Complex.

Scottsdale is proud to be recognized as a Tree City U.S.A. for the 40<sup>th</sup> year. That's more times than any other Arizona community. And Mayor Ortega will read the Arbor Day proclamation and there will be guest speakers from the Scottsdale Garden Club and the Scottsdale Advisory Commission.

To find out more information about these upcoming events or to register for the webinars, visit [Scottsdaleaz.gov](http://Scottsdaleaz.gov) and search earth week. That concludes my part of the presentation. Thank you so much for your time. Are there any questions? Okay. I will turn it over to Lisa. Thank you.

Lisa McNeilly: Thanks, Stephanie. Thanks, Mayor Ortega, Vice Mayor Caputi and the councilmembers. It's a pleasure to be here. My first city council meeting. I'm going to lower this. I'm a little vertically challenged. If you were at the green expo on Friday, you heard me mention an old saying, that the two best times to plant a tree are 20 years ago and today.

I wanted to share it again tonight because I think it's such an important message about calling us to invest broadly in our environment and to lead, to be a city that starts early and keeps innovating. We all know all of the different ways that the city has started early and has innovated, whether it's water, green building, you know, a whole range of green infrastructure protecting open space.

And the sustainability director, I've been asked to start planning for the future. So we'll be working on the city's first sustainability plan, building off the general plan and we'll be bringing it to council for adoption in December. We'll be working on another priority area is an urban heat plan. There's a study that's been done that would be posted soon and we will be looking for more ways to share more

ways that we can address and hopefully mitigate and manage that heat.

But I'm also, you know, glad that we can talk about efforts to do more engagement, events like this week where we had so many volunteers, so many attendees. I want to make sure that we can share the stories from the city and to make sure that all the voices are heard. So with that, I just want to thank you for your time. We're well within time and just see if there's any other questions for me as well.

Mayor Ortega: Thank you very much. Let's continue to celebrate Earth Day week, month, year, as we move forward.

**PUBLIC COMMENT**

[Time: 00:09:30]

Mayor Ortega: The next item on the agenda is public comment. It's an opportunity for any Scottsdale citizen to come forward and speak on a non-agendized item, which would be within the council jurisdiction. No council action can be taken on the public comment. And the speakers are limited to three minutes to address the council.

Per our rules, we have five speakers available at this time in person or remote, and I show five in person. First will be David Ambranovic, and Steven Cummings. Please step forward. Mr. Ambranovic.

David Ambranovic: Well, thank you very much for the opportunity to come and speak to you today. I'm really here out of the sense of desperation, to be honest. We have been -- we have been living in front -- this video showing some scenes from the front of our house, in front of a resident that's been operating a business freely out of his residential home, a diesel repair wrecking, auto wrecking, you know, construction business, and we have been working with the code enforcement for more than ten years to try and get this -- this business shut down and to get this property in compliance with the -- with the zoning ordinances that I read and seem pretty clear to me that the city council here passed.

And it's just -- it's been a struggle. And for one reason or another, the code enforcement can't seem to -- to put together a case. There was one case in 2012 that there was a judgment to clean up the property, but it just reverted back to this very quickly. There's equipment being hauled in and out at all hours of day and night.

Noise -- it's a real disruption to our neighborhood and I don't think any of could you look at this -- this footage here, which I will just be very clear, was taken from public accessible locations, with a usage of the crop and zoom. So it may appear that I'm closer to these and I took all of these. So we live directly in front of this house.

So we're continually experiencing just this noise coming and going of an inappropriate business. And I see this out of my bedroom window. I see it out of my living room window. I see it out of my front porch when I'm trying to enjoy a sunset. I see it when I am in my backyard and I hear the vehicles coming and going. So I'm really here today to just try and ask that the council support an action to come to what I would consider a reasonable conclusion of bringing this property into compliance with

the city's zoning.

I mean, it seems like a simple ask, but for some reason the enforcement, the code enforcement just can't -- can't bring this property into compliance. So this is a list of the -- of the ordinances that I think are being broken. I put a petition out. We had over 700 people sign it in our community, and it got shared, but, you know, clearly this is not something normal for a residential neighborhood. So I ask for your support. Thank you very much.

Mayor Ortega: Thank you. Next, we have Steven Cummings and then Laura Norton Schwartz.

[Time: 00:14:05]

Steve Cummings: I think have a PowerPoint they uploaded. So my name is Steven Cummings. I live at 11030 north 73<sup>rd</sup> street. There we go. So first, my dad left me this property. He passed away in 2021 of COVID-19. He liked to collect and, boy, did he collect! So now I am stuck cleaning up this property. It has been looked at multiple times by code enforcement. Every time they come, they say there's no violation.

I myself am cleaning this property up to my standards. He was a heavy equipment mechanic and he stored lots of heavy equipment stuff. This is an 8-foot wall behind the property and the only way to look at it is to look over the property or trespass. David Ambranovic has persistent harassment against my dad since 2005. He initiated a campaign of harassment by the city code enforcement with multiple false claims and accusations.

He claimed all the time of equipment being run out of the property. My dad worked for engineers. He was never an independent contractor. Every time he made that complaint, he was shut down. No actions were ever taken. This is two of 114 pages of false accusations and inspections made by the code enforcement that showed there was never a business being run out of that property.

The new -- since I am the new owner, I figured maybe the code enforcement department, me and the David can have a mediation and figure out something where he would stop complaining and harassing me.

Jorge Espinoza brought that up, as well as Rick Valenzuela, he denied it. On 4/19, the police were called because of a video of him jumping my wall and taking pictures inside of my property. This is what I get every time I come home. He stands at the wall and he has five cameras.

We found another one, pointed at my front door, my side yard, his tree into my driveway. That's harassment! These some are pictures taken from his slides, the first one is me moving a trailer with steel scrap. That trailer sat there for 15 plus years. The next one is me with a Bobcat. That Bobcat was removing a Saguaro that fell in my front yard and it's not me loading and unloading. I moved 60-ton of steel so far. All of which were legal in the backyard. No business has ever been conducted out of my home. Here's some pictures.

David, however, has a wall that is not in code compliance. It was never permitted, and he's made no attempts to bring it into compliance. I am not in violation. David is clearly in violation, but makes no attempts to fix it. I think I'm being harassed. Thank you for your time.

Mayor Ortega: Next we have Laura Norton Schwartz and Harold Black.

Laura Norton Schwartz: Hello, everyone. My name is Laura Norton Schwartz. I live at 6705 East Montecito Avenue, and we were here to file a petition to have the city build on 68<sup>th</sup> street. You agendized that and have the city report back to you.

Over the last month, we've had a lot of conversations with staff regarding the planning and the funding of the sidewalk along 68<sup>th</sup> street between camelback and Indian School. Staff have been extremely professional and generous with their time. They have been supportive. I think many of them see what we are concerned about. We appreciate those efforts. We would like to continue the work that's being done and we are looking forward to their report.

[Time: 00:18:44]

Tonight, I just wanted to say that as I was looking at the materials for the agenda item 22, which is the transportation action plan, I was taken by the fact that I think this sidewalk project actually perfectly aligns with the goals and values that are in the 2022 TAP.

Just to highlight, goal number one is promote safety, people, over motorists and travel speed. Goal two is to improve accessibility for all types of transportation and transportation users. And the goal three is to promote an active and healthy living in the city. So I hope that we can continue to work on getting the sidewalk built.

I think the sidewalk project is in perfect alignment with this transportation vision, and well, we'll see you here when they report. Thank you.

Harold Back: Good evening, mayor, city councilors. Thank you very much for taking the time to let us speak with you. A month ago, we did speak with you, and we are grateful for your willingness to agendize the whole idea of the sidewalk along 68<sup>th</sup> street.

To that end, I think it is important to acknowledge city manager Jim Thompson and his effort to work with staff to do what's necessary to help advance what we believe is a very important project. But it would be fool hardy to for us to come here and ignore really what is a challenge to all of you, to take time and to go and experience walking along 68<sup>th</sup> street between 68<sup>th</sup> -- between camelback and Indian School so that you can more clearly understand the challenges that are there.

They are significant, and without that support, as things emerge over the coming months, we really do need your support to help get this done and we would hope that whatever we can do to support that, we can and will. So we want to thank you. We want to express our support for the transportation action plan and for the continued work and effort with staff and in all be grateful for what you have

done so far in advancing this agenda. So thank you very, very much.

Mayor Ortega: Thank you, sir. That's Harold black. Thank you very much. The final speaker for public comment will be Tom Frankel.

Tom Frankel: Tom Frankel, 6716 montecita, actually, a neighbor of Laura Schwartz. I guess I would like to see the sidewalk happen too. 35 years in harmony in front of council, and actually never did public comment and I was here today not for public comment, but I was going to comment on the Artisan and I guess it was tabled and I know we're not talking about that. But I guess what I'm here to talk about a little bit is balance. And we've got a very unique council and for a lot of reasons has changed.

[Time: 00:22:26]

I have been 35 years talking and appearing and wanting things out of council and hoping for things out of council and all different types of situations, and many times on the wrong end of council where I was in the gallery area as a small business owner, with the largest small property owner in that area, and got chased out -- even though I was a developer, a developer-friendly council that squashed me and wanted my interests -- or my interests were taken away by the larger player in the area. So I know that side of it.

And I guess I also know the side of it of being somebody who wants to put a project together, and hoping I'm going to get a fair shake and a well-grounded opinion from people. In the case of the project that was going to be heard tonight, of all the people impacted in the whole community, I'm more than anybody. I'm directly across the street with no on-site parking.

I have the building directly to the south and I've got two lots on main street. So there's no one that would be more impacted than myself. And don't know the developer.

I know the zoning attorney but I don't know the developer and very gotten all the postcards and all the community input and whatever and felt it was a good job and I guess my concern as someone who also has things coming down the pike and was on the side of being squashed by someone that also a good project that's -- a good project that's well done is considered and that the no only the activists who certainly have a voice and many times haven't had a voice in Scottsdale, but also the business community that wants to do something is not forgotten and squashed on.

Because people have a legit right to feel the way they do but also have the time and the energy to come down here and do it and voice their case, please don't also forget people who want to have things happen and listen to both sides of it, because I would hate to see it tilt the other way and I'm scared as someone who is coming forward, will I also get a fair shake. And in the case of this project, as a person most impacted, I would like to see it supported and happen. Maybe it still will.

But if there are people who want it perfect. I'm in the middle of civic center park. And all of my buildings are squashed by a beautiful park. It's two years of misery, but it will be worth it. So thank you.

Mayor Ortega: Thank you, Mr. Frankel. I will close public comment. Next, we will have the review and

the approval of the minutes. I would also for any revisions if someone has a change. I would request a motion to approve the retreat minutes of March 22<sup>nd</sup>, 2022, special meeting minutes of March 29<sup>th</sup>, 2022, executive session minutes March 29<sup>th</sup>, 2022, regular meeting and work study session minutes of March 29<sup>th</sup>, 2022, regular meeting minutes of April 5<sup>th</sup>, 2022. Do we have a motion and a second?

Councilmember Janik: I move to accept those minutes.

Councilmember Whitehead: I will second that.

Mayor Ortega: A motion and a second. Any comment? If not, please register your vote. Okay. That was unanimous.

### **CONSENT AGENDA**

[Time: 00:26:30]

Mayor Ortega: The next posted agenda item are the consent agenda items 1 through 19. We also have an opportunity for public comment on any of the items from 1 to 19. My clerk says there's no public comments.

So accordingly, I will close the public comment on the consent agenda items and I would be open if council has a question about any particular item, otherwise, I would -- go ahead, Councilwoman Littlefield.

Councilmember Littlefield: Thank you, mayor. I just have a question on item number 6, and if there's someone here who is familiar with that from staff, I would appreciate it. On page 2 of 6, under context, it's going background, general plan, character area, zoning, context, the Sereno canyon stretches northward to each east ranch gate road, the subject plat are more specifically located on 128<sup>th</sup> street and each -- and east Sereno canyon parkway and then on the following page, on page 3, transportation trails it has -- it has a sentence in here that bothered me. I would like a little bit more of an explanation.

Access to the proposed development will continue to be provided at east Alameda road to the west, each ranch gate road to the north, until such time that north 128<sup>th</sup> street, a minor collector street, to the east is constructed to a minimum 24-foot wide paved standard. And I wanted to make sure that that was not part of the 128<sup>th</sup> street Thruway that's within the preserve boundaries that has been changed from a minor collector.

Jesus Murillo: Mayor Ortega and Councilwoman Littlefield, that's correct. The whole portion of this site is located south of ranch gate road. The portion that you are discussing, which is commonly known as the goose neck is north of -- of ranch gate road.

Councilmember Littlefield: Thank you very much. I wanted that to be public record. Thank you.

Mayor Ortega: For the record, that was Jesus Murillo on the response from the staff. Any other comments? Go ahead, Councilwoman Janik.

Councilmember Janik: I looked at -- we're talking about consent item 3 and 4, which is the permanent extension for sauce and Francine's. I looked at the map, the diagram for number three and I just wanted to make sure that there is an area for the pedestrian walkway.

Tim Curtis: Good evening, mayor, members of the city council and Councilwoman Janik. Yes, we have been working closely with that business operator to make sure that there's a minimum of 8-foot clearance, pedestrian walkway. I know it gets tight this, but we have been working with them and that is demonstrated on their site plan. And I'm Tim Curtis with the planning department.

Councilmember Janik: Thank you, Tim. Appreciate it.

Mayor Ortega: Thank you. I see no other requests to speak of council or questions to staff, accordingly, I would accept a motion regarding consent agenda items 1 through 19.

Councilmember Whitehead: Mayor, I will make a motion to approve consent agenda items 1 through 14.

Mayor Ortega: 19.

Vice Mayor Caputi: Second.

Councilmember Whitehead: 19.

Councilmember Littlefield: 19, I will second.

Mayor Ortega: Any other discussion? Please register your vote. Betty? Thank you. Unanimous.

**ITEM 20 – REZONING @ 13647 N. 87<sup>TH</sup> STREET (10-ZN-2021)**

[Time: 00:31:05]

Mayor Ortega: Next, we'll move on to our regular agenda items. Regular agenda items include item 20 through 23. The first item and presentation will come forward, as item number 20, rezoning at 13647 north 87<sup>th</sup> street, case 10-ZN-202-1678 our presenter is Jeff Barnes senior planner, excuse me.

Jeff Barnes: Good evening mayor and members of the council, I am Jeff Barnes, with the city's planning department, giving you a presentation for 10-ZN-2021. For a little bit of context, this site is located south of Thunderbird road, east of 87<sup>th</sup> street in the yellow highlighted area.

On this map, you can see this site is surrounded by developed single family residential homes. And it backs up to the 101 freeway to the -- to the east there. A little bit closer view of the site in question. Again, you can see it backs right up to the sound wall and improvements for the freeway on the east.

There's a cul-de-sac with existing single-family residences to the west. That is the McDowell shadows estates. There is a couple of those subdivisions that wrap around in the and south of this site. Some important history, I'm going to walk through here, and try to lay out for you.

So this site in question, which is shown in the red highlight on the -- on the graphic here, was part of a much bigger site previously, and it was about an 87,500 square foot single family residential property, and that's approximated in the yellow boundary on this old aerial photo. And just for some context, that I will try to carry forward, the green is highlighting the existing residence at that time in the late '70s.

This property was purchased by ADOT and part of it used for the free way development, and progressing forward a little bit in time but carrying some of those highlights over, you can see still in the yellow where that property exists where the freeway is now on a majority of that property where the house was in the green, and where the subject property is in the red highlight.

The pink hatched area is what was left of that original parcel after the ADOT improvements. That was about a 30,000 square foot remnant parcel and it retained the R1-35 zoning at that time. You can see in this image, most of the other residences in the surrounding area had developed at that point in time around this, and these -- this area was left -- left behind. So I mentioned that area was remnant from the ADOT action. It was sold off. And then subsequently, that was sold and parceled out even farther.

[Time: 00:34:59]

And so it was parceled out into five sort of fragmented pieces and those are on this graphic here, numbers 2, 3, 4, 7, and 8. And so those five pieces make up that original 30,000 square foot approximate parcel with the R1-35 zoning and those parcels in total retained from a zoning standpoint, the development rite of that one original house shifted over from that previous lot before it was taken up by the freeway.

Those fragmented actions didn't come through the city process. They are not recognized for individual development, as having been legally established. Because of that, they have been recorded with the county. They have parcel numbers, but they're a challenge on our end for acknowledging, being able to develop them without further action. And so each of those is sort of color coded to ownership and you can kind of see that they are owned by different surrounding parcels there, except for the subject site, which is owned by Mr. Koo. He also owns number 6 which I will talk about more in a second.

So those properties, in order to develop independently of their total would need to either be incorporated into those surrounding parcels or go through a rezoning process of some sort to change their development standards to something compatible with the size of those parcels or some combination thereof in order to develop and that's part of what's driving the action for you today.

So ultimately, we're looking at a rezoning request for piece seven here, but there's an end goal of combining it with piece six which is a little wedge shape to the west, and then creating one developable lot out of that, which will be the total kind of red that you are seeing and I will get into that more too.

Wrapping up sort of what's on this slide is that 5 and 6 are organizations of tract c, out of the adjacent subdivision, and when the H.O.A. dissolved from that subdivision, tract C. went into private ownership and was divided up and sold off. And so that is an added component to sort of the history of piecing out what's happening here, and it -- it's not part of the zoning request, but it is part of the end goal and that's why I mentioned it, because it also provides ultimately access to the cul-de-sac for the development of this lot, if the zoning is approved and it continues down the path it's on.

[Time: 00:38:10]

Focusing in a little bit closer on this area, and maybe just reiterating that this was all once a cumulative parcel, that is now five pieces, lot seven which is the subject piece of that makes up about 44% of that original -- original property and under that singular development, right of the R1-35 zoning that's out there.

Visually, just connecting what I had alluded to, that the applicant's end goal is to tie those two pieces together as one parcel, it put together this graphic to just conceptually represent where developable area of that site would be, and represented that through this. And so I wanted to make sure we were showing that as well to talk about this.

The outcome is that total that we're talking about, just the one piece. Wrapping up some of the history discussion before we get into -- I keep leaning back into what's happening now.

Previous applicant on this property took it through a board of adjustment request for variances to the existing R1-35 zoning on the site. They tried to get essentially all the development standards reduced through variance process, and that request was denied.

They were unsuccessful in going that route. That was back in 2013. That was a previous applicant, but it's paved some of the path to now pursuing a rezoning before you here. So present day, the request is to rezone from the R1-35, to R1-10, on that portion of that previous remnant parcel, about 13,000 square feet of area, to be combined with that portion of tract c for about a 15,700 square foot lot.

So visually, we're talking about changing this area from R1-35 to R1-10. Also notably on here, in the context of zoning, that previous area was all R1-35, the adjacent subdivisions to the west south and north were all part of the rezoning action, previously. I believe that was early to mid-90s.

They rezoned from R1-35 to R1-18 with the PRD, plan residential development overlay, which afforded them the opportunity to also adopt amended development standards and create the subdivisions that are out there today. In putting comparison to some of those details, the first column on here is the existing R1-35 of note on that. It requires a 35,000 square foot minimum lot area.

As I mentioned that original parcel was 30,000 square feet, and this piece of that parcel is only in combined total even going to be about 15,700 square feet. And so in order for us to approve the combination of those pieces and the development of that lot, it would have to meet the zoning standards and it doesn't meet the current zoning standards which is why they are seeking the rezoning.

The next district down from R1-35 would be R1-18, it requires a minimum 18,000 square foot area which does not achieve the goal which is why the applicant is pursuing R1-10 which is the last column here. So 10,000 square feet of lot area, that would align with the size of the parceling they have, and allow that combination to be approvable in the long-term goal of this. I skipped over the middle column here, which is the R1-18 PRD, I mentioned of the adjacent neighborhood, but for context, it's important they amended their development standards from that 18,000 square feet down to 15,740 as a minimum lot size.

The end goal with the current applicant is about a 15,700 square foot parcel and so in technical comparison of the standards, they are -- they are closely aligned. Some of those properties are much bigger or in -- in that realm, but from a development standards standpoint, there's consistency there. Also notable within these development standards is that the adjacent properties zoning has amended their 30-foot building height down to 21 feet. And out of some of the -- the context of public comment, and the planning commission hearings and the details to this date, the applicant has opted to also limit themselves through stipulation to 21 feet instead of the 30 feet to create consistency.

[Time: 00:43:59]

And I will talk more about that in a little bit of a graphic to go with that too, but it's important to say in context of this comparison chart here. So I mentioned the planning commission, this did go to them back on February 23<sup>rd</sup>. The planning commission did make a recommendation of denial with a vote of 5-2 on this case.

This also came before you once before briefly, back on 3/29. At that point in time, the applicant had requested a continuation to work on some of the stipulation amendments for consistency that I mentioned. One of which was the building height limitation. The other is that they have created a graphic to limit single story of the structure to certain areas of the property, and that would be this graphic on the left of your screen here, and so the hatched area would be where within the building envelope, still within the 21 feet, they could potentially have mezzanine or loft or second-story component to the structure, but limiting that to the south where the other existing residential properties.

And so this graphic and the stipulation about the building height or included in the stipulations in your packet tonight already and they were part of the action the applicant took between their continuance and now to try to create some more conformance to their request. Just jumping over the graphic on the right and trying to sort of circle back to an end goal on this, this is what the applicant put together as sort of a comparison and of the R1-35 setbacks and the R1-10 as they think it would fit to the property and then I have added this highlight, just to remind that we're talking about the red outlined areas as the zoning request but ultimately the goal is to incorporate the orange outlined area into that to create a single developable parcel out of this site.

And the key is lot size in sort of the shortened focused version of why they are requesting the zoning change to the R1-10 district specifically. I think that wraps up staff's presentation. I apologize that was a

lengthy go around but I'm happy to answer any questions but the applicant is also here.

Mayor Ortega: Well, at this point, we will move to the applicant's presentation. Did you have a question for staff?

Councilmember Milhaven: I just wanted to clarify, stipulation 10, I think you went over it, but I want to make sure I understand. In terms of setback. So stipulation 10 is saying they are agreeing to setbacks that are greater than would ordinarily be allowed under the zoning that they are requesting, so that it is closer to the zoning in the -- they're stipulating the larger setbacks than the zoning district would require; is that right?

[Time: 00:47:38]

Jeff Barnes: Mayor Ortega, Councilmember Milhaven, stipulation number 10 is actually defining where within their development they could have more than a single-story building height, and so –

Councilmember Milhaven: Oh. I see that. Okay.

Jeff Barnes: I don't know if I can jump back to the presentation. The setbacks themselves are fairly similar between --

Councilmember Milhaven: I see that now. Thank you.

Mayor Ortega: Okay. Then we have a question, Vice Mayor Caputi and then Councilmember Durham and then we'll have the presentation by the applicant.

Vice Mayor Caputi: Thank you. Just a couple of quick questions. So when we started out there weren't enough -- this wasn't enough area to begin with, to the R1-35. So it was already too small. So I have a question about there are other properties in this area that also aren't 18,000 square feet, and yet they have the R1-18 zoning. So how did they get that exception?

Jeff Barnes: Mayor and Vice Mayor, I believe the answer to that is those properties are likely within the adjacent development that has the R1-18 PRD, which as shown in the middle column on the screen here, they've -- through the PRD amended those standards down and so they would have a lesser minimum lot area through that, and so they could be smaller than 18,000, but not smaller than 15,470.

Vice Mayor Caputi: So complicated. So what about -- could you rezone to R1-10 but have setbacks and step-backs that would watch more R1-18, that would be more contextual to the neighborhood or does the lot size dictate the zoning?

Jeff Barnes: Vice Mayor, all the development standards would have to be achieved with the outcome, but in sort of the focus of achieving a developable lot, lot size is at the forefront of that, and so without a set of development standards that allows a lot of that size, the setbacks would be meaningless in the terms of being able to create a developable lot.

And so even if -- so they are requesting the R1-10 because it most closely aligns to the size of their parcel, and unamended R1-18 would not be a viable solution for them. They couldn't pull the R1-18 PRD over to their site without affecting the entirety of that PRD which has its own justification components and analysis and things in its history and so --

Vice Mayor Caputi: And so you can't have R1-10 zoning with R1-18 setbacks. I'm trying to figure out a hybrid approach. It's not going to be contextual to the neighborhood and I think that's what everyone is -- I would think that's the struggle here, you are trying to --

Jeff Barnes: And Vice Mayor, contextually, without applying an additional zoning overlay to make that happen, the closest alignment that -- between staff and the applicant we have been able to achieve through stipulations is adding the building height restriction, creating the graphic that defines where within the building environment they can do specific things and so it's working towards that without implying that full extra zoning overlay aspect of it.

[Time: 00:51:29]

Vice Mayor Caputi: Wow. I have more questions but that's good for staff at the moment. Thank you.

Mayor Ortega: Councilmember Durham and then we'll have the applicant.

Councilmember Durham: Thank you, mayor. What's going on with all of these other pieces of land here, like two, three, four, five, and eight, that were on injure screen? Yeah. Are any of those developed currently?

Jeff Barnes: Mayor Ortega, Councilmember Durham, those are each owned by adjacent owners they do appear to have some bleed over of development from the yards of, say, one into two on this graphic, 9 into 8 on this graphic. 4 and 3 have a wall constructed around them and appear to be used as a vehicle or a storage enclosed area. They are owned by the adjacent property owner at the north end of the cul-de-sach here and I believe they are being used for their personal storage. But none the other properties are pursuing a development request at this point in time in the way that the applicant is.

Councilmember Durham: So the lot number 4 is owned by the house to the west there?

Jeff Barnes: Correct. I'm sort of circling it on the PowerPoint here.

Councilmember Durham: Okay. Thank you.

Mayor Ortega: Thank you. Let's move on with the applicant, please.

Dave Richert: Mayor and members of the council, my name is David Richert. I may be familiar to some, and maybe to others. I have actually stood here quite a few times but honored to be in front of you tonight. Whoever thought one small lot would be so problematic?

So from that perspective, I'm going to add to what Mr. Barnes just laid out for you, and, yes, we are moving to the Vice Mayor's ideas through stipulations or conditions of approval. We believe that the use tied to the north and tied to the lot from the councilman's question, is being used without a principal use on that property.

So there are a lot of machinations going on, but with that, I would like to introduce Hoon Koo who is the owner of the property, family man, Scottsdale resident who wants to build the home on it.

We have Tim LaSota with us, who is talking about the legal matters of when the city's board of adjustment denied the application, they basically took away land use rights. And this gets down to the heart of the issue tonight. If you vote it down, there's no principal use you can establish on this property.

It doesn't matter who owns it and I know a lot of neighbors, little contentious with us about that, that why did he buy it? From that perspective, he bought it to build a home for you. He built it in Scottsdale. You will see that it is a very well-designed home. An architect wanting to live in his own home. How about that?

So with that in mind, I just wanted to make a few comments here, and then I will turn it over to Mr. Koo and then Tim will come up and add a little bit more about the legal perspective. But the general plan allows this to happen, the range of densities. It did in 2001 when I was here.

[Time: 00:55:27]

It does in the new general plan and if somebody felt like that needed to be changed, it should have been done this last year, during the time we were working on it. Didn't happen. Second thing is your zoning ordinance is your toolkit to try to make things reasonable, manageable, and implementing your general plan.

You are left to one tool in the toolbox to put something meaningful on this site. A principal use. That means you have to put a home on that property before you legally can do anything else with it. So with that, he's been through four years of getting other properties to work with him, so the point that it what a non-conforming lot in the first place.

It takes super talent to put something together here and I want to compliment the staff and the law department in working with us. They were working with us trying to figure out a solution here. And to their credit we have a recommendation for approval. There are a few planning commissioners who believed the same thing I'm suggesting. At this point, we need one lot.

The lot that never was built or was there before ADOT took the right away. That home got destroyed by virtue of the freeway. There's still one home floating here. We're asking for it to be on this lot, and those other remnants in this particular area, are not available to us. So with that, if I can turn it over to Mr. Koo to give you a brief presentation of his more in-depth analysis on this, and I will be open for

questions as well.

Hoon Koo: Hello, my name is Hoon Koo. I'm the lot owner. And Scottsdale resident for nearly 20 years. I live in 12752 east Saguaro drive. It's right in front of basis Scottsdale. All my kids went. I raised my two kids the last 20 years. They all went to basis Scottsdale. In fact, my young boy, he's becoming junior this fall. He's going to go and get out of the house. And I came across this lot a few years ago, January 2017, and we both -- my wife and I both loved it. Especially my wife. It's closer to Costco and she doesn't have to drive very far.

[Time: 00:58:28]

And I thought it was a great opportunity and we can find a nice home here. And we don't have to move and losing all my friends the last 20 years here in Scottsdale. So last few years, I have been working with my consultant and very courteous city staff and to make a long story short, we arrived at this application.

This application is more realistic with rezoning from R1-35 to R1-10, although this character and the size is more compatible and very comfortably within the range of R1-18, just not pulling too many complicated strings, probably we should isolate the larger parcel of land and stay with R-10 application. This is a house view around the neighbors.

And they are all built back in 1994 through 1997, within three years this subdivision was developed by home builders. My lot nearly 60,000 square feet is well within the range of this neighborhood. In fact, there are a few houses that are even smaller than my lot. And these are the references I -- I can refer to. So by comparison, if I stay with r-35, the developer lot size becomes smaller, but even with -- even r-18 standard, the developable lot size becomes much larger. And my immediate neighbor subdivision amended the zoning standard can be realistically achievable, although, again, my application is for the R10.

And my target design, I initially thought this is a fun project using my background as an architect and play with new building technique and more environmentally and energy conscious materials to develop and it turned out to be on the top, kind of contemporary taste, however, it involved incorporating other neighbors and some other comments.

I'm more than willing to entertain different style, such as Mediterranean, Tuscany, or Spanish colonial is a predominant housing style in the southwest. And by the way, Wally Amuti, he's more towards the Tuscany style anyway, and so instead of building a house as eye popping can be very comparable house. I got his blessing, as well as Claudia Alton. They are my neighbors to the west. So as Mr. Brown illustrated, I would rather respect the privacy of my surrounding neighbors, but I would like to enjoy the view of the mountain which is toward the freeway side. So I would like to have some kind of deck, while limiting the building height under the surrounding neighbors building size, 21 feet.

Again, I would like to play with the new building techniques and material, other than common stucco house, something like the clay, aerated concrete blocked or the I.C.F. insulated concrete form and

some other means and method. So this is a front view approach garage side, patio, and I have a second deck that's -- that has a window towards the freeway side. In summary this lot is very compatible to all the surrounding neighbors' lots. It's not small. It's definitely within the range.

And I'm more than happy to make the housing size compatible to the neighborhood as well. And having said that, there's some more complicated items which I cannot handle. So I engage some more experienced accountable professionals such as Tim LaSota. So I would like to invite him to make some comments about the legal aspects of it, please.

Mayor Ortega: Well, you have used your ten minutes, and I will allow one minute and then we have to go to public comment.

[Time: 01:04:51]

Tim LaSota: Thank you, Mr. Mayor and members of council. Thanks for the extra minute. So I will make it really quick. And I don't think I need to say too much, because I've tried to communicate this. This is an extremely unusual situation. Obviously, the freeway was built. It ends up 2,000 square feet, too small for R1-18, which the properties just to the west of it are. It's just a hair under and it's a remnant.

And you know, some of the things have been suggested about what should happen to it, he can sell it. Well, if you can't do anything with it, who is going to buy it? You know, you can buy someone else's property. Well, we don't have a right of private eminent domain in this state. So unless they're willing to sell, you can't. We went through board of adjustment and they said no. You know, bottom line, the law is clear.

You don't have to allow any use, certainly, but you can't allow no use and this is so close to the surrounding neighborhoods. When I was there, the own thing I saw was -- the own thing I saw was a squirrel on the property, vermin. So it's a little hard to understand why someone wouldn't want a nice house on a comparable lot size -- a lot size that's comparable to others and we would ask that you approve this rezoning request. Thank you.

Mayor Ortega: Thank you. We'll now move to public comment. And it's my understanding that we have several. So let me begin with -- let's see, Jim Rohn and then Nan Currie.

Jim Rohn: My name is Jim Rohn, I live at 8601 east Sutton drive, two blocks south of this property. The planning commission has voted 5-2 to deny this. The neighbors are in opposition of it. Why somebody bought a piece of property that wasn't usable in first place is subject to debate. It might have been a good deal, an investment, I don't know.

Unfortunately, people that are in that situation, investors, seem to think that they can buy something with one zoning, and, you know, it will be okay. We'll just get it rezoned. Let's hire some big wigs, some people that you all know being and we'll get our way. Let's go back to the planning commission. They denied it 5-2. I request that you deny it as well. Thank you.

Mayor Ortega: Thank you. Nan Currie and then Rob Mangini.

Nan Currie: Thank you, mayor and city councilmembers, and Vice Mayor. I'm disappointed to hear them present it that there are other properties nearby that are around the same size. And our current zoning, as we've gone over it, is an R1-35 requires a minimum of 35,000 square feet, with a limitation of one dwelling and results in a low density of population.

The proposed rezone to R1-10 allows for one dwelling per 10,000 square feet, plus permits a higher density of population. Approval of the applicant's request will instantly set a dangerous precedence that will pave the way for developers to acquire, split, and build multiple dwellings on lots in our neighborhood, where there is now only one dwelling.

The lot of configuration poses several limitations resulting in an odd structure that will not be commensurate with the neighborhood. Number one, the application proposes to build a two-story -- yes -- own a certain segment he revised, it but there's no two stories in existence. This the CC&Rs do not allow a two had I have story building. It will be only one home in the neighborhood built on a flag lot.

[Time: 01:09:50]

A sensitive water retention basin blocks the entrance of the site, and the applicant proposes to build a bridge over this basin in community where no bridge exists. This lot provides for zero street frontage. Guests would have to park on this bridge or in front of another neighbor's home. The front door of this proposed home will not be visible from the street.

The issue that the neighbors have that we are concerned that we will have other lots, once they are old, divided up into three parcels. I live on 86 east Voltaire avenue. He's located fourth development. But, again, the CC&Rs do not allow for a two-story building. I hope that you will not pass this because it is going to destroy our neighborhood and increase the density and the noise factor.

We have several VRBOs in the neighborhood now. My concern is that this will be a VRBO. Please help us. Thank you.

Mayor Ortega: Thank you. Next, we have Rob Mangini, and I believe he's the final speaker on this item.

Rob Mangini: Hello mayor, Vice Mayor, city council. I have lived in this neighborhood since 2003. I'm here to support my neighbor and stand behind my fellow neighbors. The gentleman I'm support is Mark Sepino, he's professionally communicated with everybody across this whole process, and sort of a tough situation, and I hear a lot of professionals being hired that are very good at their job and very good at how they are presenting things and do things, but as a -- somebody that lives in the neighborhood, this is simple. This is a square peg in a round hole, and I urge you to please -- please do the right thing. Help us out. Thank you.

Mayor Ortega: Thank you. That concludes public comment. Therefore, I will close public comment. At

this point, we are open to discussion. If -- if -- if there are any questions or then open to a motion. I see Councilmember Milhaven.

Councilmember Milhaven: Thank you. You guys spent a lot of time on this, for one small lot, I think a lot of us have. As I see this, this is a request to build a single-family home in a single family neighborhood. Right?

And as I understand the process of this gentleman comes through to build a house. The staff pulls out the zoning code, looks at the existing zoning of R1-35 and goes down the list and says, check, check, check, does it comply with the zoning code? So the first is, is the lot 35,000 square feet? The answer is no.

So that means that then we stop there, and nothing can be built. So it requires that it be a different zoning code so it can be in compliance. And I think we saw tonight that given the size of the lot R1-10 is what's appropriate to allow him to build something. So for the -- and that the -- and my understanding is that this is a 13,000 square foot lot, and it sounds like by the time they add that wedge, which gives them street access, it's getting closer to 16,000 square feet, which is consistent with where the neighborhood is at R1-18.

[Time: 01:14:03]

So it seems that while I'm very sensitive -- and I don't live too far from here myself. The neighbors are very sensitive about context. It seems to me this is in keeping with the neighborhood. You know, it is one single family home in a single-family neighborhood.

Now, I hear folks saying we don't have any two-story homes in our neighborhood. My neighborhood doesn't have two-story homes either and somebody came along and wanted a two-story home, and it was already allowed by the zoning. My neighbors didn't like it either, but it was already allowed.

The R1-35 allows them to go to 30 feet and they are stipulating to not more than 2 is feet and so that is -- it may not be consistent with the adjoining homes but it's certainly consistent with what the current zoning is. I did go back to listen to planning and hear what the neighbors' concerns were. They said we can't see it from the street. So if it's a single family home, in the aesthetics are of concern, people are saying they can't see it from the street.

When I look at then the other ways that it's different, from R1-35, from the 118, is it's a difference of a 5-foot on the front setback, and a difference of 3 feet on the side setback. And so if you can't see from the street even that difference wouldn't make a difference. I do hear people talking about this would set a precedent. I think we consider each request on its own merit. It wouldn't mean that we would necessarily approve a future lot split or not approve a future lot split. I think each on its own merit.

I think that while we could argue to say should they have known the zoning wasn't appropriate, I think that -- but here we are, is the neighborhood better as an empty lot. I don't think so. I'm going to go ahead and support this, and I'm going to make a motion to approve -- let me find the exact wording.

Request -- adopt ordinance 45-31 approving a zoning district map from single family residential R1-35, to single family residential district R1-10.

Mayor Ortega: Vice Mayor Caputi.

Vice Mayor Caputi: Can I ask a question or are we motioning first? How does that work?

Mayor Ortega: You either -- there's a motion. There's no second so far.

Vice Mayor Caputi: I just had a couple of questions for staff, but we can finish with the motioning first.

Mayor Ortega: There's no second on the motion. It dies. Continue with your conversation.

[Time: 01:16:55]

Vice Mayor Caputi: Okay. So this -- man, this is so complicated for such a little tiny spot. This idea of there being a precedent. I think we should talk about this. Mr. Barnes could you -- yes, I don't see how this would set a precedent necessarily, because this is such a unique situation, but the neighbors do seem very concerned that suddenly someone will say we want to put three houses on our 35,000 square feet and can you just explain how that would be super complicated? That's my understanding.

Jeff Barnes: Vice mayor, the best answer I can probably give, which I think echoes what Councilmember Milhaven had identified is that a rezoning request comes through this same process, and so if the concern is that other properties will come in for a different zoning district, that may allow them smaller lot area and be divided, that they would still come through you first, for evaluation through the planning commission, through us prior to, that but ultimately through you to evaluate the specifics, the details being the compatibility of that each unique request and the pom outcomes of that request.

Vice Mayor Caputi: If we don't approve this project tonight, what happens to this tiny little piece of 10 or 15,000 square feet of nothing?

Jeff Barnes: Vice Mayor, in staff's analysis, the end goal that they are trying to achieve can't be achieved. It can't be combined with the parcel next to it that gives it access and it's substandard to the zoning that it has.

Vice Mayor Caputi: And so the thing I keep struggling with, if we don't approve it, we will just have a little remnant parcel with nothing on it, and who maintains that? Do you know --

Jeff Barnes: Yes. The best answer I think I can give, it is owned by Mr. Koo and he's responsible for maintenance on it as the owner, but --

Vice Mayor Caputi: But he can't do anything. He has an open small lot that doesn't configure to anything and he will have to, what, mow the lawn forever and not be able to actually do anything, nor sell it, right, because if you can't build anything on, it there's really no value. It's kind of a quandary. City

attorney, can you have a property that has no use?

City Attorney Scott: Mayor and vice mayor Caputi. So the issue with this property, as they have explained to you, it was subdivided without going through the normal process. And so this applicant who I have great sensitivity for has purchased a property that doesn't meet the zoning. So in order to build, because he's purchased a property with this problem, he's either going to have to get a variance or a rezoning. Those are his options.

He could potentially -- it looks like they looked at that, and that's not possible. So if the council denies this zoning case tonight, I will probably be suggesting this applicant to go back to the board of adjustment, because it was several years ago, and not this applicant as I understand it that went to the board of adjustment.

So it's hard to say, well, what happens if the council says no to this zoning application, right? But -- but I'm certainly not going to sugar coat it. It will be very difficult to figure out what happens next.

Vice Mayor Caputi: Right, again. And we are trying to balance the needs of the neighbor but what neighbor would want a derelict property next to them either, right? At least if they build the property, you would get some sound buffer from the freeway and something would be there. Anyway, thank you. Still confused.

[Time: 01:21:20]

Mayor Ortega: Okay. I see no other hands to speak. No other questions. The outline of our situation tonight, as I said it, is that there was an illegal subdivision of property and that resulted in remnants that are less than desirable, and I have a problem with spot zoning. I have a problem with zoning which would reward, perhaps, an illegal lot splits in the future or encourage them that might cause us a problem.

It becomes our problem because some illegal lot splits were made in the past. Ideally, if -- again, it becomes a policy decision. I'm generally not in favor of spot zoning going with a remnant way beyond what the good judgment would allow and I say that because there's also lot number 4, which is owned separately, and that lot is the dimensions of an R1-7.

So, again, having somebody purport to say, well, gee, I have a lot and it just fits lot R1-7, therefore, give it to me. I don't think that from a policy standpoint, I can go down that road. That's kind of where I see the facts coming and the -- there's several things I certainly do agree with, obviously, if this is a single-family neighborhood, with an aesthetic. It's unfortunate that lot 4 and not 6 would be together. And then it would be R1-18, and it would be an easier decision on my part and a more compatible situation.

So that's my general feeling. I -- we're still open for a motion or a second on the action as posted. And I see Councilwoman Janik.

Councilmember Janik: I would like to make a motion to deny the request for the rezoning 13647 north

87<sup>th</sup> street, 10-ZN-2021, ordinance number 4531.

Councilmember Whitehead: I will second that motion.

Mayor Ortega: We have a motion and a second. Any discussion? Okay. Please register your vote. Okay. The motion was denied. It does carry. And we will move on to the next item on the regular agenda. Oh, Councilmember Durham, did you have your hand up?

Mayor Ortega: Sorry. I do apologize. I try to keep track. Okay.

**ITEM 21 – ARTISAN SCOTTSDALE REZONING (3-ZN-2021 AND 3-DA-2021)**

[Time: 01:25:00]

Mayor Ortega: We're going to move on to item number 21. Item 21 is the artisan, 3-ZN-2021 and 3-DA-2021. At the request of the applicant, this was a request to continue this item. As a courtesy and as provided by our rules, that is possible. Sometimes we do make sure that the public knows in advance when possible and I believe this was a few days notice on this. So do I have any comments or a motion on item number 21?

Councilmember Whitehead: I will make a motion to continue item 21 until the next meeting.

Councilmember Littlefield: I will second that.

Mayor Ortega: And just for clarification that was on May 3<sup>rd</sup>, 2022. Any discussion? Seeing none, please register your vote. Thank you. Motion passes. We will see you then.

**ITEM 22 – TRANSPORTATION ACTION PLAN**

[Time: 01:26:34]

Mayor Ortega: Next, we have item number 22, which is part of the 2022 transportation action plan. We have before us a resolution to adopt the transportation action plan dated April 11<sup>th</sup>, and I want to be sure that we have the latest revisions in our hands. So proceed, the presenter is David Meinhart.

Dave Meinhart: Good evening mayor and Vice Mayor, I'm David Meinhart, the transportation planning manager for the city. We are asking to you adopt resolution 12334, the approving the 2022 transportation action plan. We did have a study session on this back in February.

We had agendized this for council consideration earlier in April, based on some requested for additional clarifications we have tabled that item and brought it back with you tonight. I will focus on the additional clarifications. Just for some background, the transportation action plan is coordinated with the general plan 2035, which focused on trying to improve the balance of our transportation system and the connectivity of that system.

By balance, I mean a balance between automobile travel, pedestrian travel, bicycle, transit and

equestrian. This will replace the currently approved 2016 transportation master plan. We focus on the 10-year refinement of the existing transportation system. We look at the travel demand trends that we have seen over 20 years and more.

And as we have talked about on this particular concept, and plan for almost a year and a half now, that we really want to emphasize the to focus on livable streets over rapid traffic throughput and that's been a consistent touchpoint on the development of this plan, that we worked very closely with the transportation commission and that development. The plan includes goals and policies and it has five key elements, streets, parks, pedestrians, and trails.

And we have an implementation section which helps us to prioritize the use of our revenues in development of the new capital improvements projects and transportation programs. A brief overview of the public input process. Nine separate transportation commission meetings, dating from January of 2021 through December of 2021, when the transportation did unanimously approve this plan.

[Time: 01:29:45]

During the development of the plan, we issued an online questionnaire in August and September of 2021, we had over 200 responses to that online questionnaire that asked a number of questions that tied into the thought process of developing this plan. We conducted a virtual open house from October 18<sup>th</sup> through October 31<sup>st</sup> of 2021, with over 180 users all done on the web.

Staff did recordings of the various transportation effort. We did put together a web page on the city's website which the development of this particular transportation had over 2200 page landings and we had over 500 comments submitted. We had received an additional 28 comments, I believe, in the last two days regarding the plan. Again, I will just focus on the updates that we made since the submittal packet was put together for the April 5<sup>th</sup> meet, and those focused on six areas and it was the 128<sup>th</sup> street, where that alignment crosses what is called the gooseneck of the Sonora desert preserve, up to the Jomax Road alignment. About three-quarter miles in total.

Just to make sure that we fully covered all the ways that that particular alignment, changing it to the recommendation coming out of the -- or the guidance given by council in study session in a consensus fashion to convert that from a planned minor collector roadway to an emergency access only roadway across the reserve.

We made several updates to the draft plan that includes the street classification table where we list all the different changes that are being proposed as part the plan, which was on page S-7. Plan itself. Changing the functional classification map which is on page s-8 to remove 128<sup>th</sup> street across the preserve as a minor collector and noting on the map that this segment is for emergency access only.

We also revised the planned right-of-way width map, page S-5 addresses the issue across the preserve and there's a number of elements in the bikeways element to reflect this direction and that is to modify a map on page b-6 for existing plan use paths which did show a paved path along the east side of

128<sup>th</sup> street corridor in this location and also the future network map functional classification map, b-9, it's the future bike path map.

And just to kind of highlight what this means from the standpoint, the functional classification map is our primary guideline that we use for planning future roadway improvements as well as providing information to citizens and businesses regarding expectations with the number of lanes that we have on various roads.

We did change our map for that section of 128<sup>th</sup> street and zoomed to the right, removing the minor collector, no center lane designation in that section and noting clearly that it's for emergency access only. A few other modifications that we made in response to the comments in the April 5<sup>th</sup> meeting and the bikeway element. We had a goal three that combined two different concepts and we broken that into two goals. It's to have the increase of on street and off-street biking. That was the version that was in your draft that came to you in your study session.

[Time: 01:34:15]

And we have now broken out a new goal four, which is to provide access to shared use path within a half mile of all residences and that that privately owned property or natural -- unless privately owned property or natural terrain make it impractical. And from the study session, and the council, we identified goal number 5 on s3, to reduce the heat island effects to reduce the pavement, and experimenting with pavement technologies and new language we added including consideration of cool or white pavement that supports sustainability or reduced daytime heat absorption and nighttime heat radiation.

In the bikeway section we added additional clarification for circumstances where we look at reducing the number of lanes on a road and how that might happen with striping to state on make b-3, most result in bike lane reductions. It would occur through striping changes coordinated with the pavement surface treatment cycle which usually follows the time frame of 7 to 10 years meaning if you do that treatment, you change the striping, typically in the -- within 7 to 10 years if we need to reassess that striping, that would be the normal time we would do it. Curb placements, this is an important item, and right-of-way width would not change. That's the straight right-of-ways map.

Changes, the modifications we make to the roadways in the classifications are reduced, stay from a minor arterial to a minor collector, two lanes to four lanes. That would be done only with a striking approach, rather than with a construction project that would move curb lanes. And there may be a transit route on that alignment, it wouldn't change anything where the existing placement of bus stops and shelters are currently.

We did mention that we will notify neighborhoods of striping projects and repaving and that will be done through a combination of signage, electronic communications and where needed in-person meetings.

Next up, the clarification in the implementation section, we had some questions regarding mountain

view road between 92<sup>nd</sup> street and 96 street and what the long-range capital plan might be for that. We updated the text for that project description for bicycle and mobility and the half mile segment and any addition of travel lanes would require reclassification through the city council.

And one additional clarification in the rapid transit of the bus, we revised the text to say we would evaluate the feasibility and potential implementation of an on-street BRT route on Scottsdale Road from the Thunderbird park to Chandler. Use of designated lanes, while not anticipated would be subject to review and approval by the city council.

We only get to that level if there was an evaluation that suggested that that should be under consideration but it would not go anywhere without city council approval. That is the extent of my presentation. And the actual requests is that council adopt resolution is 2434, adopting the 2022 transportation action plan. I'm happy to answer any questions. Our director of transportation and streets is also here to help answer any questions that may come up.

Mayor Ortega: At this point, we are also obligated to open public comment. So we will go ahead would Councilmember Durham and any question about your presentation and then we'll go to public comment and then come back for action. Councilmember Durham and then Councilmember Janik.

Councilmember Durham: Thank you, mayor. We -- at least I have leaved a number of emails in the last few days with the reduction of lanes on the southern piece of Hayden. And I believe it was in your report that that was justified by showing the reduction of traffic which has taken place over the years and the reduction of traffic primarily comes from the creation of 101 which diverted traffic off of Hayden. If you could comment on that reduction of the traffic own lanes on Hayden.

[Time: 01:39:47]

Dave Meinhart: From McKellips to Indian School Road on Hayden is the only part of the Hayden road corridor that at this point that we are looking at the only of changing the classification from minor arterial -- or major arterial to minor arterial four-lane roadway. As you mentioned councilman Durham, the volumes on Hayden road or 40% less than they were before the freeway was opened.

They were trending in the mid 20,000 range to the very low 30,000 range which is very much within the capability of a four-lane roadway to handle. We again, we would be not be proposing -- if we did make a change in the travel lanes, we would move curbs. We have regular transit service on that corridor. And it would give us opportunities to at right turn bays where they don't exist which is one of the primary things we look at to improve traffic flows on our streets and also improve safety.

There are actually eight potential turn bay locations at signalized locations in that three-mile section. And there's at least 10 locations with entry ways into neighborhoods that we could add right turn bays. That's not something we take lightly. We did I looked at watt travel volumes have been over the last several years and most recent counts and looked at what that capacity would be at four lanes and compared that to a typical -- or the volumes versus typical four-lane capacity and it's still only about three-quarters at four lanes of what we would expect as transportation planners and traffic engineers

that a four-lane roadway could manage and when you add in turn bays in particular, that makes it more efficient for what you can pass through in those corridors.

Mayor Ortega: Okay, Mr. Meinhart, and then Councilwoman Janik. Could you classify the stand-up scooter bikes and the ebike and, why am I seeing so many ebikes basically on pedestrian sidewalks and others more daring and barreling down. Can you explain that part to me? And then also -- well, go ahead. Start with that.

Dave Minehart: Mayor, members of council, electric bikes are used within the city of Scottsdale, versions that can assist with pedaling up to 20 miles per hour can be use on our path system and on sidewalks where it's not prohibited, and the same thing for electric scooters. Bikes that can go faster to 20 miles per hour are restricted to street only. Our bike lanes are used by ebikes and electric scooters and some human-propelled bikes are using them on a regular basis.

As long as the bikes are the types of vehicles can travel at 20 miles an hour or less with assistance, they are allowed on not only the bike lanes but also our paths.

Mayor Ortega: So there's a governor on it to keep it from going over that speedy? See different people darting in and out, and it concerns me. No helmets either. Typically, the ebikes are owner owned and owner driven. But the others are pick up and ride. And I have seen two people on the stand-up scooters and that also bothers us.

Dave Meinhart: Mayor Ortega and council, the scooters, the companies rent do have controls on the speeds. And they can adjust those and do things like geofencing where they can block them from going into certain areas. So there are some levels of control on them. Not all of those scooters are being rented.

I would imagine some are designed to go faster than the speeds I mentioned but in general, we see primarily -- much more on our streets in the bike lines, the bicycles, whether they are human power entirely or a combination of human and electric power and they have controls over how fast they can go.

[Time: 01:45:05]

Mayor Ortega: I'm hearing that you are not asking or this does not allow curb demolition, but prefers the striping in terms of the handling that. Is that what I hear other than 128<sup>th</sup> where we only have that one for emergency use? Is that correct?

Dave Meinhart: Yes Mayor. There's some streets where you could state a good case by moving curb. They could handle 30 plus thousand cars a day. We have examples that are under 2,000 cars day. Because the cost of that level of change is so significant, it would not happen without first being proposed as a capital project, going through all the review process, through city council and then the standard public input process that we do on all of our projects.

What we are looking at is a primary approach here. We are trying to repurpose some of our roadway space in the most efficient way that we can and that would be through changing the striping when the project -- or when corridors come in for a resurfacing treatment. I will mention that the number of lane miles that we have in this plan so potentially modify is 3.16% of the total lane, of the minor collectors and larger. It's 38 miles over 1,060.

Mayor Ortega: And we have three council to speak. And also if there's any public comment. There's no public comment. And none has been received. We're continuing with our discussion. Councilwoman Janik. Councilwoman Whitehead.

Councilmember Janik: I do have a question for you. Thank you. Thank you, mayor. On page b-3, last paragraph, resulting from travel lane reductions would occur through a striping change which you did a good job of explaining which follows a time frame of approximately 7 to 10 years. What I would like explains is are you saying to complete the striping is 7 to 10 years or are you saying will start in 7 to 10 year.

Dave Meinhart: Mayor Ortega, Councilwoman Janik. Where do you want me to clarify? The 7 to 10 years we go in and do a pavement treatment -- there's various levels that occur. And when we would do that pavement treatment. If a segment had been recommended to have a change in the configuration, that's when we would do it. We have a five-year paving program but it doesn't cover every street in the city.

But when we do a treatment and after we put down new striping, it would typically -- if we waited until the next treatment to change the striping, that would be the 7 to 10 years. Now, there are ways that you can make adjustments sooner if we really blew it but the corridors that we are talking about, it's unlikely that we would have any significant change in conditions in less than 7 to 10 years.

[Time: 01:48:54]

Councilmember Janik: Thank you.

Mayor Ortega: Councilwoman Whitehead, Caputi and then Littlefield. Councilwoman Whitehead.

Councilmember Whitehead: I just want to thank you and Mr. Melnechek. I know transportation action plans don't sound all that exciting, but they have a powerful impact. The last study session we were up until 10 p.m. at night working on this, and then a lot of back and forth, and definitely it's the third and powerful edition.

On the sidewalk that we are considering, the missing link on 68<sup>th</sup> street, is that something we should try to add into this or after it's reviewed do we just amend the tab to put it in? What is the best way to handle that?

Dave Meinhart: We already have an identified project in the implementation program for the 68<sup>th</sup> street corridor. We tried to be fairly broad in our descriptions, it's 68<sup>th</sup> street active transportation

corridor but its primary emphasis is to improve the pedestrian environment in the entire 68<sup>th</sup> street corridor.

We didn't intentionally prioritize projects here because things change and issues come up and they need to be addressed but certainly when we have a corridor that primary recommendation is improve the pedestrian environment is to improve where we currently don't have one. I believe it's very well covered as a concept within the T.A. P. and the plan, as speakers mentioned earlier, the objectives of the plan support that as well.

[Time: 01:50:55]

Councilmember Whitehead: Good. I think remembered in the first round it was 68<sup>th</sup> street -- you say we don't need to make any edits, as we move forward, that will be part -- recognizing we need the funding and all the other --

Dave Meinhart: Yes we would need to look at how we approach a proposal regarding an actual capital project to start implementing portions of that corridor.

Councilmember Whitehead: Okay. I want to go through. We had a lot of input and some of the input we got, gosh, right after the first work study session. I want to talk about what this plan does. There's a lot of misinformation about what is in this man. And first of all, real -- in this plan. And first of all, really importantly to me, this plan, it's four years in the making. When we approve this plan, we honor 25 years of preserve activism.

So when the preserve was created we envisioned that we needed to connect north and south and we envisions the 128<sup>th</sup> alignment which predated the preserve, which was no longer needed. We just took 30,000 acres out of home production. So this is a crucial wildlife corridor. And along the way, it got designated as a four-lane road.

So in this plan, with we vote necessity, we protect the preserve, as we have worked on for many decades. We protect taxpayers. Anybody who has been out there to build this road, it would be very expensive and it would be funded by Scottsdale taxpayers. And it would benefit high density development that's inappropriate in Rio Verde and most residents in Scottsdale absolutely oppose.

So we would be pay for infrastructure that enables that which we don't want and I think is inappropriate. I want to switch over to the Shea corridor. There's a lot of discussion about that Shea corridor. It's fairly built out there's some areas that remain to be built. There was a proposal to widen mountain view road to four lanes. I want to talk about mountain view. It's two lanes. It has trees on both sides, and sidewalks. This is the pedestrian friendly corridor. This is where you can bike to the green belt and bike to the restaurants and stores. Thank you, staff.

It would cost taxpayer dollars and it creates more volume on roads which could justify more density that I heard loud and clear that the residents the Scottsdale Ranch and McCormick Ranch and residents don't want. We are saving tax dollars and protecting trees and keeping a pedestrian corridor safe and

I'm just thrilled with that. Thank you for that change.

I want to remind everybody, we got about 50 emails say don't you dare widen mountain view road but those got forgotten over the last few weeks. So there was a big response to that proposal. What else are we doing? We are protecting law abiding drivers. It's to help you and me, we are just repainting the roads to make it so it's more amenable for the law abiding driver and one of the biggest complaints I get and police enforcement, is we had an upsurge in speeding and this incentivizes people to not break the law.

I'm excited about that the component that was added by the mayor, to consider heat mitigation as part of our transportation plan. I want to state something that this plan doesn't do. It does not include us about rapid transit. It's something we look at but it does not include that. Yes, I just think it's an excellent plan and I will make a motion.

[Time: 01:55:46]

I know there's other speakers and I think I will wait for them but I definitely strongly supportive. I appreciate so much community input again on that preserve projecting the preserve. That was a lot of us and the other changes to make our city safer for drivers, pedestrians and wildlife. So thank you, staff and the community for all of your work.

Mayor Ortega: Vice Mayor Caputi and then Councilwoman Littlefield.

Vice Mayor Caputi: Just very briefly, I will reiterate that something that Councilwoman Whitehead just said. In the past couple of days we were flooded by folks having miss conceptions about this plan and I think councilman Durham pointed it out as well.

I want to make sure that people listening are clear that we are planning out ten years. We are not attacking cars. We are thoughtfully balancing moving our city forward and I think you mentioned that Hayden road section is the only section that was having traffic less than -- it was under what was anticipated and that will be reclassified but that's really all we're talking about and I think making roads more efficient and doing things like restriping. Only 3.6% affected by lane changes. We're not taking away your roads.

We are planning very thoughtfully and we look out ten years and we understand the future of traffic impacts and what needs to happen to make sure people get where they need to go whether it's by car, foot, bike, ebike, whatever mode of transportation that people are comfortable using our goal here is to give you a transportation plan that gets you where you need to go. So no question. I want to reiterate that because there does seem to be a lot of miss information out there. Thank you.

Mayor Ortega: Councilwoman Littlefield.

Councilmember Littlefield: There's one in every crowd. I'm sorry. I don't like this plan at all. The white pavement usage, I'm very good with that, as long as it doesn't collar or reflect in the sun. That's great.

Locating shade trees to provide more shade for pedestrians on hot summer days make perfect sense to me. We should be doing that now and if we are not, then definitely that should be part of any kind of plan we put together.

Kudos for reclassifying 128<sup>th</sup> street where it crosses the preserve and is indeed a part of the preserve and is only emergency access and that should never be paved. That should be very clear in there. And I think actually, there is in the consent agenda item number 6, which we passed tonight, it mentioned it not as emergency access only and that probably has to have an addendum or a note or something, saying that 128<sup>th</sup> street is relabeled.

I'm concerned very much on the narrow streets. I'm concerned with the paragraph under the caption of planning smarter. I have a problem taking from an already familiar street and road, where -- and changing them because now we know better. In general, any roadway that you now believe needs to be reduced narrowed or diminished in any way should go back to the citizens for their approval. And the reason I believe that is to narrow down the roads is a diminishment of that road and I believe it could increase the danger to people who are used to traveling and driving on the roads as they currently exist.

We need to make sure that people are aware of that change, because they will get in their cars and they will drive and expect the road to be the road that they are used to having. Also, traffic growth may be less than what you thought it would be going forward but it has still grown over the past 20 years and it will tip to grow more and more as already approved apartments are built. We have 10,000 that have been approved and not yet been built. And those cars will increase traffic. Overall Scottsdale citizens average age is older than most cities and they are also very car oriented.

[Time: 02:00:37]

They want the freedom of movement that an automobile gives them even those who ride bikes a lot still have a car and use it. We are very long and a very narrow city. Long roads play a vital role. Scottsdale citizens want their cars. They want to drive their cars and do it in the safety and the convenience of their cars. Many like to bike. Many like to walk, especially in good weather.

Not so much in the summer but cars are the main stay of transportation in most of our city and for most of the people that live here. Most folks want it that way. They call it freedom, freedom of action, freedom of movement and freedom of our time. We are used to it. We want it and there's really no reason why we shouldn't have it.

To narrow down the roads in order to create bike lanes is not beneficial to any citizens would drive but do not ride bikes and cannot walk long distances. With very many such citizens Scottsdale. Nor is it beneficial to the older citizens who are used to the roads being wider and drive accordingly. I think it's and for bus stops -- I spent all week reading this. The information on bus stops and how we plan for them is fine.

I understand, however, that we currently have issues with folks living in the bus stops, and creating

some real problems there. A saw nothing on how we will work to fix these kinds of issues and I would assume the more bus stops we have, the more problems we will have. I think there needs to be considerations the possible fixes on that. While I agree the bus stops need to be clean and reliable, I think they need to be safe and that goes for the buses themselves also. I saw very little about that kind of safety in this plan.

The Thunderbird park and ride is usually empty 24/7. In all the years I lived near it. I have been there for a long, long time, just about since it was built. I think I have seen three or four cars go through it. If you can use it. As a section point to a regular service to the Arabian library or the McDowell aquatic center or something like that, that might be a good place to start, if such a service is needed. I'm not sure it is and I know of no studies to determine that kind of need. People usually drive to those places and then they drive home. I liked the idea of parking there for special events for WestWorld and the Phoenix open and other situations like that but I'm not sure that that enough to pay for the cost of having a parking location on the city rolls.

[Time: 02:03:50]

If those things don't work or we can't find alternatives for its use, I suggest we close it down and sell the land. It's currently a total waste of taxpayer money. If you don't want to close it down, you might consider it for charging stations for the buses and auto fleets or even for the general public. Or to build storage for some of the city fleet that works in the north part of town. If he with can't get it to pay for itself on an operational basis, it should be shut down and sold. In today's world, you think you need to consider very carefully the idea of increasing bus service, that is not currently used very often.

To keep what we have, if it's being utilized, but very careful about increasing any system that bringing strangers in neighborhoods. In today's world, safety is at the top of everyone's mind and it's better to take buses to businesses and shopping centers than into neighborhoods. By and large, we are an older community, that than many cities and in our long and narrow city, many do not see bikes as practical alternative for going shopping, going to doctors or just plain getting around the distances are too large for many people.

They do not like -- they are very concerned, excuse me, of keeping the road ways open, as am I and safe to both bicycles and automobile traffic. So be careful how you narrow those roads. People are used to wide, safe lanes with space on each side, even with this, we have tremendous accidents sometimes fatal ones. My concern is for pedestrians, bikers and motorists alike. I believe by narrowing the roads we increase the chance of serious accidents and possible death.

Another safety issue I think needs more consideration is the idea of -- and I quote, because I couldn't remember all of this, reducing the length of continuous perimeter walls to encourage pedestrian connectivity to collector and aerial streets and shared use paths and transit connections, unquote. In today's world of safety concerns, I do not believe people want pedestrian connectivity through their neighborhoods, especially at night. That's why they have the walls up there in the first place.

And, again, safety takes a higher priority especially now. I do not approve of making spaces in

neighborhood walls for people to wander through in the middle of the night. I agree with having intelligent transportation, traffic signals, streetlights that portion of this. It's a matter of safety and that makes perfect sense.

And finally, I totally 100% disagree with the BRT lanes in Scottsdale. Citizens have voiced opposition to light rail and have made it clear they don't want this type of lane monopoly use. A dedicated BRT lane is a bad plan for the already overcrowded downtown. I can think of nothing that would make people more upset than this other than light rail itself. This is a substitute for light rail.

Dedicated transit that would take a dedicated lane, my guess is to satisfy and expand the bar district would have much the same effect as light rail would to our downtown. We have heard time and time again from our businesses throughout the downtown area that they don't want the monopoly of our downtown streets.

If it stays in the plan for the Scottsdale Road, one of the most crowded and used streets in the city, both by cars and pedestrians and bikes, I cannot support it. It is a deal breaker for me. In general, and Scottsdale citizens want roads and parking fulfill their transportation needs, not ours. They don't want bus rapid transit and it is taking a dedicated lane is cording to this. It would clog the road lanes and slow the automobile's ability to get around. And that's what this plan would do.

[Time: 02:08:26]

I can't support that people have the right to travel it simply makes it harder for people to depend on their cars to travel in the city to accomplish their business for me the BRT of mass transit and mass movement is not a goal. It should be more comfortable and safer. Neither narrowing the car lane nor choking off a car lane on Scottsdale Road in downtown accomplishes either of those goals. Open, wider streets with better signage and simple directions for parking facilities and local businesses does.

Mayor Ortega: Next we have Councilwoman Janik.

Councilmember Janik: I will make it short and sweet. First of all, my overview, you did a very thorough job on this plan. Thank you to the transportation department. It was well organized. The maps and the tables and the diagrams make it very understandable. All the explanations were very clear. And I like the fact that one of your focuses that -- your main focus is preserve on what we have and maintain it. I think that's wonderful that we are at that stage in the development of the city.

I know there's controversial issues and I know on page s-7, the reduction and the street capacity, I know it's controversial and we have a number of emails on it. I'm concerned about Hayden and Drinkwater and the couplet. I think you do robust engagement of businesses and citizens and that you use the most up to date traffic information before you do the conversion. I thought that it was very good that you clarified on page t-11 that the bus rapid transit if it ever became an issue that it would come back to city council to vote on. So thank you for all that work.

I do intend to support the plan. And I would like to make a motion to adopt resolution 12434,

approving the 2022 transportation action plan.

Councilmember Whitehead: I will second that motion.

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

Mayor Ortega: 6-1. Passed.

**ITEM 23 – PROPOSED FISCAL YEAR 2022/2023 OPERATING BUDGET AND CAPITAL IMPROVEMENT PLAN**

[Time: 02:10:56]

Mayor Ortega: Next we go to item number 23, proposed fiscal year 2022/23 operating budget and capital improvement plan. Sonia Andrews, city treasurer and Dan Worth public works director. We will also receive public comment on this.

Sonia Andrews: Good evening mayor and council. This is our presentation or the proposed 2022/23 budget and capital improvement plan. I will be -- next slide, please. I will be providing a high-level overview of the proposed budget and Dan Worth will be providing an overview of the capital improvement plan. We also have Ana Lia Johnson, our budget administrator here to help answer any detailed budget questions if you have any. Next slide.

The budget adoption process begins with tonight's meeting and then council will be asked to adopt the tentative budget and the C. I.P. and the rates and fees for fiscal year '22/23 and on June 7<sup>th</sup>, council will be asked to adopt the final budget and the tax levies. The budget set a critical operating plan and financial plan for the city. It takes months to put together. It involves all departments in the city with a lot of review and refining and direction from the city manager to arrive at what is in front of you tonight.

So I would like to take a moment here to thank all the departments for their input into the budget, the city manager for his direction, and I would like to give special recognition to our budget director Judy Doyle who isn't here with us tonight. And also, the budget department for all the efforts they put together in producing this budget. Next slide.

The proposed budget is complex. And to help you understand the budget, I will take you through the revenue picture first. Because the proposed budget is shaped by original parcel revenue performance and our economic outlook. So bear with me as I get through this section. Next slide. Arizona is ranked number one in the country in economic performance. We are also ranked really high in population growth, job growth since the pandemic, personal income growth, and we have very low unemployment.

Our state revenues and fund balance is as strong as it's ever been. So our economic outlook is very positive. Next slide. Open the local level, we continue to have a very strong recovery from the

pandemic with our retail, hotels, restaurants and events all operating at or move our prepandemic levels.

These are the four main areas that drive the local economy or generate revenues for the city. So the outlook is positive. But we are in a period of significant volatilities and uncertainties for the future. Next slide. First of all, we're coming to the end of the extraordinary stimulus. Over the last two years the federal government, unleashed the largest stimulus money, roughly 5 trillion went to households, businesses and governments.

We have seen an unprecedented spending with these stimulus funds. All this stimulus spending will be coming to an end. We're also facing the highest inflation in 40 years and rising interest rates which may continue with the supply chain issues and war in Ukraine. How much of this will affect our consumer spending, our tourism industry, our property values and development? It is impossible to predict.

[Time: 02:14:57]

We also have increasing competition from other valley cities as they grow and develop which reduces our state shared revenues as we become a smaller piece of the state shared pie. Our economy may be looking pretty bright right now for fiscal year '23, but remain cautiously optimistic as these uncertainties and volatilities have -- may have a significant impact.

And because of these volatilities, our budget is conservative and it also gives us the flexibility to respond to any downturns if we need to. Now, I would like to take you through our revenue picture as our revenue shapes our proposed budget. Next slide. So with all the stimulus spending spree that has happened over the last two years our sales tax revenues hit an all-time high and have come in significantly more than our budget.

The last two column on the right shows the large difference between what we budgeted for sales tax revenues in the general fund and what we actually received in the last year and this year. 46.6 million more than we budgeted.

Take a look at the previous ten years, it's never been that large a budget to actual difference. Yes, we budgeted conservatively and our target has always been actual tax revenues coming in within 2 to 4% above budget. We budgeted even more conservatively during the pandemic, but this huge difference between our budget and actual is fueled by consumer spending spree over the last two years.

Well, this excess revenues above our budget has given our general fund a boost. Next slide. We also revved direct stimulus funds from the CARES Act and the American Rescue Plan Act that further boosted our general fund. And we had some land sale proceeds and also a restatement of our fund balance. So all in all, we added in addition to the excess sales tax revenue, 14.6 million.

These one-time revenues and excess revenues kind of helps us produce the budget appropriations for next year as you see as we get into the budget. Next slide. The next major source of revenues is state shared revenues and one the largest state shared revenues is state shared income tax which is the

orange bars that you see on this chart.

And you notice that for fiscal year '23, we are projecting quite a sharp increase in our income tax shared revenues and that's because we receive state shared revenues at the income tax shared revenues two years in arrears that means the means these are income tax collections from fiscal year '21.

And, again, because of the pandemic and stimulus funds, fiscal year '21 and fiscal year '22 income tax collections are through the roof and so for us, our fiscal year '23 and fiscal year '24 state shared income tax revenues will be quite high. In the out years, we are projecting a low reduction in those shared revenues because of the end of the stimulus and also the state implementing the flat tax and also a reduction in our share of the state shared pie.

[Time: 02:18:41]

Next and the third is the property taxes and some of you may be thinking with the rise of the property values our property tax revenues must be significantly higher. Well, that is not the case. Our property tax levy is at the maximum allowed by state law for the city of Scottsdale. So the maximum levy for the general fund which is about \$35 million, can only grow by 2%, plus new construction. So as our assessed values rise more than 2%, our levy is limited to a 2% growth. So our property tax rate is actually a decrease from this year, from 1.1 to .91. Next slide.

So putting all the previous discussion of revenues together, this is what our total overall general fund revenue picture looks like for the last three years and the next five years. Understanding this revenue picture is important to understanding our proposed budget for next year because as you see, the last three years and even next year, we expect that we have excess revenues and one-time revenues above our normal trend line, our normal growth trend line.

And these one-time excess revenues will be used to fund quite a bit of our one-time expenditure requests in the proposed budget. Next slide. This slide shows you what we have spent, those one-time excess revenues and what we are proposing to continue spending those one-time excess revenues on and as you know these one-time excess revenues, we are spending it on one-time needs. And not on ongoing operating needs. I won't go over this slide in detail as we will go through a lot of this as we go through the budget as well. Next slide.

Now let's dive into the proposed 2022/23 budget. Next slide. The proposed budget is \$2.1 billion, consisting of an operating budget of 658.8 million. That's first orange box to the left. Then the gray boxes to the right, our budget also includes grants and special districts, capital improvements is 50% of the budget, contingencies and reserves and under the operating budget, the yellow boxes, we have the largest operating, 331.3 million, special revenue funds of debt service enterprise funds and internal service funds. Next slide.

And then that slide shows our proposed budget by category and compared to the prior year. And taking you through this slide at the top of the slide, our personnel budget increases by 7.4%. The next shows

the PRPRS, which is the public safety pension retirement system where we are proposing a \$12 million contribution next year, compared to a \$40 million this year. Our proposed budget for commodities and contracts is a reduction from this year's budget of 1.6%, and that's because we are spending -- we were spending stimulus and grant -- stimulus and other Grant funds but not in next year's budget but we have other increases that offset that, mainly inflation and other operational increases.

Overall, our operating budget, the orange line, is 1.5% decrease from this year's budget. Without the PSPRS contributions the proposed operating budget would be about a 3% increase. And below that orange line, you see the largest increase is capital and contingencies and reserves. And we'll go over that in more details later. So overall, our 2.1 billion budget is an 18% increase from this year's budget of 1.78 billion. Next slide.

And this slide shows our operating budget by division, the increase for police and fire are mainly personnel costs. The increases in our other divisions are a combination of personnel costs, inflation and other operating costs. And majority of these divisions are in our general fund. Next slide. So let's dive into the general fund budget the general fund has an operating portion which totals \$33.1 million and also the general fund budget includes a contingency and reserve portion as well. Next slide. So here's the proposed general fund budget by category an compared to this year's budget.

[Time: 02:23:39]

The orange line shows the operating budget of 331 million, and right below it is the reserve and the contingencies for \$147.8 million for a total of \$479.1 million budget for the general fund. Over 70% of the general fund operating budget is personnel and the proposed personnel budget of 230.1 million is a 7.5% increase from this year's budget. And as you can see, the largest increase in our general fund budget is reserves and contingencies.

We used to carry a 10% reserve in our general fund and this year we changed our policy to increase our reserves to 25%, which gives us three months of operating -- gives us about three months of operating reserves and our budget reflects that change. You can see we have transfers for debt service and capital, and as discussed, we are proposing a 69 million transfer capital from our excess revenues, a much larger transfer than in prior years. So next slide.

And this is just a visual of the previous slide showing the change in the operating budget, our transfers out and our reserves. Next slide. And now with the excess revenues, we are able to increase our -- not only able to increase our reserves to 25% of our operating budget, which puts us in a much better position to respond to emergencies and unexpected events and also puts us in line with best practices, with the excess revenues and we are also able to set aside another 35.9 million for our PSPRS unfunded liability. That represents about 23% of the unfunded liability.

Addressing the PSPRS liability will be an ongoing issue for quite some years and the city manager has a good plan in place to do that. We are also able to set aside \$15 million for general plan and innovation initiatives. These are council-directed initiatives to implement if our general plan and lastly, we have increased the general fund contingencies for \$10 million for any unexpected expenditures. Now I will

take you through highlights some of specific budget requests in our proposed budget. As and we go through the budget highlights, I would like to point out that we put the budget together to address the budget priorities.

The budget proposes no tax increases and a decrease in the property tax rate and modest increase in utility rates and other fees. Our budget is -- it also addresses council and community priorities such as the general plan, short-term rental, the bond 2019 program, critical infrastructure, and public safety. We also put a budget together to address market challenges such as inflation and the labor market challenge we are facing right now.

And we put a budget together that increases reserves and maintains the city's strong bond rating and financial health. Next slide. So to address the staffing and the labor market challenges, our budget proposes 33.4 new FTEs. Most of the new FTEs are for public safety. This brings our total FTE count to 2,588.9. And to maintain our competitiveness, in the labor market, the budget also includes a 5% market and 3% merit adjustment for staff. Now, the chart on the left shows our FTE count, which even though it increased, the orange line shows our FTE count per thousand population in 2010, 2020, and estimate for 2023.

[Time: 02:27:41]

Even with the increase in proposed FTEs in the budget, the FTEs per 1,000 is the same as from ten years ago and a decrease from 2010. We put a budget together to address public safety priorities. There's 21.5 FTE requests. Five of which is to create a short-term rental unit. Three to create a park and preserve unit. We have nine fire FTEs to replace attrition and retirement. And we budgeted \$1 million in police over time for the Super Bowl and, again, 1 million for additional contributions to PSPRS. Next slide.

We put our budget together to address community needs and the inflation issue that we're facing. There's 4.21 FTEs proposed for public works increases for trolley service increases, fuel increases and parts increases, 3.4 million to replace vehicles and equipment, 300,000 for ADA modifications and various increases for Super Bowl preparations. Next slide.

This slide also highlights our community service budget to address our labor market challenges we have proposed converting part-time labor to full-time labor. And we are also proposing funding of some master plan and preserve see could logical resource standards and increasing our budget for WestWorld horse stalls and contract labor. Next slide.

I'm also at the send. Now we move on to the enterprise budget which is primarily our water, sewer and solid waste budgets. Next slide. Our proposed budget includes expenditures to increase -- to continue securing our water and sewer systems. We have proposed three FTEs, 3.1 million to address increases in our cost of water purchase, 841,000 to address inflation of other operating costs and our budget includes an average 3.4% increase in water rates and an average 4.7% increase in sewer rates. Next slide.

For solid waste, we are proposing the minimal 1.8 FTEs, various increases due to inflation and container prices, landfill costs, and 600,000 for additional tractors and trailers for the brush and the bulk trash program. And we're proposing some increases in our residential and commercial rates as well. Next slide. And finally, our budget puts a focus in the critical infrastructure as the budget over 50% of our total budget. Next slide.

As you can see, the significantly higher than the previous year capital budgets because of our bond 2019 program and also as I mentioned earlier, the excess funds and one-time revenues we have which we are dedicating to capital improvement projects and Dan will go over these projects in more detail in his presentation. And next slide. And this is my last slide.

And the proposed funding for our capital projects come from a variety of sources the enterprise projects are fully funded by enterprise funds and not subsidized by taxes. And for the non-enterprise funds we are a variety of other funding sources, for the bond 2019 program, our proposed budget includes issuing 120 million in new debt for that program, the general fund is funding 117.9 million and as you can see these other sources that we have as well. And that ends my portion of the presentation and I'm open for any questions before Dan does his presentation.

Mayor Ortega: Thank you. I see no questions. I did notice the cap, central Arizona project, increase costs for water were showing 19%. I believe it's coming in at 25% just a small -- well, significant due to the water shortage. So that will be just slightly -- councilman Whitehead, did you have a question or a comment?

[Time: 02:32:19]

Councilmember Whitehead: I wanted to first of all thank you and the city manager for meeting with each of us on the budget. I want to stress to the public that this is a fiscally responsible budget. The best time to be fiscally responsible is when you have plenty of cash on hand. This doubling the reserve so that we're not cutting services so we're in good shape when economies always go up and down. This is a lot to like in this, certainly investment in critical infrastructure, and our employees. Thank you.

Mayor Ortega: Next, we will look at the capital improvement plan, Dan Worth is the director.

Dan Worth: Good evening mayor and council. Dan Worth. I will give you a short presentation on the capital improvement plan. The slide that you are looking at is actually the exact same slide that we used to introduce this presentation a year ago. I thought that given the subject matter, it would be appropriate to update the picture for you. This is obviously -- we've got a major project to revitalize our civic center project outside the front door here. But I also put this in for a purpose.

And I'm going to be including some pictures in the rest of the presentation, to highlight some of the things that we have accomplished this year as well as some things included in the program in the coming year. The pie chart on the left is the full five-year plan. The CIP is a five-year plan. It's broken out by category, the biggest category is water, wastewater, followed by transportation. You can see the other functional categories that we used.

These functional categories generally mirror different fund sources, and the treasurer showed you a slide in the first year for the five-year plan for '22/23 how it breaks out by the fund sources. I will give you some detail on each of the major fund sources as we move through the rest the presentation.

I will start with the general fun. The total general fund is about \$118 million. This includes amounts rolled over from the current projects. The CIPs, the amounts roll over that allow us to complete projects that take multiple years to complete. So we take the unspent portion of previously approved projects. We roll that forward, and then we add in new spending and you can see the new spending in bullets. We have some existing projects where we've had increases or proposing increases.

We have some new projects and I have a slide for each of those to give you some details. Connectivity is a special category. This is to support initiatives that emphasize connectivity within the downtown or propose the connectivity chapter in the general plan. The way we arrived at \$17 million that's a very specific number we had two land sales this year, that generated over \$20 million in revenue. And we're dedicating that to the connectivity.

The \$20 million in revenue, you are going to see in one the subsequent slides. We have two projects that we're allocating some of that revenue to. One is the Stage Brush Theater renovator and the other is 5<sup>th</sup> and Goldwater project. This is the balance that we are setting aside for other initiatives that support the connectivity in the downtown in particular.

And then below that, bond, we have been talking about this for the last few months. The bond projects were formulated, scoped and estimated three or four years ago. Some of the scopes have changed and costs have changed dramatically and we are proposing to take some general fund money and plus up some of the bond projects to allow them to be command I will -- completed and I will show you some slides. This is one of the existing projects. You will hear to them referred to as the y accounts.

We have funding allocated every year to make programmatic improved to revitalize an extend the life of the existing capital assets. And this is an example of one of the things we did with the facilities why account this year. That's 500kw generator that's supporting the police facility at the McKellips service area. We swapped out an old generator that was nearing out end of life and revitalized the asset with a new generator. This is the list of existing projects in the general fund where we are adding funding.

[Time: 02:37:30]

Most of those projects have nothing to do with the inflation that we are seeing most of these are adding a fifth year. We program five years at a time. We have to add the fifth year as part of each budget process. Two exceptions at the bottom, community facility safety upgrades and these are projects that we started with Arizona cares act funding. To make our buildings about 33 of them safer for the people who work in them and visit them, including this building. This was the ultraviolet and ionization treatments for air to better combat the spread of airborne viruses. We completed the vast majority of these but we still have a number in parks facility, some of our libraries and the north

courtyard facility that we need to complete and this is funding to do that.

The picture is another one of those y account projects. This is the replacement of the fabric on two of the arenas that we have at WestWorld. New projects in the general fund. Just I will highlight some of the bigger ones on list. The first one is buying land for a future fire station. This is an area where many of the existing houses are outside of the five minute response time. This is t increase the response times.

The location that we're going to be looking at is somewhere in Hayden and Pinnacle Peak for this particular fire station. You see the stage brush theater renovation is an obligation in the development agreement with the museum square developer. We have to relocate the front entrance of the theater to accommodate the traffic flow. And then we will improve the surface parking associated with the theater, add about 30 spaces. We will create new and improved restrooms and new improved lobby and replace the facade, made it look a lot newer than the 1965 era building that it is. McCormick stillman railroad park.

This is a major replacing, replacing the bunk house with a lot of amenities to support events and day-to-day use and we are leveraging what we anticipate will be as much as a \$1 million contribution from the railroad society. And then the last one I want to highlight, you see \$6 million FCA. That's facility condition assessment. This is a program we started several years ago. We wanted to do some asset management for our buildings similar to what we do for our streets and asphalt.

So this program, we have been doing, like I said for several years. We are stepping through and doing a facilities assessment on all of our major buildings, creating all the vital components deciding what needs to be replaced now and what needs to be replaced in the foreseeable future, programming that out, and then this is the first attempt to apply some funding to that. And by doing that, we anticipate that we'll be able to keep the overall condition of our building inventory in the good range according to this assessment standard.

[Time: 02:41:06]

So this is applying \$2 million a year for three years to set started with that program. I also mentioned the bond projects that we identified, and we've mentioned these to you at the last capital program update. There were several projects. What you don't see in here is the \$6.2 million for the project outside of the front door which you approved earlier this year. So that's in this year's budget.

These are amounts that we're proposing in the fiscal year 2022/23 budget to plus up the sequence of projects at the police fire training facility, the WestWorld horse barns, and the multiuse sports fields. You see the fields that we have completed on bell road. We are in the process of building the fields at the east end of the WestWorld, and this \$4 million will allow the final guaranteed maximum price of award to be able to close those fields out. I will transition into the bonds.

This is just a quick snapshot status of where we are for the total bond program was \$318 million. To date, we have budgeted \$137 million of that. And we have spent about a third of that, and you can

see we have also contractually committed substantial amounts. So we are moving forward on execution of the program, in fiscal year 2022/23, not a lot of new project starts in the bond.

A couple of solar projects one in the vicinity of this building are scheduled and budgeted for '22/23 as new project starts. What we do have a lot of funds that are programmed for '22/23 to take projects currently in design and move them into construction and you can see some of the ones that we're talking about there, to include that police fire training complex and a couple of other projects Al.

Moving to transportation. Two funds that I will address, the 0.2% sales tax is the fund we used for capital and operating needs historically. This includes amounts rolled over from current fiscal year and total amount budgeted about \$57 million. I will show you a slide for each of the highlights shown here changes to existing projected and new projected. The picture is an existing project that we're also adding funds to.

If you drive up and down Scottsdale Road, hopefully you notice the new illuminated street signs, bigger, brighter, more visible. It's a safety feature, and we're Marching up Scottsdale Road and implementing those. More difficult than you think because power lines and other things that conflict with the optimum placement of these, but we're continuing to implement on Scottsdale Road and proposing budget for the next two years to expand it to the other major corridors in the city.

Changes to existing projects funded by 0.2%, most of these are similar to the y accounts. This is where we are adding a fifth year and we are adding some funds in the -- some funds in the pavement overlay programs to be able to do more in the neighborhoods and you can see the illuminated street signs and we are adding funding for the second and the third year of that program. The picture is somewhat appropriate for discussion we just had on the transportation master plan. I put this picture here to highlight two of these y account projects. One is the pavement overlay program. This is Indian School looking west from 68<sup>th</sup> street, we did this earlier this year. We overlaid that street.

[Time: 02:45:09]

And we also did if you go down towards the bottom, the third line from the bottom, bike lanes. This used to be three lanes westbound and we took an action to -- you may remember, to make a -- an adjustment to change the classification of this section of Indian School Road so we could go from three lanes to two lanes.

The two lanes are wider than they used to be, and we still have the buffered bike lanes. So the cyclists can ride on this, and have some protection. We did this as Mr. Meanhart explained without moving the curb and we revitalized the asset and took advantage of the opportunity to right size the street and by all accounts it's been handling traffic and performing well ever since we implemented in. Some new projected admittedly not a lot of new lanes or new streets. Which we also mentioned in the transportation action plan. One new segment, about halfway down the list.

It's the biggest number on here, it's the segment of Alma School. This is to complete the ultimate four-lane cross section through -- from Alma School from Happy Valley to dynamite. A couple of other

things I want to point out. At the bottom north corporation yard, parking structure projects. These are not new projects but this is a new funding source. One of the primary purposes of both of these projects is to support the move of our trolleys from our southern facility from McKellips up to Via Linda. It's where they fuel anyway.

It's going to reduce operating costs and generate savings long term, but because we're doing it to support the transportation use, we felt it was appropriate to put some transportation funding into that in those two projects. The picture is my existing material storage yard. This is east of the water campus. It's not pretty. It's not secured. We felt that it was important on both counts to do something to make it more aesthetically pleasing and safer.

So you can see that we allocated some transportation funding to be able to enclose and improve the storage area that we have there. The other major transportation fund, the ten-year tax passed by voters in 2018, this was primarily intended to help us provide the matching funds to support the regional funding through the arterial life cycle program, for our major projects, the total amount that we have budgeted in this funding source is about \$45 million for the coming year.

You can see a couple of project highlights and I know we've been hearing from a lot of people that anticipate the improvements on Happy Valley from Pima road to Alma School and on Pima road from Pinnacle Peak to Happy Valley, that is coming. That's a very large project funded through the ALCP and funded from the 0.1% sales tax. We are in construction on the Raintree through the airport.

[Time: 02:48:51]

And this \$45 million is leveraging \$144 million coming to the city in regional funding through MAG and the arterial life cycle program. So it's a big bang for the buck. The stormwater fee, the total non-budgets about \$20 million. You can see the project changes that we're proposing. The first two are adding some funds but really it's breaking out what had been a single project into two phases on granite reef.

And the other two are in the -- the next two, rather, Roosevelt and Troon north are in the out years. We're adding new projects that are identified through area drainage studies and other means in years four and five as projected funding becomes available. And the key here that is right column, grant reef watershed, the vast majority is coming from the federal grant and the salt Richer Pima community and the Salt River Pima community is providing funding and there's money from the Troon north project. So this is a fee that we also leverage to get a lot of external fund.

And then the last fund I want to talk about, water wastewater, the biggest piece of the capital program, the \$432 million that you see there includes actual multiple funding sources and water rates, wastewater rates and development fees, IWDS and some of the other specialty revenue sources that are part of the water program and I show a couple of key highlights that our water resources director asked me to highlight for him.

These both support Scottsdale water's drought response. The deep well recovery and there's the

picture that you see. This is aquifer storage and recovery well that we recently drilled and outfitting near one Scottsdale, legacy boulevard. But the deep well recharge recovery projects enhance our ability to store and reuse water in the future and then the Jomax road sewer, a pretty substantial wastewater project takes properties off of septic and has them putting water into our system so that we can retreat it and reuse it.

So both very much support of the drought response program. And then the last picture, I don't have any projects to talk about on the preserve, because we've built them. This is the most recent preserve trail head that we completed at Pima and dynamite, but it's been a substantial part of our program, and it's a success from our current year and I wanted to highlight that on the last slide and with that, I would be happy to answer any questions.

Mayor Ortega: I see Councilwoman Whitehead and we have one speaker from the public.

Councilmember Whitehead: I was going to say, it's not for Mr. Worth. Thank you for the presentation. I love a lot of those priorities. How many septic takes are we talking up at Jomax.

Dan Worth: I could only guess.

Councilmember Whitehead: That's fine. I did want to touch on -- and it probably has to do with our speaker. Go back to the general fund and since we have Kira here, we did here a lot about the library budget and of course we all want to protect our libraries. Would you help us understand where we are at in terms of library usage, how we are going to -- I don't want to not invest enough which doesn't enable us to get to where we would like to be with library usage. So I don't know if you want to talk to that or if we do have Ms. Raymond here. Should we have public comment first?

[Time: 02:53:10]

Mayor Ortega: Yes, if you are concluded, I will open public comment and we have one speaker, Sheila Raymond.

Sheila Raymond: Okay. Three minutes. Here we go. Good evening, Mayor Ortega. My name is Sheila Raymond. I'm here as a citizen of Scottsdale. A patron of the Scottsdale public library and chairperson of the library board and it is in that order that I address you today. Scottsdale has so many wonderful experiences to offer to our community. Scottsdale citizens know that living in Scottsdale is both diverse and rewarding.

Among the many benefits that Scottsdale offers are the services that are made available to the community. That is what Scottsdale public library is, a service. The library is not a money generating business. The Scottsdale public library should not have to count on selling books in order to meet their budget needs. Speaking of books, the library is more than having books available for checkout.

The staff at our branches are available as a public resource. Unfortunately, the COVID-19 pandemic forced all branches to close. The staff quickly found a way to open to the public when other -- excuse

me other library systems in the valley remained closed. Only two branches were able to have people visit in person during restricted hours. All four were available for drive up services. One branch launched an innovative system to allow people to enter but not to have staff to interact and available for assistance.

Other valley and national library services contacted our staff to find out how they could open their systems. Although access was limited the staff stepped up for the community. Computers war available for job searches and resume writing and email. The staff was able to connect them to health and human services as they struggled to make ends meet for whatever reason during the COVID-19 pandemic.

The materials budget was cut 54.5% this fiscal year, and according to a presentation of the city budget breakdown presented by Brian Bundy, to the library board on June 16<sup>th</sup>, 2021, all departments were restored with an increase to their budget, compared to the prepandemic fiscal year '18/19, there were two exceptions.

Human services, which -- who were fortunate to receive the federal cares fund and the library. Which was reduced by just over \$1 million. The staff has requested only \$550,000 for fiscal year '22/23. I could continue to throw a lot of numbers and statistics at you, but I need to convey the human needs that Scottsdale public library deserves for our -- your community. All citizens, every age, from infants to the most senior of our seniors rely and benefit from strong public library.

Our system was only able to open fully from January 10<sup>th</sup>, 2022. There aren't a lot of metrics to be able to measure. Please restore the library budget to at least where the library staff has requested and we can build an even stronger system for our Scottsdale community. Thank you for your time and I have 12 seconds left.

[Time: 02:56:52]

Mayor Ortega: Thank you. I will close the public comment. The purpose of item 23 regarding our budget presentation and the capital outlays was just to present, again, for the public's information, and if there was any guidance on the part of the council, but we don't have -- as part of the process of reviewing the finalizing budget. Councilwoman Whitehead, do you have any comments?

Councilmember Whitehead: Yes, I will add that that is an area that I would like to explore. So I will be asking staff to provide information about what it would take to get what staff requested. Thank you so much.

Mayor Ortega: Okay. At this point then, I don't see any need for -- councilwoman -- sorry, Littlefield. Okay. So at this point, we have finished the regular agenda items. And I would reopen public comment. It's an opportunity at the end of -- at the beginning and the end for public to come forward on a non-agendized item. I see none. We did have five earlier.

## **CITIZEN PETITIONS**

[Time: 02:58:09]

Mayor Ortega: Next item would be the receipt excuse me, of petitions. And at this point, we did receive a petition. If you would like to report that, we received a petition on behalf of Mr. Ambranovich and his presentation made during public comment with a substantial number of signatures. I would refresh the council's review of that.

We have one on our -- up at the dais, and at this point, upon receipt of the citizen petition, we are empowered to accept it properly and we can acknowledge the receipt of the citizens petition and at this point, we have three choices -- we will not be discussing the petition, and in part, it originates both the status of a property and neighborhood questions about enforcement.

We have three choices, one is to direct the city manager to agendize the petition for further discussion. The second choice set of a petition, direct the city manager to investigate and report a written response to the council with a copy to the petitioner, and number three would take no action. I would recommend we go with item number 2, which is direct the city manager to investigate the matter, prepare a written response to the council with a copy to petitioner.

Councilmember Whitehead: I will second that.

Mayor Ortega: I have a motion and a second. Any discussion? Seeing none, please record your vote. Okay. It does pass. Let me allow Councilmember Durham, the subject was for the petition that we received. And the motion was to have the city manager prepare a report to the council. So we're voting to affirm that and I see a yes. We have a unanimous direction of the council.

### **MAYOR AND COUNCIL ITEMS**

[Time: 03:00:53]

Mayor Ortega: The other item that we have on the agenda would be to consider any mayor or council items and I have a request from Councilwoman Littlefield. Hello.

Councilmember Littlefield: Thank you, mayor. I hope -- we had an item that was continued tonight in the artisan in the downtown. And I hope the downtown merchants and the developer of the artisan can reach an agreement on mitigating the negative impacts of the project's construction in the surrounding areas. But those merchants should not have to negotiate deals on a project-by-project basis.

If we're going to continue to approve these large and dense projects we need a tough, fair construction mitigation ordinance. Other cities like ours have such ordinances in place, and I believe that we should also. So I request the council to correct staff to create a construction mitigation ordinance for the city of Scottsdale. We look at the mans that other cities have adopted and what issues and problems that they have helped solve and how we could craft a plan that -- to best deal with the construction issues that Scottsdale is facing.

Mayor Ortega: Second. Okay. Any other discussion real quick? Again, it's a new item. So we don't really have a margin to discuss the topic. Please record your vote. Okay. It is a 5-2 vote to move that one forward. Second. Finally, I call again for any other mayor and council items. Seeing none, I would ask for a motion to adjourn.

Councilmember Janik: So moved.

Mayor Ortega: And seconded. Please –

Councilmember Littlefield: Thank you.

Mayor Ortega: Please record your vote. Unanimous. Good evening to all. The last meeting of April 2022.