

SCOTTSDALE CITY COUNCIL
SPECIAL MEETING MINUTES
MONDAY, NOVEMBER 3, 2025



CITY HALL KIVA
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251

CALL TO ORDER

Mayor Lisa Borowsky called to order a Special Meeting of the Scottsdale City Council at 4:01 P.M. on Monday, November 3, 2025 in the City Hall Kiva Forum.

ROLL CALL

Mayor Borowsky asked City Clerk Ben Lane to conduct the roll call.

Present: Mayor Lisa Borowsky; Vice Mayor Adam Kwasman; and Councilmembers Jan Dubauskas, Barry Graham, Kathy Littlefield, Maryann McAllen, and Solange Whitehead

Also Present: City Manager Greg Caton, Interim City Attorney Luis Santaella, City Treasurer Sonia Andrews, and City Clerk Ben Lane

1. Request for Executive Session to:

- A. Discuss and consult with the City's attorneys for legal advice and to consider its position and give possible instruction regarding *Taxpayers Against Awful Apartment Zoning Exemptions, et al. v. State of Arizona, City of Scottsdale, et al.*, CV2025-034961; other matters related to Senate Bill 1543; and Development Agreement 2020-138-COS, including its amendments. A.R.S. § 38-431.03(A)(3) and (4).
- B. Discuss and consult with the City's attorneys for legal advice; discuss and to consider its position and give possible instruction regarding Middle Housing State Legislation (House Bill 2721, 2024 Legislative Session, Chapter 197) and the Scottsdale Zoning Ordinance. A.R.S. § 38-431.03(A)(3) and (4).

If authorized by a majority vote of the Scottsdale City Council, the executive session will be held immediately after the vote and will not be open to the public.

MOTION AND VOTE – EXECUTIVE SESSION

Councilwoman Dubauskas made a motion to recess into Executive Session to:

- A. Discuss and consult with the City's attorneys for legal advice and to consider its position and give possible instruction regarding *Taxpayers Against Awful Apartment Zoning*

NOTE: MINUTES OF CITY COUNCIL MEETINGS AND WORK STUDY SESSIONS ARE PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ARIZONA REVISED STATUTES. THESE MINUTES ARE INTENDED TO BE AN ACCURATE REFLECTION OF ACTION TAKEN AND DIRECTION GIVEN BY THE CITY COUNCIL AND ARE NOT VERBATIM TRANSCRIPTS. DIGITAL RECORDINGS AND CLOSED CAPTION TRANSCRIPTS OF SCOTTSDALE CITY COUNCIL MEETINGS ARE AVAILABLE ONLINE AND ARE ON FILE IN THE CITY CLERK'S OFFICE.

Exemptions, et al. v. State of Arizona, City of Scottsdale, et al., CV2025-034961; other matters related to Senate Bill 1543; and Development Agreement 2020-138-COS, including its amendments.

- B. Discuss and consult with the City's attorneys for legal advice; discuss and to consider its position and give possible instruction regarding Middle Housing State Legislation (House Bill 2721, 2024 Legislative Session, Chapter 197) and the Scottsdale Zoning Ordinance.

Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Borowsky; Vice Mayor Kwasman; and Councilmembers Dubauskas, Graham, Littlefield, McAllen, and Whitehead voting in the affirmative.

Mayor Borowsky recessed the Special Meeting (to Executive Session) at 4:03 P.M.

Mayor Borowsky reconvened the Special Meeting (following Executive Session) at 5:27 P.M. noting the Councilmembers were present and the Charter Officers were in attendance.

2. Interim City Attorney Authorization

Request: Authorize the Interim City Attorney, and/or his designees, to file any appropriate counter claim(s), cross claim(s), and third-party claim(s) in *Taxpayers Against Awful Apartment Zoning Exemptions, et al. v. State of Arizona, City of Scottsdale, et al.*, CV2025-034961.

Staff Contact(s): Luis Santaella, Interim City Attorney, 480-312-2405,
lsantaella@scottsdaleaz.gov

PUBLIC COMMENT – ITEM 2

Mayor Borowsky opened public comment on this item.

Steve Sutton, Scottsdale resident, discussed concerns with public perception of this item and a Councilmember's possible conflict of interest.

Michael Schafer, Scottsdale resident, discussed concerns regarding undue influence by the developer on elected officials, delays in moving this vote forward, and the potential unconstitutionality of this state law.

Mayor Borowsky closed public comment on this item.

MOTION AND VOTE – ITEM 2

Vice Mayor Kwasman made a motion to authorize the Interim City Attorney, and/or his designees, to file any appropriate counter claim(s), cross claim(s), and third-party claim(s) unless stipulated deadlines are not extended by the court and then no action shall be taken, and the subject of this motion shall be agendaized for November 17th Regular Agenda. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Borowsky; Vice Mayor Kwasman; and Councilmembers Dubauskas, Graham, Littlefield, McAllen, and Whitehead voting in the affirmative.

MOTION AND VOTE – ADJOURNMENT

Mayor Borowsky made a motion to adjourn the Special Meeting. Councilwoman McAllen seconded the motion, which carried 7/0, by voice vote, with Mayor Borowsky; Vice Mayor Kwasman; and Councilmembers Dubauskas, Graham, Littlefield, McAllen, and Whitehead voting in the affirmative.

ADJOURNMENT

Mayor Borowsky adjourned the Special Meeting at 5:40 P.M.

SUBMITTED BY:



**Ben Lane
City Clerk**

Officially approved by the City Council on _____

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Special Meeting of the City Council of Scottsdale, Arizona, held on the 3rd day of November 2025.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 27th day of January 2026.

Ben Lane, City Clerk