

RESOLUTION NO. 13092  
AMENDED (CLEAN VERSION)

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, SEEKING APPROVAL OF THE QUALIFIED ELECTORS AS TO WHETHER THE CITY COUNCIL SHALL BE AUTHORIZED TO ENACT A TRANSACTION PRIVILEGE AND USE TAX RATE FOR IMPROVEMENTS, MAINTENANCE, AND PROTECTION OF CITY PARKS AND CITY RECREATIONAL FACILITIES, AND THE MAINTENANCE AND PROTECTION OF THE MCDOWELL SONORAN PRESERVE.

WHEREAS, the maintenance and improvement of City Parks and Recreational Facilities, and maintenance and protection of the McDowell Sonoran Preserve, including Police and Fire protection of City Parks and the Preserve, are of great importance to the community and its residents; and

WHEREAS, Article 6, Section 9 of the Scottsdale City Charter requires the approval of the qualified voters of the City for a tax rate change above 1%; and

WHEREAS, on May 23, 1995, the qualified electors of the City authorized the City Council to increase the transaction privilege and use tax rate of the City by 0.20%, for 30 years, for the purpose of acquiring land for the McDowell Sonoran Preserve; and

WHEREAS, it is the recommendation of the Protect and Preserve Scottsdale Task Force and the desire of the City Council to submit to the qualified electors a question as to whether the City Council shall be authorized to enact a 0.15% tax rate, for 30 years, for the improvement and replacement of Citywide Parks and Recreational Facilities including WestWorld, and for preservation, maintenance, and protection of Citywide Parks and Recreational Facilities, and the maintenance and protection of the McDowell Sonoran Preserve; and

WHEREAS, on March 5, 2024, the City Council adopted Resolution No. 13065 calling a Primary Election for Tuesday, July 30, 2024, and if necessary, a General Election for Tuesday, November 5, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. The question as to whether the qualified electors of the City authorize the City Council to enact a 0.15% transaction privilege and use tax rate of the City shall be submitted to the voters of the City of Scottsdale, substantially in the form shown in Exhibit A, at the General Election to be held on Tuesday, November 5, 2024.

Section 2. The City Council hereby directs the City Clerk, City Manager, City Attorney, and City Treasurer to take such steps as may be necessary to include this measure on the General Election ballot.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2024.

CITY OF SCOTTSDALE, an Arizona  
municipal corporation

ATTEST:

\_\_\_\_\_  
Ben Lane, City Clerk

\_\_\_\_\_  
David D. Ortega, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Sherry R. Scott, City Attorney

## EXHIBIT A

### Full Text

#### Question 1 (Proposition 490)

Proposal Referred to the Voters by the Council of the City of Scottsdale

**OFFICIAL TITLE:** A CITY CODE AMENDMENT TO ENACT A TRANSACTION PRIVILEGE AND USE TAX RATE SOLELY TO FUND: 1) IMPROVEMENTS AND MAINTENANCE FOR CITYWIDE PARKS AND RECREATIONAL FACILITIES; 2) MAINTENANCE AND PROTECTION FOR THE MCDOWELL SONORAN PRESERVE; AND 3) INCREASED POLICE AND FIRE RESOURCES RELATED TO CITYWIDE PARKS AND THE PRESERVE.

**DESCRIPTIVE TITLE:** Enacts a 0.15% transaction privilege and use tax rate for 30 years solely to fund the improvement, maintenance, and protection of Citywide Parks and Recreational Facilities, and the maintenance and protection of the Preserve as determined by ordinance, effective immediately upon the expiration of the 0.20% tax rate in 2025.

A **“YES”** vote shall have the effect of authorizing the City to enact a transaction privilege and use tax rate of 0.15% for 30 years for the sole purpose of: 1) improvements and maintenance for Citywide Parks and Recreational Facilities; 2) maintenance and protection for the McDowell Sonoran Preserve; and 3) increased Police and Fire resources related to Citywide Parks and the Preserve, as determined by City ordinance, to take effect on July 1, 2025, immediately upon the expiration of the current 0.20% tax rate.

A **“NO”** vote shall have the effect of denying the City the authority to enact a new 0.15% transaction privilege and use tax rate, and the current 0.20% transaction privilege and use tax rate will expire at the end of June 30, 2025.

## Tagline Text

### Question 1 (Proposition 490)

Proposal Referred to the Voters by the Council of the City of Scottsdale

**SHALL SCOTTSDALE ENACT A 0.15% TRANSACTION PRIVILEGE AND USE TAX RATE, EFFECTIVE JULY 1, 2025 UPON THE EXPIRATION OF THE CURRENT 0.20% TAX RATE, SOLELY TO FUND IMPROVEMENTS, MAINTENANCE, AND INCREASED POLICE AND FIRE PROTECTION OF CITYWIDE PARKS, RECREATIONAL FACILITIES, AND THE PRESERVE AS DETERMINED BY CITY ORDINANCE?**

A **“YES”** vote shall have the effect of authorizing the City to enact a transaction privilege and use tax rate of 0.15% for 30 years for the sole purpose of: 1) improvements and maintenance for Citywide Parks and Recreational Facilities; 2) maintenance and protection for the McDowell Sonoran Preserve; and 3) increased Police and Fire resources related to Citywide Parks and the Preserve, as determined by City ordinance, to take effect on July 1, 2025, immediately upon the expiration of the current 0.20% tax rate.

A **“NO”** vote shall have the effect of denying the City the authority to enact a new 0.15% transaction privilege and use tax rate, and the current 0.20% transaction privilege and use tax rate will expire at the end of June 30, 2025.

RESOLUTION NO. 13092  
AMENDED (MARKED UP VERSION)

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, SEEKING APPROVAL OF THE QUALIFIED ELECTORS AS TO WHETHER THE CITY COUNCIL SHALL BE AUTHORIZED TO ~~REPLACE AND REDUCE THE EXPIRING 1995 MCDOWELL SONORAN PRESERVE ENACT A~~ TRANSACTION PRIVILEGE AND USE TAX RATE FOR IMPROVEMENTS, MAINTENANCE, AND PROTECTION OF CITY PARKS AND CITY RECREATIONAL FACILITIES, AND THE MAINTENANCE AND PROTECTION OF THE MCDOWELL SONORAN PRESERVE.

WHEREAS, the maintenance and improvement of City Parks and Recreational Facilities, and maintenance and protection of the McDowell Sonoran Preserve, including Police and Fire protection of City Parks and the Preserve, are of great importance to the community and its residents; and

WHEREAS, Article 6, Section 9 of the Scottsdale City Charter requires the approval of the qualified voters of the City for a tax rate change above 1%; and

WHEREAS, on May 23, 1995, the qualified electors of the City authorized the City Council to increase the transaction privilege and use tax rate of the City by 0.20%, for 30 years, for the purpose of acquiring land for the McDowell Sonoran Preserve; and

WHEREAS, it is the recommendation of the Protect and Preserve Scottsdale Task Force and the desire of the City Council to submit to the qualified electors a question as to whether the City Council shall be authorized to ~~enact a replace and reduce the expiring 0.20% tax rate to~~ 0.15% tax rate, for 30 years, for the improvement and replacement of Citywide Parks and Recreational Facilities including WestWorld, and for preservation, maintenance, and protection of Citywide Parks and Recreational Facilities, and the maintenance and protection of the McDowell Sonoran Preserve; and

WHEREAS, on March 5, 2024, the City Council adopted Resolution No. 13065 calling a Primary Election for Tuesday, July 30, 2024, and if necessary, a General Election for Tuesday, November 5, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. The question as to whether the qualified electors of the City authorize the City Council to ~~enact a replace and reduce the~~ 0.15% transaction privilege and use tax rate of the City shall be submitted to the voters of the City of Scottsdale, substantially in the form shown in Exhibit A, at the General Election to be held on Tuesday, November 5, 2024.

Section 2. The City Council hereby directs the City Clerk, City Manager, City Attorney, and City Treasurer to take such steps as may be necessary to include this measure on the General Election ballot.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2024.

CITY OF SCOTTSDALE, an Arizona  
municipal corporation

ATTEST:

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Ben Lane, City Clerk

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David D. Ortega, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Sherry R. Scott, City Attorney

## EXHIBIT A

### Full Text

#### Question ~~X~~ 1 (Proposition ~~XXX~~490)

Proposal Referred to the Voters by the Council of the City of Scottsdale

**OFFICIAL TITLE:** A CITY CODE AMENDMENT TO ~~ENACT A REPLACE AND REDUCE SCOTTSDALE'S EXPIRING~~ TRANSACTION PRIVILEGE AND USE TAX RATE SOLELY TO FUND: 1) IMPROVEMENTS AND MAINTENANCE FOR CITYWIDE PARKS AND RECREATIONAL FACILITIES; 2) MAINTENANCE AND PROTECTION FOR THE MCDOWELL SONORAN PRESERVE; AND 3) INCREASED POLICE AND FIRE RESOURCES RELATED TO CITYWIDE PARKS AND THE PRESERVE.

**DESCRIPTIVE TITLE:** ~~Authorizes the City to Enacts~~ a 0.15% ~~replace and reduce the current 0.20%~~ transaction privilege and use tax rate, ~~expiring in 2025, to 0.15%~~, for 30 years solely to fund the improvement, maintenance, and protection of Citywide Parks and Recreational Facilities, and the maintenance and protection of the Preserve as determined by ordinance, ~~effective immediately upon the expiration of the 0.20% tax rate in 2025.~~

A “YES” vote shall have the effect of authorizing the City to ~~enact a replace and reduce the current 0.20%~~ transaction privilege and use tax rate of ~~0.15%, for 30 years, effective July 1, 2025,~~ for the sole purpose of: 1) improvements and maintenance for Citywide Parks and Recreational Facilities; 2) maintenance and protection for the McDowell Sonoran Preserve; and 3) increased Police and Fire resources related to Citywide Parks and the Preserve, ~~with all being more specifically as determined by City ordinance, to take effect on July 1, 2025, immediately upon the expiration of the current 0.20% tax rate.~~

A “NO” vote shall have the effect of denying the City the authority to enact a new 0.15% ~~replace and reduce the current 0.20%~~ transaction privilege and use tax rate, ~~and the current 0.20% transaction privilege and use tax rate will expire at the end of June 30, 2025, expiring in 2025, to 0.15%, for 30 years, effective July 1, 2025, for the sole purpose of: 1) improvements and maintenance for Citywide Parks and Recreational Facilities; 2) maintenance and protection for the McDowell Sonoran Preserve; and 3) increased Police and Fire resources related to Citywide Parks and the Preserve.~~

## Tagline Text

### Question ~~X~~ 1 (Proposition ~~XXX~~490)

Proposal Referred to the Voters by the Council of the City of Scottsdale

**SHALL SCOTTSDALE'S ~~CURRENT 0.20%~~ ENACT A 0.15% TRANSACTION PRIVILEGE AND USE TAX RATE, EFFECTIVE JULY 1, 2025 UPON THE EXPIRATION OF THE CURRENT 0.20% TAX RATE, EXPIRING JUNE 30, 2025, BE REPLACED AND REDUCED TO 0.15% FOR 30 YEARS SOLELY TO FUND IMPROVEMENTS, MAINTENANCE, AND INCREASED POLICE AND FIRE PROTECTION OF CITYWIDE PARKS, RECREATIONAL FACILITIES, AND THE PRESERVE AS DETERMINED BY CITY ORDINANCE?**

A "YES" vote shall have the effect of authorizing the City to ~~enact a replace and reduce the current 0.20%~~ transaction privilege and use tax rate of ~~0.15%, for 30 years, effective July 1, 2025,~~ to 0.15%, for the sole purpose of: 1) improvements and maintenance for Citywide Parks and Recreational Facilities; 2) maintenance and protection for the McDowell Sonoran Preserve; and 3) increased Police and Fire resources related to Citywide Parks and the Preserve, ~~with all being more specifically as determined by City ordinance, to take effect on July 1, 2025, immediately upon the expiration of the current 0.20% tax rate.~~

A "NO" vote shall have the effect of denying the City the authority to enact a new 0.15% ~~replace and reduce the current 0.20%~~ transaction privilege and use tax rate, and the current 0.20% transaction privilege and use tax rate will expire at the end of June 30, 2025, ~~expiring in 2025, to 0.15%, for 30 years, effective July 1, 2025, for the sole purpose of: 1) improvements and maintenance for Citywide Parks and Recreational Facilities; 2) maintenance and protection for the McDowell Sonoran Preserve; and 3) increased Police and Fire resources related to Citywide Parks and the Preserve.~~

# Lane, et al. v. City of Scottsdale

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City Council Special Meeting

August 20, 2024

# Superior Court: Approved Ballot Language

- Court “can find no fault with the ballot description”
- The Proposition “is not confusing or misleading”
- The City’s “word choice speaks favorably to the City’s successful attempt to be transparent, and it undermines arguments that the City has engaged in a bait and switch.”



## Court of Appeals Disagreed

- The Court found the word “replace” to be accurate but disagreed with the use of the word “reduce” and found that misleading because the ballot measure is proposing a new tax.
- The Court also found fault with the yes/no statements.
- The Court of Appeals ordered that the Ballot Measure not proceed “**AS CURRENTLY WORDED.**”

# Upon receiving the Court's Order:

- The City immediately contacted the County and asked if under these special circumstances the City could revise the ballot measure language pursuant to the Court's ruling and remain on the November 2024 ballot.
- The County indicated we could, provided they get the revised ballot language quickly

The City now has a short window of opportunity to revise the ballot measure pursuant to the Court's Order and keep the measure on the 2024 General Election Ballot

# Options:

Amend Resolution No.  
13092 - Change the  
Ballot Language

File an appeal with the  
AZ Supreme Court  
(Emergency Petition for  
Special Action and/or  
Petition for Review)

## Full Text

### Question 1 (Proposition 490)

Proposal Referred to the Voters by the Council of the City of Scottsdale

**OFFICIAL TITLE: A CITY CODE AMENDMENT TO ENACT A TRANSACTION PRIVILEGE AND USE TAX RATE SOLELY TO FUND: 1) IMPROVEMENTS AND MAINTENANCE FOR CITYWIDE PARKS AND RECREATIONAL FACILITIES; 2) MAINTENANCE AND PROTECTION FOR THE MCDOWELL SONORAN PRESERVE; AND 3) INCREASED POLICE AND FIRE RESOURCES RELATED TO CITYWIDE PARKS AND THE PRESERVE.**

**DESCRIPTIVE TITLE:** Enacts a 0.15% transaction privilege and use tax rate for 30 years solely to fund the improvement, maintenance, and protection of Citywide Parks and Recreational Facilities, and the maintenance and protection of the Preserve as determined by ordinance, effective immediately upon the expiration of the 0.20% tax rate in 2025.

A “**YES**” vote shall have the effect of authorizing the City to enact a transaction privilege and use tax rate of 0.15% for 30 years for the sole purpose of: 1) improvements and maintenance for Citywide Parks and Recreational Facilities; 2) maintenance and protection for the McDowell Sonoran Preserve; and 3) increased Police and Fire resources related to Citywide Parks and the Preserve, as determined by City ordinance, to take effect on July 1, 2025, immediately upon the expiration of the current 0.20% tax rate.

A “**NO**” vote shall have the effect of denying the City the authority to enact a new 0.15% transaction privilege and use tax rate, and the current 0.20% transaction privilege and use tax rate will **automatically** expire at the end of June 30, 2025.

Revised Ballot  
Language



## Tagline Text

### Question 1 (Proposition 490)

Proposal Referred to the Voters by the Council of the City of Scottsdale

**SHALL SCOTTSDALE ENACT A 0.15% TRANSACTION PRIVILEGE AND USE TAX RATE, EFFECTIVE JULY 1, 2025 UPON THE EXPIRATION OF THE CURRENT 0.20% TAX RATE, SOLELY TO FUND IMPROVEMENTS, MAINTENANCE, AND INCREASED POLICE AND FIRE PROTECTION OF CITYWIDE PARKS, RECREATIONAL FACILITIES, AND THE PRESERVE AS DETERMINED BY CITY ORDINANCE?**

A **“YES”** vote shall have the effect of authorizing the City to enact a transaction privilege and use tax rate of 0.15% for 30 years for the sole purpose of: 1) improvements and maintenance for Citywide Parks and Recreational Facilities; 2) maintenance and protection for the McDowell Sonoran Preserve; and 3) increased Police and Fire resources related to Citywide Parks and the Preserve, as determined by City ordinance, to take effect on July 1, 2025, immediately upon the expiration of the current 0.20% tax rate.

A **“NO”** vote shall have the effect of denying the City the authority to enact a new 0.15% transaction privilege and use tax rate, and the current 0.20% transaction privilege and use tax rate will **automatically** expire at the end of June 30, 2025.

# Resolution No. 13092

- I would like to point out that Resolution 13092 also contains this provision, which was existing, but continues to apply:

“Section 2. The City Council hereby directs the City Clerk, City Manager, City Attorney, and City Treasurer to take such steps as may be necessary to include this measure on the General Election ballot.”

# Possible Motions ?

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- I move to amend Resolution No. 13092, including the ballot measure language as reflected in today's meeting materials and presentation, and that the City direct staff to submit the revised ballot measure to Maricopa County for inclusion on the November 2024 Ballot.
- I move that Council takes no action today and wait to consider including this ballot measure in a future general election



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**From:** THOMAS SMITH <tsmith170@cox.net>  
**Sent:** Tuesday, August 20, 2024 10:19 AM  
**To:** City Council  
**Subject:** Prop 490

**⚠ External Email: Please use caution if opening links or attachments!**

Whoa!!! Let's not hurry into approving this proposition. Take the time to get resident input!

Thomas Smith  
10239 N100 th Place  
Scottsdale 85258

[Sent from Yahoo Mail for iPhone](#)

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**From:** Juli Feinberg <julif@jclam.com>  
**Sent:** Tuesday, August 20, 2024 10:36 AM  
**To:** City Council  
**Subject:** Prop 490

**⚠ External Email: Please use caution if opening links or attachments!**

Dear Council, I was sorry to hear this got a 2<sup>nd</sup> chance by the court. This should have died in the court of appeals.

The residents of Scottsdale are very aware of the unacceptable language being that was used to sway the residents to vote for this new tax.

You let the cat out of the bag and now we all know what the city is up to. We will very hard to defeat this at the ballot box as this is only a money grab for the city.

Juli Feinberg  
Scottsdale Resident  
LD3 PC

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**From:** tami smith <tamiangelsmith@gmail.com>  
**Sent:** Tuesday, August 20, 2024 10:40 AM  
**To:** City Council  
**Subject:** Fwd: Scottsdale City Council Special Meeting Agendas - August 20, 2024

**⚠ External Email: Please use caution if opening links or attachments!**

Hello Mayor Ortega and City Council,

I am concerned with the purpose of today's special meeting. Has sufficient time been allowed to evaluate the situation post the recent court decision?

Tami A. Smith  
480.330.1852

----- Forwarded message -----

**From:** City of Scottsdale Subscriptions <[subscriptions@scottsdaleaz.gov](mailto:subscriptions@scottsdaleaz.gov)>  
**Date:** Mon, Aug 19, 2024, 5:01 PM  
**Subject:** Scottsdale City Council Special Meeting Agendas - August 20, 2024  
**To:** <[tamiangelsmith@gmail.com](mailto:tamiangelsmith@gmail.com)>

[View In Browser](#)



The agenda for the Scottsdale City Council **August 20, 2024 Special Meeting No. 1** can be viewed at the following link:

[ww2.scottsdaleaz.gov/Assets/ScottsdaleAZ/Council/current-agendas-minutes/2024-agendas/08-20-24-special-agenda-01.pdf](http://ww2.scottsdaleaz.gov/Assets/ScottsdaleAZ/Council/current-agendas-minutes/2024-agendas/08-20-24-special-agenda-01.pdf)

The agenda for the Scottsdale City Council **August 20, 2024 Special Meeting No. 2** can be viewed at the following link:

[ww2.scottsdaleaz.gov/Assets/ScottsdaleAZ/Council/current-agendas-minutes/2024-agendas/08-20-24-special-agenda-02.pdf](http://ww2.scottsdaleaz.gov/Assets/ScottsdaleAZ/Council/current-agendas-minutes/2024-agendas/08-20-24-special-agenda-02.pdf)

Links to online forms to submit a request for in-person public comment and to submit a written public comment to the Council can be found on the first page of each meeting agenda.

For information on how to contact the Mayor and Council, please visit [www.scottsdaleaz.gov/council](http://www.scottsdaleaz.gov/council)

For questions on the meeting agenda(s), please contact the Scottsdale City Clerk's Office at [cityclerk@ScottsdaleAZ.gov](mailto:cityclerk@ScottsdaleAZ.gov) or at [480-312-2412](tel:480-312-2412).

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**From:** Jim Herbster <herbsterjr@gmail.com>  
**Sent:** Tuesday, August 20, 2024 10:41 AM  
**To:** City Council  
**Subject:** 490

⚠ External Email: Please use caution if opening links or attachments!

I will be voting against this issue. My vote is not that I am against parks, but rather the members of the city council and the mayor that cheered when the Goldwater suit issue was first ruled in favor of the city. Voters know the language was an attempt to hide the issue from the public by claiming it was a tax decrease when it is an increase. If the issue expires as schedule, it will be a 100% decrease.

Council should be honest with the residents.

Jim Herbster

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**From:** Ericksonsj <ericksonsj@aol.com>  
**Sent:** Tuesday, August 20, 2024 10:49 AM  
**To:** City Council  
**Subject:** Why the rush?

**⚠ External Email: Please use caution if opening links or attachments!**

Why the rush approving this tax increase?

Sharon Erickson  
7314 E. Bonita Dr.  
Scottsdale, AZ

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**From:** Jim Bohlander <jimbohlander@hotmail.com>  
**Sent:** Tuesday, August 20, 2024 10:52 AM  
**To:** City Council  
**Subject:** Re Proposition 490

⚠ External Email: Please use caution if opening links or attachments!

Dear Scottsdale City Council Members,

It is not good governance to try and rush through an 11th hour amendment to this Proposition when the citizens of Scottsdale have not had any time to review these proposed changes. The Court of Appeals has ruled on the Proposition. Let that ruling stand and get on with other important matters that face the City and its' citizens.

Thank you,  
Jim Bohlander  
Scottsdale, Arizona  
Sent from my iPhone

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**From:** emily austin <emilyaustin@cox.net>  
**Sent:** Tuesday, August 20, 2024 10:54 AM  
**To:** City Council  
**Subject:** Prop 490

⚠️ External Email: Please use caution if opening links or attachments!

Dearest Councilmembers,

It's my understanding you're going to change ballot language in an emergency meeting today to be able to keep Prop 490 on the ballot. Is this true? If so, thanks for the notice??! This is a perfect example of why YOUR constituents don't support, nor trust several members of the City Council and Staff. Why wasn't the language more specific in the original proposition? How ironic non-partisan 😏 Solange Whitehead told One Term Tom Durham he can't be a Republican because he has "values." Thank God I have values as a lifelong Liberal, right Solange? 🙄 However I must question yours and several other people on the Council.

The 490 ballot language is vague. It must be more specific. I worked my tail off for two years to protect the Preserve from a ridiculous tourist attraction that would have cost \$79 million. Let's not forget Caputi supported the Disneyland in the Desert when she served on the DRB!

Citizens want to protect the Preserve and know exactly what the taxes will be used for. It's deceptive.  
#Backpedaling 🤪 Values? 🙄

Former Scottsdale Resident, ❤️ ❤️ ❤️

Emily Austin



Trust doesn't  
come with a refill.  
Once it's gone,  
you probably won't  
get it back, and  
if you do, it will  
never be the same.  
& that's a fact.



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**From:** Alan Bovi <alanbovi@icloud.com>  
**Sent:** Tuesday, August 20, 2024 10:53 AM  
**To:** City Council  
**Subject:** New tax ballot measure

⚠ External Email: Please use caution if opening links or attachments!

Mayor/Council: plz knock it off. You have overdeveloped our city which creates massive net new tax revenue, and now driving to add a new tax ballot measure to create a new tax? Stop it. People are getting mighty fed up with this mentality while you promote fiscal responsibility, preserving our community, etc etc. I'm a moderate and like every moderate we know, we have had it. Thank you.  
Sent from my iPhone

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**From:** Carol J. Shedlock <cjshedlock@protonmail.com>  
**Sent:** Tuesday, August 20, 2024 11:03 AM  
**To:** City Council  
**Subject:** Prop 490 machinations

**⚠ External Email: Please use caution if opening links or attachments!**

Esteemed Councilmembers:

Holy cow, the Court of Appeals has disallowed the deceptive description of a \$1,200,000,000 thirty-year city sales tax program (Prop 490) so the Scottsdale city council is proposing to hurry-up adjust it NOW—13 days after the argument filing deadline, 32 days before Military & Overseas ballots go out, and 50 days before early voting starts? This is unfair to your constituents and appallingly unprofessional. I strongly encourage the council to revisit this taxing initiative in an honest and orderly fashion for a future election cycle.

Sincerely yours,

Carol J. Shedlock  
6657 E Running Deer Trl  
Scottsdale, AZ 85266

Sent with [Proton Mail](#) secure email.

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**From:** ANNE WARD <azward@cox.net>  
**Sent:** Tuesday, August 20, 2024 11:10 AM  
**To:** City Council  
**Subject:** Prop 490

**⚠ External Email: Please use caution if opening links or attachments!**

Prop 490

It's dead. Don't rewrite, rephrase, retitle something else. Citizens are watching your actions on this and other measures.

Anne Ward  
Scottsdale Resident

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**From:** James Hogan <jamesrhoganaz@gmail.com>  
**Sent:** Tuesday, August 20, 2024 11:10 AM  
**To:** City Council  
**Subject:** Opposition to Prop 490 Modification

**⚠ External Email: Please use caution if opening links or attachments!**

Dear Scottsdale City Council,

I am writing to express my strong opposition to any sort of last minute language modification to this proposal. The size and impact of this legislation is far too large for any sort of rushed or hurried process.

I strongly encourage the Council to delay this proposition until there is time to properly review any and all changes to the original language.

Thank you,

James Hogan

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**From:** Cynthia Chandley <cmchandley@icloud.com>  
**Sent:** Tuesday, August 20, 2024 11:12 AM  
**To:** City Council  
**Subject:** Prop 490

⚠ External Email: Please use caution if opening links or attachments!

Stop

The community deserves better than this being rushed through. The court just kicked it out, maybe you should consider alternatives before rushing forward?

Put it on a back burner- allow everyone time to review and comment prior to placing new language on the ballot.

If passed it will only add to our already overwhelming federal and local tax burdens. Isn't there a better option?

Cynthia Chandley

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**From:** tj Lockwood <yah\_hu@yahoo.com>  
**Sent:** Tuesday, August 20, 2024 11:24 AM  
**To:** City Council  
**Subject:** TODAY's Council Mtg re Ballot Measure 490

⚠ External Email: Please use caution if opening links or attachments!

Ladies and Gentlemen leading the government of the City of Scottsdale:

As a 24+ year resident of our city, I am view today's consideration of the fate of Ballot Measure 490 as a literal measure of the trustworthiness of our city's elected and non-elected leaders and managers to STAND FOR the values of TRANSPARENCY and FORTHRIGHTNESS in governance. The entire 490 issue should never have even made it to this juncture.

Any elected or non-elected Scottsdale leader who keeps 490 alive at this point is not worthy of our trust from this point forward.

Deeply concerned resident,

Jim Lockwood  
10835 E La Junta Rd  
Scottsdale, AZ 85255

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**From:** joezimmerman52@gmail.com  
**Sent:** Tuesday, August 20, 2024 11:34 AM  
**To:** City Council  
**Subject:** What is the hurry

⚠ External Email: Please use caution if opening links or attachments!

Why not place each item on the ballot. That way it doesn't look like you are trying to pull a fast one. Unless you are?  
Sent from my iPhone

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**From:** David Langston <dlangston2020@gmail.com>  
**Sent:** Tuesday, August 20, 2024 11:42 AM  
**To:** City Council  
**Subject:** Prop 490

⚠ External Email: Please use caution if opening links or attachments!

City Council Members and Mayor

Please do don't move forward with Prop 490 without telling the citizens of Scottsdale what Prop 490 really means. The court said it was misleading. You need to start being honest with the taxpayers. Please stop raising taxes every chance you get.

David Langston  
10950 E Gelding Dr  
Scottsdale, AZ 85255



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**From:** 1joepilot@cox.net  
**Sent:** Tuesday, August 20, 2024 11:53 AM  
**To:** City Council  
**Subject:** Very Concerning.....Have Seen This Before

**⚠ External Email: Please use caution if opening links or attachments!**

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**From:** 1joepilot@cox.net <1joepilot@cox.net>  
**Sent:** Tuesday, August 20, 2024 11:26 AM  
**To:** 'Barry Graham' <bsgraham@gmail.com>  
**Subject:** RE: Concerning News for Scottsdale Residents

Well, let's see if the Goldwater Institute takes action.

If not, this might be the sort of thing wherein the Court does have discretion.

I don't know. Not an attorney.

But I see your questions, CM Graham, as particularly pertinent at the City Council level.

***This*** is the way the Council conducts the people's business?? First, mislead, then ram through some sort of "cure"?

I don't care what the Court says. What are the practical ethics of the members of the City Council? They choose, as well.

For me as a citizen, I see this as extremely inappropriate on a number of levels. As I suggested previously, "Nothing like I anticipated moving here from hopelessly corrupt California."

The people who caused the problem are supposed to fix the problem, but with no third-party review.

Like asking the arsonist to put out the fire?

On Tue, Aug 20, 2024 at 10:57 AM <[1joepilot@cox.net](mailto:1joepilot@cox.net)> wrote:

Why is the Court taking sides in this dispute? Is that the job of the judiciary?

The people who wrote Prop 490 know very well how to write effectively as they wish.

The writers chose to write Prop 490 with language that the Court ruled was, to say the least, misleading....or words to that effect.

Why now is the Court facilitating in *any* way the opportunity for the writers to cure the veracity *the writers chose* while writing Proposition 490??

And I share your concerns that 'We The People' are being taken. Hardly the scales "blind" justice.

I see this as extremely unfortunate and only adds to a growing number of very disturbing circumstances in Arizona, in general, and Maricopa County, in particular.

Nothing like I anticipated moving here from hopelessly corrupt California.

#### **Concerning News for Scottsdale Residents.**

**Just hours after the court ruled Scottsdale Prop 490's language is misleading, the decision was modified to allow the city to hurriedly alter ballot language to rescue what the court deemed a new tax measure.**

**A city council meeting is scheduled for today at 2pm to hurry-through the altered ballot language.**

**11th-hour revisions to a \$1.2 billion 30-year tax-program description raises many critical questions:**

- **Are residents being denied time to review and digest changes?**
- **Has the City Council adequately vetted changes?**
- **Will a third-party review the changes?**
- **What about the citizen ballot-arguments submitted on a prior ballot measure draft?**
- **Can residents submit ballot arguments on redrafted ballot language?**
- **How does this move affect residents' trust in city government?**

**At 2pm today, the Council will meet and vote on the altered language (more info below). Come to city hall or email Council to share your thoughts: [citycouncil@scottsdaleaz.gov](mailto:citycouncil@scottsdaleaz.gov)**

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**From:** Peralta, Holly <[HPeralta@scottsdaleaz.gov](mailto:HPeralta@scottsdaleaz.gov)>

**Sent:** Tuesday, August 20, 2024 9:31 AM

To: Communications <[Communications@Scottsdaleaz.gov](mailto:Communications@Scottsdaleaz.gov)>

Subject: Scottsdale City Council will discuss Prop. 490 at a 2 p.m. Special Meeting



## NEWS RELEASE

For immediate release, Aug. 20, 2024

[City of Scottsdale Office of Communication](#)

### **Scottsdale City Council will discuss Prop. 490 at a 2 p.m. Special Meeting**

The Scottsdale City Council will meet today at 2 p.m. to discuss Monday's Court of Appeals ruling regarding Prop. 490, a 0.15% city sales tax rate ballot measure.

In a reversal of a lower court, the Arizona Court of Appeals ruled that Scottsdale's ballot measure could not proceed as written.

The City Council will meet at 2 p.m. for discussion and possible action on the matter. Part of that discussion may occur in executive session, but any action would occur in an open public meeting.

- [View the Aug. 20 Special City Council Meeting agenda here](#) (PDF)

The meeting will be held in the Kiva at Scottsdale City Hall, 3939 N. Drinkwater Blvd., and streamed live at [ScottsdaleAZ.gov](http://ScottsdaleAZ.gov), search "live stream" and on the city's YouTube channel, [YouTube.com/ScottsdaleArizona](https://YouTube.com/ScottsdaleArizona).

Residents can find official city of Scottsdale election information at [Scottsdale.Vote](http://Scottsdale.Vote).

**Holly Peralta, M.Ed.** (she/her)

Public Affairs Supervisor | City of Scottsdale

o 480-312-2655 c 480-586-0402

Office of Communication & Citizen Service  
7506 E. Indian School Road  
Scottsdale, AZ 85251

[ScottsdaleAZ.gov](http://ScottsdaleAZ.gov)

[Connect with us on social media](#)

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**From:** DJ Lockwood <djlockwood7@outlook.com>  
**Sent:** Tuesday, August 20, 2024 11:59 AM  
**To:** City Council  
**Subject:** Council Meeting Regarding Ballot Measure 490

**⚠ External Email: Please use caution if opening links or attachments!**

Scottsdale City Council,

I am writing in consideration of today's meeting regarding Ballot Measure 490. This measure should never have got this far to extend a tax — calling it a cut — through deceitful language which is unacceptable to Scottsdale residents. This will increase the number of residents who will no longer trust current members of the City Council. Language in these propositions is so frequently misleading and anything but transparent.

A concerned resident,

Denise J. (DJ) Lockwood  
10835 E. La Junta Road  
Scottsdale, AZ. 85255

480-607-9993  
[djlockwood7@outlook.com](mailto:djlockwood7@outlook.com)

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**From:** Jim Bushlow <jimbushlow@gmail.com>  
**Sent:** Tuesday, August 20, 2024 12:04 PM  
**To:** City Council  
**Subject:** Prop 490

**⚠ External Email: Please use caution if opening links or attachments!**

Please stop misinforming the public . Vote no on your new tax - prop 490 .

Jim Bushlow

6927 E Gary Rd .Scottsdale 856254

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**From:** Susan <sleeper499@protonmail.com>  
**Sent:** Tuesday, August 20, 2024 12:11 PM  
**To:** City Council  
**Subject:** Scottsdale Prop 490

**⚠ External Email: Please use caution if opening links or attachments!**

Council Members:

WTH are you doing? Scottsdale residents are being shut out of commenting on this latest development on a new tax. STOP. It's too late to do this. November 5 is upon us. You'll rightly wait until all Scottsdale residents can weigh in.

Susan Leeper

11th-hour revisions to a \$1.2 billion 30-year tax-program description raises many critical questions:

- Are residents being denied time to review and digest changes?
- Has the City Council adequately vetted changes?
- Will a third-party review the changes?
- What about the citizen ballot-arguments submitted on a prior ballot measure draft?
- Can residents submit ballot arguments on redrafted ballot language?
- How does this move affect residents' trust in city government?

Sent with [Proton Mail](#) secure email.

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**From:** Jim Haxby <jimhax@cox.net>  
**Sent:** Tuesday, August 20, 2024 12:17 PM  
**To:** City Council  
**Subject:** TAX Revisions

**⚠ External Email: Please use caution if opening links or attachments!**

Lets take our time and do it right. This was designed to deceive the residents. If we have a short fall lets be honest.

If you do this today will the residents have time to review and make comments?

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**From:** Lisa Rego <lisamrego@yahoo.com>  
**Sent:** Tuesday, August 20, 2024 12:24 PM  
**To:** City Council  
**Subject:** Prop 490

**⚠ External Email: Please use caution if opening links or attachments!**

Dear City Council Members,

The AZ Court of Appeals has reversed the decision to allow Prop 490 on the ballot for Scottsdale stating it could not proceed as written. It is my understanding that the Council is having a meeting to review and alter the language of this ballot in order to get it pushed through today. I respectfully ask that you not do so and instead keep this Prop off of the ballot until appropriate language is rewritten and vetted. At this late hour, there is not enough time to carefully review any changes.

Scottsdale residents do not have the appropriate amount of time to review and understand any changes you make at the last minute. Outside of Council, who else will be reviewing and vetting changes? Last minute changes to impose a \$1.2 billion dollar tax on residents greatly affects the trust or lack thereof, of our city government. An important and expensive matter such as a tax requires careful consideration of those it will be imposed on.

Thank you,

Lisa Rego  
Scottsdale, AZ



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**From:** Cheryl Pelletier <cheryl.pelletier@reagan.com>  
**Sent:** Tuesday, August 20, 2024 12:57 PM  
**To:** City Council  
**Subject:** Concerning: so much for transparency!

**⚠ External Email: Please use caution if opening links or attachments!**

I copied and pasted this from an email I received. So it is not my own words. No time to write something based on what you're trying to cram through at the last minute. But these bullet points express my concerns as a resident of Scottsdale. You owe the residence of Scottsdale an explanation. For transparency and all.

**“11th-hour revisions to a \$1.2 billion 30-year tax-program description raises many critical questions:**

- **Are residents being denied time to review and digest changes?**
- **Has the City Council adequately vetted changes?**
- **Will a third-party review the changes?**
- **What about the citizen ballot-arguments submitted on a prior ballot measure draft?**
- **Can residents submit ballot arguments on redrafted ballot language?**
- **How does this move affect residents' trust in city government?”**

Cheryl and Leonard Pelletier

Sent from my iPhone

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**From:** David Weitzner <dsweitzner@gmail.com>  
**Sent:** Tuesday, August 20, 2024 1:29 PM  
**To:** City Council  
**Subject:** Proposition 490

**⚠ External Email: Please use caution if opening links or attachments!**

As a lifelong Scottsdale resident, I urge you to not revise Prop 490 and let it go and revisit another time. The prop was shut down the other day and now with last minute changes, you are going to vote on something that is needing more time to review and digest.

If there are enough concerns and this Prop is in question so late in the game, why rush through with a 30-year commitment. You are just a few council members deciding the fate of the people's pocketbooks. I urge you to take a step back and allow this Prop to not be on the general ballot this coming November. Allow yourselves and the average Scottsdale voter, time to ensure whether or not we want this on the next ballot.

Sara Weitzner

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**From:** lynnpaonessanj@gmail.com  
**Sent:** Tuesday, August 20, 2024 1:33 PM  
**To:** City Council  
**Subject:** Prop. 490

⚠ External Email: Please use caution if opening links or attachments!

As a Scottsdale citizen I believe the citizens have a right to review and be part of a decision. This should be an open discussion with the citizens and vote together. This should not be a rushed discussion by only a few people. We the people have that right as it affects all of us. Please reconsider thank you.

Sent from my iPhone

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**From:** Joe Junker <joe.e.junker@gmail.com>  
**Sent:** Tuesday, August 20, 2024 1:46 PM  
**To:** City Council  
**Subject:** Remove from ballot!

⚠ External Email: Please use caution if opening links or attachments!

Last minute adjustments, particularly from the same team that created the false and misleading ballot descriptions is not a good idea.

What about those people that paid \$100 to make ballot comments in publicity pamphlet which 90 day input is statutorily required?

You are now treading on illegal territory City of Scottsdale!!

Sent from my iPhone

Joe Junker  
Scottsdale Resident  
480-309-7762