

SCOTTSDALE

CITY COUNCIL MEETING

MEETING NOTICE AND AGENDA



COUNCIL

David D. Ortega, Mayor
Tammy Caputi
Tom Durham
Barry Graham

Betty Janik
Kathleen S. Littlefield
Solange Whitehead

Tuesday, April 25, 2023

City Council meetings are also televised on Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search "live stream"). Unless an exception is made, or unless otherwise noted, the Council will not begin discussion on any new items after 10:00 p.m. Items that are not heard will be continued to the next scheduled Council meeting (May 2, 2023).

In-person spoken public comment is being accepted on Items 1 through 7. To sign up to speak on these items, please click [here](#).

In-Person spoken public comment is also being accepted on non-agendized items that are within the Council's jurisdiction. Scottsdale citizens, business owners, and/or property owners may speak on items that are within the Council's jurisdiction but are not on the agenda, with a total of 15 minutes at the beginning and 15 minutes at the end of the meeting dedicated to comment on non-agendized items. To sign up to speak in-person on a non-agendized item that is within the Council's jurisdiction, please click [here](#).

Requests for in-person public comment may be submitted online or at the City Council meeting. Registration for in-person public comment is available online by completing a Request to Speak form. In-Person Public Comment Request to Speak forms for Consent, Regular, and Non-Agendized items must be submitted online no later than 90 minutes before the start of the meeting. Additionally, in-person meeting attendees may submit a Request to Speak form utilizing the kiosk located in the foyer area of City Hall for each agenda item they wish to address. Forms must be submitted and received before the Mayor announces the agenda item.

Written public comment may be submitted in-person by completing a yellow written public comment card or electronically by completing a Written Public Comment form. Written public comment received during the meeting will be shared with the Council. Written comments that are submitted electronically at least 90 minutes before the meeting will be emailed to the Council and posted online prior to the meeting. A written public comment may be submitted electronically by clicking [here](#).

5:00 P.M.

Marked Agenda

REGULAR CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING THE CITY CLERK'S OFFICE AT (480-312-2412). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT THE CITY CLERK'S OFFICE (480-312-2412).

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

Call to Order – 5:00 P.M.

Roll Call – All present

One or more members of the Council may be attending the Council Meeting by telephone, video, or Internet conferencing, pursuant to A.R.S. §38-431(4).

Pledge of Allegiance – Councilmember Tom Durham

Mayor's Report

Mayor Ortega asked for a moment of silent reflection for the people of Ukraine as they continue their fight for freedom and democracy.

Mayor Ortega announced the City is celebrating Earth Week which began with Earth Day on April 22, 2023 and continues through Arbor Day on April 28, 2023. He invited everyone to a tree planting ceremony at Chapparal Park beginning at 8:00 a.m. He noted more information about Earth Week events could be found at scottsdaleaz.gov by searching for "Earth Week".

Possible Executive Session

Notice is hereby given that, at any time during tonight's meeting, the Council may make a motion to recess into Executive Session to discuss and consult with the attorneys and representatives of the public body to obtain legal advice on any applicable item on tonight's agenda. If authorized by a majority vote of the Council, the Executive Session will be held immediately after the vote and will not be open to the public. A.R.S. §38-431.03(A)(3). The public meeting will resume following the Executive Session.

Public Comment – Dan Ishac commented on the positive results found in the 2023 Scottsdale Community Survey.

Public Comment time is reserved for Scottsdale citizens, business owners, and/or property owners to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. Advocacy for or against a candidate or ballot measure during a Council meeting is not allowed pursuant to State law and is therefore not deemed to be within the Council's jurisdiction.

Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak [form](#) must be submitted together with the petition(s) before the Mayor announces the second Public Comment period.

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

MINUTES

Request: Approve the following Council meeting minutes from April 2023:

- a. [Special Meeting Minutes of April 4, 2023](#)
- b. Executive Session Minutes of April 4, 2023
- c. [Regular Meeting Minutes of April 4, 2023](#)

– Councilmember Durham made a motion to approve the Special Meeting Minutes of April 4, 2023; Executive Session Minutes of April 4, 2023; and Regular Meeting Minutes of April 4, 2023. Councilwoman Janik seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Littlefield; and Councilmembers Caputi, Durham, Graham, Janik, and Whitehead voting in the affirmative.

CONSENT AGENDA ITEMS 1-5

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

– Vice Mayor Littlefield made a motion to approve Consent Agenda Items 1 through 5. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Littlefield; and Councilmembers Caputi, Durham, Graham, Janik, and Littlefield voting in the affirmative.

1. **[Ajo Al's Mexican Cafe Liquor License \(15-LL-2023\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 6990 E. Shea Boulevard, Suite 126
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
2. **[Ajo Al's Mexican Cafe Liquor License \(16-LL-2023\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 9393 N. 90th Street, Suite 122
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
3. **[Rudy's Country Store Bar-B-Que Liquor License \(23-LL-2023\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for a new location and owner.
Location: 15257 N. Northsight Boulevard
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
4. **[Family Self Sufficiency Grant](#) – Approved on Consent.**
Request: Adopt **Resolution No. 12728** to authorize:
 1. Acceptance of a Family Self Sufficiency Grant, in the amount of \$84,714, from the U.S. Department of Housing and Urban Development effective January 1, 2023.
 2. A budget transfer, in the amount up to \$84,714, from the adopted Fiscal Year 2022/23 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center within the Section 8 Housing Fund to record the related grant activity.
 3. The City Manager, or designee, to execute a grant agreement and any other documents, and to take such other actions as necessary to carry out the intent of this Resolution.**Staff Contact(s):** Greg Bestgen, Human Services Director, 480-312-0104, gbestgen@scottsdaleaz.gov
5. **[Employee Healthcare Benefit Contract Extension](#) – Approved on Consent.**
Request: Adopt **Resolution No. 12796** authorizing Contract No. 2023-052-COS with Life Insurance Company of North America (New York Life) for an additional one-year extension period beyond the five years administratively authorized for life insurance, accidental death and disability, voluntary life insurance, short-term and long-term disability insurance, and business travel accident insurance services.
Staff Contact(s): Monica Boyd, Human Resources Director, 480-312-2615, mboyd@scottsdaleaz.gov

REGULAR AGENDA **ITEMS 6-7**

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

6. **[Public Hearing on Ratifying and Affirming Scottsdale Revised Code Chapter 16 Occupational Licensing Requirements](#)**

Requests:

1. Hold a public hearing to consider ratifying and affirming Scottsdale Revised Code, Chapter 16 Occupational Licensing requirements to protect the health, safety, or welfare of the public.
2. Adopt **Resolution No. 12807** determining that occupational licensing requirements as set forth in Exhibit A to this Resolution are necessary to protect the health, safety, or welfare of the public and shall be continued in full force and effect in accordance with their terms.

Presenter(s): Sarah VanGoethem, Tax and License Manager

Staff Contact(s): Whitney Pitt, Business Services Director, 480-312-5925, wpitt@scottsdaleaz.gov

– Tax and License Manager Sara VanGoethem gave a PowerPoint presentation.

– Mayor Ortega opened the public hearing and noting there were no public comments, closed the public hearing.

– Mayor Ortega made a motion to adopt Resolution No. 12807 to ratify and affirm Scottsdale's Revised Code Chapter 16, Occupational Licensing requirements to protect the health, safety, or welfare of the public. Councilmember Graham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Littlefield; and Councilmembers Caputi, Durham, Graham, Janik, and Whitehead voting in the affirmative.

7. **[Proposed Fiscal Year \(FY\) 2023/24 Operating Budget and Capital Improvement Plan](#)**

Request: Presentation, discussion, and possible direction to staff regarding the Proposed FY 2023/24 Operating Budget and Capital Improvement Plan.

Presenter(s): Sonia Andrews, City Treasurer and Alison Tymkiw, City Engineer

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

– City Treasurer Sonia Andrews and City Engineer Alison Tymkiw gave a PowerPoint presentation.

– Councilmembers made the following suggestions:

- **Have the Tourism Development Commission provide input related to projects being financed out of the Tourism Development Fund Operating Budget.**
- **Provide additional information related to projects at WestWorld, including tracking revenue and expenses separately.**
- **Provide comparison information on neighboring cities' property taxes, including the average assessed values versus the assessed property rate.**
- **Include the changes to the Capital Improvement Plan Budget as suggested by the City Council during the Council Retreat held April 13, 2023, including Ashler Hills and Second Street projects.**
- **Provide more information on projects that would be affected if the Proposition 400 transportation tax is not extended.**

Public Comment – None

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CITIZEN PETITIONS

ITEM 8

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

8. **Receipt of Citizen Petitions – None**

Request: Accept and acknowledge receipt of citizen petitions. Any member of the Council may make a motion, to be voted on by the Council, to: (1) Direct the City Manager to agendaize the petition for further discussion; (2) direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner; or (3) take no action.

Staff Contact(s): Ben Lane, City Clerk, 480-312-2411, blane@scottsdaleaz.gov

WORK STUDY SESSION

– The City Council recessed at 6:45 P.M.

– The City Council reconvened at 6:55 P.M.

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

Public Comment: To provide an opportunity for public input yet continue to maximize the amount of time available for the Council to have focused discussions, spoken comment (maximum of five speakers) is being accepted on the item(s) on tonight’s work study session agenda. To sign up to speak, please click [here](#). **Request to speak forms must be submitted no later than 90 minutes before the start of the meeting. – Alex McLaren noted that although winter rains increased water levels in Lake Mead and Lake Powell, we must still plan for worst case scenarios. Mr. McLaren expressed support for the additional conservation measures proposed by staff.**

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

1. [Colorado River Drought and Shortage Update](#)

Request: Presentation, discussion, and possible direction to staff regarding the Colorado River Basin drought and shortage based on the United States Bureau of Reclamation April 2023 24-Month Study and proposals of additional water savings by the Basin states.

Presenter(s): Brian Biesemeyer, Water Resources Executive Director

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

– Water Resources Executive Director Brian Biesemeyer introduced the item. Water Policy Manager Gretchen Baumgardner gave a PowerPoint presentation.

Councilmember Graham made the following suggestion:

- **Provide additional information on the percentage of water that comes to Arizona through the Central Arizona Project canals.**

2. [Additional Water Conservation Measures Update](#)

Request: Presentation, discussion, and possible direction to staff regarding additional conservation measures to be implemented to follow the Memorandum of Understanding by and among Colorado River Basin Municipal and Public Water Providers to reduce water demand.

Presenter(s): Brian Biesemeyer, Water Resources Executive Director

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

– Water Policy Manager Gretchen Baumgardner gave a PowerPoint presentation.

– There was consensus by the City Council to direct staff to gather additional data related to water usage savings, proposed programs (including voluntary versus mandatory), and costs associated with:

- **Watering time restrictions**
- **Front lawn restrictions on new homes**
- **New swimming pool size restrictions for single-family homes**
- **New single-family residence fountain prohibitions**
- **Strip and non-functional turf prohibition**
- **Automatic WaterSmart enrollment with new accounts**
- **Limitations on sewer charge adjustments**
- **Reduce threshold for Principle 4: Water and Land Use Management related to Scottsdale's Sustainable Water Management Principles.**

Once the data is gathered, staff should present their findings at a future Council Meeting.

– Councilmembers made the following suggestions:

- **Compare conservation requirements between the Southern Nevada Water Authority and the Arizona Department of Water Resources and provide this information to the City Council.**
- **Review developments using over 100,000 gallons of water per day and those using 50,000 gallons of water per day and provide this information (without identifying individual users) to the City Council.**
- **Consider what incentives could be utilized to encourage water conservation efforts among existing homeowners.**
- **Staff should present their findings before the Council Summer break.**

Adjournment – 7:53 P.M.

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