

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

Monday, August 21, 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 (August 22, 2023).

In-person spoken public comment is being accepted on Items 1 through 8. 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

Monday, August 21, 2023

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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 – Councilwoman Whitehead

Mayor's Report

– Mayor Ortega welcomed everyone back from summer break and noted it was an exciting time as the school year had started.

– Mayor Ortega stated that August is Drowning Prevention Month, noting the importance of pool safety. Over 200 people participated in the City's free learn-to-swim lessons with Scottsdale Aquatics, which was funded, in part, with a grant from the USA Swimming Youth Learn to Swim Program.

– Mayor Ortega discussed the devastation caused by recent fires in the city of Lahaina and Maui. He explained that Lahaina and Scottsdale have several commonalities, noting the family of Hartley and Ruth Barker were original settlers in Maui and sponsored the Boys and Girls Club in Scottsdale and in Lahaina, which was destroyed in the fires. Mayor Ortega asked for a moment of silence for the city of Lahaina and the grieving families in Maui.

City Manager's Report – City Manager Jim Thompson introduced a "Fast Five" video produced by the City's Communications Office which provided updates on several City events and offerings.

- **Fast Five Video Update**

Note: The Council may make comments or ask questions to the presenter(s); however, no Council action will be taken.

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 – None

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 June 2023:

- a. [Special Meeting Minutes of June 20, 2023](#)
- b. Executive Session Minutes of June 20, 2023
- c. [Special Meeting Minutes of June 27, 2023](#)
- d. Executive Session Minutes of June 27, 2023
- e. [Regular Meeting Minutes of June 27, 2023](#)

– Vice Mayor Littlefield made a motion to approve the Special Meeting Minutes of June 20, 2023; Executive Session Minutes of June 20, 2023; Special Meeting Minutes of June 27, 2023; Executive Session Minutes of June 27, 2023; and the Regular Meeting Minutes of June 27, 2023. Councilwoman Whitehead 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 1-8

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.

– There was no public comment on the Consent Agenda.

– Mayor Ortega made a motion to approve Consent Agenda Items 3 through 8, noting that Item 1 [Scottsdale Stadium Phase Two Improvements and Bond 2019 – Project 15 Build 200 Space Parking Lot Off 75th Street Project Construction Phase Services Contract] and Item 2 [Citywide Pool Construction Job Order Contracts] were moved to the Regular Agenda. 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.

1. [Scottsdale Stadium Phase Two Improvements and Bond 2019 – Project 15 Build 200 Space Parking Lot Off 75th Street Project Construction Phase Services Contract](#)

Request: Adopt **Resolution No. 12897** authorizing Construction Manager at Risk Contract No. 2023-125-COS with Okland Construction Company, Inc., in an amount not to exceed \$2,248,522, to provide phase two construction services for the Scottsdale Stadium Phase Two Improvements and Bond 2019 Project 15 – Build 200 Space Parking Lot Off 75th Street Project.

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

– City Engineer Alison Tymkiw gave a PowerPoint presentation.

– There was no public comment on this item.

– Councilwoman Janik made a motion to adopt Resolution No. 12897 authorizing Construction Manager at Risk Contract No. 2023-125-COS with Okland Construction Company, Inc., in an amount not to exceed \$2,248,522, to provide phase two construction services for the Scottsdale Stadium Phase Two Improvements and Bond 2019 Project 15 – Build 200 Space Parking Lot Off 75th Street Project. Councilwoman Whitehead 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.

2. **Citywide Pool Construction Job Order Contracts**

Request: Adopt **Resolution No. 12887** authorizing the following job order contracts, in an amount not to exceed \$15,000,000 per contract, for citywide pool construction services:

1. Contract No. 2023-121-COS with Shasta Industries, Inc.
2. Contract No. 2023-122-COS with Sun Eagle Corporation.

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov
– City Engineer Alison Tymkiw gave a PowerPoint presentation.

– There was no public comment on this item.

– Mayor Ortega made a motion to adopt Resolution No. 12887 authorizing job order contract 2023-121-COS with Shasta Industries, Inc. and contract 2023-122-COS with Sun Eagle Corporation for an initial two-year term, in an amount not to exceed \$15 million per contract for citywide pool construction projects. 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.

3. **Citywide Electrical Construction Services Job Order Contract Increase – Approved on Consent.**

Request: Adopt **Resolution No. 12903** authorizing Contract No. 2019-195-COS-A3 with CS Construction, Inc., increasing the single job order limit from \$1 million to \$1.5 million for citywide electrical construction services.

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

4. **Thompson Peak Park Dog Park Pre-Construction Phase Services Contract – Approved on Consent.**

Request: Adopt **Resolution No. 12906** authorizing Construction Manager at Risk Contract No. 2023-128-COS with Valley Rain Construction Corporation, in an amount not to exceed \$56,793.24, to provide pre-construction services for the 2019 Bond Project 42 – Add a Dog Park to Thompson Peak Park.

Location: 19900 N. Hayden Road

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

5. **Post COVID Education and Social Isolation Intergovernmental Agreement – Approved on Consent.**

Request: Adopt **Resolution No. 12893** to authorize:

1. Agreement No. 2023-124-COS with the Maricopa County Department of Public Health to provide services and education related to social isolation experienced by seniors and disabled adults during the COVID pandemic.
2. The City Manager, or designee, to execute any other documents including individual project agreements or take such other actions as necessary to carry out the intent of this Resolution and Intergovernmental Agreement.
3. A Budget Transfer, in the amount of up to \$125,000, from the adopted Fiscal Year 2023/24 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.

Staff Contact(s): William B. Murphy, Assistant City Manager, 480-312-7954, bmurphy@scottsdaleaz.gov

6. **City Auditor's Fiscal Year (FY) 2023/24 Audit Plan – Approved on Consent.**

Request: Approve the City Auditor's FY 2023/24 Audit Plan, as recommended by the Council's Audit Committee at its June 26, 2023 meeting.

Staff Contact(s): Lai Cluff, Acting City Auditor, 480-312-7851, lcluff@scottsdaleaz.gov

7. **Strategic Planning and Performance Analytics Contract Budget Transfer – Approved on Consent.**
Request: Adopt **Resolution No. 12904** authorizing a General Fund Budget Transfer, in the amount of \$13,750, from the City Treasurer Division, Budget Department to the City Manager Division, to consolidate the budget for Strategic Planning and Performance Analytics software that is under the full responsibility of the City Manager Division.
Staff Contact(s): Brent Stockwell, Assistant City Manager, 480-312-7288, bstockwell@scottsdaleaz.gov
8. **Central Arizona Project (CAP) Water Storage, Recovery, and Exchange Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 12907** to authorize:
1. With approval of the City Attorney, the Water Resources Executive Director to execute on behalf of the City a Central Arizona Project (CAP) Water Storage, Recovery, and Exchange Agreement substantially in the form attached as Exhibit A to this Resolution.
2. The Water Resources Director to execute any other documents and take such other actions as necessary to carry out the intent of this Resolution.
Staff Contact(s): Brian Biesemeyer, Water Resources Executive Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov

Public Comment – None

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CITIZEN PETITIONS

ITEM 9

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.

9. **Receipt of Citizen Petitions – None**
Request: Accept and acknowledge receipt of citizen petitions. Any member of the Council may make a motion, to be voted on by the Council, to: (1) Direct the City Manager to agendize the petition for further discussion; (2) direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner; or (3) take no action.
Staff Contact(s): Ben Lane, City Clerk, 480-312-2411, blane@scottsdaleaz.gov

WORK STUDY SESSION

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. – None**

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. [Financial and Capital Improvement Plan \(CIP\) Update – Preliminary Fiscal Year \(FY\) 2023](#)

Request: Receive, discuss, and provide possible direction on the City Treasurer's financial presentation on preliminary FY 2023 results and/or the City Engineer's CIP presentation as of June 2023.

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

Staff Contact(s): Ana Lia Johnson, Interim Budget Director, 480-312-7893, anjohnson@scottsdaleaz.gov

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

– Councilmembers made the following suggestions:

- **Examine possible methods to replace the revenue lost by the upcoming end to the residential rental tax.**
- **Provide costs related to the following completed Bond 2019 Projects involving WestWorld:**
 - **46 – Replace the Public Address System at WestWorld**
 - **47 – Replace WestWorld Arena Lights to Reduce Operating Costs**
 - **50 – Renovate Arena at WestWorld to Provide Flexible Event Space**
 - **52 – Expand Restrooms in WestWorld North Hall**
- **Provide information on when the energy savings from the Project 57 (Install Solar Systems at North Corp Campus) solar panels will pay for the initial project costs.**
- **Provide a clearer graphic of the image in Slide 36 (Granite Reef Wash 2B).**
- **Provide further design updates on the Granite Reef Wash 2B project.**

Adjournment – 6:41 P.M.

– Councilmember Graham made a motion to adjourn the Regular Meeting and the Work Study Session. 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.