

**SCOTTSDALE**

# **CITY COUNCIL MEETING**

## **MEETING NOTICE AND AGENDA**



---

### **COUNCIL**

David D. Ortega, Mayor  
Tammy Caputi  
Tom Durham  
Betty Janik

Kathleen S. Littlefield  
Linda Milhaven  
Solange Whitehead

**Tuesday, October 18, 2022**

---

*City Council meetings are also televised on Cox Cable Channel 11 and streamed online at [ScottsdaleAZ.gov](http://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 (October 25, 2022).*

*In-person spoken public comment is being accepted on Items 1 through 18. 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](http://WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION)

Tuesday, October 18, 2022

Page 2 of 7

**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 Caputi**

**Mayor’s Report – Mayor Ortega asked for a moment of silent reflection for the people of Ukraine as they fight for their freedom and peace as a nation. Mayor Ortega invited the public to the Desert Dog Police Canine Trials and Public Safety Expo being held at WestWorld on October 22-23, 2022. The Association of Canine Enforcement has invited over 70 canine teams for the two-day competition.**

**City Manager’s Report – City Manager Jim Thompson introduced a “Fast Five” video produced by the City Communication’s Office which provided updates on several City events and offerings.**

**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 September 2022:

- a. [Regular Meeting and Work Study Session Minutes of September 13, 2022](#)
- b. [Regular Meeting and Work Study Session Minutes of September 20, 2022](#)

**– Councilwoman Janik made a motion to approve the Regular Meeting and Work Study Session Minutes of September 13, 2022 and the Regular Meeting and Work Study Session Minutes of September 20, 2022. Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Durham; and Councilmembers Caputi, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.**

## **CONSENT AGENDA      ITEMS 1-16**

**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.

**– Councilwoman Whitehead made a motion to approve Consent Agenda Items 1 through 16. Vice Mayor Durham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Durham; and Councilmembers Caputi, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.**

1. **Swan Sushi Seafood & Bar Liquor License (72-LL-2022) – 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:** 28190 N. Alma School Parkway  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
2. **Peter Piper Pizza Liquor License (73-LL-2022) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an owner transfer of a Series 7 (beer and wine bar) State liquor license for an existing location with a new owner.  
**Location:** 7607 E. McDowell Road, Suite 101  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
3. **The Blind Pig Liquor License (74-LL-2022) – 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:** 3370 N. Hayden Road, Suite 116  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
4. **Geisha A Go Go, LLC Outdoor Dining License Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12617** authorizing Outdoor Dining License Agreement No. 2011-102-COS-A2, a five-year extension to the agreement with Southbridge A Owner, LLC and Geisha A Go Go, LLC, for outdoor dining patio use on city property.  
**Location:** 7150 E. 6<sup>th</sup> Avenue  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [daworth@scottsdaleaz.gov](mailto:daworth@scottsdaleaz.gov)
5. **Solid Waste Disposal Services Intergovernmental Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12610** authorizing Agreement No. 2016-023-COS-A1, the first amendment to the agreement with the Salt River Pima-Maricopa Indian Community, and its division, the Salt River Commercial Landfill Company, for a one-time transfer fee increase.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [daworth@scottsdaleaz.gov](mailto:daworth@scottsdaleaz.gov)
6. **Certified Street Sweeper Grant – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12593** to authorize:
  1. The acceptance of a Maricopa Association of Governments Highway User Revenue Funds grant, in an amount not to exceed \$583,494 (\$291,747 each), for the purchase of two new PM-10 certified street sweepers.
  2. The City Manager, or designee(s), to accept the grant and execute all documents and other necessary or desirable instruments in connection with the acceptance of the funds.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [daworth@scottsdaleaz.gov](mailto:daworth@scottsdaleaz.gov)

7. **Trolley Preventative Maintenance Grant – Approved on Consent.**

**Request:** Adopt **Resolution No. 12606** to authorize:

1. Grant Pass-Thru Agreement No. 2022-158-COS with the City of Phoenix for the acceptance of a Federal Transit Administration grant, in the amount of \$211,160, with a local match contribution in the amount of \$52,790, for a total project amount of \$263,950, for trolley preventative maintenance.
2. A budget transfer, in the amount of \$211,160, from the adopted Fiscal Year 2022/23 Transportation and Streets Department's Transportation Fund to a newly created cost center to record the related grant activity.
3. The City Manager, or designee, to execute any other documents and take such other actions as necessary to carry out the intent of this Resolution and Agreement.

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

8. **Bicycle and Pedestrian Safety Education Grant – Approved on Consent.**

**Request:** Adopt **Resolution No. 12613** to authorize:

1. Contract No. 2022-165-COS with the Arizona Governor's Office of Highway Safety, accepting a grant in the amount of \$50,000 to reimburse the City for overtime costs related to bicycle and pedestrian safety education and enforcement.
2. The City Manager, or designee, to execute Contract No. 2022-165-COS.
3. A budget transfer, in the amount of \$50,000, from the Fiscal Year 2022/23 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.

**Staff Contact(s):** Jeff Walther, Chief of Police, 480-312-1900, [jwalther@scottsdaleaz.gov](mailto:jwalther@scottsdaleaz.gov)

9. **Selective Traffic Enforcement Program Grant – Approved on Consent.**

**Request:** Adopt **Resolution No. 12614** to authorize:

1. Contract No. 2022-166-COS with the Arizona Governor's Office of Highway Safety, accepting a grant in the amount of \$70,000 to reimburse the City for overtime costs related to the Selective Traffic Enforcement Program.
2. The City Manager, or designee, to execute Contract No. 2022-166-COS.
3. A budget transfer, in the amount of \$70,000, from the Fiscal Year 2022/23 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.

**Staff Contact(s):** Jeff Walther, Chief of Police, 480-312-1900, [jwalther@scottsdaleaz.gov](mailto:jwalther@scottsdaleaz.gov)

10. **Driving Under the Influence (DUI) Impaired Driving Enforcement and Education Grant – Approved on Consent.**

**Request:** Adopt **Resolution No. 12615** to authorize:

1. Contract No. 2022-167-COS with the Arizona Governor's Office of Highway Safety, accepting a grant in the amount of \$100,000 to reimburse the City for overtime costs related to DUI impaired driving enforcement and education.
2. The City Manager, or designee, to execute Contract No. 2022-167-COS.
3. A budget transfer, in the amount of \$100,000, from the adopted Fiscal Year 2022/23 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.

**Staff Contact(s):** Jeff Walther, Chief of Police, 480-312-1900, [jwalther@scottsdaleaz.gov](mailto:jwalther@scottsdaleaz.gov)

11. **Know Your Limit Enhancement Educational Grant – Approved on Consent.**

**Request:** Adopt **Resolution No. 12616** to authorize:

1. Contract No. 2022-168-COS with the Arizona Governor's Office of Highway Safety, accepting a grant in the amount of \$35,000 to reimburse the City for overtime costs related to Know Your Limit Enhancement educational activities.
2. The City Manager, or designee, to execute Contract No. 2022-168-COS.
3. A budget transfer, in the amount of \$35,000, from the adopted Fiscal Year 2022/23 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.

**Staff Contact(s):** Jeff Walther, Chief of Police, 480-312-1900, [jwalther@scottsdaleaz.gov](mailto:jwalther@scottsdaleaz.gov)

12. **Mapping of High-Threat Locations and Tracking Officer Response Grant – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12624** to authorize:
  1. Subrecipient Agreement No. 2022-169-COS with the Arizona Department of Homeland Security, accepting a grant in the amount of \$40,000 for the mapping of high-threat locations and tracking officer response through the Global Positioning System (GPS).
  2. The City Manager, or designee, to execute Agreement No. 2022-169-COS.
  3. A budget transfer, in the amount of \$40,000, from the adopted Fiscal Year 2022/23 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.**Staff Contact(s):** Jeff Walther, Chief of Police, 480-312-1900, [jwalther@scottsdaleaz.gov](mailto:jwalther@scottsdaleaz.gov)
  
13. **Mobile Security Barriers Grant – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12625** to authorize:
  1. Subrecipient Agreement No. 2022-170-COS with the Arizona Department of Homeland Security, accepting a grant in the amount of \$83,810 for the purchase of mobile security barriers.
  2. The City Manager, or designee, to execute Agreement No. 2022-170-COS.
  3. A budget transfer, in the amount of \$83,810, from the adopted Fiscal Year 2022/23 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.**Staff Contact(s):** Jeff Walther, Chief of Police, 480-312-1900, [jwalther@scottsdaleaz.gov](mailto:jwalther@scottsdaleaz.gov)
  
14. **Terrorism Liaison Officers Training Grant – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12626** to authorize:
  1. Subrecipient Agreement No. 2022-171-COS with the Arizona Department of Homeland Security, accepting a grant in the amount of \$25,035 to fund training opportunities for Terrorism Liaison Officers.
  2. The City Manager, or designee, to execute Agreement No. 2022-171-COS.
  3. A budget transfer, in the amount of \$25,035, from the adopted Fiscal Year 2022/23 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.**Staff Contact(s):** Jeff Walther, Chief of Police, 480-312-1900, [jwalther@scottsdaleaz.gov](mailto:jwalther@scottsdaleaz.gov)
  
15. **Audit Committee Recommendation for the Human Services Advisory Commission Sunset Review – Approved on Consent.**  
**Request:** Accept the Audit Committee’s recommendation and authorize the continuation of the Human Services Advisory Commission.  
**Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, [swalker@scottsdaleaz.gov](mailto:swalker@scottsdaleaz.gov)
  
16. **Audit Committee Recommendation for the Judicial Appointments Advisory Board Sunset Review – Approved on Consent.**  
**Request:** Accept the Audit Committee’s recommendation and authorize the continuation of the Judicial Appointments Advisory Board.  
**Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, [swalker@scottsdaleaz.gov](mailto:swalker@scottsdaleaz.gov)

## REGULAR AGENDA      ITEMS 17-18

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

17. [Voita Residence – Front Window to Door Replacement \(52-HP-2022\) Appeal](#)

**Request:** Applicant appeal of the Historic Preservation Commission denial regarding the front façade window replacement with double doors for a residence located within the Villa Monterey Unit Two, with Townhouse Residential, Historic Property (R-4 HP) zoning designation.

**Location:** 7662 E. Coolidge Street (Villa Monterey Units 1-7 Historic District)

**Presenter(s):** Jesus Murillo, Senior Planner

**Staff Contact(s):** Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, [eperreault@scottsdaleaz.gov](mailto:eperreault@scottsdaleaz.gov)

– Senior Planner Jesus Murillo gave a PowerPoint presentation and Applicant Patrick Voita gave a presentation.

– Councilmember Milhaven made a motion to grant the appeal and overturn the Historic Preservation Commission denial regarding the front façade window replacement with double doors. Councilwoman Whitehead seconded the motion, which carried 6/1, with Mayor Ortega and Councilmembers Caputi, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative and Vice Mayor Durham dissenting.

18. [Alameda 5 Acres Rezoning \(4-ZN-2021\)](#)

**Requests:**

1. Adopt **Ordinance No. 4553** approving a zoning district map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-130 ESL) to Single-Family Residential, Planned Residential Development, Environmentally Sensitive Lands (R1-43 PRD ESL) zoning and approval of a development plan with amended development standards for lot area, lot width, and setbacks for a three-lot subdivision on a ±5.6-acre site.
2. Adopt **Resolution No. 12526** declaring the document titled “*Alameda 5 Acres Development Plan*” to be a public record.

**Location:** Southwest corner of E. Alameda Road and N. 132<sup>nd</sup> Street alignment

**Presenter(s):** Katie Posler, Senior Planner

**Staff Contact(s):** Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, [eperreault@scottsdaleaz.gov](mailto:eperreault@scottsdaleaz.gov)

– Senior Planner Katie Posler and Applicant Representative Keith Nichter, with Kimley-Horn & Associates, Inc., gave PowerPoint presentations.

– Councilwoman Whitehead made a motion to:

1. Adopt Ordinance No. 4553 approving a zoning district map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-130 ESL) to Single-Family Residential, Planned Residential Development, Environmentally Sensitive Lands (R1-43 PRD ESL) zoning and approval of a development plan with amended development standards for lot area, lot width, and setbacks for a three-lot subdivision on a ±5.6-acre site.
2. Adopt Resolution No. 12526 declaring the document titled “*Alameda 5 Acres Development Plan*” to be a public record.

Councilwoman Caputi seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Durham; and Councilmembers Caputi, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

### 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.”**

## **CITIZEN PETITIONS**

### **ITEM 19**

**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.

**19. 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](mailto:blane@scottsdaleaz.gov)

**Adjournment – 6:05 P.M.**

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