

SCOTTSDALE

CITY COUNCIL MEETING



***** AMENDED *** MEETING NOTICE AND AGENDA**

[ADDED MAYOR AND COUNCIL ITEM No. 11]

COUNCIL

David D. Ortega, Mayor

Tammy Caputi

Tom Durham

Barry Graham

Betty Janik

Kathleen S. Littlefield

Solange Whitehead

Tuesday, April 18, 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 (April 25, 2023).

In-person spoken public comment is being accepted on Items 1 through 9. 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 – 5:01 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 – Teen Library Volunteers

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 hosting a variety of events to celebrate Earth Week which begins on Earth Day on April 22, 2023 and concludes with Arbor Day on April 28, 2023.

Mayor Ortega read a proclamation declaring April 16-22, 2023 as Scottsdale Volunteer Week to celebrate the kindness and generosity of the many volunteers who serve the community. He recognized the Teen Library Volunteers and Janet Orlandi, who was the recipient of the 2022 William P. Schrader Volunteer Impact Award.

City Manager's Report – City Manager Jim Thompson introduced the item and speakers.

- **Airport Emergency Drill Video – Aviation Director Gary Mascaro gave a presentation and introduced a video which explained the Scottsdale Airport's emergency drill procedures.**
- **[Scottsdale Airport Sustainability Review of Airfield Projects](#) – Brad Mikulecky, from Mead & Hunt, gave a PowerPoint presentation.**

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

Presentations/Information Updates

- **[Library Vision Award and Volunteer Recognition](#)**

Presenter(s): Melissa Orr, Interim Library Director

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

– Interim Library Director Melissa Orr gave a PowerPoint presentation and presented the Scottsdale Public Library 2023 Vision Award to Trey Granger. Mr. Granger serves as the President of the Friends of Scottsdale Library Board.

– Library Assistant Alexis Skidmore gave a PowerPoint presentation and recognized the teen volunteers who are the recipients of the 2022 Presidential Volunteer Service Award.

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 – Alex McLaren spoke on the Thomas Road Project Open House and the need to update the City's Transportation Action Plan 2020 congestion report with current data. Heather Phillips expressed concern about the 2020 congestion report and increased vehicular traffic in the Downtown area. She also expressed concern about the planning efforts related to the Thompson Peak Dog Park. Mitchell Andrew commented on interactions with the Scottsdale Police Department.

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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 March 2023:

- a. [Retreat Meeting Minutes of March 9, 2023](#)
- b. [Special Meeting Minutes of March 21, 2023](#)
- c. Executive Session Minutes of March 21, 2023
- d. [Regular Meeting and Work Study Session Minutes of March 21, 2023](#)

– Councilwoman Janik made a motion to approve the Retreat Meeting Minutes of March 9, 2023; Special Meeting Minutes of March 21, 2023; Executive Session Minutes of March 21, 2023; and Regular Meeting and Work Study Session Minutes of March 21, 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.

– Councilwoman Janik made a motion to approve Consent Agenda Items 1 through 8, except Item 3 [Gainey Hyatt Hotel Parking Reduction (22-SA-2023#2)], which was moved to the Regular Agenda. Councilmember Durham 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. [Hilton North Scottsdale at Cavasson Liquor License \(14-LL-2023\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 (beer and wine store) State liquor license for an existing location and owner.
Location: 7965 E. Cavasson Boulevard
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
2. [Crossroads East Zoning Adoption – Mark Taylor \(19-ZN-2002#8\)](#) – **Approved on Consent.**
Request: Adopt **Ordinance No. 4587** affirming the zoning classification approved as part of Case No. 19-ZN-2002#6 and finalizing the zoning district boundary with comparable Multi-Family Residential (P-C R-5) zoning.
Location: 17800 N. 78th Street and 17900 N. Hayden Road
Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov

3. **Gainey Hyatt Hotel Parking Reduction (22-SA-2023#2)**

Request: Approve a Parking Master Plan with the overall parking reduction of 17.7% of the total parking required to an existing resort on a total of ±27.35-acre site, as allowed in Zoning Ordinance Section 9.104.F.4.c with Multi-Family Residential, Planned Community District (R-5 PCD) zoning.

Location: 7500 E. Doubletree Ranch Road

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

– **Planner Wayland Barton gave a PowerPoint presentation. Kurt Jones, with Tiffany & Bosco, gave a presentation.**

– **Councilwoman Caputi made a motion to approve a Parking Master Plan with the overall parking reduction of 17.7% of the total parking required to an existing resort on a total of ±27.35-acre site, as allowed in Zoning Ordinance Section 9.104.F.4.c with Multi-Family Residential, Planned Community District (R-5 PCD) zoning. Councilwoman Whitehead seconded the motion, which carried 6/1, with Mayor Ortega; Vice Mayor Littlefield; and Councilmembers Caputi, Durham, Janik, and Whitehead voting in the affirmative and Councilmember Graham dissenting.**

4. **WestWorld Horse Barns Renovation Project Construction Phase Services Contract – Approved on Consent.**

Request: Adopt **Resolution No. 12793** to authorize:

1. Design Build Manager Contract No. 2021-045-COS-A2 with Caruso Construction, Inc., in the amount of \$4,619,789, for a revised Guaranteed Maximum Price 2, to provide phase two construction services for Bond 2019 Project 45 – Renovate WestWorld Horse Barns to Increase Rentable Space.
2. A Fiscal Year 2022/23 Capital Budget Appropriation Transfer of up to \$607,292 from Bond 2019, Question 2, Issuance 1, Project 47 – Replace WestWorld Arena Lights to Reduce Operating Costs (DH04) project to Bond 2019, Question 2, Issuance 1, Project 45 – Renovate WestWorld Horse Barns to Increase Rentable Space (DH05) project to be funded by General Obligation Bond 2019 proceeds.
3. The City Manager and City Treasurer, or designees, to take such actions and execute such documents as necessary to carry out the intent of this Resolution

Location: 16601 N. Pima Road

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

5. **Scottsdale Airport Lease Agreements – Approved on Consent.**

Requests:

1. Adopt **Resolution No. 12766** to authorize:
 - a. Lease Agreement No. 2023-038-COS with Out West Rentals, LLC for the lease of North General Aviation Box Hangar Space at the Scottsdale Airport.
 - b. Lease Agreement No. 2023-039-COS with Cirrus Design Corporation, doing business as Cirrus Aircraft, for the lease of General Aviation Box Hangar Space at the Scottsdale Airport.
2. Adopt **Resolution No. 12767** authorizing Lease Agreement No. 2023-040-COS with SDL AZ Holdings, LLC, doing business as Atlantic Aviation, for the lease of General Aviation Box Hangar Space at the Scottsdale Airport

Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov

6. **Edward Byrne Memorial Justice Assistance Grant – Approved on Consent.**

Request: Adopt **Resolution No. 12778** to authorize:

1. Intergovernmental Agreement (IGA) No. 2023-042-COS with the City of Phoenix to accept the City's portion of the Edward Byrne Memorial Justice Assistance Grant, in the amount of \$32,437, to continue to partially fund a full-time property and evidence technician position.
2. The Mayor to execute IGA No. 2023-042-COS for the purpose of receiving grant funds from the Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program.
3. A budget transfer, in the amount of \$32,437, 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

7. **Monthly Financial Report – Approved on Consent.**

Request: Accept the Fiscal Year 2022/23 Monthly Financial Report as of February 2023.

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

8. **Audit Committee Recommendation for the Airport Advisory Commission Sunset Review – Approved on Consent.**

Request: Accept the Audit Committee's recommendation and authorize the continuation of the Airport Advisory Commission.

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

REGULAR AGENDA ITEM 9

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

9. **Public Hearing on the Biennial Certified Audit of Land Use Assumptions, Infrastructure Improvements Plan and Development Impact Fees, Fiscal Year 2020/21 – Fiscal Year 2021/22**

Request: Hold a public hearing as required by Arizona Revised Statutes §9-463.05(G)(2) to solicit and receive public comment on Report 2304, *City of Scottsdale Biennial Certified Audit of Land Use Assumptions, Infrastructure Improvements Plan and Development Fees*, for the City's water and wastewater utilities.

Presenter(s): Lai Cluff, Acting City Auditor and Kevin Burnett, Willdan Financial Services

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

– Acting City Auditor Lai Cluff and Willdan Financial Services Senior Project Manager Kevin Burnett gave PowerPoint presentations.

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

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.

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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 10

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.

10. **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

MAYOR AND COUNCIL

ITEM 11

Mayor and Council Items: Any member of the Council may add an item to a scheduled Council Meeting agenda to be listed under “Mayor and Council” items by submitting the item to the City Clerk at least two business days prior to the Council meeting. Item No. 11 was added to the agenda on April 14, 2023. Items added in this manner require a majority vote. 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 item for a future meeting; (2) direct the City Manager or responsible Charter Officer to investigate the matter and prepare a written response to the Council; or (3) take no action.

*****11. Road Diets Discussion and Possible Action at Future Council Meeting**

Request: At the request of Vice Mayor Littlefield, direct the City Manager to agendaize an item for discussion and possible Council action regarding the placement of the issue of “road diets” on the next available City election ballot.

Note: The only possible Council action to be taken on Item No. 11 is: (1) Direct the City Manager to agendaize the item for a future meeting; (2) direct the City Manager or responsible Charter Officer to investigate the matter and prepare a written response to the Council; or (3) take no action. No public comment will be taken at this time.

– Vice Mayor Littlefield made a motion to direct the City Manager to agendaize the item for a future meeting. Councilwoman Janik seconded the motion, which failed 3/4, with Vice Mayor Littlefield and Councilmembers Graham and Janik voting in the affirmative, and Mayor Ortega and Councilmembers Caputi, Durham, and Whitehead dissenting.

WORK STUDY SESSION

– The City Council recessed at 6:54 P.M.

– The City Council reconvened at 7:10 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.**

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. [Quarterly Financial Update](#)

Request: Receive, discuss, and provide possible direction on the City Treasurer’s quarterly financial presentation as of March 2023.

Presenter(s): Sonia Andrews, City Treasurer

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

– City Treasurer Sonia Andrews gave a PowerPoint presentation.

Adjournment – 7:25 P.M.

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