SCOTTSDALE CITY COUNCIL REGULAR MEETING MINUTES TUESDAY, OCTOBER 10, 2023



CITY HALL KIVA 3939 N. DRINKWATER BOULEVARD SCOTTSDALE, AZ 85251

CALL TO ORDER

Mayor David D. Ortega called to order a Regular Meeting of the Scottsdale City Council at 5:21 P.M. on Tuesday, October 10, 2023 in the City Hall Kiva Forum.

ROLL CALL

Present: Mayor David D. Ortega; Vice Mayor Solange Whitehead; and

Councilmembers Tammy Caputi, Tom Durham (participated electronically),

Barry Graham, Betty Janik, and Kathy Littlefield

Also Present: City Manager Jim Thompson, City Attorney Sherry Scott, City Treasurer

Sonia Andrews, Acting City Auditor Lai Cluff, and City Clerk Ben Lane

PLEDGE OF ALLEGIANCE - Councilwoman Janik

MAYOR'S REPORT

Mayor Ortega asked for a pause in silence reflection for the people of Ukraine, as they fight for sovereignty, survival, and democracy.

Mayor Ortega asked to join him in silent reflection for the people of Israel who have been targeted by cowardly acts of terrorism.

Mayor Ortega read a proclamation for one of Scottsdale's early founders, Paul Messinger, proclaiming him Scottsdale Historian Emeritus.

CITY MANAGER'S REPORT

Fast Five Video Update

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

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.

MINUTES OF CITY COUNCIL MEETINGS AND WORK STUDY SESSIONS ARE PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ARIZONA REVISED STATUTES. THESE MINUTES ARE INTENDED TO BE AN ACCURATE REFLECTION OF ACTION TAKEN AND DIRECTION GIVEN BY THE CITY COUNCIL AND ARE NOT VERBATIM TRANSCRIPTS. DIGITAL RECORDINGS AND CLOSED CAPTION TRANSCRIPTS OF SCOTTSDALE CITY COUNCIL MEETINGS ARE AVAILABLE ONLINE AND ARE ON FILE IN THE CITY CLERK'S OFFICE.

PRESENTATIONS/INFORMATION UPDATES

Scottsdale Arts Update

Presenter(s): Gerd Wuestemann, President and Chief Executive Officer Note: The Council may make comments or ask questions to the presenter(s); however, no Council action will be taken.

Scottsdale Arts President and Chief Executive Officer Gerd Wuestemann gave a PowerPoint presentation (attached) on Scottsdale Arts.

PUBLIC COMMENT

- Dan Ishac thanked the Council for approving bridge housing, approving funds for the Paiute Center, and expressed concerns with the housing being connected to the Center and the projected costs.
- Lee Kauftheil discussed homelessness and appreciation for all the work and attention that this issue has been getting from the city.

MINUTES

Request: Approve the following Council meeting minutes from September 5, 2023:

- a. Special Meeting Minutes of September 5, 2023
- b. Executive Session Minutes of September 5, 2023
- c. Regular Meeting and Work Study Session Minutes of September 5, 2023

MOTION AND VOTE - MINUTES

Councilwoman Janik made a motion to approve the Special Meeting Minutes of September 5, 2023; Executive Session Minutes of September 5, 2023, and Regular Meeting and Work Study Session Minutes of September 5, 2023. Vice Mayor Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Graham, Janik, and Littlefield voting in the affirmative.

CONSENT AGENDA

1. Caesars Republic Scottsdale Liquor License (53-LL-2023)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 11 (hotel/motel) State liquor license for a new location and owner.

Location: 4747 N. Goldwater Boulevard

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

2. Andara Senior Living Liquor License (54-LL-2023)

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: 11415 N. 114th Street

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

3. Mama Por Dios Liquor License (55-LL-2023)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 6 (bar) State liquor license for an existing location with a new owner.

Location: 7301 E. Butherus Drive

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

4. Chaco Flaco Drinks, LLC Liquor License (56-LL-2023)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 4 (wholesaler) State liquor license for an existing location with a new owner.

Location: 15679 N. 83rd Way, Suite D8

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

5. EVO North Liquor License (57-LL-2023)

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: 15507 N. Scottsdale Road, Suite 100

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

6. Permanent Extension of Premises for VFW Post 3513 (6-EX-2023)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor License and Control for a permanent extension of premises for a Series 14 (private club) State liquor license for an existing location to expand a patio.

Location: 7220 E. Wilshire Drive

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

7. Permanent Extension of Premises for Goodwood Tavern (7-EX-2023)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor License and Control for a permanent extension of premises for a Series 6 (bar) State liquor license for an existing location to expand a rooftop patio.

Location: 7330 E. Stetson Drive

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

8. McDowell Mountain Manor Abandonment (1-AB-2021)

Request: Adopt **Resolution No. 12822** authorizing the abandonment of roadway portions of the Public Utility and Roadway Easements as follows: 20 feet located along the northern (E. Ranch Gate Road), 15 feet located along the eastern (N. 128th Street), and 15 feet located along the western (N. 126th Street alignment) boundaries of Parcel No. 217-01-025A with Single-Family Residential District, Environmentally Sensitive Lands (R1-43/ESL) zoning.

Location: 12651 E. Happy Valley Road

Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism

Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov

9. Sereno Canyon – McDowell Mountain Manor Replat (16-PP-2017#27)

Request: Approve the request by owner for approval of a final plat to replat the McDowell Mountain Manor plat (1-PP-2021), 32-lot residential subdivision with Amended Development Standards on a ±40-acre site with Single Family Residential District, Environmentally Sensitive Lands (R1-43/ESL) zoning into the Sereno Canyon resort community.

Location: 12651 E. Happy Valley Road

Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism

Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov

10. Meridian Art Lofts Rezoning (17-ZN-2020) Requests:

- Adopt Ordinance No. 4608 approving a zoning district map amendment from Highway Commercial, Downtown Overlay (C-3 DO) district to Downtown/Downtown Multiple Use

 – Type 3, Planned Block Development, Downtown Overlay (D/DMU-3 PBD DO) district
 with a development plan and amended standards for a 16-unit residential development
 on a ±0.48-acre site.
- 2. Adopt **Resolution No. 12899** declaring the document titled "*Meridian Art Lofts Development Plan*" to be a public record.

Location: 3600 N. Bishop Lane

Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism

Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov

11. Water Campus Administration Building Design-Build Manager Preconstruction Phase Contract

Request: Adopt **Resolution No. 12922** authorizing Design-Build Manager Preconstruction Phase Contract No. 2023-004-COS-A1, the first amendment to the contract with Willmeng Construction, Inc., in an amount not to exceed \$3,030,702, to provide complete design services for the Scottsdale Water Campus Administration Building Expansion and New Lab Project.

Location: 8787 E. Hualapai Drive

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555,

daworth@scottsdaleaz.gov

12. Airport Engineering Services Contract

Request: Adopt **Resolution No. 12920** authorizing Contract No. 2023-163-COS with Mead & Hunt, Inc., in an amount not to exceed \$1,000,000 per fiscal year for the initial three-year period of the contract, for airport engineering services at the Scottsdale Airport.

Location: 15000 N. Airport Drive

Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735,

gmascaro@scottsdaleaz.gov

13. Scottsdale Airport Taxiway A4 Rehabilitation Project Construction Bid

Request: Adopt **Resolution No. 12921** to authorize Construction Bid Award No. IFB-052023-091 with J. Banicki Construction, Inc., in the amount of \$501,745.50, for construction services in connection with the Airport Taxiway A4 Rehabilitation project.

Location: 15000 N. Airport Drive

Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735,

gmascaro@scottsdaleaz.gov

14. Airport Lease Agreement Amendment

Request: Adopt **Resolution No. 12923** authorizing Lease Agreement No. 2018-193-COS-A2, the second amended and restated lease agreement with Jet Aviation Scottsdale, LLC, for the lease of space for fixed base operations and other purposes at the Scottsdale Airport.

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

15. Congestion Mitigation and Air Quality Improvement Grant Request: Adopt Resolution No. 12929 to authorize:

- Acceptance of a congestion mitigation and air quality improvement grant award from the U.S. Department of Transportation Federal Highway Administration in the amount of \$4.887,737.
- A Fiscal Year 2023/24 Capital Grant Budget Appropriation Transfer, of up to \$2,360,497, from the Capital Improvement Program (CIP) Contingency for Future Grants and the CIP Transportation Fund Contingency to the Intelligent Transportation System Infrastructure and Network Improvements (TH05) capital project.
- 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): Mark Melnychenko, Transportation and Streets Director, 480-312-7651, mmelnychenko@scottsdaleaz.gov

Transportation Planning Manager Nathan Domme gave a PowerPoint presentation (attached) on the proposed Congestion Mitigation and Air Quality Improvement Grant.

Mayor Ortega opened public comment on this item.

Greg Blaire, Scottsdale resident, expressed concerns on data collection, protection, privacy, and civil rights.

Mayor Ortega closed public comment on this item.

16. Pima Road Redevelopment and Expansion and Granite Reef Watershed Improvements Flood Control Project Agreement

Request: Adopt Resolution No. 12944 to authorize:

- Intergovernmental Agreement (IGA) No. 2023-148-COS with the Salt River Pima-Maricopa Indian Community for the Pima Road Redevelopment and Expansion and Granite Reef Watershed Improvements Flood Control Project.
- Upon execution of IGA No. 2023-148-COS, the original IGA (Agreement No. 2009-148-COS) and any amendments thereto shall be deemed superseded and of no further force and effect
- 3. The City Manager, or designee, to execute any other documents and to take such other actions as necessary to carry out the intent of this Resolution and Agreement.

Staff Contact(s): Mark Melnychenko, Transportation and Streets Director, 480-312-7651, mmelnychenko@scottsdaleaz.gov

17. Deoxyribonucleic Acid (DNA) Backlog Reduction Grant

Request: Adopt Resolution No. 12947 to authorize:

- 1. Acceptance of a grant from the U.S. Department of Justice, in the amount of \$250,000, for DNA backlog reduction.
- 2. The Police Chief, or designee, in concurrence with the City Attorney, or designee, to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with the acceptance of the grant.
- 3. A Budget Transfer, in the amount of \$250,000, from the 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): Jeff Walther, Chief of Police, 480-312-1900, jwalther@scottsdaleaz.gov

18. Water Code Amendment

Request: Adopt Ordinance No. 4616 amending Scottsdale Revised Code, Chapter 49, Water, Sewers, and Sewage Disposal, Article IV, Sewage Collection, Pretreatment, and Treatment, Division 4, Industrial Users, Pretreatment Requirements, Section 49-161, General Industrial User Requirements, to provide additional authority to the Director to limit the discharge of pollutants, materials, water or wastes into the sewer system.

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

MOTION AND VOTE - CONSENT AGENDA

Councilwoman Janik requested additional information on Item 15 [Congestion Mitigation and Air Quality Improvement Grant].

There were no public comments on Consent Agenda Items 1 through 14 and 16 through 18.

Mayor Ortega made a motion to approve Consent Agenda Items 1 through 18. Councilwoman Caputi seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Graham, Janik, and Littlefield voting in the affirmative.

REGULAR AGENDA

19. Harvest of Scottsdale Text Amendment (2-TA-2022)

Request: Withdrawn from consideration at the request of the applicant.

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

Mayor Ortega noted this item was withdrawn at the request of the applicant.

20. Harvest of Scottsdale Conditional Use Permit (10-UP-2015#4)

Request: At the request of the applicant, continue to a future City Council meeting date. Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov

Mayor Ortega announced this item was being continued to a future City Council meeting date per the applicant's request, which was received by the City Clerk two days prior to the Council meeting. He noted that the continuance request was the first continuance for the case and was granted as a matter of right per the Council's Rules of Procedure.

PUBLIC COMMENT - None

CITIZEN PETITIONS

21. Receipt of Citizen Petitions

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

No citizen petitions were received.

MOTION AND VOTE – ADJOURNMENT

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

ADJOURNMENT

Mayor Ortega adjourned the Regular Meeting at 6:11 P.M.

SUBMITTED BY:

Ben Lane, City Clerk

Officially approved by the City Council on

November 13, 2023

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the City Council of Scottsdale, Arizona, held on the 10th day of October 2023.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 13th day of November 2023.

Ben Lane, City Clerk

Presentation/ Information Updates



City Council Update Fall 2023

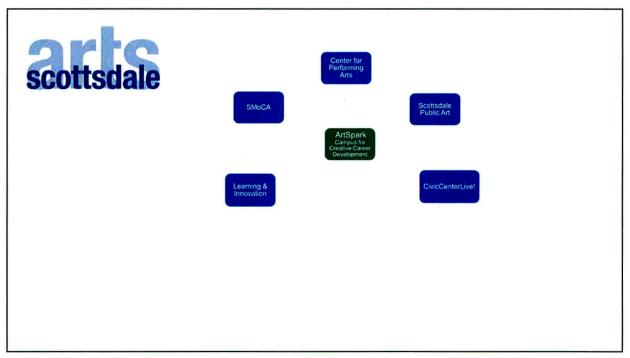
- 5-year Overhaul
- 32-member Board of Trustees
- Seven Advisory Committees w/98 members
 - New 50pg Season Guidebook

MICHAEL F. & ELLEN GLAZER ZIEGLER By far the largest Gift in SCOTTSDALE ARTS' History



\$11.5M – designated toward a future arts infrastructure project

3



The Center 257 diverse programs in 2023/24 – September through June Back-to-back, sold-out openers: ABBA Tribute, LeAnn Rimes

5

45th Seasons of Keyboard Conversations The Center World-Class Classical Series NEW Partners: Scottsdale Symphonic Orchestra

SMoCA

Nationally accredited & award winning 12 annual exhibits, all curated in-house SMoCA exhibits currently on tour in USA

7



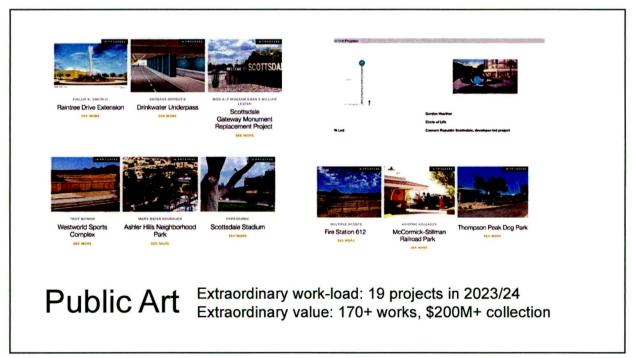
Learning & Innovation

Inspiring future generations
Doubled SUSD/PVSD Partnerships in 2023

Hundreds of tours/Vision	ns High School program/25,000 students in-school service
9	
Community	Detour Theater for Adults with Disabilities Ali Ortega Empty Bowls Community Fundraiser Memory Lounge Alzheimer's Programs in Community Centers

Windows to the West 50th Anniversary - Oct 26 Public Art Newest work: The Desert's Garden by AZ artist Tammi Lynch-Forest Anniversary Public Art GuideBook

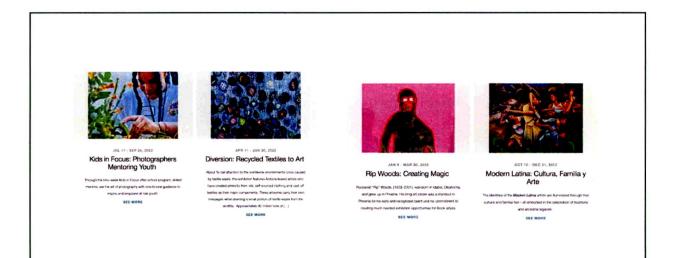
11



Public Art

Cycle the Arts Community Tours/Trolley Tours Augmented Reality at every piece Public Art Ordinance – first full re-write since 1983

13



Public Art

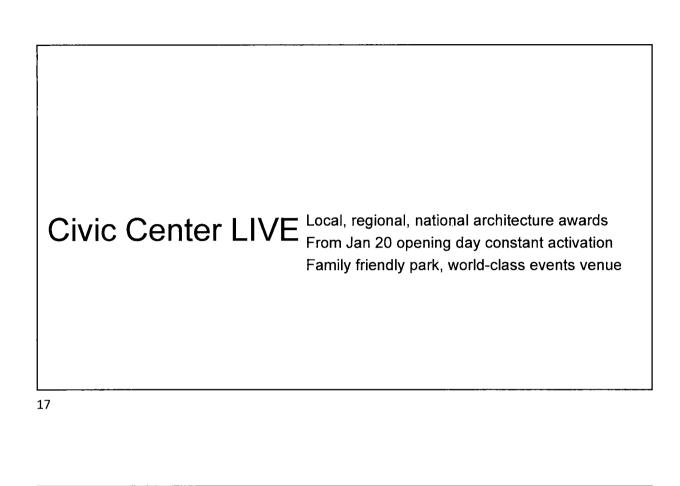
Library Exhibits across Scottsdale Stewards of the Portable Works Collection



Canal Convergence - The Power of Play Nov 3 -12, 2023 150,000-200,000 visitors

15

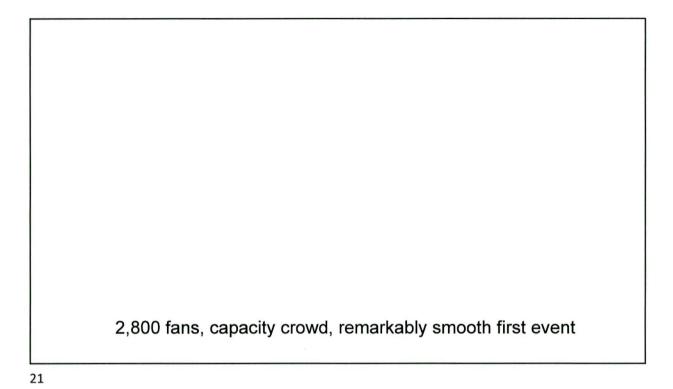
Family activities, lectures, music, fun Canal Convergence Tourism Draw, nationally recognized event 4th year: Best Arts Festival in the Valley 2023



Jan 19: Park opens, Jan 21 First Event: AZ Concours d'Elegance, 37 Events in Spring '23

	BLOOM – Scottsdale Arts' ArtRageous Gala
19	

East Bowl Kick-off Concert, October 3rd – iconic band WILCO





New Partnership – DDLM Celebration Oct 26-30







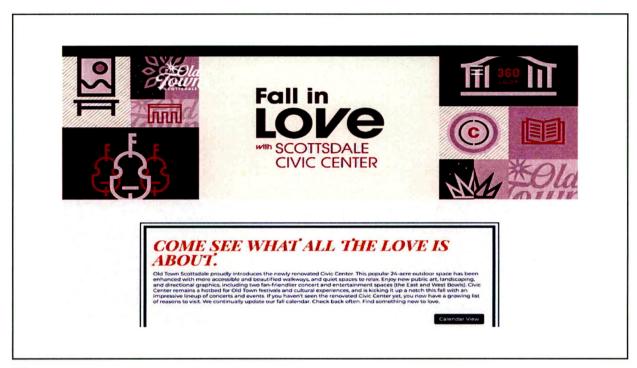




OUTSTANDING BUSINESSES WORTH CELEBRATING!

80+ Civic Center LIVE events in first full season:

Country to Jazz
Yoga to Lulu Lemon Run
AZ Concours
TASTE Culinary
ArtRageous GALA
Scottsdale Jazz Festival











Childsplay

Kide In Focus

Act One

Movement Source Dance Company

Phoenix Conservatory of Music

Desert Foothills Theater

Musical Instrument Museum

Free Arts for Abused Children of Artxons

Roslo's House

Silambam Phoenix

B3 Theater, Inc,

Rising Youth Theatre

Community Arts Grants 2023

Funded by CoS, supplemented & managed by Scottsdale Arts 14 organizations supported / \$238,000 in requests

31





International Creative Career Development Program
Finalizing new 11-acre permanent ArtSpark campus
Fundraised \$250K for pilot program, \$1M for campus improvements
Program will evolve Scottsdale into National Hub for Creatives



Ziegler Theater 2025: Bond \$ + Piper Trust + Two Ziegler Gifts + CoS Contribution

33



A Winning Partnership!

SA contributes 67%+ to City investment for past 3 years

SA raised \$16M+ capital funds for new infrastructure

SA serves approx. 800,000 patrons in 2023/24

75% of SA cultural offerings are FREE to community

SA provides better services to fully city-funded orgs in Mesa/Tempe/Chandler for 50c/\$

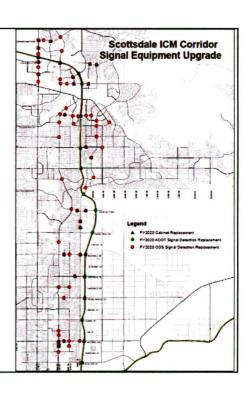
Acceptance of CMAQ Federal Grant for Intelligent Transportation System Infrastructure and Network Improvements

October 10, 2023

1

ITS and Network Improvements

- Located within two miles of the Loop 101
- Improve coordinated traffic operation between the freeway and arterial roads by:
 - Upgrading detection systems and signal cabinets
 - New detection systems for 62 signalized intersections
 - · New cabinets at 37 signalized intersections



Fundings Sources

Funding Source	FY23/24 Adopted Budget	Additional Budget	Total
Federal Grant	\$2,527,240	\$2,360,497	\$4,887,737
Transportation 0.2% Sales Tax	\$1,000,000	\$0	\$1,000,000
Total	\$3,527,240	\$2,360,497	\$5,887,737

3

Questions/Discussion