

**SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JULY 11, 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 5:03 P.M. on Tuesday, July 11, 2023 in the City Hall Kiva Forum.

ROLL CALL

Present: Mayor David D. Ortega; Vice Mayor Kathy Littlefield; and Councilmembers Tammy Caputi, Tom Durham, Barry Graham, Betty Janik, and Solange Whitehead

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 – Councilmember 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 recognized the upcoming retirement of Deputy City Clerk Cathie Butteweg and the Mayor and City Council thanked her for many years of dedicated service.

Mayor Ortega announced openings on several city Boards and Commissions. He invited interested residents to apply and noted applications are being accepted through the city's website scottsdaleaz.gov. Mayor Ortega noted the spirit of service is alive and well in Scottsdale and cited the numerous volunteer positions throughout the City.

PUBLIC COMMENT

Robert Grossman commented on Water Pumping Station No. 57 and asked to meet with staff and that additional landscaping or other coverage enhancements be made to the site.

NOTE: 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.

CONSENT AGENDA

1. UCHI Liquor License (33-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: 3821 N. Scottsdale Road

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

2. Urge Taphouse Kitchen Liquor License (34-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: 6137 N. Scottsdale Road, Suite B108

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

3. Residence Inn Scottsdale North Liquor License (35-LL-2023)

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: 17011 N. Scottsdale Road

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

4. Lane Park Scottsdale Liquor License (36-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 a new location and owner.

Location: 7232 E. 1st Street

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

5. The Point Pub & Grill Liquor License (37-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: 32409 N. Scottsdale Road, Suite 107

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

6. Grayhawk Golf Club Liquor License (38-LL-2023)

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

Location: 8620 E. Thompson Peak Parkway

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

7. Fozzy's Bar & Grill Liquor License (39-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: 15689 N. Hayden Road, Suite L 125

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

8. VFW Post 3513 Bingo License (2-BI-2023)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Revenue for a bingo license for the VFW Post 3513.

Location: 7220 E. Wilshire Drive

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

9. Rawhide Wash Flood Hazard Mitigation Project Intergovernmental Agreement Amendment

Request: Adopt **Resolution No. 12890** to authorize:

1. Agreement No. 2020-011-COS-A2 with the City of Phoenix and the Maricopa County Flood Control District to provide for further funding and revise cost share for the additional funding of construction, construction management, and operation and maintenance for the Rawhide Wash Flood Hazard Mitigation Project.
2. The superseding and supplanting of Resolution No. 12759 and Agreement No. 2020-011-COS-A1.

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

(Considered separately, see page 5)

10. Modernize and Expand Police and Fire Training Facility Construction Services Contract

Request: Adopt **Resolution No. 12880** authorizing Construction Manager at Risk Contract No. 2023-065-COS-A1 with CORE Construction, Inc., in an amount not to exceed \$4,872,893, for Phase 2 of the construction phase services for the Bond 2019 Project 27 – Modernize and Expand the Police and Fire Training Facility.

Location: 911 N. Stadem Drive

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

(Considered separately, see page 5)

11. McDowell Sonoran Conservancy Agreement

Request: Adopt **Resolution No. 12851** to authorize:

1. Agreement No. 2023-081-COS with the McDowell Sonoran Conservancy regarding the McDowell Sonoran Preserve, the use of City facilities, and responsibilities of the Conservancy.
2. The City Manager, or designee, to execute any such documents, provide for use of City facilities, and take any such other actions as necessary to carry out the intent of this Resolution and Agreement.

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

(Considered separately, see page 6)

12. Community Development Block Grant (CDBG) Funded Projects Budget Transfers

Request: Adopt **Resolution No. 12820** to authorize:

1. A Fiscal Year (FY) 2023/24 Budget Transfer, of up to \$450,000, from the adopted FY 2023/23 Future Grants Budget and/or Grant Contingency budget to a newly created Capital Improvement Plan (CIP) project to titled “*Cox Heights and Pima Meadows Pavement Reconstruction and ADA Upgrades*” to be funded by the CDBG grant funding source.
2. A Fiscal Year (FY) 2023/24 Budget Transfer, of up to \$68,765, with \$48,765 from the adopted FY 2023/24 Future Grants Budget and/or Grant Contingency Budget; and \$20,000 from the Security Cameras and Access Control Systems CIP project to a newly created CIP project to be titled “*Video Surveillance Camera System Installation at Paiute and Eldorado Parks*” to be funded by the CDBG grant and the General Fund funding sources.
3. The City Manager, or designee, to execute any such documents and take any such other actions as necessary to carry out the intent of this Resolution and Agreement.

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

13. DNA Evidence Storage Facility Project Budget Transfer

Request: Adopt **Resolution No. 12891** authorizing a Fiscal Year 2023/24 Public Safety – Police Budget Transfer, of up to \$163,102, to replace Racketeer Influenced and Corrupt Organizations (RICO) funding with Federal Grant funding within Capital Improvement Project, DNA Evidence Storage Facility (BH05).

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

14. Booster Pump Station 83 A/B Rehabilitation Project Construction Phase Services Contract

Request: Adopt **Resolution No. 12825** authorizing Construction Manager at Risk Contract No. 2021-156-COS-A2 with MGC Contractors, Inc., in an amount not to exceed \$8,805,609.46, to provide phase three construction services for the Booster Pump Station 83 A/B Rehabilitation Project.

Location: Northwest corner of Frank Lloyd Wright Boulevard and 90th Street

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

MOTION AND VOTE – CONSENT AGENDA

Councilwoman Janik made a motion to approve Consent Agenda Items 1 through 14, except Item 9 [Rawhide Wash Flood Hazard Mitigation Project Intergovernmental Agreement Amendment]; Item 10 [Modernize and Expand Police and Fire Training Facility Construction Services Contract]; and Item 11 [McDowell Sonoran Conservancy Agreement] which were moved to the Regular Agenda. 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.

REGULAR AGENDA

9. **Rawhide Wash Flood Hazard Mitigation Project Intergovernmental Agreement Amendment**

Request: Adopt **Resolution No. 12890** to authorize:

3. Agreement No. 2020-011-COS-A2 with the City of Phoenix and the Maricopa County Flood Control District to provide for further funding and revise cost share for the additional funding of construction, construction management, and operation and maintenance for the Rawhide Wash Flood Hazard Mitigation Project.
4. The superseding and supplanting of Resolution No. 12759 and Agreement No. 2020-011-COS-A1.

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

Drainage/Flood Control Manager Hasan Mushtaq gave a presentation.

There was no public comment on Item 9.

MOTION AND VOTE – ITEM 9

Mayor Ortega made a motion to adopt Resolution No. 12890 to authorize Agreement No. 2020-011-COS-A2 with the City of Phoenix and the Maricopa County Flood Control District to provide for further funding and revise cost share for the additional funding of construction, construction management, and operation and maintenance for the Rawhide Wash Flood Hazard Mitigation 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.

10. **Modernize and Expand Police and Fire Training Facility Construction Services Contract**

Request: Adopt **Resolution No. 12880** authorizing Construction Manager at Risk Contract No. 2023-065-COS-A1 with CORE Construction, Inc., in an amount not to exceed \$4,872,893, for Phase 2 of the construction phase services for the Bond 2019 Project 27 – Modernize and Expand the Police and Fire Training Facility.

Location: 911 N. Stadem Drive

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

City Engineer Alison Tymkiw gave a PowerPoint presentation (attached) on the Police and Fire Training Facility construction services contract.

There was no public comment on Item 10.

MOTION AND VOTE – ITEM 10

Councilwoman Caputi made a motion to adopt Resolution No. 12880 authorizing Construction Manager at Risk Contract No. 2023-065-COS-A1 with CORE Construction, Inc. 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.

11. McDowell Sonoran Conservancy Agreement

Request: Adopt **Resolution No. 12851** to authorize:

1. Agreement No. 2023-081-COS with the McDowell Sonoran Conservancy regarding the McDowell Sonoran Preserve, the use of City facilities, and responsibilities of the Conservancy.
2. The City Manager, or designee, to execute any such documents, provide for use of City facilities, and take any such other actions as necessary to carry out the intent of this Resolution and Agreement.

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

Parks and Recreation Manager Scott Hamilton gave a PowerPoint presentation (attached) on the McDowell Sonoran Conservancy Agreement.

There was no public comment on Item 11.

MOTION AND VOTE – ITEM 11

Councilwoman Whitehead made a motion to adopt Resolution No. 12851 authorizing Agreement No. 2023-081-COS with the McDowell Sonoran Conservancy regarding the McDowell Sonoran Preserve, the use of City facilities, and responsibilities of the Conservancy. 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.

PUBLIC COMMENT – None

CITIZEN PETITIONS

15. 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 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

No citizen petitions were received.

MAYOR AND COUNCIL ITEMS

16. Short Term Rental Discussion and Possible Action at Future Council Meeting

Request: At the request of Mayor Ortega, direct the City Manager and City Attorney to research and agendaize an item for discussion and possible Council action regarding potential additional or increased enforcement mechanisms and/or efforts related to short term rentals.

MOTION AND VOTE – ITEM 16

Mayor Ortega made a motion to direct the City Manager to:

- 1) Compile a detailed report on crimes and infractions committed and calls for service at short term rentals in the City and a summary of actions taken by adjoining jurisdictions.
- 2) Agendize the item for discussion and possible Council action regarding potential additional or increased enforcement mechanisms and/or efforts related to short term rentals.

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.

MOTION AND VOTE – ADJOURNMENT

Councilmember Graham made a motion to adjourn the Regular Meeting. 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.

ADJOURNMENT

Mayor Ortega adjourned the Regular Meeting at 6:26 P.M.

SUBMITTED BY:



Ben Lane, City Clerk

Officially approved by the City Council on August 22, 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 11th day of July 2023.

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

DATED this 22nd day of August 2023.

A handwritten signature in blue ink that reads "Ben Lane". The signature is written in a cursive style with a horizontal line extending to the right from the end of the name.

Ben Lane, City Clerk

Item #10: Construction Manager At-Risk Contract to Modernize and Expand the Police and Fire Training Facility

Adopt Resolution No. 12880 to authorize:

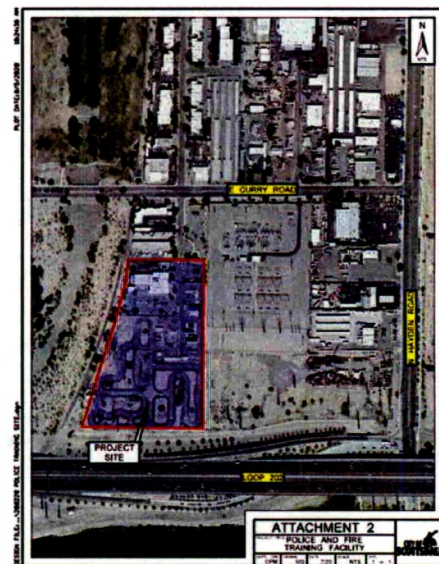
- Construction Manager At-Risk Contract 2023-065-COS-A1 with CORE Construction, Inc. in the amount of \$4,872,893.00 for GMP2 to provide remaining construction services as required for the Bond 2019 Project 27 - Modernize and Expand the Police and Fire Training Facility

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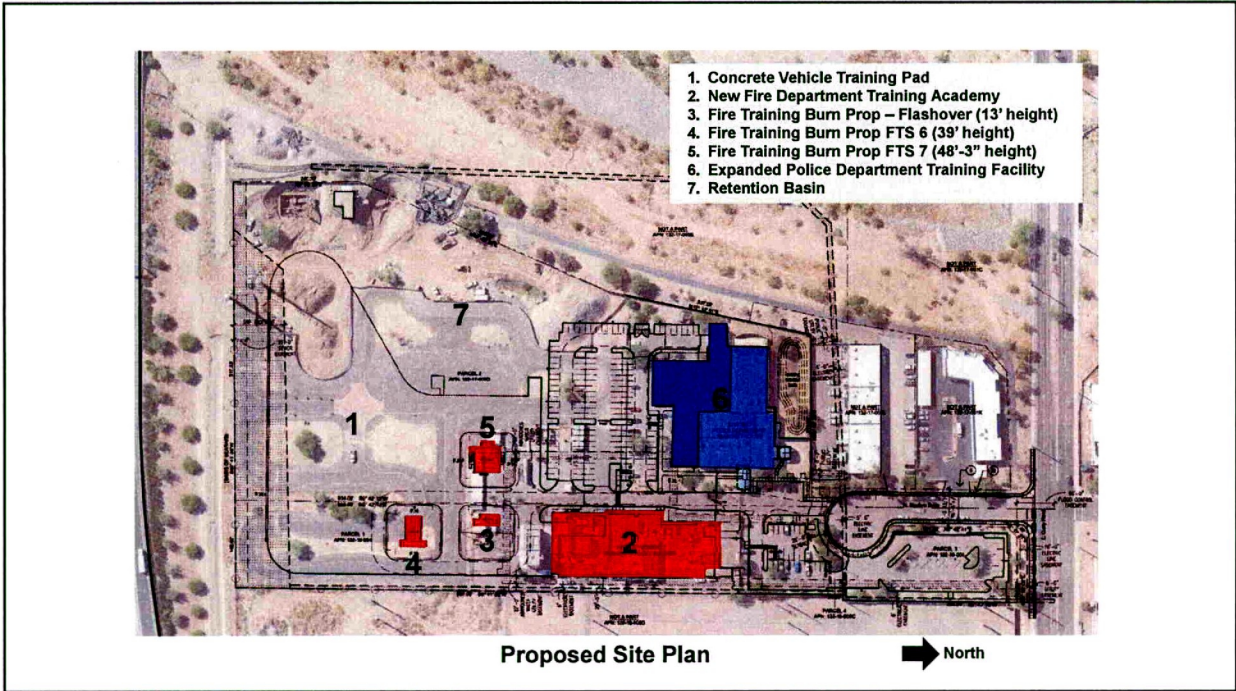
Project Description:

- On May 16th 2023, the Council approved the first of two Guaranteed Maximum Price (GMP) construction awards in the amount of \$9,250,058 for the procurement of long lead material and equipment necessary for the renovation of the Police Training Facility located at the Hontz facility
- The purpose of this action is to authorize the Guaranteed Maximum Price (GMP2) contract award for the remaining scope items including complete construction services to renovate and expand the Police Training Facility
- The existing facility was designed to support 215 Police Officers. Scottsdale now has 689 sworn and civilian personnel using the training facility and it does not have adequate space to accommodate required training.
- The current facility is over 20 years old, undersized, does not meet the national training curriculum standards and limits the type of training police officers and personnel can receive, creating a public safety concern.



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Proposed Police Training Facility Expansion – View from Southwest Looking Northeast

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Questions?

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City Council, July 11th, 2023
Agenda Item #11
McDowell Sonoran Conservancy Agreement

1

Background

- Relationship spans more than 30 years
 - City owns and operates the Preserve
 - Conservancy supports the City in protecting, promoting, and managing the Preserve
- Prior Contracts – 2009, 2011, 2018
- Contract establishes the roles and responsibilities of the parties

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Services Provided by the Conservancy

- Comprehensive Stewardship program
 - Trailhead ambassadors
 - Roving trail patrollers
 - Education programs for citizens and visitors
 - Trail maintenance
 - Special assignments - e.g. July 4th Fire Watch
- 2022-2023 Season stats:
 - 68,474 hours
 - 544 individual Stewards
 - \$2.05 Million (68,474 hours X \$29.95/hour, per the IRS)

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Consideration Provided by the City

- Consider funding in the annual budget to support volunteer training, education, recognition, and print resources
- Donation collection boxes at trailheads
- Use of space at City facilities for functions that support the Preserve
- Donor recognition signage at trailheads
- Temporary sponsorships at trailheads

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Questions

Scottsdale City Council Meeting – July 11th, 2023