

SCOTTSDALE

CITY COUNCIL MEETING



*****SECOND AMENDED*** SPECIAL AND REGULAR MEETING NOTICE AND AGENDA
(REVISED MEETING START TIMES; ADDED ITEM NOS. A1 AND 3A; REWORDED ITEM No. 1)**

COUNCIL

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

Kathleen S. Littlefield
Linda Milhaven
Solange Whitehead

Friday, July 2, 2021

The City Hall Kiva Forum (Kiva) is open to the public during City Council meetings at a reduced capacity. Seating in the Kiva will be available on a first come, first served basis. Once capacity has been reached, individuals will be directed to a nearby location to view the televised meeting.

City Council meetings are also televised on Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search "live stream") to allow the public to virtually attend, participate telephonically, and listen/view the meeting in progress.

*****3:00 P.M.**

Marked Agenda

CITY COUNCIL SPECIAL MEETING AND POSSIBLE EXECUTIVE SESSION

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 3:00 P.M.

Roll Call – All present

One or more members of the Council may be unable to attend the Council meeting in person and may participate telephonically, pursuant to A.R.S. §38-431(4).

Possible Executive Session

Notice is hereby given that, at any time during tonight's meeting, the City Council may make a motion to recess into Executive Session for Item No. 1 to discuss and consider employment, assignment, appointment, promotion, demotion, dismissal, compensation, and benefits, disciplining or resignation of the City Attorney, City Auditor, and City Manager; and to discuss and consult with the attorneys and representatives of the public body for legal advice and to consider its position regarding same. If authorized by a majority vote of the Scottsdale City 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)(1) and (A)(3).

– Vice Mayor Betty Janik made a motion to adjourn into Executive Session to discuss Charter Officer evaluations of the City Attorney, City Auditor and City Manager. Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

1. Charter Officer Evaluations

a. [City Attorney](#)



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

Request: Discuss, consider, and take possible action regarding the employment, assignment, appointment, promotion, demotion, dismissal, compensation and benefits, disciplining, and/or resignation of the City Attorney.

b. **City Auditor**

Request: Discuss, consider, and take possible action regarding the employment, assignment, appointment, promotion, demotion, dismissal, compensation and benefits, disciplining, and/or resignation of the City Auditor.

c. **City Manager**

Request: Discuss, consider, and take possible action regarding the employment, assignment, appointment, promotion, demotion, dismissal, compensation and benefits, disciplining, and/or resignation of the City Manager.

Adjourn the Special Meeting and Convene the Regular Meeting

– Recess Special Meeting (to Executive Session) – 3:02 P.M.

– Councilwoman Whitehead left the meeting at 4:55 P.M.

– Reconvene Special Meeting (following Executive Session) – 5:33 P.M.

– Vice Mayor Janik made a motion to continue the City Attorney’s contract at a base salary of \$245,000 to be effective, and retroactive, to the beginning of the June 20, 2021 pay period. Councilwoman Littlefield seconded the motion, which carried 6/0, with Mayor Ortega, Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, and Milhaven voting in the affirmative.

– Vice Mayor Janik made a motion to continue the City Auditor’s contract at a base salary of \$205,000 to be effective, and retroactive, to the beginning of the June 20, 2021 pay period. Councilmember Durham seconded the motion, which carried 6/0, with Mayor Ortega, Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, and Milhaven voting in the affirmative.

– Vice Mayor Janik made a motion to continue the City Manager’s contract at a base salary of \$347,000 to be effective, and retroactive, to the beginning of the June 20, 2021 pay period. Councilwoman Caputi seconded the motion, which carried 6/0, with Mayor Ortega, Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, and Milhaven voting in the affirmative.

– Adjourn Special Meeting – 5:36 P.M.

Councilwoman Littlefield made a motion to adjourn the Special Meeting. Vice Mayor Janik seconded the motion, which carried 6/0, with Mayor Ortega, Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, and Milhaven voting in the affirmative.

REGULAR CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

(**Immediately following the Special Meeting)

The City Hall Kiva Forum (Kiva) is open to the public during City Council meetings at a reduced capacity. Seating in the Kiva will be available on a first come, first served basis. Once capacity has been reached, individuals will be directed to a nearby location to view the televised meeting. The Mayor will announce the names of speakers in advance to give those attending the meeting from the nearby location sufficient time to enter the Kiva and make their comments in person. As seating in the Kiva becomes available, individuals waiting in the nearby location will be asked to come to City Hall.

City Council meetings are also televised on Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search “live stream”) to allow the public to virtually attend, participate telephonically, and listen/view the meeting in progress. 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 a subsequent meeting date (August 24, 2021).

In-person or telephonic comment is being accepted on items on the Consent and Regular Agenda (Items 1 through 3A). To sign up to speak on these items, please click [here](#).

Scottsdale citizens may also 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 or telephonically on a non-agendized item that is within the Council's jurisdiction, please click [here](#).

Online Request to Speak forms for Consent, Regular, and Non-Agendized items must be submitted no later than 90 minutes before the start of the meeting and you must indicate whether you will be addressing the Council in person or telephonically.

Written comments on any of the items on tonight's agenda 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](#).

Call to Order – 5:37 P.M.

Roll Call – All present, except Councilwoman Whitehead.

One or more members of the Council may be unable to attend the Council meeting in person and may participate telephonically, pursuant to A.R.S. §38-431(4).

Pledge of Allegiance – Councilwoman Littlefield

Mayor's Report – Mayor Ortega wished everyone a safe and happy Fourth of July.

Public Comment – None

Public Comment time is reserved for Scottsdale citizens to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. 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."**

ADDED ITEMS

Added Items: Resolution No. 8223 requires that, with limited exceptions, the agenda language, the Council report, and any supporting material described as being attached to the Council report shall be made available to the public at least ten days prior to a scheduled Council meeting. Material that is not timely made requires a separate vote to consider whether the item will remain on the agenda or be continued to a future date.

*****A1. Added Items**

Item No. 3A was added to the agenda on June 30, 2021 and requires a separate vote to remain on the agenda.

Request: Vote to accept the agenda as presented or continue the added item to the next scheduled Council meeting, which is August 24, 2021.

– Vice Mayor Janik made a motion to accept the agenda as presented. Councilwoman Littlefield seconded the motion, which carried 6/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, and Milhaven voting in the affirmative.

CONSENT AGENDA ITEMS 1-3A

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.

– Vice Mayor Janik made a motion to approve Consent Agenda Items 1 through 3A. Councilwoman Caputi seconded the motion, which carried 6/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, and Milhaven voting in the affirmative.

- ***1. [Miller Road: Pinnacle Peak Road to Happy Valley Road Preconstruction Phase Services Contract](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12219** authorizing Construction Manager at Risk Contract No. 2021-117-COS with Haydon Building Corp., in the amount of \$755,047.39, to provide construction phase services for the Miller Road: Pinnacle Peak Road to Happy Valley Road project.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov
2. [Plan Review, Permitting, and Inspection Services Intergovernmental Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12217** authorizing:
1. Intergovernmental Agreement (IGA) No. 2021-094-COS with the Town of Paradise Valley for plan review, permitting, and inspection services for roadway infrastructure.
2. The City Manager, or designee, to execute any other documents and take such other actions as necessary to carry out the intent of the Resolution and IGA.
Staff Contact(s): Randy Grant, Planning and Economic Development Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov
3. [Human Resources Management Code Amendment](#) – **Approved on Consent.**
Request: Adopt **Ordinance No. 4512** amending Scottsdale Revised Code, Chapter 14, Human Resources Management, Sections 14-24, 14-82, and 14-88.
Staff Contact(s): Donna Brown, Human Resources Director, 480-312-2615, dbrown@scottsdaleaz.gov
- ***3A. [WestWorld Parking and Event Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12223** authorizing:
1. WestWorld Parking and Event Agreement No. 2021-119-COS with The Thunderbirds Charities, Inc., for an original two-year term with a provision allowing the agreement to automatically renew for an additional two-year period.
2. Establishing a per paid attendee fee for access and parking during special events.
3. The creation of a Special Revenue Center where proceeds from contracts that impose a fee per paid attendees for parking and access at City owned user areas at WestWorld, Scottsdale Sports Complex, Bell Road Sports Complex, and WestWorld Sports Complex (user areas) can be deposited and commit the funds in that Special Revenue Center to support improvements, repairs, utility costs, debt service, and maintenance to the access and parking areas at the user areas.
4. A Fiscal Year 2020/21 General Fund transfer in the amount of \$21,734 in funds billed to The Thunderbirds Charities, Inc., for parking fees to the newly created Special Revenue Center.
Staff Contact(s): William B. Murphy, Assistant City Manager, 480-312-7954, bmurphy@scottsdaleaz.gov

Public Comment – None

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CITIZEN PETITIONS

ITEM 4

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.

4. 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 Items

– Councilmember Milhaven made a motion to agendize an item related to creating a working group for exploring options in our community related to affordable housing. Mayor Ortega seconded the motion, which carried 6/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, and Milhaven voting in the affirmative.

– Councilmember Milhaven made a motion to direct staff to bring forward a no-engine braking ordinance in Scottsdale. Councilwoman Littlefield seconded the motion, which carried 6/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, and Milhaven voting in the affirmative.

Adjournment – 5:45 P.M.

Vice Mayor Janik made a motion to adjourn the Regular Meeting. Mayor Ortega seconded the motion, which carried 6/0, with Mayor Ortega, Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, and Milhaven voting in the affirmative.