

**SCOTTSDALE**

# **CITY COUNCIL MEETING**



## **\*\*\* AMENDED \*\*\* MEETING NOTICE AND AGENDA**

**[REWORDED ITEM NOS. 14 AND 20]**

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### **COUNCIL**

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

Kathleen S. Littlefield  
Linda Milhaven  
Solange Whitehead

**Monday, August 22, 2022**

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*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 (August 23, 2022).*

*In-person spoken public comment is being accepted on Items 1 through 21. 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 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)

**Call to Order – 5:00 P.M.**

**Roll Call – All present (Vice Mayor Durham participated electronically)**

*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 Littlefield**

**Mayor’s Report – Mayor Ortega congratulated Councilmembers Kathy Littlefield and Solange Whitehead on their recent reelection to the Council. Mayor Ortega asked for a moment of quiet reflection for the people of Ukraine, their country, and their freedom. Mayor Ortega introduced a “Fast Five” video produced by the City’s Communications Office which provided updates on several City events and offerings.**

**Public Comment – Jay Rabins commented on the proliferation of campaign signs throughout the City. Mateo Moric spoke about the installation of an art piece and fountain instead of the roundabout project located at Miller and Osborn Roads. Nelson Strasser presented a citizen petition asking the City to build a pickleball facility with 12 courts in South Scottsdale. Barry Dirk expressed concerns on Item No. 21. Mayor Ortega stated that Mr. Dirk’s concerns could be expressed during the public comment time allotted to Item No. 21.**

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.”**

## **MINUTES**

**Request:** Approve the following Council meeting minutes from June and July 2022:

- a. [Regular Meeting and Work Study Session Minutes of June 21, 2022](#)
- b. [Special Meeting Minutes of June 28, 2022](#)
- c. Executive Session Minutes of June 28, 2022
- d. [Work Study Session No. 1 Minutes of July 6, 2022](#)
- e. [Regular Meeting and Work Study Session No. 2 Minutes of July 6, 2022](#)
- f. [Special Meeting Minutes of July 7, 2022](#)
- g. Executive Session Minutes of July 7, 2022
- h. [Regular Meeting and Work Study Session Minutes of July 7, 2022](#)

**– Councilwoman Janik made a motion to approve the Regular Meeting and Work Study Session Minutes of June 21, 2022; Special Meeting Minutes of June 28, 2022; Executive Session Minutes of June 28, 2022; Work Study Session No. 1 Minutes of July 6, 2022; Regular Meeting and Work Study Session No. 2 Minutes of July 6, 2022; Special Meeting Minutes of July 7, 2022; Executive Session Minutes of July 7, 2022; and Regular Meeting and Work Study Session Minutes of July 7, 2022. Councilwoman Whitehead 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 1-20**

**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 20, except Item 13, which was moved to the Regular Agenda, and Item 14, which was withdrawn by the applicant. Councilwoman Whitehead 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. **[Wesomm Liquor License \(56-LL-2022\)](#) – 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 a new location and owner.  
**Location:** 7007 E. 1<sup>st</sup> Avenue  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
2. **[Pitch Pizzeria Liquor License \(57-LL-2022\)](#) – 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 6 (bar) State liquor license for a new location and owner.  
**Location:** 18750 N. Hayden Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
3. **[AJ's #118 Liquor License \(58-LL-2022\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9S (liquor store with sampling privileges) State liquor license for an existing location and owner, new license series.  
**Location:** 15031 N. Thompson Peak Parkway  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
4. **[AJ's #63 Liquor License \(59-LL-2022\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9S (liquor store with sampling privileges) State liquor license for an existing location and owner, new license series.  
**Location:** 7141 E. Lincoln Drive  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
5. **[AJ's #173 Liquor License \(60-LL-2022\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9S (liquor store with sampling privileges) State liquor license for an existing location and owner, new license series.  
**Location:** 18271 N. Pima Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
6. **[AJ's #75 Liquor License \(61-LL-2022\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9S (liquor store with sampling privileges) State liquor license for an existing location and owner, new license series.  
**Location:** 23251 N. Pima Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)

7. **Scottsdale Bistro LLC Liquor License (62-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, new license series.  
**Location:** 3554 N. Goldwater Boulevard, Suite C  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
8. **Putting World Liquor License (64-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 a new location and owner.  
**Location:** 16259 N. Scottsdale Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
9. **La Torretta Ristorante Liquor License (65-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:** 14144 N. 100<sup>th</sup> Street, Suite B-130  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
10. **Scottsdale Elks Lodge #2148 Bingo License (2-BI-2022) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Revenue for a bingo license for the Scottsdale Elks Lodge #2148.  
**Location:** 6398 E. Oak Street  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
11. **Truckmax: Sales Parking Expansion Project Conditional Use Permit (31-UP-1982#2) – Approved on Consent.**  
**Request:** Find that the conditional use permit criteria have been met and adopt  
**Resolution No. 12529** amending an existing Conditional Use Permit (31-UP-1982) for vehicle leasing, rental or sales to allow for an expansion of the vehicle parking and display area onto two adjacent parcels, resulting in an overall site area of ±1-acre for a site with Highway Commercial (C-3) zoning.  
**Location:** 911 and 925 N. Scottsdale Road  
**Staff Contact(s):** Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, [eperreault@scottsdaleaz.gov](mailto:eperreault@scottsdaleaz.gov)
12. **Patient Alternative Relief Center Expansion Conditional Use Permit (10-UP-2013#4) – Approved on Consent.**  
**Request:** Find that the conditional use permit criteria have been met and adopt **Resolution No. 12545** amending the existing conditional use permit for a 15,000 square foot marijuana cultivation facility (10-UP-2013#3) to allow for an expansion onsite by adding 4,050 square feet and 27,500 square feet into the existing building located at 7645 E. Evans Road and 7640 E. Gelding Drive, bringing the total floor area of the facility to 46,550 square feet for a ±2.5-acre site with Industrial Park (I-1) zoning.  
**Location:** 7645 and 7655 E. Evans Road and 7640 E. Gelding Drive  
**Staff Contact(s):** Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, [eperreault@scottsdaleaz.gov](mailto:eperreault@scottsdaleaz.gov)

13. [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 four-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

**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, gave PowerPoint presentations.

– Councilwoman Janik made a motion to continue Item 13 [Alameda 5 Acres Rezoning (4-ZN-2021)] to a date to be determined, to review written stipulations as discussed and having the applicant consider a two-lot subdivision, rather than a four-lot subdivision. Councilwoman Whitehead seconded the motion, which carried 6/1, with Mayor Ortega; Vice Mayor Durham; and Councilmembers Janik, Littlefield, Milhaven and Whitehead voting in the affirmative, and Councilwoman Caputi dissenting.

\*\*\*14. [Shadow Ridge North Rezoning and Abandonment \(1-ZN-2022 and 1-AB-2022\)](#) – Withdrawn by the applicant.

**Requests:**

1. Adopt **Ordinance No. 4557** approving a zoning district map amendment from Single-Family Residential Environmentally Sensitive Lands (R1-130 ESL) to Single-Family Residential Environmentally Sensitive Lands (R1-43 ESL) zoning with amended development standards on ±22.99-acres of a ±29.5-acre site for a 19-lot subdivision.
2. Adopt **Resolution No. 12544** authorizing the abandonment of various public street rights-of-way and easements falling within the site boundaries of a proposed 19-lot residential subdivision and associated Zoning Case: Shadow Ridge North (1-ZN-2022).

**Location:** 24550, 24444, and 24334 N. 128<sup>th</sup> Street

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

15. [Taco Bell – Walgreens Final Plat \(8-PP-2019\)](#) – Approved on Consent.

**Request:** Approve the final plat to subdivide three existing lots into two lots and one tract on a combined ±3.08-acre site.

**Location:** 7901 E. McDowell Road

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

16. [Craigs Hardship Exemption \(1-HE-2022\)](#) – Approved on Consent.

**Request:** Adopt **Resolution No. 12556** approving a hardship exemption from the current Environmentally Sensitive Lands requirement pertaining to a 15-foot setback for walls and fences from the property line for a ±51,876 square foot corner lot property with Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning.

**Location:** 7979 E. Santa Catalina Drive

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

17. [August 2, 2022 Primary Election Canvass](#) – Approved on Consent.

**Request:** Adopt **Resolution No. 12581** as the official canvass of the City of Scottsdale August 2, 2022 Primary Election.

**Staff Contact(s):** Ben Lane, City Clerk, 480-312-2411, [blane@scottsdaleaz.gov](mailto:blane@scottsdaleaz.gov)

18. **Police Officer Reimbursement Agreement – Approved on Consent.**

**Request:** Adopt **Resolution No. 12558** to authorize:

1. The implementation of a Police Officer Reimbursement Agreement for Police Officer Recruits, Waivers, and Laterals, effective August 22, 2022.
2. The Chief of Police or designee, to execute such reimbursement agreements.

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

19. **Public Safety Personnel Deferred Retirement Option Plan (DROP) Participation Extension – Approved on Consent.**

**Request:** Adopt **Resolution No. 12575** authorizing for City members of the Public Safety Personnel Retirement System who are participating in the DROP as of July 6, 2022, a 24-month extension of the member's participation in DROP, if the member chooses to extend.

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

\*\*\*20. **Pay Step System for Sworn Police Employees – Approved on Consent.**

**Request:** Adopt **Resolution No. 12577** to authorize:

1. The implementation of a pay step system for all sworn employees of the Scottsdale Police Department, which are Officers, Sergeants, Lieutenants, Commanders, Assistant Chiefs, and Chief, effective September 11, 2022.
2. Amending the Fiscal Year 2022/23 Job Classification Pay Table to reflect the step pay system for all sworn employees.
3. A budget transfer, in an amount not to exceed \$2.5 million, from the Public Safety Personnel Retirement System Pension Liabilities Fund Balance Designation to the Police Division Operating Budget.

**Staff Contact(s):** Jim Thompson, City Manager, 480-312-2800, [jthompson@scottsdaleaz.gov](mailto:jthompson@scottsdaleaz.gov)

## **REGULAR AGENDA      ITEM 21**

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

21. **Megerdichian Residential Health Care Facility Rezoning and Conditional Use Permit (25-ZN-2018 and 19-UP-2018)**

**Requests:**

1. Adopt **Ordinance No. 4558** approving a zoning district map amendment from Single-Family Residential (R1-35) to Townhouse Residential (R-4) zoning on a ±4.8-acre portion of a ±7.4-acre Site.
2. Find that the conditional use permit criteria have been met and adopt **Resolution No. 12557** approving a Conditional Use Permit for a residential health care facility on a ±4.8-acre portion of a of ±7.4-acre site with Single-Family Residential (R1-35) zoning.

**Location:** 8849 E. Cholla Street

**Presenter(s):** Greg Bloemberg, Project Coordination Liaison

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

**– Project Coordination Liaison Greg Bloemberg and Applicant Representative Ed Bull, with Burch and Cracchiolo, P.A., gave PowerPoint presentations.**

**– Mayor Ortega made a motion to:**

1. **Adopt Ordinance No. 4558, approving a zoning district map amendment from Single-Family Residential (R1-35) to Townhouse Residential (R-4) zoning on property located at 8849 E. Cholla Street; and**
2. **Adopt Resolution No. 12557, approving a conditional use permit for a residential health care facility on a ±4.8-acre portion of a of ±7.4-acre site with R1-35 zoning.**

**Councilwoman Caputi seconded the motion, which carried 5/2, with Mayor Ortega; Vice Mayor Durham; and Councilmembers Caputi, Littlefield, and Milhaven voting in the affirmative and Councilmembers Janik and Whitehead dissenting.**

### 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."**

## CITIZEN PETITIONS

### ITEM 22

**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.

22. **Receipt of Citizen Petitions – Councilwoman Whitehead made a motion to direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner, related to the citizen petition asking the City to build a pickleball facility with 12 courts in South Scottsdale. She also requested the matter come back as a future agenda item after the written report was issued. 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.**

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

## MAYOR AND COUNCIL

### ITEM 23

23. [Acting City Manager Appointment](#)

**Request:** Adopt **Resolution No. 12588** to authorize:

1. The acceptance of City Manager Jim Thompson's request to terminate Employment Contract No. 2016-188-COS effective October 10, 2022, as a result of his upcoming retirement/resignation.
2. Appointing Jim Thompson as Acting City Manager effective October 12, 2022, until a new City Manager or Acting City Manager is appointed, but no longer than October 13, 2023.
3. Approving Jim Thompson to continue to perform services for the City through the City's contract with Educational Services, Inc. (ESI), at a salary of \$347,000 per year base compensation.
4. Directing the Human Resources Director and ESI Contract Administrator, City Treasurer, and City Attorney to prepare such documents and take such actions as necessary to carry out the intent of this Resolution.
5. Directing the City Manager to report back to Council prior to October 10, 2022 on the proposed internal changes or restructuring that will be put into place as a result of this action.

**Staff Contact(s):** Bill Hylan, Interim Human Resources Director, 480-312-2615, [whylan@scottsdaleaz.gov](mailto:whylan@scottsdaleaz.gov)

– Councilwoman Janik made a motion to adopt Resolution No. 12588 to authorize:

1. The acceptance of City Manager Jim Thompson's request to terminate Employment Contract No. 2016-188-COS effective October 10, 2022, as a result of his upcoming retirement/resignation.
2. Appointing Jim Thompson as Acting City Manager effective October 12, 2022, until a new City Manager or Acting City Manager is appointed, but no longer than October 13, 2023.
3. Approving Jim Thompson to continue to perform services for the City through the City's contract with Educational Services, Inc. (ESI), at a salary of \$347,000 per year base compensation.
4. Directing the Human Resources Director and ESI Contract Administrator, City Treasurer, and City Attorney to prepare such documents and take such actions as necessary to carry out the intent of this Resolution.
5. Directing the City Manager to report back to Council prior to October 10, 2022 on the proposed internal changes or restructuring that will be put into place as a result of this action.

Councilwoman Whitehead seconded the motion, which carried 6/1, with Vice Mayor Durham and Councilmembers Caputi, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative and Mayor Ortega dissenting.

**Adjournment – 7:48 P.M.**

– Councilwoman Whitehead made a motion to adjourn the Regular Meeting. Mayor Ortega 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.