

SCOTTSDALE

CITY COUNCIL MEETING

MEETING NOTICE AND AGENDA



COUNCIL

David D. Ortega, Mayor
Tammy Caputi
Tom Durham
Barry Graham

Betty Janik
Kathleen S. Littlefield
Solange Whitehead

Tuesday, June 13, 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 (June 27, 2023).

In-person spoken public comment is being accepted on Items 1 through 25. 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 – 5:02 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 – Councilwoman Janik

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 passing of former Mayor Bill Schrader and introduced his granddaughter, Jennifer Schrader. Mayor Ortega presented a commemoration of Mayor Schrader's accomplishments in service to the City, including being the first elected Mayor of Scottsdale and pioneering the annexation process in northern Scottsdale.

City Manager's Report – City Manager Jim Thompson introduced a "Fast Five" video produced by the City Communication's Office which provided updates on several City events and offerings.

- **Fast Five Video Update**

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

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 – Dan Ishac commented on Councilmember Graham's interactions with staff. Karly Cramer expressed concern about sober living homes in her neighborhood. Merissa Hamilton spoke in support of small businesses and expressed concerns with a Maricopa Association of Government (MAG) proposed transportation project along Scottsdale Road. Lee Kauftheil commented about traffic flow on Thomas Road and the lack of bicycle lanes. Edward Kerns asked for assistance from the City to resolve a matter involving his airplane at Scottsdale Airport.

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.

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 April and May 2023:

- a. [Regular Meeting and Work Study Session Minutes of April 25, 2023](#)
- b. [Regular and Special Meetings Minutes of May 2, 2023](#)
- c. Executive Session Minutes of May 2, 2023
- d. [Regular Meeting and Work Study Session Minutes of May 16, 2023](#)

– Councilwoman Janik made a motion to approve the Regular Meeting and Work Study Session Minutes of April 25, 2023; Regular and Special Meetings Minutes of May 2, 2023; Executive Session Minutes of May 2, 2023; and Regular Meeting and Work Study Session Minutes of May 16, 2023. 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.

CONSENT AGENDA ITEMS 1-19

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.

– Mayor Ortega made a motion to approve Consent Agenda Items 1 through 19. 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. [Jamie's Bottle Shop Liquor License \(25-LL-2023\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a location/owner transfer of a Series 7 (beer and wine bar) State liquor license for a new location and owner.
Location: 7033 E. Main Street, Suite 102
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
2. [Permanent Extension of Premise for Leghorns Patio Extension \(4-EX-2021#2\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a permanent extension of premise for a Series 12 (restaurant) State liquor license for an existing location to expand the patio areas.
Location: 14601 N. Scottsdale Road, Suite 110
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
3. [Permanent Extension of Premise for Draft Kings \(1-EX-2023\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a permanent extension of premise for a Series 6 (bar) State liquor license for an existing location to expand the licensed premises to include a new restaurant with a patio.
Location: 8243 E. Bell Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
4. [Key Essentials Hangar Heliport Conditional Use Permit \(1-UP-2023\)](#) – **Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 12813** approving a Conditional Use Permit for a heliport on a ±1.08-acre site with Industrial Park (I-1) zoning.
Location: 16060 N. 82nd Street
Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov

5. [International Green Construction Code \(IgCC\) Implementation Text Amendment – Phase I \(1-TA-2023\) – Approved on Consent.](#)
Requests:
 1. Adopt **Ordinance No. 4591** to amend the City of Scottsdale Zoning Ordinance (Ordinance No. 455) for the purpose of amending Article III, Section 3.100 (Definitions); Article V, Sections 5.2608 (Planned Regional Center) and 5.5003 (Planned Unit Development); and Article VI, Sections 6.1070 (Environmentally Sensitive Lands) and 6.1306 (Planned Block Development Overlay District) to update requirements related to green building construction.
 2. Adopt **Resolution No. 12797** declaring the document titled “*IgCC Implementation Text Amendment – Phase 1 (1-TA-2023)*” to be a public record.**Staff Contact(s):** Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov

6. [Miller Road: Pinnacle Peak Road to Happy Valley Road Construction Bid – Approved on Consent.](#)
Request: Adopt **Resolution No. 12801** to authorize:
 1. Construction Bid Award No. IFB-122022-041 with Hunter Contracting Company, the lowest responsive bidder, in the amount of \$14,581,511.50, for construction phase services for the Miller Road: Pinnacle Peak Road to Happy Valley Road (SH02) project.
 2. A Fiscal Year 2022/23 Capital Budget Transfer, of up to \$321,747, from the Hualapai Drive: Hayden Road to Pima Road (TG01) project to the Hayden/Miller Road: Pinnacle Peak Road to Happy Valley Road (SH02) project to be funded by the Regional Sales Tax Arterial Life Cycle Program.
 3. A Fiscal Year 2022/23 Capital Budget Transfer, of up to \$137,892, from the Hualapai Drive: Hayden Road to Pima Road (TG01) project to the Hayden/Miller Road: Pinnacle Peak Road to Happy Valley Road (SH02) project to be funded by the Capital Improvement Plan Transportation 0.1% Sales Tax 2019.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

7. [On-Call Water Resources Engineering Services Contracts – Approved on Consent.](#)
Request: Adopt **Resolution No. 12844** authorizing the following one-year contract extensions, in an amount not to exceed \$1,000,000 per contract, for on-call water resources engineering services:
 1. Contract No. 2019-081-COS-A3 with Carollo Engineers, Inc.
 2. Contract No. 2019-082-COS-A3 with GHD, Inc.
 3. Contract No. 2019-083-COS-A3 with HDR Engineering, Inc.
 4. Contract No. 2019-084-COS-A3 with Narasimhan Consulting Services, Inc., doing business as NCS Engineers.
 5. Contract No. 2019-085-COS-A3 with Water Works Engineers, LLC.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

8. [Citywide Sewer Rehabilitation Job Order Contracts – Approved on Consent.](#)
Request: Adopt **Resolution No. 12845** authorizing the following one-year contract extensions, in an amount not to exceed \$2,500,000 per contract, for citywide sewer system rehabilitation construction services:
 1. Contract No. 2019-091-COS-A3 with Achen Gardner Construction, LLC.
 2. Contract No. 2019-092-COS-A3 with Insituform Technologies, LLC.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

9. [On-Call Civil Infrastructure Inspection Services Contracts – Approved on Consent.](#)
Request: Adopt **Resolution No. 12846** authorizing the following one-year contract extensions, in an amount not to exceed \$500,000 per contract, for on-call inspection services at various project locations throughout the City of Scottsdale:
 1. Contract No. 2020-090-COS-A2 with Consultant Engineering, Inc.
 2. Contract No. 2020-102-COS-A2 with Tristar Engineering and Management, Inc.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

10. [Stormwater Management Master Plan Update Intergovernmental Agreement – Approved on Consent.](#)
Request: Adopt **Resolution No. 12832** authorizing Agreement No. 2023-069-COS with the Maricopa County Flood Control District in the amount of \$280,000, for the City’s portion of the total estimated project amount of \$800,000, for the Stormwater Management Master Plan Update.
Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov
11. [Arizona State Route 101 Traffic Interchanges Intergovernmental Agreement – Approved on Consent.](#)
Request: Adopt **Resolution No. 12843** to authorize:
1. Agreement No. 2023-076-COS with the Arizona Department of Transportation for project design and administration for the construction of modifications to four traffic interchanges:
 - Princess Drive/Pima Road
 - Frank Lloyd Wright Boulevard
 - Raintree Drive
 - Shea Boulevard2. A Fiscal Year 2022/23 Capital Budget Transfer, of up to \$1,822,834, from the Hualapai Drive: Hayden Road to Pima Road (TG01) project to the Arizona State Route 101 Traffic Interchanges (SJ05) capital project to be funded by the Regional Sales Tax Arterial Life Cycle Program.
3. A Fiscal Year 2022/23 Capital Budget Transfer, of up to \$778,177, from the Hualapai Drive: Hayden Road to Pima Road (TG01) project to the Arizona State Route 101 Traffic Interchanges (SJ05) capital project to be funded by the Capital Improvement Plan Transportation 0.1% Sales Tax 2019.
4. A Fiscal Year 2022/23 Capital Budget Contingency Transfer, of up to \$666,000, from the Capital Improvement Plan Transportation Fund Contingency (ZF01) to the Arizona State Route 101 Traffic Interchanges (SJ05) capital project to be funded by the Capital Improvement Plan Transportation 0.2% Sales Tax.
5. The City Manager, or designee, to execute any other documents and 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
12. [Invasive Plant Mitigation Temporary Right of Entry Agreements – Approved on Consent.](#)
Request: Adopt **Resolution No. 12838** to authorize:
1. With advice and consent of the City Attorney, the City Manager, or designee, to enter and execute temporary right of entry agreements with private property owners as may be necessary to carry out the invasive plant mitigation efforts to reduce hazard fuels and mitigate wildfire dangers in the City.
2. The City Manager, or designee, to execute any other documents and take such other actions as necessary to carry out the intent of this Resolution.
Staff Contact(s): Kroy Ekblaw, Preserve Director, 480-312-7064, kekblaw@scottsdaleaz.gov
13. [Biomass Power Production Cost Sharing Agreement – Approved on Consent.](#)
Request: Adopt **Resolution No. 12777** to authorize:
1. The Mayor to execute Agreement No. 2023-041-COS with Salt River Project Agricultural Improvement and Power District; the cities of Phoenix, Mesa, and Tempe; and the Town of Gilbert for forest thinning and biomass power production in an estimated first year cost of \$134,831.
2. The City Manager, and City Treasurer, or their designees, to execute any other documents and take such other actions as necessary to carry out the intent of this Resolution.
Staff Contact(s): Brian Biesemeyer, Water Resources Executive Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov

14. **Municipal Property Corporation Board of Directors Appointment – Approved on Consent.**
Request: Approve the appointment of John Arnold as a director to the Municipal Property Corporation Board of Directors.
Staff Contact(s): Gina Kirklin, Finance Director, 480-312-5006, rkirklin@scottsdaleaz.gov
15. **Scottsdale Preserve Authority Dissolution – Approved on Consent.**
Request: Adopt **Resolution No. 12819** approving Articles of Dissolution of the Scottsdale Preserve Authority and certain matters related thereto.
Staff Contact(s): Gina Kirklin, Finance Director, 480-312-5006, rkirklin@scottsdaleaz.gov
16. **Scottsdale Mountain Community Facilities District Dissolution – Approved on Consent.**
Request: Adopt **Resolution No. 12835** to authorize:
 1. The determination that the Scottsdale Mountain Community Facilities District has been inactive for at least five years and has no future purpose.
 2. Acceptance of the conveyance of all property owned by the district, if any.
 3. Assumption of all obligations of the district, to the extent not otherwise prohibited by law.
 4. Approving actions heretofore or hereafter taken to dissolve the district.**Staff Contact(s):** Gina Kirklin, Finance Director, 480-312-5006, rkirklin@scottsdaleaz.gov
17. **Impact AZ 2025 Program Payment – Approved on Consent.**
Request: Adopt **Resolution No. 12863** authorizing payment of \$10,000, to the Black Chamber of Arizona to sponsor the Impact AZ 2025 program.
Staff Contact(s): Brent Stockwell, Assistant City Manager, 480-312-7288, bstockwell@scottsdaleaz.gov
18. **Scottsdale Fourth of July Celebration Event Funding – Approved on Consent.**
Request: Adopt **Resolution No. 12870** to authorize:
 1. Funding, not to exceed \$35,000, from the portion of the Fiscal Year (FY) 2023/24 Tourism Development Fund that is allocated in the FY 2023/24 Tentative Operating Budget toward event retention and development for the Scottsdale Fourth of July Celebration.
 2. New Event Funding Agreement No. 2023-088-COS with M Culinary, LLC, for the Scottsdale Fourth of July Celebration.**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov
19. **Public Nuisance and Property Maintenance Code Amendment – Approved on Consent.**
Request: Adopt **Ordinance No. 4600** amending Scottsdale Revised Code, Chapter 18, Public Nuisance and Property Maintenance, Article V, Enforcement, Section 18-50, Civil Complaints, relating to civil complaints.
Staff Contact(s): Luis Santaella, Deputy City Attorney, 480-312-2405, lsantaella@scottsdaleaz.gov

REGULAR AGENDA ITEMS 20-25

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

20. **Scottsdale City Hall Historic Preservation (3-ZN-2023 and 21-HP-2023)**
Requests:
 1. Adopt **Ordinance No. 4597** approving a zoning district map amendment (3-ZN-2023) from Downtown, Downtown Civic Center, Type 2, Planned Block Development, Downtown Overlay (D/DCC-2 PBD DO) to Downtown, Downtown Civic Center, Type 2, Planned Block Development, Downtown Overlay, Historic Property district (D/DCC-2 PBD DO HP) and (21-HP-2023) to determine the historic significance of City Hall as a Scottsdale Landmark, develop a Historical Significance Report, and establish a Historic Preservation Plan and Design Guidelines on a ±.65 acres of a ±8.54 acre site.

2. Adopt **Resolution No. 12821** declaring the Historic Resource findings in Section 6.113.A and the required Scottsdale Landmark findings in Section 6.113.B of the Zoning Ordinance have been met and declaring the *“Historic Designation Report and Historic Preservation Plan for Scottsdale City Hall”* to be a public record.

Location: 3939 N. Drinkwater Boulevard

Presenter(s): Adam Yaron, Planning and Development Area Manager

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

– **Planning and Development Area Manager Adam Yaron gave a PowerPoint presentation.**

– **Councilwoman Whitehead made a motion to adopt Ordinance No. 4597 and Resolution No. 12821 for Scottsdale City Hall Historic Preservation (3-ZN-2023 and 21-HP-2023). Mayor Ortega 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.**

21. **[Truth in Taxation Hearing and Public Hearing on the Proposed Fiscal Year \(FY\) 2023/24 Property Tax Levy](#)**

Requests:

1. Solicit public testimony on the proposed FY 2023/24 property tax levy.
2. By a roll call vote, approve a motion to levy the proposed property taxes, taxes to be assessed by ordinance on June 27, 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.**

– **Mayor Ortega opened the public hearing. Yvonne Cahill, Paul Rowe, Marcus Tork, Merissa Hamilton, and Patricia Pellett spoke in opposition to the proposed property tax levy. Mayor Ortega closed the public hearing.**

– **Mayor Ortega made a motion to levy the proposed property taxes, taxes to be assessed by ordinance on June 27, 2023. Councilwoman Whitehead seconded the motion, which passed 4/3, by roll call vote, with Mayor Ortega; and Councilmembers Caputi, Durham, and Whitehead voting in the affirmative, and Vice Mayor Littlefield and Councilmembers Graham and Janik dissenting.**

22. **[Public Hearing on Proposed Fiscal Year \(FY\) 2023/24 Municipal Streetlight Improvement District Expenses and Property Tax Levy \(by District\)](#)**

Requests:

1. Solicit public testimony on the proposed FY 2023/24 Municipal Streetlight Improvement District proposed expenses and tax levy.
2. Approve a motion to adopt the annual statements and estimates of expenses and levy the proposed FY 2023/24 Municipal Streetlight Improvement District taxes, by district, taxes to be assessed by ordinance on June 27, 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.**

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

– **Councilwoman Janik made a motion to adopt the annual statements and estimates of expenses and levy the proposed FY 2023/24 Municipal Streetlight Improvement District taxes, by district, taxes to be assessed by ordinance on June 27, 2023. Mayor Ortega 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.**

23. **Public Hearing on and Adoption of Water Rates and Fees**

Requests:

1. Accept citizen comments at a public hearing regarding proposed rates and fees.
2. Adopt **Ordinance No. 4589** amending portions of Scottsdale Revised Code, Chapter 49, Water, Sewer, and Sewage Disposal, amending water delivery and reclamation rates, and miscellaneous rates and charges, effective July 13, 2023; adjusting water delivery rates (base and volumetric) charges, effective November 1, 2023; and miscellaneous changes to provide clarity of language and improve operations further amending provisions of Chapter 49, effective July 13, 2023.
3. Adopt **Resolution No. 12795** declaring the document titled "*Amendments to Chapter 49, Scottsdale Revised Code – Water, Sewers and Sewage Disposal*" to be a public record.

Presenter(s): Brian Biesemeyer, Water Resources Executive Director

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

– **Water Resources Executive Director Brian Biesemeyer gave a PowerPoint presentation.**

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

– **Councilwoman Janik made a motion to adopt Ordinance No. 4589 and Resolution No. 12795. Vice Mayor Littlefield 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.**

24. **Final Public Hearing on the Fiscal Year (FY) 2023/24 Budget**

Request: Solicit public testimony on the FY 2023/24 Operating Budget and Capital Improvement Plan, as tentatively approved on May 16, 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.**

– **Mayor Ortega opened the public hearing. James Rubatt expressed concerns with the proposed budget. Mayor Ortega closed the public hearing.**

– **The City Council recessed at 7:54 P.M.**

– **The City Council reconvened at 8:06 P.M.**

25. **Thomas Road: 56th Street to 73rd Street Improvement Project Real Property Acquisition**

Request: Adopt **Resolution No. 12791** to authorize

1. That certain easement interests in certain real properties be acquired for the public purpose of constructing improvements along Thomas Road from 56th Street to Scottsdale Road for the Thomas Road: 56th Street to 73rd Street Improvement Project (SG03) by dedication, donation, or purchase, or the exercise of the power of eminent domain as a matter of public necessity.
2. The City Manager, or designee, to approve revised or substituted legal descriptions and specify additional or other property interests to be acquired for this project; provided, however, that the City Manager may not increase the total area of all property taken as authorized by this resolution by more than twenty percent (20%) without further authority from the City Council.

Presenter(s): Alison Tymkiw, City Engineer and Mark Melnychenko, Transportation and Streets Director

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

– **City Engineer Alison Tymkiw gave a PowerPoint presentation.**

– **Tema Moss, Marilyn Atkinson, Jan Dubauskas, Merissa Hamilton, Mike Peterson, and Bob Pejman spoke in opposition of the proposed real property acquisition. Chris Rodriguez spoke in support of the proposed real property acquisition.**

– Councilwoman Whitehead made a motion to adopt Resolution No. 12791 Thomas Road: 56th Street to 73rd Street Improvement Project Real Property Acquisition. Councilmember Durham seconded the motion, which carried 4/3, with Mayor Ortega and Councilmembers Caputi, Durham, and Whitehead voting in the affirmative and Vice Mayor Littlefield and Councilmembers Graham and Janik dissenting.

Public Comment – Paul Rowe noted concerns with the Thomas Road street improvement project and possible future changes to the roadway. Yvonne Cahill provided information on senior property tax waivers and expressed concerns with proposed taxes and federal government funding for City projects. Mike Peterson commented on Council agenda actions.

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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 26

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.

26. 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 27

27. Boards, Commissions, and Task Force Nominations (Note: Appointments scheduled for June 27, 2023)

How the Board and Commission Nomination Process Works: The Council will review applications submitted for the board and commission openings under consideration. From this applicant pool, the Council will select nominees for further consideration.

- Citizens’ Bond Oversight Committee (one vacancy) – **Councilwoman Janik nominated Joe DuBois, Councilwoman Caputi nominated Robert Rogers, Councilmember Graham nominated Austin Fairbanks, Councilmember Durham nominated Brian Coughlan, and Councilwoman Whitehead nominated Rudy Fischer.**
- Historic Preservation Commission (one vacancy) – **Councilwoman Caputi nominated Michael Bucek and Councilmember Graham nominated Jay Panzer.**
- Library Board (one vacancy) – **Councilmember Graham nominated Jan Dubauskas, Councilmember Durham nominated George Hartz, Councilwoman Whitehead**

nominated Christine Wilson, Mayor Ortega nominated Eric Goeld, and Councilwoman Caputi nominated Leslie Totten.

- Tourism Development Commission (one Scottsdale Hotelier vacancy) – **Councilmember Durham nominated Jesse Thompson.**

Note: The only Council action to be taken on Item No. 27 is to select nominees for appointment consideration at a future Council meeting.

Adjourn the City Council Regular Meeting and Convene the City Council Special Meeting – 9:13 P.M.

CITY COUNCIL SPECIAL MEETING

Public Comment: In-Person Spoken comment is being accepted on the item on the Special Meeting Agenda. To sign up to speak on the item, please click [here](#). **Request to speak forms must be submitted 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.

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SPECIAL MEETING AGENDA

ITEM 1

1. [Final Adoption of Fiscal Year \(FY\) 2023/24 Budget Estimates](#)

Request: Adopt **Ordinance No. 4602** setting the final budget estimates for the FY 2023/24 Operating Budget and Capital Improvement Plan as tentatively approved on May 16, 2023.

Presenter(s): Sonia Andrews, City Treasurer

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

– Councilwoman Whitehead made a motion to adopt Ordinance No. 4602 setting the final budget estimates for the FY 2023/24 Operating Budget and Capital Improvement Plan as tentatively approved on May 16, 2023. Mayor Ortega 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.

– Councilwoman Whitehead made a motion to adjourn the Special Meeting. 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.

Adjourn the City Council Special Meeting and Convene: - 9:14 P.M.

- [DC Ranch Community Facilities District Board of Directors \(Agenda Page 11\)](#)
- [McDowell Mountain Ranch Community Facilities District Board of Directors \(Agenda Page 12\)](#)
- [Scottsdale Mountain Community Facility District Board of Directors \(Agenda Page 13\)](#)
- [Via Linda Road Community Facilities District Board of Directors \(Agenda Page 14\)](#)
- [Scottsdale Waterfront Commercial Community Facilities District Board of Directors \(Agenda Page 15\)](#)

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
DC RANCH COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the DC Ranch Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 13, 2023 at 5:00 p.m. or immediately following the meeting of the Scottsdale City Council, in the City Hall Kiva Forum, 3939 N. Drinkwater Boulevard.

Community Facilities Districts Board of Directors meetings are also televised on Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search "live stream") to allow the public to listen/view the meeting in progress.

In-person spoken comment is being accepted on Item 4. To sign up to speak on this item, please click [here](#). Public testimony is limited to three (3) minutes per speaker. Registration for In-Person public comment is available online by completing a Request to Speak form. In-Person Public Comment Request to Speak forms must be submitted 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 Chair 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 Board of Directors. Written comments that are submitted electronically at least 90 minutes before the meeting will be emailed to the Board of Directors and posted online prior to the meeting. A written public comment may be submitted electronically by clicking [here](#).

The agenda for the meeting is as follows:

1. Call to Order – **9:16 P.M.**
Roll Call: All present. It was noted for the record that all board members and executive officers were present for the DC Ranch Community Facilities District board meeting.
2. Approval of Minutes of Tuesday, June 7, 2022 – **Board Member Whitehead made a motion to approve the minutes of Tuesday, June 7, 2022. Board Member Janik seconded the motion, which carried 7/0, with Chair Ortega and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
3. Adopt **Resolution No. 59**, which approves the proposed DC Ranch Community Facilities District Fiscal Year 2023/24 budget and orders a Public Hearing – **Chair Ortega made a motion to adopt Ordinance No. 59 which approves the proposed DC Ranch Community Facilities District Fiscal Year 2023/24 budget and orders a Public Hearing. Board Member Janik seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
4. Conduct a Public Hearing on the DC Ranch Community Facilities District Fiscal Year 2023/24 budget – **Hearing conducted. There was no public comment.**
5. Adopt **Resolution No. 60**, which adopts the proposed DC Ranch Community Facilities District Fiscal Year 2023/24 budget and orders the tax levy for the District – **Chair Ortega made a motion to adopt Resolution No. 60, which adopts the proposed DC Ranch Community Facilities District Fiscal Year 2023/24 budget and orders the tax levy for the District. Board Member Whitehead seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
6. Adjournment – **9:18 P.M.**
Board Member Janik made a motion to adjourn. Board Member Graham seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
McDOWELL MOUNTAIN RANCH
COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the McDowell Mountain Ranch Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 13, 2023 at 5:00 p.m. or immediately following the meeting of the Scottsdale City Council, in the City Hall Kiva Forum, 3939 N. Drinkwater Boulevard.

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The agenda for the meeting is as follows:

1. Call to Order – **9:19 P.M.**
Roll Call: All present. It was noted for the record that all board members and executive officers were present for the McDowell Mountain Ranch Community Facilities District board meeting.
2. Approval of Minutes of Tuesday, June 7, 2022 – **Chair Ortega made a motion to approve the Minutes of Tuesday, June 7, 2022. Board Member Janik seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
3. Adopt **Resolution No. 71**, which approves the proposed McDowell Mountain Ranch Community Facilities District Fiscal Year 2023/24 budget and orders a Public Hearing – **Chair Ortega made a motion to adopt Resolution No. 71, which approves the proposed McDowell Mountain Ranch Community Facilities District Fiscal Year 2023/24 budget and orders a Public Hearing. Board Member Janik seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
4. Conduct a Public Hearing on the McDowell Mountain Ranch Community Facilities District Fiscal Year 2023/24 budget – **Hearing conducted. There was no public comment.**
5. Adopt **Resolution No. 72**, which adopts the proposed McDowell Mountain Ranch Community Facilities District Fiscal Year 2023/24 budget – **Chair Ortega made a motion to adopt Resolution No. 72, which adopts the proposed McDowell Mountain Ranch Community Facilities District Fiscal Year 2023/24 budget. Board Member Graham seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
6. Adjournment – **9:21 P.M.**
Chair Ortega made a motion to adjourn. Board Member Janik seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
SCOTTSDALE MOUNTAIN COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the Scottsdale Mountain Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 13, 2023 at 5:00 p.m. or immediately following the meeting of the Scottsdale City Council, in the City Hall Kiva Forum, 3939 N. Drinkwater Boulevard.

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The agenda for the meeting is as follows:

1. Call to Order – **9:22 P.M.**
Roll Call: All present. It was noted for the record that all board members and executive officers were present for the Scottsdale Mountain Community Facilities District board meeting.
2. Approval of Minutes of Tuesday, June 7, 2022 – **Chair Ortega made a motion to approve the Minutes of Tuesday, June 7, 2022. Board Member Durham seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
3. Adopt **Resolution No. 74**, which conveys all property owned by the District and assigns all obligations of the District, if any, to the City and dissolves the Scottsdale Mountain Community Facilities District – **Chair Ortega made a motion to adopt Resolution No. 74, which conveys all property owned by the District and assigns all obligations of the District, if any, to the City and dissolves the Scottsdale Mountain Community Facilities District. Board Member Janik seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
4. Adjournment – **9:23 P.M.**



Persons with a disability may request a reasonable accommodation by contacting Gina Kirklin at 480-312-5006. Requests should be made 24 hours in advance, or as early as possible, to allow time to arrange the accommodation. For TTY users, the Arizona Relay Service (1-800-367-8939) may contact Gina Kirklin at 480-312-5006.

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the Via Linda Road Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 13, 2023 at 5:00 p.m. or immediately following the meeting of the Scottsdale City Council, in the City Hall Kiva Forum, 3939 N. Drinkwater Boulevard.

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The agenda for the meeting is as follows:

1. Call to Order – **9:24 P.M.**
Roll Call: All present. It was noted for the record that all board members and executive officers were present for the Via Linda Road Community Facilities District board meeting.
2. Approval of Minutes of Tuesday, June 7, 2022 – **Chair Ortega made a motion to approve the Minutes of Tuesday, June 7, 2022. Board Member Janik seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
3. Adopt **Resolution No. 55**, which approves the proposed Via Linda Road Community Facilities District Fiscal Year 2023/24 budget and orders a Public Hearing – **Board Member Graham made a motion to adopt Resolution No 55, which approves the proposed Via Linda Road Community Facilities District Fiscal Year 2023/24 budget and orders a Public Hearing. Board Member Durham seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
4. Conduct a Public Hearing on the Via Linda Road Community Facilities District Fiscal Year 2023/24 budget – **Hearing conducted. There was no public comment.**
5. Adopt **Resolution No. 56**, which adopts the proposed Via Linda Road Community Facilities District Fiscal Year 2023/24 budget – **Chair Ortega made a motion to adopt Resolution No. 56, which adopts the proposed Via Linda Road Community Facilities District Fiscal Year 2023/24 budget. Board Member Whitehead seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
6. Adjournment – **9:25 P.M.**
Board Member Janik made a motion to adjourn. Board Member Graham seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
SCOTTSDALE WATERFRONT COMMERCIAL
COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the Scottsdale Waterfront Commercial Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 13, 2023 at 5:00 p.m. or immediately following the meeting of the Scottsdale City Council, in the City Hall Kiva Forum, 3939 N. Drinkwater Boulevard.

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The agenda for the meeting is as follows:

1. Call to Order – **9:26 P.M.**
Roll Call: All present. It was noted for the record that all board members and executive officers were present for the Scottsdale Waterfront Commercial Community Facilities District board meeting.
2. Approval of Minutes of Tuesday, June 7, 2022 – **Chair Ortega made a motion to approve the Minutes of Tuesday, June 7, 2022. Board Member Durham seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
3. Adopt **Resolution No. 42**, which approves the proposed Scottsdale Waterfront Commercial Community Facilities District Fiscal Year 2023/24 budget and orders a Public Hearing – **Chair Ortega made a motion to adopt Resolution 42, which approves the proposed Scottsdale Waterfront Commercial Community Facilities District Fiscal Year 2023/24 budget and orders a Public Hearing. Board Member Janik seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.**
4. Conduct a Public Hearing on the Scottsdale Waterfront Commercial Community Facilities District Fiscal Year 2023/24 budget – **Hearing conducted. There was no public comment.**
5. Adopt **Resolution No. 43**, which adopts the proposed Waterfront Commercial Community Facilities District Fiscal Year 2023/24 budget and orders the tax levy for the District – **Board Member Graham made a motion to adopt Resolution No. 43, which adopts the proposed Scottsdale Waterfront Commercial Community Facilities District Fiscal Year 2023/24 budget and orders the tax levy for the District. Board Member Janik seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Graham, Janik, Littlefield and Whitehead voting in the affirmative.**
6. Adjournment – **9:27 P.M.**
Chair Ortega made a motion to adjourn. Board Member Graham seconded the motion, which carried 7/0, with Chair Ortega; and Board Members Caputi, Durham, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.