

SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JUNE 13, 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 5:02 P.M. on Tuesday, June 13, 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 – 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 (attached) 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

- **Fast Five Video Update**

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

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.

PUBLIC COMMENT

- Dan Ishac commented on Councilmember Graham's interactions with staff and noted the City provided a number of services at no additional cost to residents.
- 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.

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

MOTION AND VOTE – MINUTES

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

- 1. Jamie's Bottle Shop Liquor License (25-LL-2023)**
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)**
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)**
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)

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)

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

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

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

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

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

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

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 Boulevard
2. 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

Mayor Ortega opened public comment.

Mike Peterson, Scottsdale resident, commented on road diets.

Mayor Ortega closed public comment.

Transportation Planning Manager Nathan Domme gave a PowerPoint presentation (attached) on the Arizona State Route 101 Traffic Interchanges Intergovernmental Agreement request.

12. Invasive Plant Mitigation Temporary Right of Entry Agreements

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

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

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

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

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

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

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

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

MOTION AND VOTE – CONSENT AGENDA

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.

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 (attached) on the Scottsdale City Hall historic preservation requests.

MOTION AND VOTE – ITEM 20

Councilwoman Whitehead made a motion to adopt Ordinance No. 4597 and Resolution No. 12821 related to 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 (attached) on the Proposed Fiscal Year 2023/24 property tax levy.

Mayor Ortega opened the public hearing.

The following spoke in opposition to the proposed property tax levy:

- Yvonne Cahill, Scottsdale resident
- Paul Rowe, Scottsdale resident
- Marcus Tork, Scottsdale resident
- Merissa Hamilton, with ezaz.org
- Patricia Pellett, Scottsdale resident

Mayor Ortega closed the public hearing.

MOTION AND VOTE – ITEM 21

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 (attached) on the Proposed Fiscal Year 2023/24 Municipal Streetlight Improvement District expenses and property tax levy (by district).

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

MOTION AND VOTE – ITEM 22

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 Director

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

Water Resources Director Brian Biesemeyer gave a PowerPoint presentation (attached) on the proposed water rates and fees.

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

MOTION AND VOTE – ITEM 23

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 (attached) on the fiscal year 2023/24 budget.

Mayor Ortega opened the public hearing.

James Rubatt, Scottsdale resident, 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 PowerPoint presentations (attached) on the acquisition of real property for the Thomas Road: 56th Streets to 73rd Street improvement project.

Mayor Ortega opened public comment.

The following spoke in opposition to the project:

- Tema Moss, Scottsdale resident
- Marilyn Atkinson, Scottsdale resident
- Jan Dubauskas, Scottsdale resident
- Merissa Hamilton, with ezaz.org
- Mike Peterson, Scottsdale resident
- Bob Pejman, Scottsdale resident

The following spoke in support of the project:

- Chris Rodriguez, with Ability 360

Mayor Ortega closed public comment.

MOTION AND VOTE – ITEM 25

Councilwoman Whitehead made a motion to adopt Resolution No. 12791. 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.

CITIZEN PETITIONS

26. Receipt of Citizen Petitions

Request: Accept and acknowledge receipt of citizen petitions. Any member of the Council may make a motion, to be voted on by the Council, to: (1) Direct the City Manager to agendize the petition for further discussion; (2) direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner; or (3) take no action.

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

No citizen petitions were received.

MAYOR AND COUNCIL ITEMS

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.

ADJOURNMENT

Mayor Ortega adjourned the Regular Meeting at 9:13 P.M.

SUBMITTED BY:

A handwritten signature in blue ink that reads "Ben Lane". The signature is written in a cursive, flowing style.

Ben Lane, City Clerk


Officially approved by the City Council on July 10, 2023

C E R T I F I C A T E

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 13th day of June 2023.

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

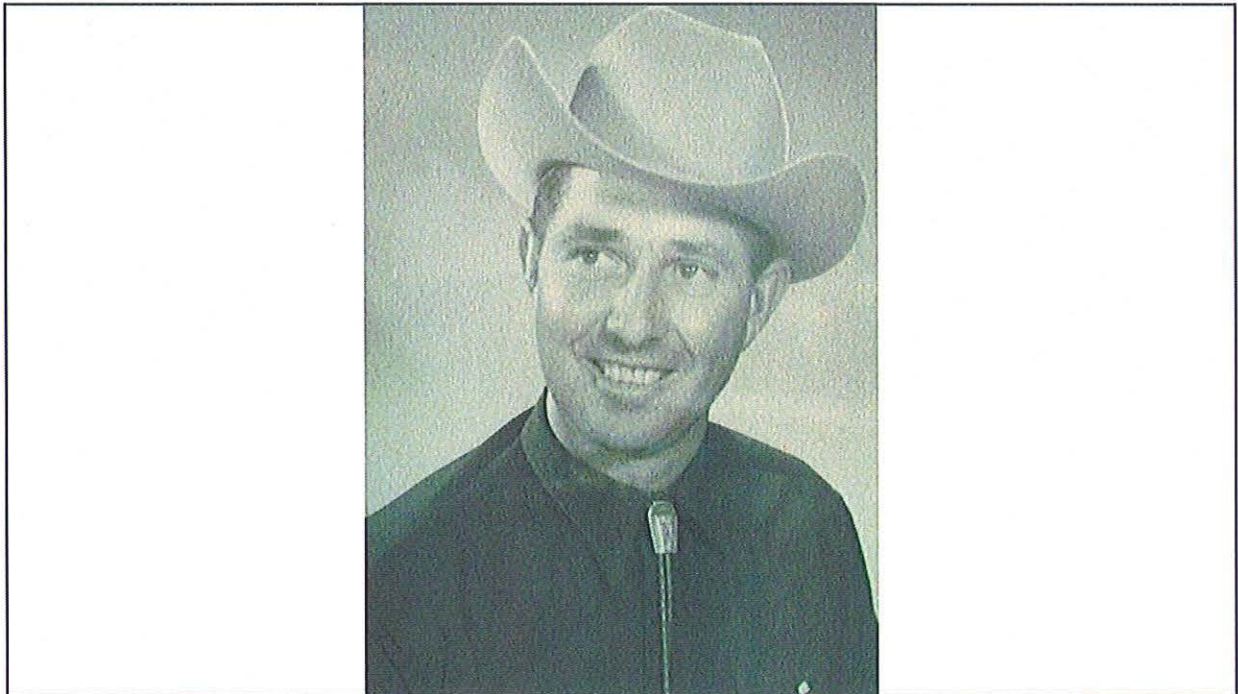
DATED this 10th day of July 2023.



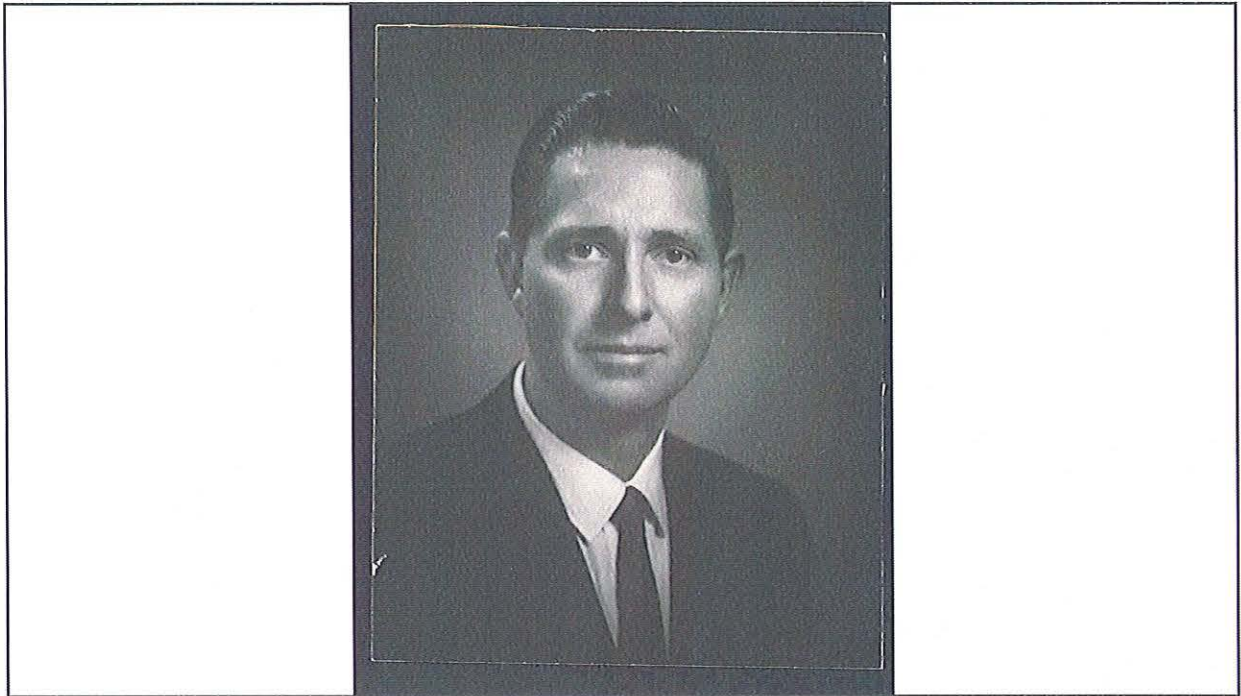
Ben Lane, City Clerk

Remembering Bill Schrader

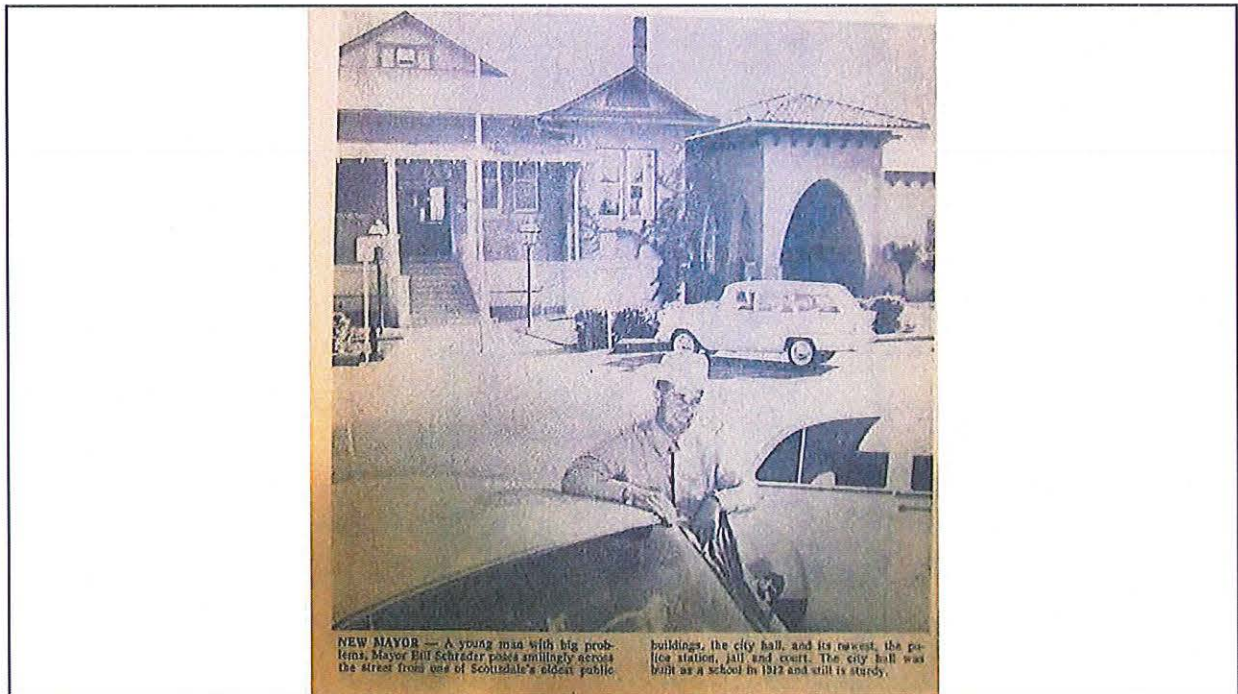
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RELAX AND COOPERATE

Since the improvements in Scottsdale's streets and sidewalks are inevitable, Mayor William Schrader and City Engineer Kenneth McDonald, left, suggest that residents relax and cooperate with the inevitable. Work is progressing at the usual "record pace." Soon the dust will be forgotten and in a few weeks even more improvements will be demanded and then more of the same. Meanwhile all the growth is not in annexations.

7



Present Photo By George Adams

New Directors

Five new directors of the Scottsdale Chamber of Commerce have been elected in a general membership vote. President Carl Plumb said today. Elected were Paul Shank (front, left), owner of Paul Shank's Gracious Dining; Jackson Bonelli, manager of Scottsdale Country Club; Dr. William Welsh (back, left), manager of Motorola's Phoenix plant; William Schrader, Scottsdale dairyman and Don Chambers, manager of Chambers Moving & Storage. The new directors will take office at the Chamber's annual meeting in January.

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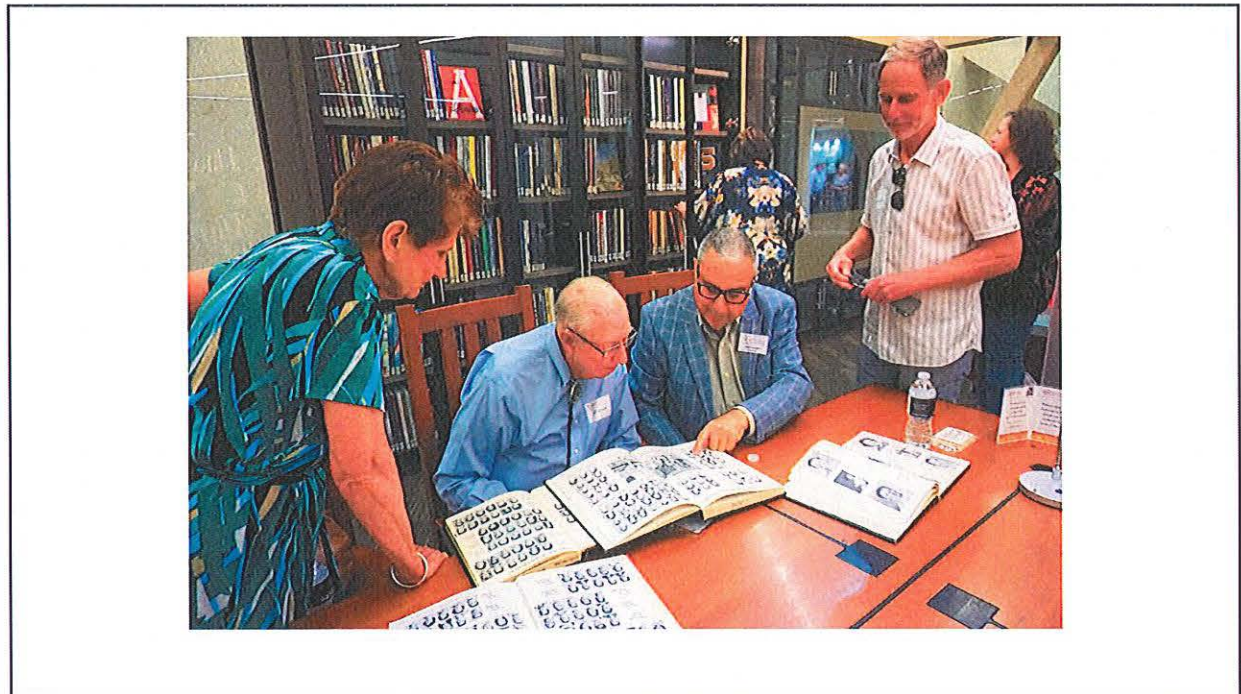
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**Scottsdale remembers
and thanks you, Bill.**

16

Arizona State Route 101 Traffic Interchanges

**City Council
June 13, 2023**

1

Today's Request

- *Approve Intergovernmental agreement with ADOT for design and construction of modification to four traffic interchanges*
- Two Budget Transfers to account for inflation costs on this project from the latest estimate.
 - \$2,601,000 for the interchange improvements
 - \$666,000 for the landscape and aesthetics on the retaining walls

1

2

Project Purpose and Need

- *Improve Traffic Flow on Loop 101 by adding an additional travel lane.*
- *Increase capacity to accommodate existing and future traffic levels*
- *Improve Interchanges to increase transfers to and from the freeway*

2

3

General Improvements

- Add one general-purpose lane in each direction
- Add interchange improvements at:
 - Pima Rd
 - Frank Lloyd Wright Blvd
 - Raintree Dr
 - Shea Blvd
- Update freeway and ramp lighting to LED



3

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Coordination with ADOT

- ADOT will manage the whole project both the interchanges and the widening of the freeway.
- City of Scottsdale is paying 30% of the interchange improvements, MAG is paying 70% of the interchange improvements.
- City of Scottsdale is paying 100% of the aesthetics and landscaping improvements

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Cost Increases on the estimate project

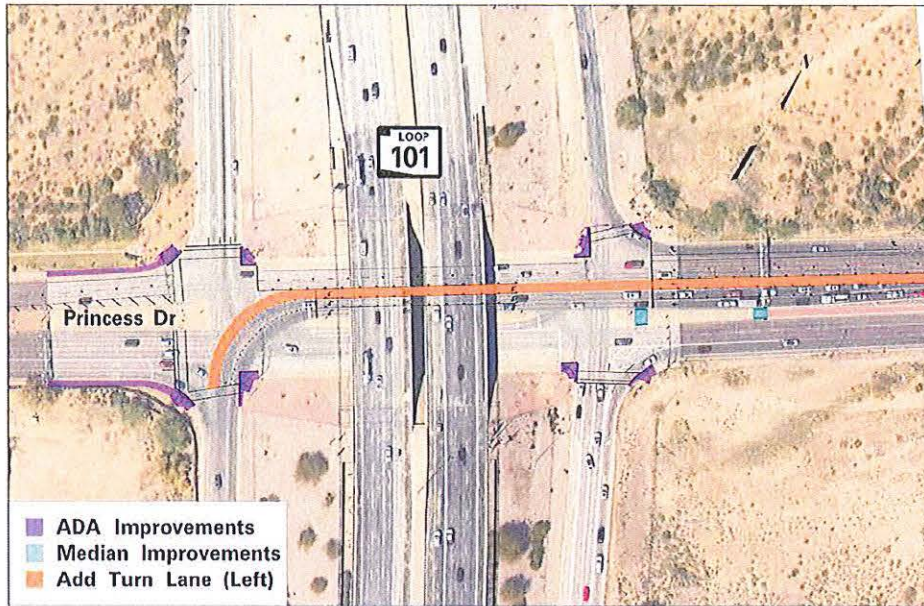
- High inflation Rates
- Higher land values that lead to higher ROW acquisition amounts

Cost Center	Original Budget	Revised Estimate	Budget Changes
Regional Contribution	\$4,041,000	\$5,863,834	\$1,822,834
Transportation 0.1%	\$1,734,895	\$2,513,072	\$778,177
Total	\$5,775,895	\$8,376,905	\$2,601,010
Cost Center	Aesthetic & Landscaping Project	New Estimate	Budget Changes
Tourism Funds	\$1,000,000	\$1,000,000	
Transportation 0.2% Contingency		\$666,000	\$666,000

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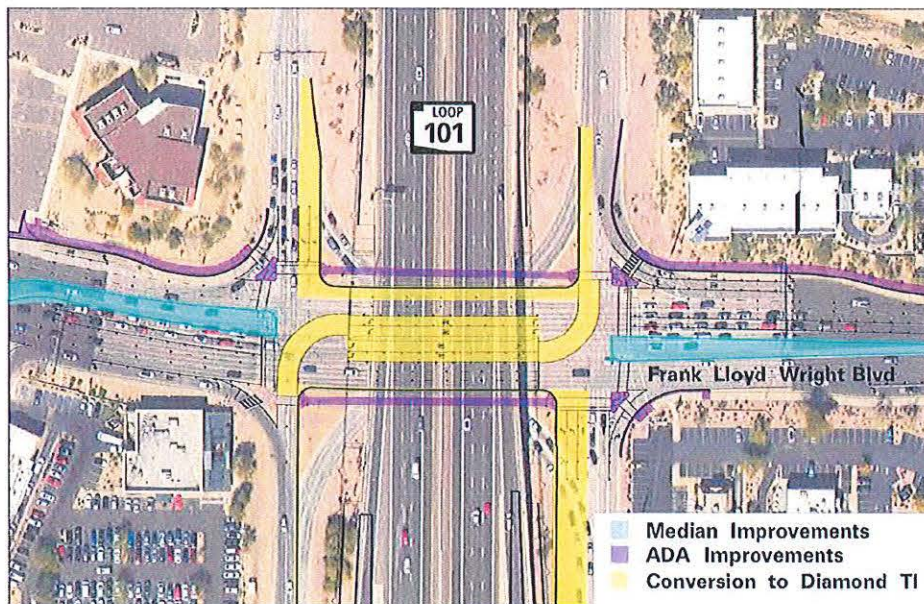
Princess Drive Improvements – \$449,000



6

7

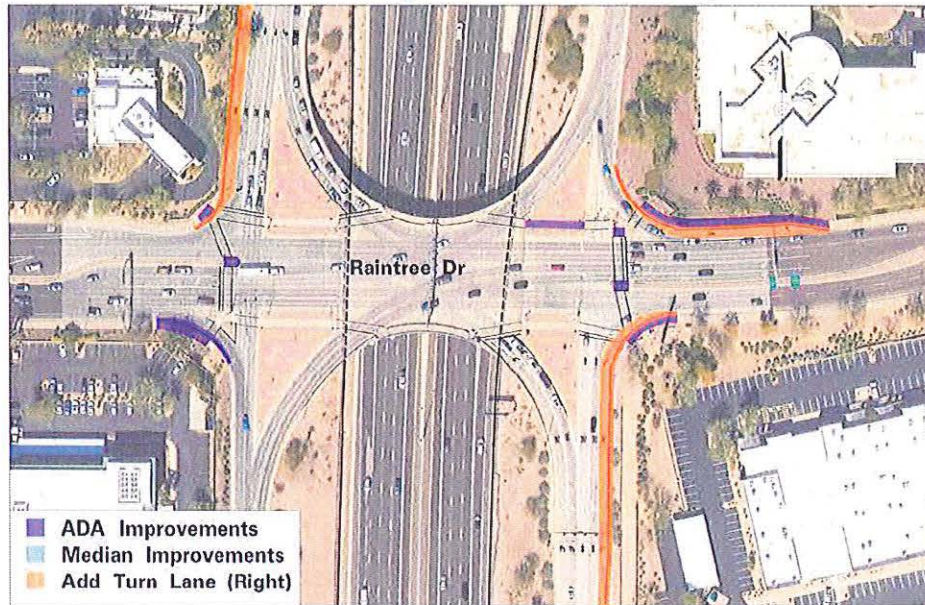
Frank Lloyd Wright Improvements - \$5,086,000



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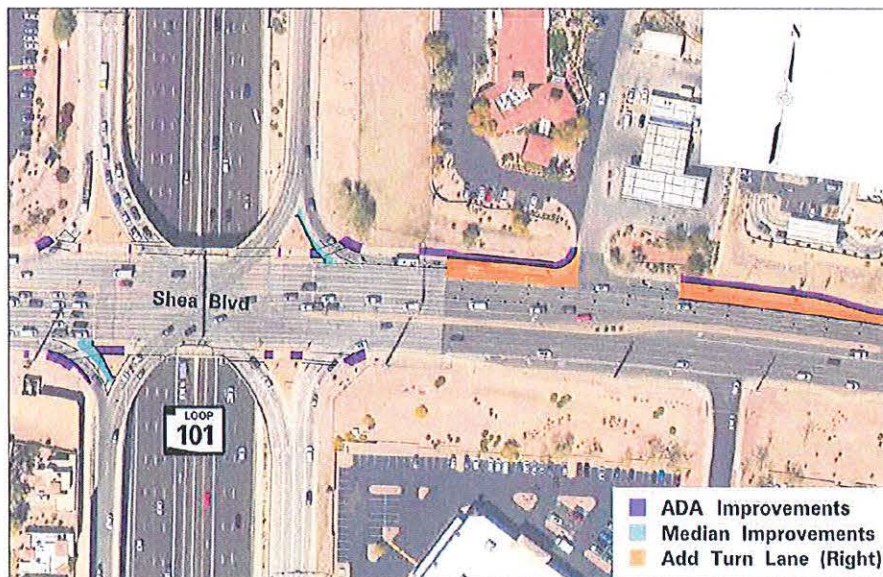
Raintree Drive Improvements – \$883,000



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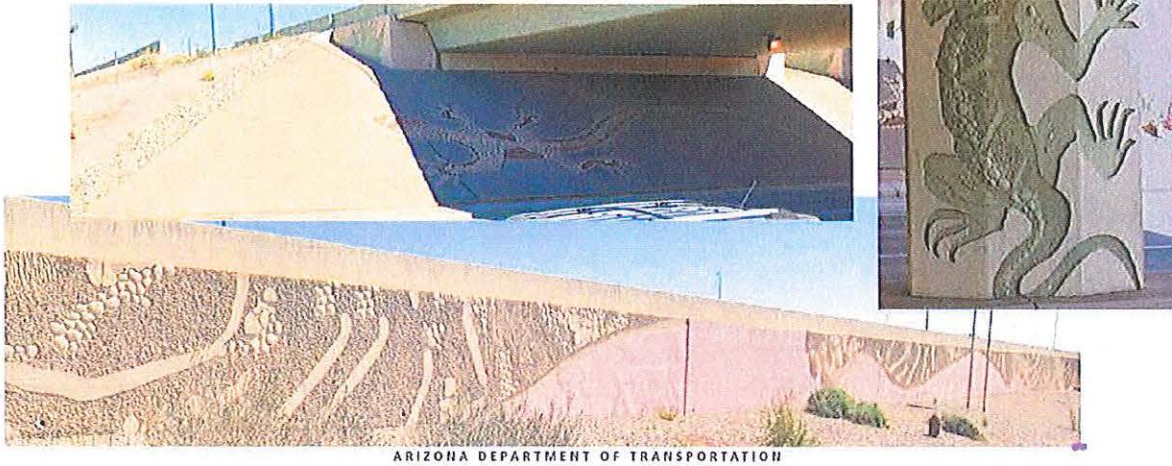
Shea Blvd Improvements - \$284,000



9

10

Aesthetics and Landscaping Improvements



10

11

Arizona State Route 101 Traffic Interchanges

City Council
June 13, 2023

12

**Scottsdale City Hall
Historic Property & Landmark Designation
3-ZN-2023 & 21-HP-2023**

Adam Yaron, Planning & Development Area Manager

City Council, June 13, 2023

1

Request to consider the following:

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 +/- .65 acres of a +/- 8.54 acre site.
2. Adopt Resolution No. 12821 to declare that 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 to declare the "Historic Designation Report and Historic Preservation Plan for Scottsdale City Hall" as a public record.

2



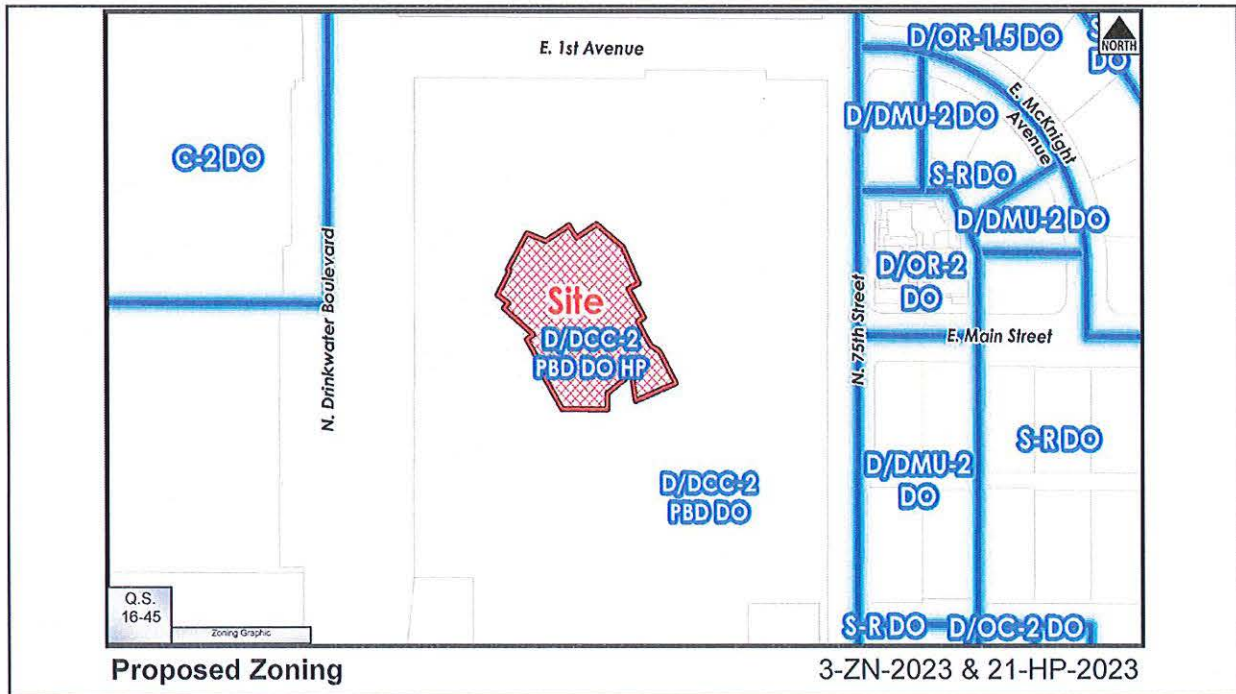
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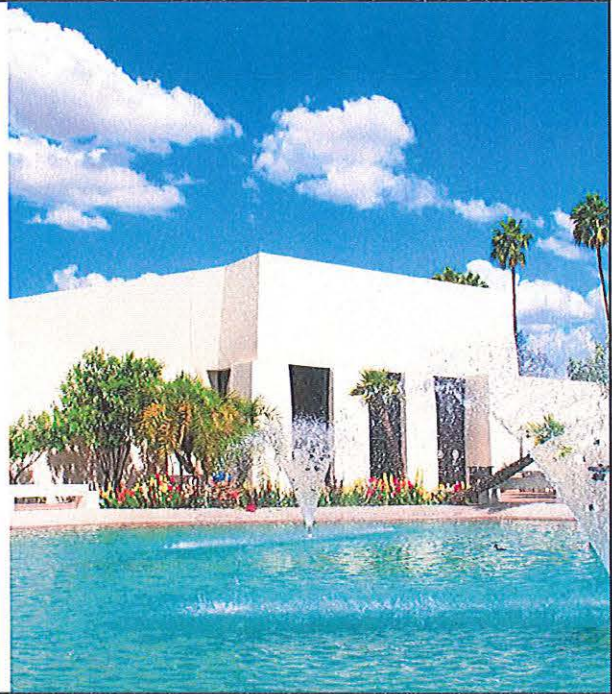
5



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Background

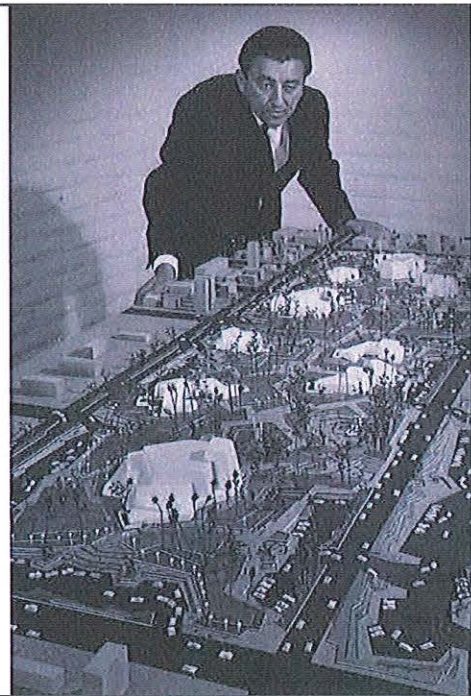
- City Council requested initiation of a historic preservation amendment for Scottsdale City Hall on December 7, 2021
- HPC identified City Hall as historically significant on the 2022/23 work program
- In November 2022, staff contracted with Logan Simpson Design to prepare a Scottsdale Historic Property Register nomination and Historic Preservation Plan
- No changes are proposed to City Hall with this request, the purpose of this request will promote and celebrate public awareness of City Hall as a focal point in Scottsdale's heritage; designate City Hall as a significant local resource; and assist in protecting, preserving and enhancing City Hall into the future.



7

Logan Simpson Design Findings

- Scottsdale City Hall is over fifty years of age (1968); and
- Meets the criteria established by the City's Zoning Ordinance as a Historic Landmark; and
- As a public, government building that is extant and centrally located in the city's civic center, City Hall has become a defining feature for the community of Scottsdale; and
- Is a historically significant building that is a representative example of the overall aesthetic and character of the city - encapsulating the blend of modern design concepts with southwest regional architectural elements that is indicative of the development of Scottsdale during the second half of the twentieth century; and
- Is a prime example of a work by master architect Bennie Gonzales.



8

Historic Resource. To be eligible for designation as an historic resource and placement on the Scottsdale Historic Register, a district, site, building, structure, or object must be located in Scottsdale and have special historical significance in United States, Arizona or Scottsdale history, architecture, archaeology, engineering, or culture. Fifty (50) years of age is a general estimate of the time necessary for achieving historical significance, but resources younger than fifty (50) years are eligible for designation as an historic property and placement on the Scottsdale Historic Register in appropriate cases. Historical significance is present in buildings, districts, structures, sites, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

1. That are associated with events that have made a significant contribution to the broad patterns of our history; or
2. That are associated with the lives of persons significant in our past; or
3. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable whole whose components may lack individual distinction; or
4. That have yielded, or may be likely to yield, information important in prehistory or history; and
5. That in addition to having retained their integrity of location, design, setting, materials, workmanship, feeling, and association, possess physical features necessary to convey that significance and are significant within the historic context of the Scottsdale geographic area and chronological periods known to have been associated with the occupation and settlement of Scottsdale by people from all involved cultures.

9

Landmarks. To be eligible for designation as a Landmark, a district, site, building, structure or object must meet all the criteria for designation as an historic resource and placement on the Scottsdale Historic Register, and in addition must possess exceptional significance in United States, Arizona or Scottsdale history, archaeology, architecture, engineering, or culture, as determined by the City Council. Such exceptional significance is present in those historic resources which:

1. Contain outstanding or extraordinary examples of an architectural style; and/or
2. Contain or are associated with a major historic event or activity; and/or
3. Are associated with the lives of historically significant persons; and/or
4. Embody distinctive characteristics of a type, period, or method of construction; and/or
5. Represent the work of a master; and/or
6. Contain important, intact archaeological resources; and/or
7. Are of unique visual quality and identification; and/or
8. Are of general historic or cultural recognition by the community.

10

Exterior Defining Features

Design features that relate the building to the Pueblo Revival style

- Irregular stepped massing
- Asymmetrical shape and form
- Tapered walls
- Tapered columns
- Flat roof with parapet wall
- Recessed windows
- Rough stucco cladding

Design features that demonstrate Mid-Century Modern architectural style principles

- Floor to ceiling windows
- Blending of interior and exterior spaces (i.e., porch on the south elevation)
- Asymmetrical shape and form
- Distinctive fenestration pattern on each elevation
- Emphasis on horizontality and verticality through tapered columns and varied rooflines.

Organization of circulation networks

- Primary public entrance on the west elevation
- Staff entrances on the northeast, east, and southeast elevations

Artistic principles incorporated into overall design

- Balance of solid and void, positive and negative space
- Multi-bay elevations
- “Navajo White” paint color
- Obtuse angles

11

Exterior Preservation Recommendations

- Alterations should use similar design principles to avoid detracting from or negatively impacting the current character-defining features of the exterior.
- Alterations that disrupt the balance of positive and negative space, create visual symmetry, and employ right or acute angles are not recommended.
- Alterations that adversely impact the overall Pueblo Revival style of the building by altering or removing the features noted are not recommended.
- The porch on the south elevation should be preserved as it is a tangible aspect of the original Bennie Gonzales design. The porch is a significant character-defining feature of the exterior as it represents a tangible aspect of the Mid-Century Modern architectural style influence on the design of the building.
- The organization of the circulation networks should be maintained with the primary public entrance on the west elevation with staff entrance organized on the remaining elevations.
- Due to the significance of the “Navajo White” paint color on the rough stucco cladding, the color is recommended to be preserved. Alterations and additions should be compatible to the original building in terms of scale, massing, and materials.

12

Interior Defining Features

Atrium

- Recessed floor
- Offices organized around the perimeter of the recessed floor
- Enclosed dais

Organization of circulation networks

- Pathways organized around perimeter of the recessed floor
- Ramps organized along perimeter of the recessed floor

Consistency with exterior design

- Rough stucco cladding
- Emphasis on horizontal and vertical lines
- Tapered columns

Artistic features

- Stained-glass skylights
- Balance of solid and void, positive and negative space
- Asymmetry
- Obtuse angles

13

Interior Preservation Recommendations

- Alterations should use similar design principles as listed above to avoid detracting from or negatively impacting the current character-defining features of the interior.
- Alterations that disrupt the balance of positive and negative space, create visual symmetry, and employ right or acute angles are not recommended.
- It is recommended that the atrium be preserved with subdivided office spaces organized around the perimeter of the recessed floor.
- Circulation networks around the atrium and material features that create visual continuity with the exterior are recommended to be retained.

14

Project Schedule + Public Outreach

- May 2023
 - (5/4) HPC Recommendation: (4-0 Approve)
 - (5/24) PC Recommendation: (7-0 Approve)
- June 13, 2023
 - Possible City Council Adoption
- Based on the recommended approach, once adopted by City Council, the Historic Preservation Plan and Guidelines for Scottsdale City Hall will be brought back to the Historic Preservation Commission for approval.

15

Recommended Approach

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 +/- .65 acres of a +/- 8.54 acre site.
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16

**Scottsdale City Hall
Historic Property & Landmark Designation
3-ZN-2023 & 21-HP-2023**

Adam Yaron, Planning & Development Area Manager

City Council, June 13, 2023

FY 2023/24 PROPERTY TAX LEVY AND RATE

TRUTH IN TAXATION HEARING
& PUBLIC HEARING

City Council Meeting
June 13, 2023

1

Distribution of Property Taxes for Every Dollar Paid



Note: Based on FY22/23 property taxes. Rates may vary based on school district and different special districts that property is in.

2

2

City Portion of Property Taxes Paid by Scottsdale Residential Property with Median Limited Property Value (LPV)

Single Family Dwelling	City Combined Tax Rate	City Primary Property Taxes	City Secondary Property Taxes
FY21/22 - Median LPV \$340,449	1.0081	\$171.55	\$171.65
FY22/23 - Median LPV \$357,544	0.9071	\$177.70	\$146.63
FY23/24 – Median LPV \$378,679	0.9814	\$195.02	\$176.62
Change from FY22/23	0.0743	\$17.32	\$29.99

Source: Scottsdale Median Limited Property Value (LPV) for single family dwelling per Maricopa County Assessor.

3

3

FY23/24 Combined Primary and Secondary Property Tax

Combined Property Tax	Tax Rate	Levy
Primary	0.5150	\$39.3M
Secondary (for debt service on voter approved G.O. Bonds)	0.4664	\$35.6M
Combined FY23/24 Property Tax	0.9814	\$74.9M

4

4

A.R.S. § 42-17107

- **TRUTH IN TAXATION (TNT) HEARING** required if proposed primary property tax levy (excluding new construction) exceeds prior year's primary property tax levy
- **ROLL CALL VOTE** required to levy increased property taxes

5

5

Increase in Primary Property Tax

Primary Property Tax	Tax Rate	Levy
Current FY22/23	0.4970	\$36.4M
Proposed FY23/24	0.5150	\$39.3M
Change	0.0180 3.6%	\$2.9M 7.9%

6

6

Primary Property Tax Distribution

	General Fund Levy	Risk Management Tort Levy	TOTAL
Primary -Levy	\$37.1M	\$2.2M	\$39.3M
Rate	0.4862	0.0288	0.5150

Maximum Rate allowed
under Arizona Constitution
Article 9 Section 19(1)

Tort levy allowed under
AZ Admin Code R 15-12-202

7

7

ACTION

- **SOLICIT** public testimony on the proposed FY 2023/24 property tax levy
- **BY A ROLL CALL VOTE, APPROVE** a motion to levy the proposed property taxes, taxes to be assessed by ordinance on June 27, 2023

8

8

FY 2023/24
MUNICIPAL STREETLIGHT IMPROVEMENT
DISTRICT PROPERTY TAX LEVY

City Council Meeting
June 13, 2023

1

BACKGROUND

- Established in 1971 to allow taxpayers residing in the benefiting area to pay for the operation of streetlights
- 355 Streetlight Improvement Districts (SLID) formed by petition of the property owners

2

2

BACKGROUND

- Sole purpose to purchase electricity for lighting public streets
- Special Taxing District property tax
- Levy is calculated based on estimated energy costs

3

3

BACKGROUND

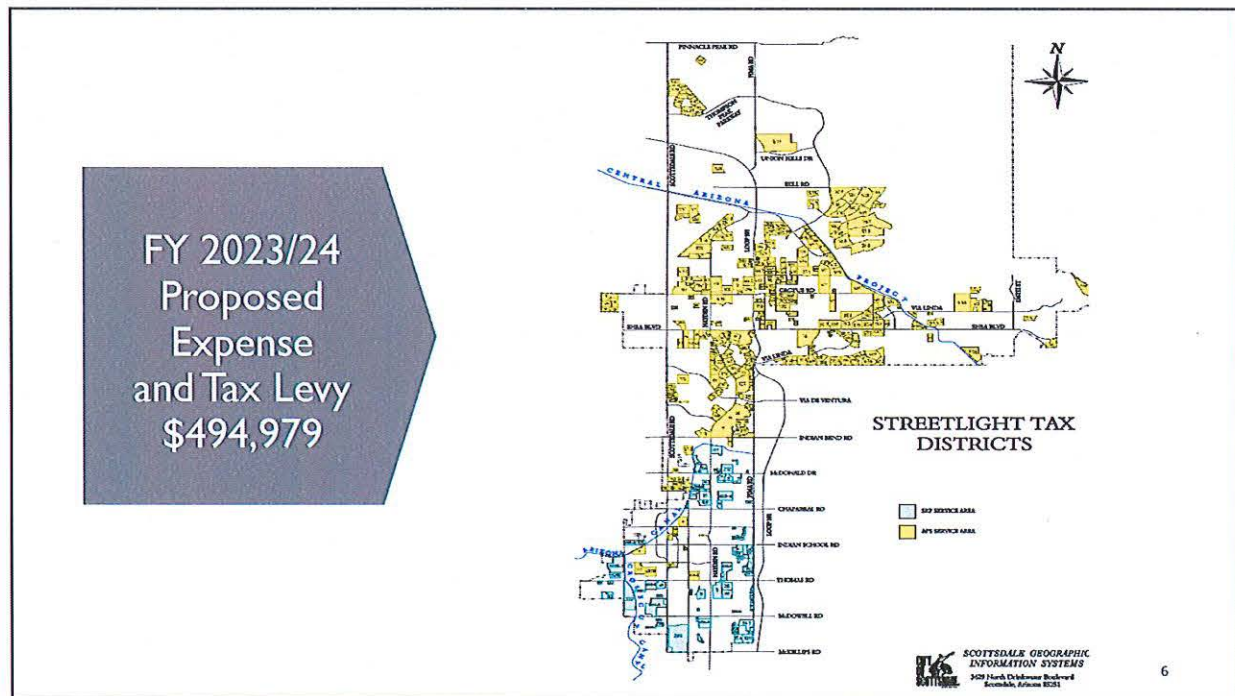
- Operating costs vary by district –
 - Usage / # streetlights
 - SRP vs APS rates
- 355 separate property tax calculations representing 33,750 properties

4

4

BACKGROUND

- On February 14, 2023, the Scottsdale City Council formed two new streetlight improvement districts, Palo Viento I and Palo Viento II. Per Maricopa County, these districts will be included in the FY 2024/25 levy.



ACTION

- **SOLICIT** public testimony on the FY 2023/24 SLID proposed expense and tax levy
- **APPROVE** a motion to levy the proposed FY 2023/24 SLID taxes, by district, taxes to be assessed by ordinance on June 27, 2023

7

**PUBLIC HEARING & ADOPTION OF
FY 2023/24 WATER AND SEWER
RATES AND FEES**

City Council
June 13, 2023

1

FY 2023/24 Proposed Water and Sewer Rates & Fees

- ◆ Proposed Water and Sewer Rate & Fee changes presented in detail on March 7
- ◆ 60 day posting on April 4
- ◆ Public Hearing – Tonight
 - ◆ Sewer Rates Effective on July 13, 2023
 - ◆ Water Rates Effective on November 1, 2023

2

Water and Sewer Rate-Revenue – Forecasted Increase

	Estimated Revenue (Current)	% Change	Estimated Revenue (Increase)
Water Rate-Revenue	\$116.3	4.2%	\$4.8
Sewer Rate-Revenue	\$45.8	5.8%	\$2.7
Total Rate-Revenue	\$162.1		\$7.5

Amounts in millions – rounding differences occur

3

FY 2023/24 Recommendations

Adopt Resolution No. 12795 and Ordinance No. 4589, amending portions of Scottsdale Revised Code, Chapter 49, Water, Sewer and Sewage Disposal; Water Delivery and Reclamation Rates, and Miscellaneous Rates and Charges, effective July 13, 2023, and 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.

4

Water Resources – Other FY24 City Rate Revenue Increases

City	Water	Sewer
City of Scottsdale	4.2%	5.8%
City of Phoenix	Oct 2023 = 6.5% Mar 2024 = 6.5% Total FY24 = 13.0%	Oct 2023 = 6.5% Mar 2024 = 6.5% Total FY24 = 13.0%
City of Chandler	5.0%	6.0%
Town of Gilbert	0%	29.4%
City of Peoria	12%	1.5%
City of Tempe	5.5%	2.5%
City of Mesa	3.5%	5.0%



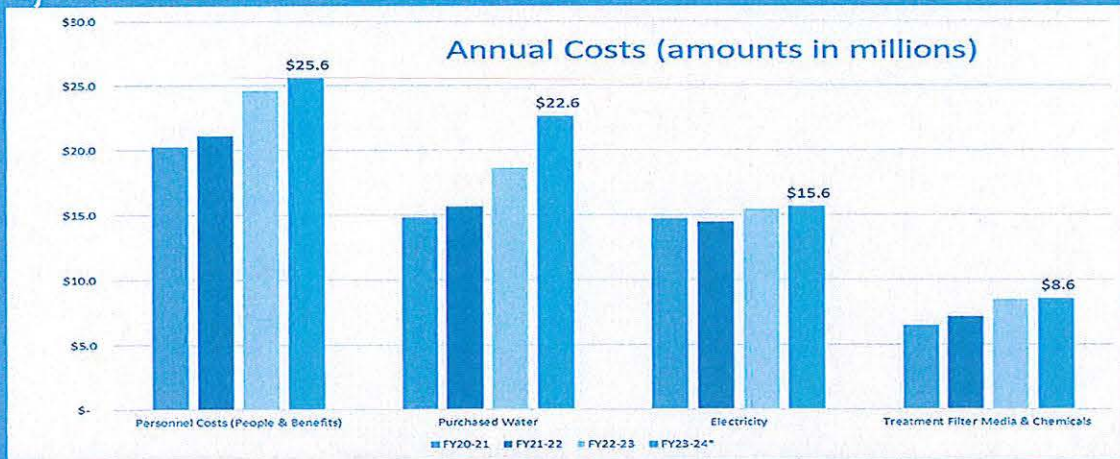
Enterprise – Water Resources Residential Customer Impact

- ◆ Residential customers that use less than 10,000 gallons a month, will experience the following monthly bill increase for water.

Meter Size	Monthly Water Increase
5/8 inch	\$1.00
3/4 inch	\$1.15
1 inch	\$1.40



Enterprise – Water Resources Major Divisional Costs



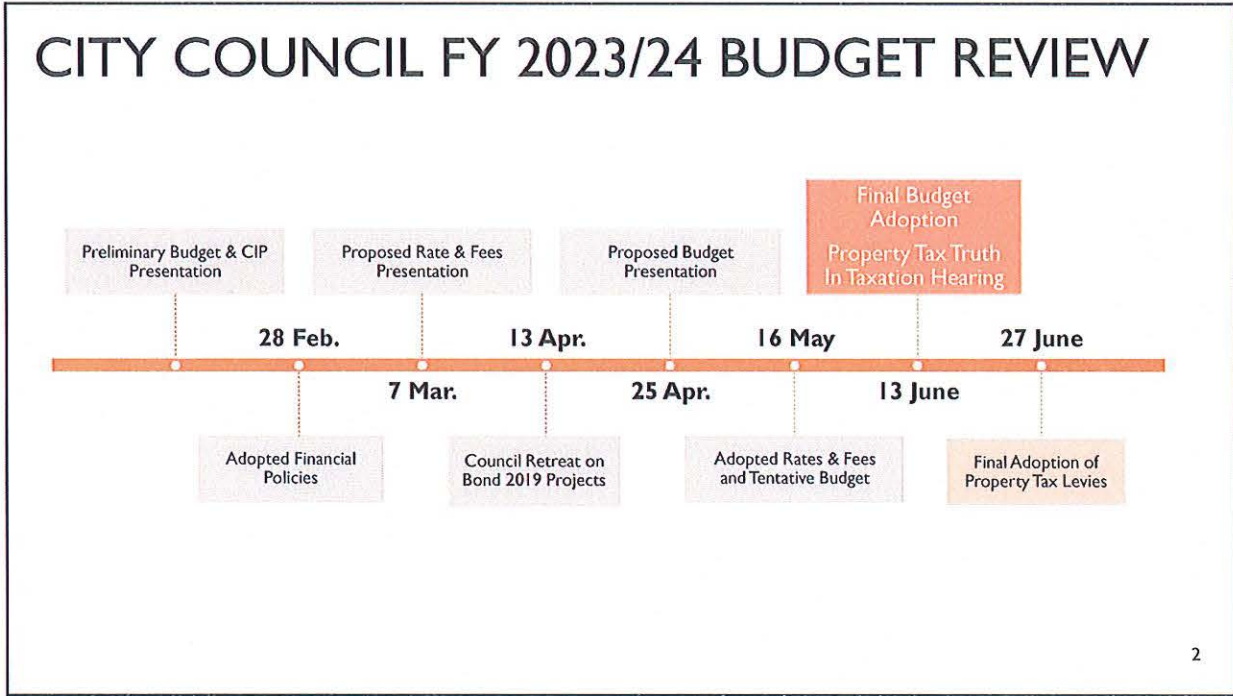
*Includes all FY24 budget requests



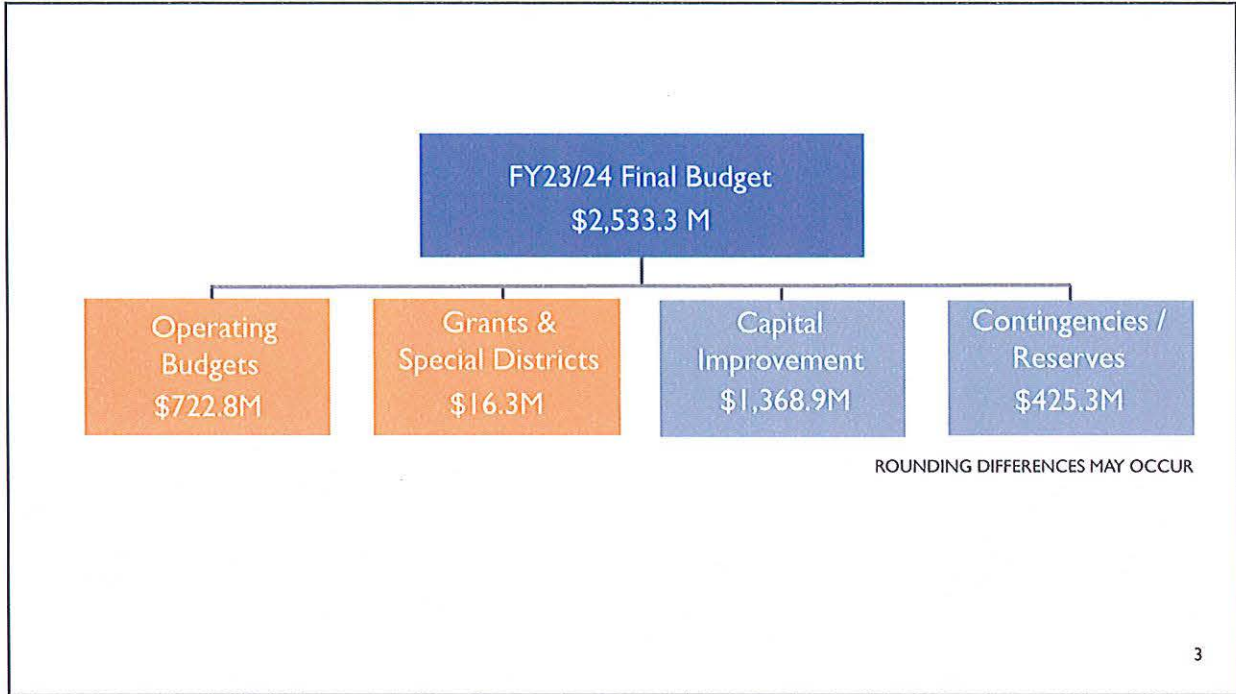
**FY 2023/24 BUDGET
FINAL PUBLIC HEARING**

City Council Meeting
June 13, 2023

1



2



3

CHANGES FROM TENTATIVE BUDGET

Capital Budget Changes	Final Budget FY23/24	Future Budget FY24/25	Total Project Change	Total Project Cost
Accelerate WestWorld Tent Refurbishment	3.5M	(3.5M)	-	\$3.5M
Accelerate WestWorld Polo Field Lighting	0.9M	(0.9M)	-	\$1.3M
Defer Downtown Main Street Streetscape & Pedestrian Improvements	(2.1M)	2.1M	-	\$2.3M
Defer Energy Performance Project – Phase II	(1.4M)	1.4M	-	\$4.9M
Move a portion of New Swimming Pools and Cactus Pool Building Expenses	(900.0)	900.0	-	\$31.2M
Net Change	-	-	-	

4

ACTION

- FINAL PUBLIC HEARING

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

5

Thomas Road Improvements 56th to 73rd Street Real Property Acquisition

**City Council
June 13, 2023**

1

Land Rights

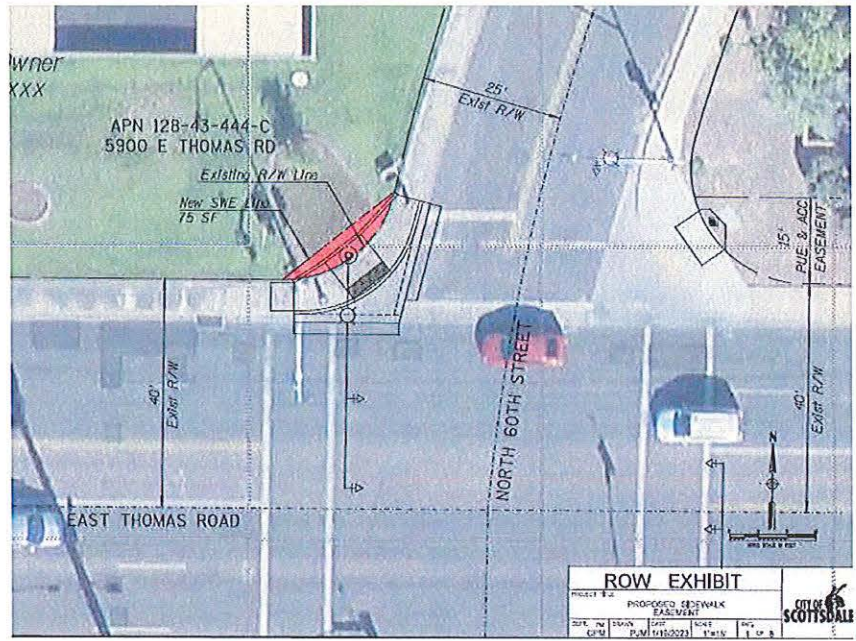
- New land rights are needed:
 - Easements for upgrading ramps to be Americans with Disabilities Act (ADA) compliant
 - Easements for new and existing traffic signal poles
 - Easements for two new streetlights
- A few Temporary Construction Easements (TCE) will also be acquired, which are a temporary land lease for the contractor to have sufficient room to do their work.
- These rights are needed whether we do the lane reduction or not

2

2

NW Corner of Thomas Road & 60th Street

- Easement – 75 sf
- New ADA ramp
 - New traffic signal pole



ROW EXHIBIT			
PROJECT #	PROPOSED SIDEWALK EASEMENT		
DATE	NOV 2023	SCALE	1"=5'
CDM	PUN 10152023	SHEET	1 OF 3

3

3

Thomas Road & 61st Place – South Side

- Easement – 200 sf
 - 2 New ADA Ramps
 - Land Right for Existing Traffic Signal Poles
- Temporary Construction Easement
 - 150 sf



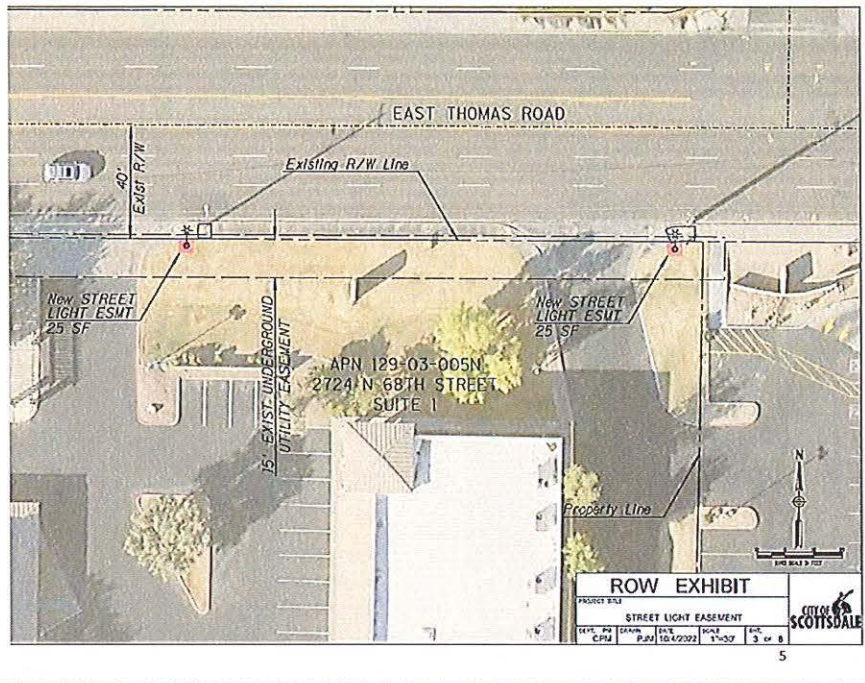
ROW EXHIBIT			
PROJECT #	SIDEWALK EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT		
DATE	NOV 2023	SCALE	1"=5'
CDM	PUN 10152023	SHEET	2 OF 3

4

4

Thomas Road West of 68th St – South Side

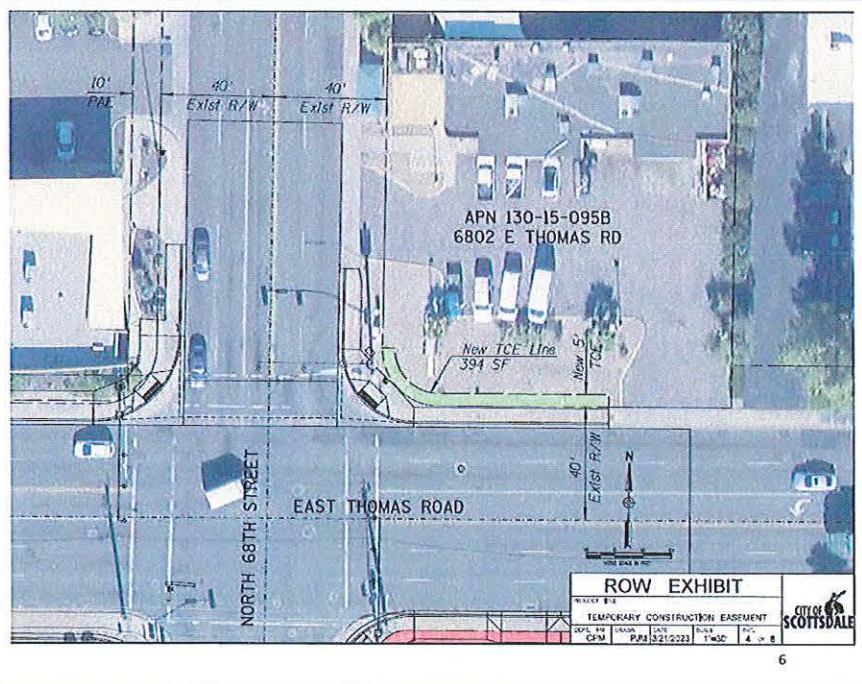
- Easement - 50 sf
 - 2 New Street Lights



5

Thomas Road East of 68th St – North Side

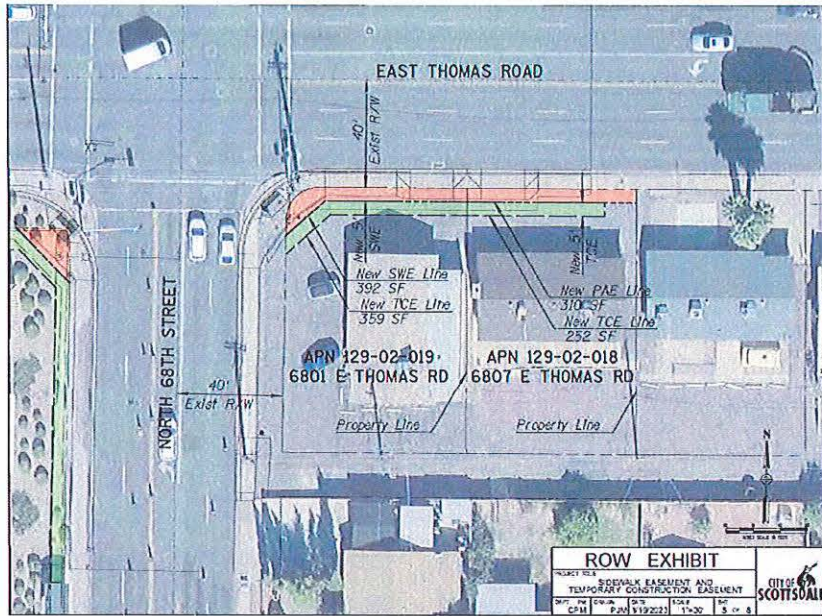
- Temporary Construction Easement
 - 394 sf on the northeast corner



6

Thomas Road & 68th St – South Side

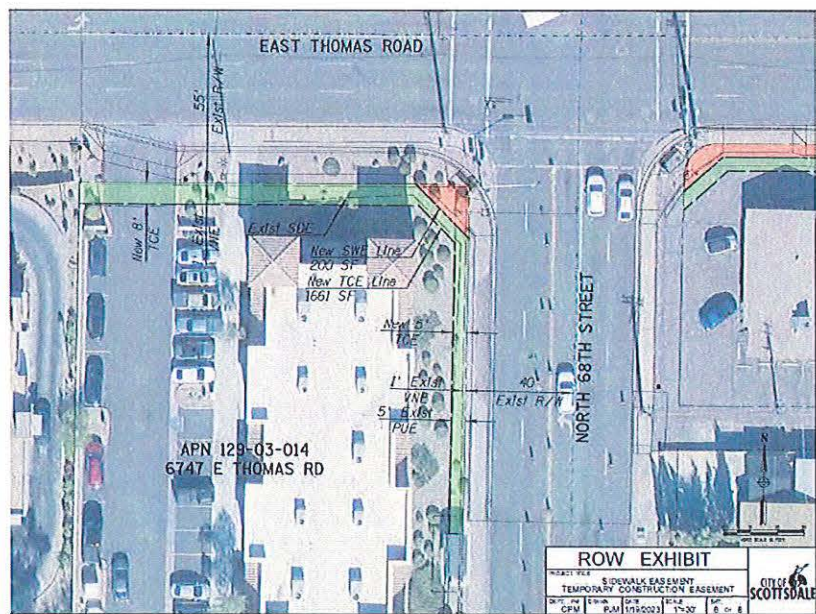
- Easement – 310 sf
 - 2 New ADA Ramps
 - ADA compliance at existing driveways
- Temporary Construction Easement
 - 611 sf on the Southeast



7

Thomas Road & 68th St – South Side

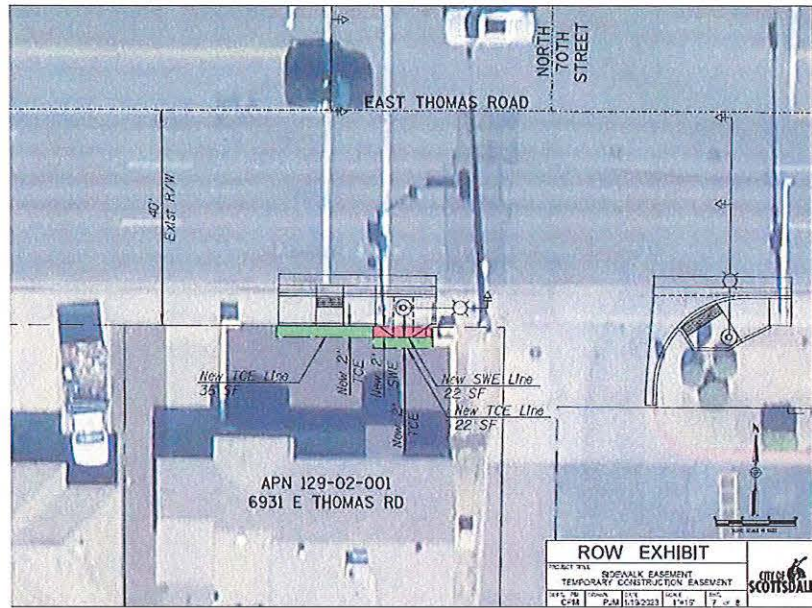
- Easement – 200 sf
 - 2 New ADA Ramps
 - Land Right for Existing Traffic Signal Poles
- Temporary Construction Easement
 - 1,661 sf



8

Thomas Road & 70th Street – South Side

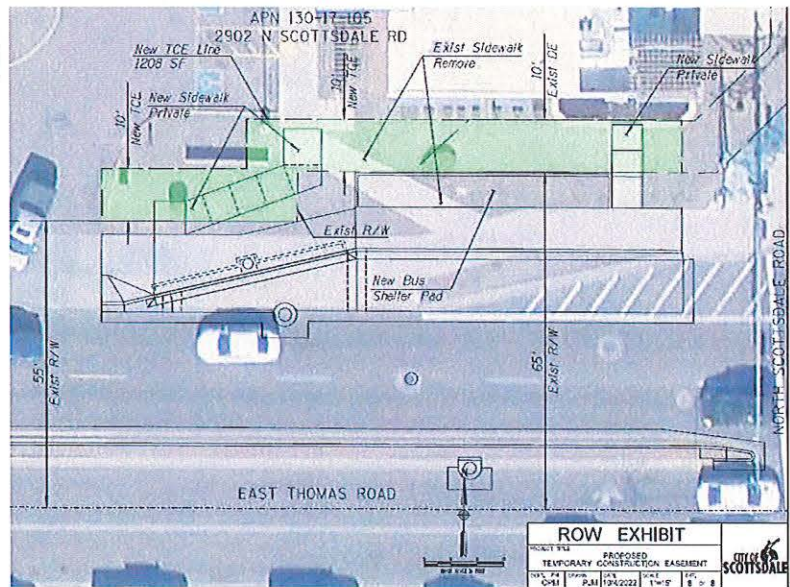
- Easement – 22 sf
 - New ADA compliant sidewalk around existing traffic signal pole
- Temporary Construction Easement
 - 58 sf on the southern side



9

Thomas Road East of Scottsdale Road – North Side

- Temporary Construction Easement
 - 1,208 sf on the northwest corner



10

Questions?

11

11