

SCOTTSDALE

CITY COUNCIL MEETING

MEETING NOTICE AND AGENDA



COUNCIL

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

Kathleen S. Littlefield
Linda Milhaven
Solange Whitehead

Tuesday, September 20, 2022

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 (October 18, 2022).

In-person spoken public comment is being accepted on Items 1 through 19. To sign up to speak on these items, please click [here](#).

In-Person spoken public comment is also being accepted on non-agendized items that are within the Council's jurisdiction. Scottsdale citizens may speak on items that are within the Council's jurisdiction but are not on the agenda, with a total of 15 minutes at the beginning and 15 minutes at the end of the meeting dedicated to comment on non-agendized items. To sign up to speak in-person on a non-agendized item that is within the Council's jurisdiction, please click [here](#).

Requests for in-person public comment may be submitted online or at the City Council meeting. Registration for in-person public comment is available online by completing a Request to Speak form. In-Person Public Comment Request to Speak forms for Consent, Regular, and Non-Agendized items must be submitted online no later than 90 minutes before the start of the meeting. Additionally, in-person meeting attendees may submit a Request to Speak form utilizing the kiosk located in the foyer area of City Hall for each agenda item they wish to address. Forms must be submitted and received before the Mayor announces the agenda item.

Written public comment may be submitted in-person by completing a yellow written public comment card or electronically by completing a Written Public Comment form. Written public comment received during the meeting will be shared with the Council. Written comments that are submitted electronically at least 90 minutes before the meeting will be emailed to the Council and posted online prior to the meeting. A written public comment may be submitted electronically by clicking [here](#).

5:00 P.M.

Marked Agenda

REGULAR CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING THE CITY CLERK'S OFFICE AT (480-312-2412). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT THE CITY CLERK'S OFFICE (480-312-2412).

FOR ADDITIONAL INFORMATION VISIT: WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION

Tuesday, September 20, 2022

Page 2 of 10

Call to Order – 5:00 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 – Vice Mayor Durham

Mayor's Report – Mayor Ortega asked for a moment of silent reflection for the people of Ukraine as they fight for their freedom, survival, and democracy. Mayor Ortega stated that the Mayor and Council Breakfast is scheduled for September 22, 2022 at the Scottsdale Stadium Field House. He noted there will be a panel discussion on the topic of water and that water is a critical issue for Scottsdale.

City Manager's Report – None

Presentations/Information Updates – Scottsdale Arts President and Chief Executive Officer Gerd Wuestemann gave a PowerPoint presentation.

- **Scottsdale Arts Update**

Presenter(s): Gerd Wuestemann, President and CEO

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 – David Clouse spoke about homelessness, available services, and humanitarian efforts in other municipalities. Judith Clouse expressed concern about a homeless individual in her neighborhood and requested help for all homeless people in the City. Denise McCue voiced concerns about her personal safety and potential impacts to neighborhoods due to increased homelessness. Sonnie Kirtley asked that the Tourism Development Marketing Plan focus on more diverse groups of tourists and have a stronger commitment towards supporting existing business owners and distinct downtown districts. Dan Ishac commented on Council decorum at the September 13, 2022 Council Meeting.

Public Comment time is reserved for Scottsdale citizens to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak [form](#) must be submitted together with the petition(s) before the Mayor announces the second Public Comment period.

Speakers may address the Council once under Public Comment at the beginning or the end of the meeting, but not both. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Council during "Public Comment."**

CONSENT AGENDA ITEMS 1-17

How the Consent Agenda Works: The Council may take one vote to act on all of the items on the Consent Agenda or may remove items for further discussion. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

– Vice Mayor Durham made a motion to approve Consent Agenda Items 1 through 17, except Item 14, which was removed at the request of staff and will be brought back at a later date. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Durham; and Councilmembers Caputi, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

1. **[Loco Patron Mexican Brewery Liquor License \(68-LL-2022\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 6 (bar) State liquor license for an existing location and owner, new license series.
Location: 14950 N. Northsight Boulevard
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
2. **[Pescada Liquor License \(70-LL-2022\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 20707 N. Pima Road, Building, Suite 140
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
3. **[One Scottsdale PU III QuikTrip Conditional Use Permit \(1-UP-2022\)](#) – **Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 12572** approving a conditional use permit for a new gas station on a ±2-acre site with Planned Regional Center, Planned Community District (PRC PCD) zoning.
Location: 19552 N. 73rd Street
Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov**
4. **[Aquifer Storage and Recovery Well 159 Municipal Use Master Site Plan Conditional Use Permit \(3-UP-2022\)](#) – **Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 12571** approving a municipal use master site plan to allow for a new aquifer storage and recovery well site on a ±1.3-acre site
Location: 7440 E. Legacy Boulevard
Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov**
5. **[Sports Field Lighting and Installation Job Order Contract Extension](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12596** authorizing Contract No. 2020-168-COS-A1, the first extension to the agreement with Musco Sports Lighting, LLC, in an amount not to exceed \$2,500,000, for a one-year term, for sports lighting, installation, and related material construction projects throughout the city.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov**
6. **[Tapas Papa Frita Outdoor Dining License Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12609** authorizing Outdoor Dining License Agreement No. 2012-014-COS-A2, a five-year extension to the agreement with Masyno Canal Building, LLC; Amber Gutierrez doing business as TPF AZ, LLC; and Joseph Gutierrez for outdoor dining patio use on city and Salt River Project land, on the southside of the Arizona Canal between Goldwater Boulevard and Scottsdale road.
Location: 7114 E. Stetson Drive, Suites 205 and 210
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov**
7. **[Public Health Fellowship Program Intergovernmental Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12579** to authorize:
 1. Agreement No. 2022-136-COS with Maricopa County Department of Public Health to participate in the Public Health Fellowship Program.
 2. The Human Services Director to execute any other documents and take such other actions as are necessary to carry out the intent of this Resolution.**Staff Contact(s):** Greg Bestgen, Human Services Department Director, 480-312-0104, gbestgen@scottsdaleaz.gov**

8. **McDowell Sonoran Preserve Trail Maintenance Grant – Approved on Consent.**
Request: Adopt **Resolution No. 12548** to authorize:
1. Agreement No. 2022-098-COS with the Arizona State Parks Board for the acceptance of a grant in the amount of \$47,300 for the maintenance of existing trails within the Scottsdale McDowell Sonoran Preserve.
 2. A budget transfer, in the amount of \$47,300, from the adopted Fiscal Year 2022/23 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.
 3. The City Manager, or designee(s), to accept the grant from the Arizona State Parks Board and execute all documents and other necessary instruments.
- Staff Contact(s):** Kroy Ekblaw, Preserve Director, 480-312-7064, kekblaw@scottsdaleaz.gov
9. **First Things First Grant Acceptance for the Scottsdale Family Resource Center – Approved on Consent.**
Request: Adopt **Resolution No. 12563** to authorize:
1. Agreement No. 2018-058-COS-A4, the fourth amendment to the grant agreement with the Arizona Early Childhood Development and Health Board (First Things First), to accept a grant, in the amount of up to \$200,000, for the Scottsdale Family Resource Center.
 2. The use of the grant retroactive to July 1, 2022.
 3. A budget transfer, in the amount of \$200,000, from the adopted Fiscal Year 2022/23 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.
 4. The Human Services Director to execute all documents necessary for the acceptance and administration of the grant.
- Staff Contact(s):** Greg Bestgen, Human Services Department Director, 480-312-0104, gbestgen@scottsdaleaz.gov
10. **Scottsdale Taste of Italy and Music Festival – Approved on Consent.**
Request: Adopt **Resolution No. 12604** to authorize:
1. Funding, not to exceed \$66,000, from the portion of the Fiscal Year 2022/23 Tourism Development Fund that is allocated toward event retention and development for the Scottsdale Taste of Italy and Music Festival.
 2. New Event Funding Agreement No. 2022-155-COS with The Italian Association.
- Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov
11. **Scottsdale Dia de los Muertos – Approved on Consent.**
Request: Adopt **Resolution No. 12605** to authorize:
1. Funding, not to exceed \$70,000, from the portion of the Fiscal Year 2022/23 Tourism Development Fund that is allocated toward event retention and development for the Scottsdale Dia de los Muertos event.
 2. New Event Funding Agreement No. 2022-156-COS with LORE Southwest Media and Arts, LLC.
- Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov
12. **Water, Sewers, and Sewage Disposal Code Amendment – Approved on Consent.**
Request: Adopt **Ordinance No. 4567** amending Scottsdale Revised Code, Chapter 49, Water, Sewers, and Sewage Disposal, Article VII, Division 2, to add a new Section 49-260 to prohibit mandatory overseeding of turf or other mandatory turf requirements by property owner's associations.
- Staff Contact(s):** Brian Biesemeyer, Water Resources Executive Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov

13. **Adoption of Fire, Building, Plumbing, Mechanical, Electrical, Fuel Gas, and Other Codes – Approved on Consent.**

Requests:

1. Adopt **Ordinance No. 4562** amending Scottsdale Revised Code, Chapter 36, Fire Prevention and Protection, Article II, Division 1, and adopting portions of the 2021 edition of the International Fire Code and various amendments thereto.
2. Adopt **Resolution No. 12583** declaring the documents entitled “The International Fire Code, 2021 Edition”, including appendices, and “2022 City of Scottsdale Amendments to the International Fire Code, 2021 Edition” to be public records.
3. Adopt **Ordinance No. 4564** amending Scottsdale Revised Code, Chapter 36, Fire Prevention and Protection, Section 36-18 relating to automatic sprinkler systems.
4. Adopt **Ordinance No. 4550** to authorize:
 - a. Adopting part of the Building Code of the City of Scottsdale, including the 2021 editions of the International Building Code, International Mechanical Code, International Plumbing Code, International Fuel Gas Code, International Existing Building Code, International Swimming Pool and Spa Code; the 2020 edition of the National Electrical Code; and the 2022 City of Scottsdale amendments to, or adoption of, as applicable, the International and National Codes.
 - b. Amending Scottsdale Revised Code, repealing and replacing Chapter 31, Building and Building Regulations, Article I, Articles III through VI, and Article VIII; renaming Chapter 31 as “*Building and Construction Regulations*”; adding a new article XIII; amending the violation and penalty provisions contained in Section 31-7; setting forth the enforcement and penalty provision contained in Section 31-85; and establishing an effective date.
5. Adopt **Resolution No. 12498** declaring the documents entitled “*The International Building Code, 2021 Edition*”, including appendices, and “*2022 City of Scottsdale Amendments to the International Building Code, 2021 Edition*” to be public records.
6. Adopt **Resolution No. 12500** declaring the documents entitled “*The International Mechanical Code, 2021 Edition*” and “*2022 City of Scottsdale Amendments to the International Mechanical Code, 2021 Edition*” to be public records.
7. Adopt **Resolution No. 12501** declaring the documents entitled “*The International Plumbing Code, 2021 Edition*”, including appendices, and “*2022 City of Scottsdale Amendments to the International Plumbing Code, 2021 Edition*” to be public records.
8. Adopt **Resolution No. 12502** declaring the documents entitled “*The International Fuel Gas Code, 2021 Edition*”, including appendices, and “*2022 City of Scottsdale Amendments to the International Fuel Gas Code, 2021 Edition*” to be public records.
9. Adopt **Resolution No. 12504** declaring the documents entitled “*The International Existing Building Code, 2021 Edition*” and “*City of Scottsdale Adoption of the International Existing Building Code, 2021 Edition*” to be public records.
10. Adopt **Resolution No. 12506** declaring the documents entitled “*The National Electrical Code, 2020 Edition*” and “*2022 City of Scottsdale Amendments to the National Electrical Code, 2020 Edition*” to be public records.
11. Adopt **Resolution No. 12507** declaring the documents entitled “*The International Swimming Pool and Spa Code, 2021 Edition*” and “*2022 City of Scottsdale Amendments to the International Swimming Pool and Spa Code, 2021 Edition*” to be public records.

Staff Contact(s): Michael Clack, Chief Development Officer, 480-312-7629, mclack@scottsdaleaz.gov

14. **Police Code Amendment – Removed at the request of staff.**

Request: Adopt **Ordinance No. 4563** amending Scottsdale Revised Code, Chapter 23, Police, Sections 23-51, 23-54, 23-55, 23-57, 23-62, 23-65, 23-66, 23-67, and 23-72; and adding Sections 23-74 and 23-75 relating to public safety plans.

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

15. [Offenses—Miscellaneous Code Amendment – Approved on Consent.](#)
Request: Adopt **Ordinance No. 4565** amending Scottsdale Revised Code, Chapter 19, Offenses—Miscellaneous, Section 19-22 regarding camping in public spaces.
Staff Contact(s): Luis Santaella, Deputy City Attorney, 480-312-2405, lsantaella@scottsdaleaz.gov
16. [Monthly Financial Report – Approved on Consent.](#)
Request: Accept the Fiscal Year 2022/23 Monthly Financial Report as of July 2022.
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov
17. [Pima Road, Pinnacle Peak Road to Happy Valley Road and Happy Valley Road, Pima Road to Alma School Road Right-of-Way Acquisitions and Construction Intergovernmental Agreement; and Construction and Utility Contracts – Approved on Consent.](#)
Request: Adopt **Resolution No. 12600** to authorize:
1. Construction Manager at Risk Contract No. 2022-062-COS-A1 with Haydon Building Corp., in an amount not to exceed \$12,369,491.90, for construction of the Pima Road regional drainage channel and joint trench within Pima Road, Pinnacle Peak Road to Happy Valley Road, and T-Mobile West, LLC macro site within Pima Road, Pinnacle Peak Road to Happy Valley Road (SC01) and Happy Valley Road, Pima Road to Alma School Road (SE02).
 2. Intergovernmental Agreement No. 2022-063-COS with the Flood Control District of Maricopa County, in the amount of \$13,000,000, to allow partnership and cost sharing for the right-of-way acquisitions, construction, construction management, and operation and maintenance of Pima Road Regional Drainage Channel within Pima Road, Pinnacle Peak Road to Happy Valley Road (SC01).
 3. Joint Trench Agreement No. 2022-142-COS, in the amount of \$714,862.71, with Qwest Corporation doing business as CenturyLink QC (Lumen) for the installation of 6 – 4” conduits; Cox Communications Arizona, LLC for the installation of 4 – 2” conduits; and Crown Castle Fiber, LLC for installation of laterals to be included within the roadway construction plans for Pima Road, Pinnacle Peak Road to Happy Valley Road (SC01).
 4. Telecommunications Pole Construction Agreement No. 2022-144-COS with T-Mobile West, LLC, in the base amount of \$119,044.76, plus a contingency amount of \$11,904.48, for a total amount of \$130,949.24, for the installation of a future signal pole capable of supporting a future wireless communication facility to be included within the roadway construction plans for Pima Road, Pinnacle Peak Road to Happy Valley Road (SC01).
 5. A Fiscal Year 2022/23 Capital Budget Appropriation Transfer, in an amount up to \$6,500,000, from the Granite Reef Watershed Phase 2A (FI01) project to the Pima Road, Pinnacle Peak Road to Happy Valley Road (SC01) project to be funded by the Flood Control District of Maricopa County’s contribution funding source.
 6. The City Manager and City Treasurer, or respective designees, to take such actions as may be necessary to carry out the purposes of this Resolution.
- Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

REGULAR AGENDA ITEMS 18-19

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

18. [Scottsdale Office Remodel Minor General Plan Amendment and Rezoning \(1-GP-2022 and 3-ZN-2022\)](#)
Requests:
1. Adopt **Resolution No. 12573** approving a Minor General Plan Amendment to the Scottsdale General Plan 2035 Future Land Use Map from Cultural/Institutional or Public Use to Suburban Neighborhoods land use designation on a ±0.65-acre site.
 2. Adopt **Ordinance No. 4561** approving a zoning district map amendment from Single-Family Residential (R1-43) District to Service Residential (S-R) District zoning on a ±0.65-acre site.

Location: 7339 E. McDonald Drive

Presenter(s): Greg Bloemberg, Project Coordination Liaison

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

– **Project Coordination Liaison Greg Bloemberg and Applicant Representative Jaime Angulo, with RKAA Architects, Inc., gave PowerPoint presentations.**

– **Councilwoman Whitehead made a motion to approve Scottsdale Office Remodel Minor General Plan Amendment and Rezoning (1-GP-2022 and 3-ZN-2022) to:**

1. **Adopt Resolution No. 12573 approving a Minor General Plan Amendment to the Scottsdale General Plan 2035 Future Land Use Map from Cultural/Institutional or Public Use to Suburban Neighborhoods land use designation on a ±0.65-acre site.**

2. **Adopt Ordinance No. 4561 approving a zoning district map amendment from Single-Family Residential (R1-43) District to Service Residential (S-R) District zoning on a ±0.65-acre site.**

Additionally, Councilwoman Whitehead noted the parties entered into a private agreement. Councilwoman Janik seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Durham; and Councilmembers Caputi, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

19. **Hazel & Azure – Camelback (37-DR-2021)**

Request: Pursuant to the requirements of Ordinance No. 3909 (65-ZN-1992#7), the property owner is requesting City Council review and approval of the Development Review Board application for the site plan, landscape plan, and building elevations for a new mixed-used development with approximately 532 residential units and 14,610 square feet of commercial floor area, and the location of public art, on a ±3.73-acre site with Downtown/Regional Commercial Office Type 2 Planned Block Development Downtown Overlay (D/RCO-2 PBD DO) zoning.

Location: 4605 N. Scottsdale Road

Presenter(s): Bryan Cluff, Principal Planner

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

– **Principal Planner Bryan Cluff and Applicant Representatives Jason Morris, with Withey Morris, PLC, Stephen Funk, with CallisonRTKL, and Chris Brown, with Floor Associates, gave PowerPoint presentations.**

– **Councilwoman Whitehead made a motion to uphold the Development Review Board application for the site plan, landscape plan, and building elevations for a new mixed-used development with approximately 532 residential units and 14,610 square feet of commercial floor area, and the location of public art, on a ±3.73-acre site with Downtown/Regional Commercial Office Type 2 Planned Block Development Downtown Overlay (D/RCO-2 PBD DO) zoning. Councilmember Milhaven seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Durham; and Councilmembers Caputi, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.**

Public Comment – James Mercier spoke to the issue of homelessness, noting concerns with one specific individual and the possible impacts of homelessness on the tourism industry and the Greenbelt area.

Public Comment time is reserved for Scottsdale citizens to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak [form](#) must be submitted together with the petition(s) before the Mayor announces the second Public Comment period.

Speakers may address the Council once under Public Comment at the beginning or the end of the meeting, but not both. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes

at the end of the meeting. **Speakers are limited to three minutes to address the Council during “Public Comment.”**

CITIZEN PETITIONS

ITEM 20

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.

20. Receipt of Citizen Petitions – None

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

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

MAYOR AND COUNCIL

ITEMS 21-22

21. Boards, Commissions, and Task Force Nominations (Note: Appointments scheduled for October 18, 2022)

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.

- Airport Advisory Commission (three vacancies) – **The Council deferred nominations to a future meeting.**
- Board of Adjustment (one vacancy) – **Vice Mayor Durham nominated Travis Garcia and Councilwoman Caputi nominated Justin Laos.**
- Building Advisory Board of Appeals (one vacancy) – **Councilwoman Janik nominated Julian Anderson.**
- Human Relations Commission (two vacancies) – **Vice Mayor Durham nominated Tina Drews and Marcie LePine; Councilmember Milhaven nominated Matthew Keen; and Councilwoman Littlefield nominated Cynthia Romagnolo and Marietta Strano.**
- Transportation Commission (two vacancies) – **Mayor Ortega nominated Emmie Cardella and Mary Ann Miller and Councilmember Milhaven nominated Robert Marmon.**
- Veterans Advisory Commission (two vacancies) – **Vice Mayor Durham nominated Peter Palmer and Bethany Schilling; Councilwoman Janik nominated Gerald Conover and Patrick Mazzarella; and Councilwoman Littlefield nominated John McHugh.**

Note: The only Council action to be taken on Item No. 21 is to select nominees for appointment consideration at a future Council meeting.

22. [Old Town Scottsdale Recycling and Old Town Alley Refresh campaigns](#)

Request: At the request of Councilwoman Janik, direct the City Manager to develop and implement an Old Town Scottsdale Recycling campaign and an Old Town Scottsdale Alley Refresh campaign prior to the holding of Super Bowl 2023 in Arizona.

– **Councilwoman Janik made a motion to direct the City Manager to develop and implement an Old Town Scottsdale Recycling campaign and an Old Town Scottsdale Alley Refresh campaign prior to the holding of Super Bowl 2023 in Arizona. Councilwoman Littlefield**

seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Durham; and Councilmembers Caputi, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

Adjourn the regular portion of the Meeting and Convene the City Council Work Study Session – The Council recessed at 7:19 P.M.

CITY COUNCIL WORK STUDY SESSION

– The Council reconvened at 7:30 P.M.

Work Study Sessions: Work study sessions provide a less formal setting for the Mayor and Council to discuss specific topics, at length, with each other and City staff. Work study sessions provide an opportunity for staff to receive direction from the Council and for the public to observe these discussions.

Public Comment: To provide an opportunity for public input yet continue to maximize the amount of time available for the Council to have focused discussions, spoken comment (maximum of five speakers) is being accepted on the item(s) on tonight's work study session agenda. To sign up to speak, 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. **– David Mason spoke in support of proposed amendments to Ordinance No. 4566 and said the ordinance should not be weakened. Peter South noted concerns with the proposed background checks and violation system. John Hildebrand asked that regulations not to be complicated and cumbersome as to prohibit people from following policies. Jonathan Wicks expressed concerns about the feasibility of background checks. Sonnie Kirtley requested the ordinance definition of short-term rentals be amended to include a detached casita, allowing only one casita per parcel, and allowing an option for owners to remain on the property, either in the main house or casita, during rental periods.**

If you have thoughts or suggestions on the work study session item(s) you would like the Council to consider, you are encouraged to submit your written comment(s) electronically by clicking [here](#). 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.

1. Colorado River Drought and Shortage Update

Request: Presentation, discussion, and possible direction to staff regarding the Colorado River basin drought and shortage based on the United States Bureau of Reclamation August 2022 24-month study and the requirement of additional water savings by the Basin states.

Presenter(s): Gretchen Baumgardner, Water Policy Manager

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

– Water Policy Manager Gretchen Baumgardner gave a PowerPoint presentation.

2. City Code Amendments Related to Short-Term Rental Properties

Request: Presentation, discussion, and possible direction to staff regarding the Vacation Rental Ordinance and other sections of the City Code related to short-term rentals.

Presenter(s): Brent Stockwell, Assistant City Manager

Staff Contact(s): Brent Stockwell, Assistant City Manager, 480-312-7288, bstockwell@scottsdaleaz.gov

– Assistant City Manager Brent Stockwell gave a PowerPoint presentation.

– There was council consensus to:

- Adhere to health and public safety requirements.**
- Retain strong, consistent verbiage that aligns with Senate Bill 1168.**

- **Ensure neighborhoods are protected.**
- **Remain firm with the policies and enforcement of any short-term rental property ordinance.**

- **Councilmembers made the following suggestions:**
 - **Include detached casitas in the definition of short-term rentals.**
 - **Staff to notify Council if any changes are made to the proposed ordinance prior to future Council action.**
 - **Do not include detached casitas in the definition of short-term rentals.**
 - **Staff to conduct additional public outreach, get feedback, and provide clarification about concerns, including background checks and timelines associated with that process, and neighborhood notification.**
 - **Ordinance should require a listing of all occupants staying at the short-term rental.**
 - **Provide better explanations about the number of short-term rental violations and penalties.**

Adjournment – 9:14 P.M.

– **Councilwoman Littlefield made a motion to adjourn the Work Study Session. Councilwoman Janik seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Durham; and Councilmembers Caputi, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.**