

**SCOTTSDALE**

# **CITY COUNCIL MEETING**



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

**[REWORDED ITEM No. 21]**

### **COUNCIL**

David D. Ortega, Mayor

Tammy Caputi

Tom Durham

Betty Janik

Kathleen S. Littlefield

Linda Milhaven

Solange Whitehead

**Tuesday, April 26, 2022**

*City Council meetings are also televised on Cox Cable Channel 11 and streamed online at [ScottsdaleAZ.gov](http://ScottsdaleAZ.gov) (search "live stream") to listen/view the meeting in progress. Unless an exception is made, or unless otherwise noted, the Council will not begin discussion on any new items after 10:00 p.m. Items that are not heard will be continued to the next scheduled Council meeting (May 3, 2022).*

*In-person spoken public comment is being accepted on Items 1 through 23. 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](#).*

*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 no later than 90 minutes before the start of the meeting.*

*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

**Call to Order – 5:00 P.M.**



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

FOR ADDITIONAL INFORMATION VISIT: [WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION](http://WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION)

**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 – Councilmember Durham**

**Mayor's Report – Mayor Ortega asked to continue to keep the Ukrainian people and country in the forefront of our thoughts and for a moment of silence as we hope for their freedom and democracy. Mayor Ortega reported it was Earth Week around the world. There was a great turnout at the Earth Day event held at the Thomas Groundwater Facility on April 22, 2022. Other events will be held throughout the week, ending with an Arbor Day event on Friday, April 29, 2022. Mayor Ortega asked to continue to keep Salt River Firefighter-Paramedic Tyler Packer in our thoughts as he continues to recover as well as the family, friends, and Salt River Fire Department, as they grieve the loss of Firefighter-Emergency Medical Technician Brendan Bessee.**

**Presentations/Information Updates – Public Affairs Specialist Stephanie Hirata and Sustainability Director Lisa McNeilly gave the PowerPoint presentation.**

- **Earth Week Presentation**

**Presenter(s):** Stephanie Hirata, Public Affairs Specialist and Lisa McNeilly, Sustainability Director

**Public Comment – David Abranovic presented a citizen petition to enforce the blight ordinance and other zoning violations for a property located at 11030 N. 73rd Street. Steven Cummings gave a PowerPoint presentation in response to the citizen petition. Laura Norton Schwartz expressed appreciation for consideration of installing a sidewalk along 68<sup>th</sup> Street between Indian School and Camelback Roads and noted the project perfectly aligns with the goals and values of the 2022 Transportation Action Plan. Harold Black acknowledged City staff efforts to advance the sidewalk project along 68<sup>th</sup> Street between Indian School and Camelback Roads and invited the Council to walk this area to clearly understand the challenges. Tom Frenkel encouraged the Council to listen to all parties associated with, and impacted by, future development projects.**

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

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

## **MINUTES**

**Request:** Approve the following Council meeting minutes from March and April 2022:

- [Retreat Minutes of March 22, 2022](#)
- [Special Meeting Minutes of March 29, 2022](#)
- Executive Session Minutes of March 29, 2022
- [Regular Meeting and Work Study Session Minutes of March 29, 2022](#)
- [Regular Meeting Minutes of April 5, 2022](#)

**– Councilwoman Janik made a motion to approve the Retreat Minutes of March 22, 2022; Special Meeting Minutes of March 29, 2022; Executive Session Minutes of March 29, 2022; Regular Meeting and Work Study Session Minutes of March 29, 2022; and Regular Meeting Minutes of April 5, 2022. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, 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.

**– Councilwoman Whitehead made a motion to approve Consent Agenda Items 1 through 19. Vice Mayor Caputi seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.**

1. **[Hilton North Scottsdale at Cavasson Liquor License \(21-LL-2022\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 11 (hotel) State liquor license for a new location and owner.  
**Location:** 7965 E. Cavasson Boulevard  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
2. **[Saguaro Hotel Liquor License \(22-LL-2022\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 11 (hotel) State liquor license for an existing location with a new owner.  
**Location:** 4000 N. Drinkwater Boulevard  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
3. **[Permanent Extension of Premise for Sauce Pizza & Wine \(10-EX-2021\)](#) – 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 an outdoor patio.  
**Location:** 7135 E. Camelback Road, Suite 160  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
4. **[Permanent Extension of Premise for Francine Restaurant \(17-EX-2021\)](#) – 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 an outdoor patio.  
**Location:** 7014 E. Camelback Road, Suite 1160  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
5. **[Sereno Canyon Phase 4 Resort Gatehouse Final Plat \(16-PP-2017#22\)](#) – Approved on Consent.**  
**Request:** Approve the final plat to modify and extend Tract “A”, E. Sereno Canyon Parkway on ±77.9 acres of a 350-acre site per Phase 4A of the Sereno Canyon Community Phasing Plan and Final Plat with the Resort/Townhouse Residential, Environmentally Sensitive Lands (R-4R ESL) zoning portion of the site.  
**Location:** Between E. Alameda Road and the E. Pinnacle Peak Road alignment (along E. Sereno Canyon Parkway) and between N. 124<sup>th</sup> Street and N. 128<sup>th</sup> Street  
**Staff Contact(s):** Erin Perreault, Acting Planning, Economic Development, and Tourism Executive Director, 480-312-7093, [eperreault@scottsdaleaz.gov](mailto:eperreault@scottsdaleaz.gov)
6. **[Sereno Canyon Phase 4I Replat \(16-PP-2017#25\)](#) – Approved on Consent.**  
**Request:** Approve the final plat to replat previously approved Phase 4I on ±7.78 acres of a 350-acre site, per Phase 4 of the Sereno Canyon Community Phasing Plan and Final Plat, to reconfigure 18 established resort units within the Resort/Townhouse Residential, Environmentally Sensitive Lands (R-4R ESL) zoning portion of the site.  
**Location:** Between E. Alameda Road and the E. Pinnacle Peak Road alignment (along N. 128<sup>th</sup> Street) and E. Sereno Canyon Parkway  
**Staff Contact(s):** Erin Perreault, Acting Planning, Economic Development, and Tourism Executive Director, 480-312-7093, [eperreault@scottsdaleaz.gov](mailto:eperreault@scottsdaleaz.gov)

7. **Tavern Grille Scottsdale Teletrack Wagering Establishment License – Approved on Consent.**  
**Request:** Consider approval of a renewal application for a Teletrack Wagering Establishment License for Tavern Grille Scottsdale.  
**Location:** 8880 E. Via Linda, Suite 106  
**Staff Contact(s):** Whitney Pitt, Business Services Director, 480-312-5925, [wpitt@scottsdaleaz.gov](mailto:wpitt@scottsdaleaz.gov)
8. **K O'Donnell's Sports Bar & Grill Teletrack Wagering Establishment License – Approved on Consent.**  
**Request:** Consider approval of a renewal application for a Teletrack Wagering Establishment License for K O'Donnell's Sports Bar & Grill.  
**Location:** 14850 N. Northsight Boulevard  
**Staff Contact(s):** Whitney Pitt, Business Services Director, 480-312-5925, [wpitt@scottsdaleaz.gov](mailto:wpitt@scottsdaleaz.gov)
9. **Dove Valley Water Line: 56<sup>th</sup> to 64<sup>th</sup> Street Project Construction Phase Services Contract – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12389** authorizing Construction Manager at Risk Contract No. 2022-021-COS-A1 with Achen Gardner Contracting, LLC, in an amount not to exceed \$5,063,333.62, to provide phase two construction phase services for the Dove Valley Water Line: 56<sup>th</sup> to 64<sup>th</sup> Street project.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [daworth@scottsdaleaz.gov](mailto:daworth@scottsdaleaz.gov)
10. **WestWorld Sports Complex Multi-Use Sports Fields Construction Phase Services Contract – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12452** authorizing Construction Manager at Risk Contract No. 2021-153-COS-A1 with Valley Rain Construction Corporation, in the amount of \$10,928,685.01, to provide phase two construction services for Bond 2019 Project 53 – Build Multi-Use Sports Fields in the Area of Bell Road.  
**Location:** East end of WestWorld adjacent to McDowell Mountain Ranch Road and Thompson Peak Parkway  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [daworth@scottsdaleaz.gov](mailto:daworth@scottsdaleaz.gov)
11. **Arizona Public Service Agency Portal – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12421** authorizing Contract No. 2022-036-COS with Arizona Public Service (APS) Company to provide emergency services to eligible Scottsdale APS customers under the Community Action Program.  
**Staff Contact(s):** Greg Bestgen, Human Services Department Director, 480-312-0104, [gbestgen@scottsdaleaz.gov](mailto:gbestgen@scottsdaleaz.gov)
12. **Yavapai/Vista del Camino Park Shared Use Field Intergovernmental Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12439** to authorize:
  1. Agreement No. 2022-045-COS with the Scottsdale Unified School District No. 48 regarding joint use of the sports fields on the Scottsdale Unified School District site at Yavapai Elementary School and Vista del Camino Park.
  2. The Parks and Recreation Director to take such other actions necessary to carry out the intent of this Resolution.**Staff Contact(s):** Nick Molinari, Parks and Recreation Director, 480-312-1011, [nmolinar@scottsdaleaz.gov](mailto:nmolinar@scottsdaleaz.gov)

13. **Arizona Internet Crimes Against Children Task Force Intergovernmental Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12458** to authorize:
  1. Agreement No. 2022-053-COS with the City of Phoenix for participation in the Arizona Internet Crimes Against Children Task Force.
  2. Acceptance of a \$6,500 sub-grant pursuant to the Intergovernmental Agreement.
  3. A budget transfer in the amount of \$6,500 from the adopted Fiscal Year 2021/22 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.**Staff Contact(s):** Jeff Walther, Chief of Police, 480-312-1900, [jwalther@scottsdaleaz.gov](mailto:jwalther@scottsdaleaz.gov)
  
14. **School Resource Officer Intergovernmental Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12437** authorizing Agreement No. 2022-043-COS with the Scottsdale Unified School District No. 48 for the provision of Scottsdale Police Officers to serve as School Resource Officers.  
**Staff Contact(s):** Jeff Walther, Chief of Police, 480-312-1900, [jwalther@scottsdaleaz.gov](mailto:jwalther@scottsdaleaz.gov)
  
15. **Animal Control Services Intergovernmental Agreements – Approved on Consent.**  
**Requests:**
  1. Adopt **Resolution No. 12463** authorizing Agreement No. 2022-056-COS with Maricopa County for the provision of animal control services.
  2. Adopt **Resolution No. 12464** authorizing Agreement No. 2022-057-COS with Maricopa County for the use of animal control facilities.**Staff Contact(s):** Jeff Walther, Chief of Police, 480-312-1900, [jwalther@scottsdaleaz.gov](mailto:jwalther@scottsdaleaz.gov)
  
16. **East Valley Regional Veterans Court Intergovernmental Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12447** to authorize:
  1. Agreement No. 2022-048-COS with the City of Tempe and other participating municipalities regarding cost sharing for the East Valley Regional Veterans Treatment Court held at Tempe Municipal Court.
  2. The Presiding Judge, and Court Administrator, or designee, as applicable, to approve changes to the cost-sharing formula and to take such other actions necessary to carry out the intent of this Resolution and Intergovernmental Agreement.**Staff Contact(s):** Marianne T. Bayardi, Presiding Judge, 480-312-2762, c/o [smounsey@scottsdaleaz.gov](mailto:smounsey@scottsdaleaz.gov)
  
17. **City Court Jury Services Intergovernmental Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 12468** authorizing Agreement No. 2014-074-COS-A4, the fourth amendment to the agreement with the Superior Court of Arizona in Maricopa County for jury services for a final two-year term, from July 1, 2022, to June 30, 2024.  
**Staff Contact(s):** Marianne T. Bayardi, Presiding Judge, 480-312-2762, c/o [smounsey@scottsdaleaz.gov](mailto:smounsey@scottsdaleaz.gov)
  
18. **Alarm/Security Systems Code Amendment – Approved on Consent.**  
**Request:** Adopt **Ordinance No. 4540** amending Scottsdale Revised Code, Chapter 3, Alarm/Security Systems, amending Sections 3-2, 3-6, and 3-32 thru 3-46, to update provisions to better align with the current use of electronic communication, eliminate duplicate notices, delete the provision for a one-time late fee of \$10, and streamline the processing of alarm billings.  
**Staff Contact(s):** Whitney Pitt, Business Services Director, 480-312-5925, [wpitt@scottsdaleaz.gov](mailto:wpitt@scottsdaleaz.gov)
  
19. **Monthly Financial Report – Approved on Consent.**  
**Request:** Accept the Fiscal Year 2021/22 Monthly Financial Report as of February 2022.  
**Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)

## **REGULAR AGENDA**      **ITEM 20-23**

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

**20. [Rezoning @ 13647 N. 87<sup>th</sup> Street \(10-ZN-2021\)](#)**

**Request:** Adopt **Ordinance No. 4531** approving a zoning district map amendment from Single-Family Residential District (R1-35) to Single-Family Residential District (R1-10) on a ±13,020 square foot site.

**Location:** 13647 N. 87<sup>th</sup> Street

**Presenter(s):** Jeff Barnes, Senior Planner

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

**– Senior Planner Jeff Barnes and Applicant Representative Dave Richert, Applicant Hoon Koo, and Applicant Representative Timothy La Sota, with Timothy A. La Sota, PLC, gave the PowerPoint presentations.**

**– Councilmember Milhaven made a motion to adopt Ordinance No. 4531 approving a zoning district map amendment from Single-Family Residential District (R1-35) to Single-Family Residential District (R1-10). The motion died for lack of a second.**

**– Councilwoman Janik made a motion to deny the request for the Rezoning @ 13647 N. 87<sup>th</sup> Street (10-ZN-2021) and Ordinance No. 4531. Councilwoman Whitehead seconded the motion, which carried 6/1, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, and Whitehead voting in the affirmative and Councilmember Milhaven dissenting.**

**\*\*\*21. [Artisan Scottsdale Rezoning \(3-ZN-2021 and 3-DA-2021\)](#)**

**Request:** At the request of the applicant, continue to the May 3, 2022 City Council meeting.

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

**– Councilwoman Whitehead made a motion to continue Item 21 [Artisan Scottsdale Rezoning] to the May 3, 2022 City Council Meeting. Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.**

**22. [Transportation Action Plan](#)**

**Request:** Adopt **Resolution No. 12434** approving the 2022 Transportation Action Plan.

**Presenter(s):** David Meinhart, Transportation Planning Manager

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

**– Transportation Planning Manager David Meinhart gave the PowerPoint presentation.**

**– Councilwoman Janik made a motion to adopt Resolution No. 12434 approving the 2022 Transportation Action Plan. Councilwoman Whitehead seconded the motion, which carried 6/1, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Milhaven, and Whitehead voting in the affirmative and Councilwoman Littlefield dissenting.**

**23. [Proposed Fiscal Year \(FY\) 2022/23 Operating Budget and Capital Improvement Plan](#)**

**Request:** Presentation, discussion, and possible direction to staff regarding the Proposed FY 2022/23 Operating Budget and Capital Improvement Plan.

**Presenter(s):** Sonia Andrews, City Treasurer and Dan Worth, Public Works Director

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

**– City Treasurer Sonia Andrews and Public Works Director Dan Worth gave the PowerPoint presentations.**

**Public Comment – None**

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

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

## CITIZEN PETITIONS

### ITEM 24

**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.

24. **Receipt of Citizen Petitions – Mayor Ortega made a motion to direct the City Manager to investigate the matter related to the citizen petition requesting the City enforce the blight ordinance and other zoning violations for a property located at 11030 N. 73rd Street and prepare a written response to the Council, with a copy to the petitioner. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.**

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

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

**Mayor and Council Items – Councilwoman Littlefield made a motion to direct staff to create a construction mitigation ordinance for the City of Scottsdale, including examining ordinances that other cities have adopted and noting what problems these ordinances have addressed. Mayor Ortega seconded the motion, which carried 5/2, with Mayor Ortega and Councilmembers Durham, Janik, Littlefield, and Whitehead voting in the affirmative and Vice Mayor Caputi and Councilmember Milhaven dissenting.**

**Adjournment – 8:03 P.M.**

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