

**SCOTTSDALE**

# **CITY COUNCIL MEETING**



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

**[REWORDED CITY MANAGER'S REPORT AND ITEM NOS. 15 AND 18; ADDED ITEM NOS. A1 AND 16A; REMOVED MAYOR AND COUNCIL ITEMS AS NO ITEMS WERE SUBMITTED]**

### **COUNCIL**

David D. Ortega, Mayor

Tammy Caputi

Tom Durham

Betty Janik

Kathleen S. Littlefield

Linda Milhaven

Solange Whitehead

**Tuesday, December 6, 2022**

*City Council meetings are also televised on Cox Cable Channel 11 and streamed online at [ScottsdaleAZ.gov](http://ScottsdaleAZ.gov) (search "live stream). Unless an exception is made, or unless otherwise noted, the Council will not begin discussion on any new items after 10:00 p.m. Items that are not heard will be continued to the next scheduled Council meeting (December 7, 2022).*

*In-person spoken public comment is being accepted on Items 1 through 18. To sign up to speak on these items, please click [here](#).*

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

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

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

**5:00 P.M.**

**Marked Agenda**

### **REGULAR CITY COUNCIL MEETING**

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard



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

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

**Call to Order – 5:56 P.M.**

**Roll Call – All present (Councilwoman Whitehead and City Manager Jim Thompson participated electronically)**

*One or more members of the Council may be attending the Council Meeting by telephone, video, or Internet conferencing, pursuant to A.R.S. §38-431(4).*

**Pledge of Allegiance – Councilwoman Janik**

**Mayor’s Report – Mayor Ortega asked for a moment of silent reflection for the people of Ukraine as they fight for their freedom and democracy. Mayor Ortega invited everyone to attend the Holiday Lights event at McCormick-Stillman Railroad Park, which is a Scottsdale holiday tradition.**

**City Manager’s Report – City Manager Jim Thompson introduced a “Fast Five” video produced by the City Communication’s Office which provided updates on several City events and offerings. Tourism & Events Director Karen Churchard gave a PowerPoint presentation on current events and Scottsdale’s upcoming Super Season.**

- **Scottsdale Fast Five Video Update**
- **\*\*\*Current Events and Scottsdale Super Season Presentation**

**Presenter(s): Karen Churchard, Tourism & Events Director**

**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 – None**

Public Comment time is reserved for Scottsdale citizens, business owners, and/or property owners to comment on non-agendized items that are within the Council’s jurisdiction. No official Council action can be taken on these items. Advocacy for or against a candidate or ballot measure during a Council meeting is not allowed pursuant to State law and is therefore not deemed to be within the Council’s jurisdiction.

Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak [form](#) must be submitted together with the petition(s) before the Mayor announces the second Public Comment period.

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

## **ADDED ITEM**

**Added Item:** Resolution No. 8223 requires that, with limited exceptions, the agenda language, the Council report, and any supporting material described as being attached to the Council report shall be made available to the public at least ten days prior to a scheduled Council meeting. Material that is not timely made requires a separate vote to consider whether the item will remain on the agenda or be continued to a future date.

**\*\*\*A1. Added Item**

Item No. 16A was added to the agenda on November 30, 2022 and requires a separate vote to remain on the agenda.

**Request:** Vote to accept the agenda as presented or continue Item No. 16A to the next scheduled Council meeting, which is December 7, 2022.

**– Councilwoman Janik made a motion to accept adding Item No. 16A to the agenda.**

**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.**

## **CONSENT AGENDA      ITEMS 1-16A**

**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 16A. Councilwoman Caputi 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. **[PuttShack Liquor License \(71-LL-2022\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for a new location with a new owner.  
**Location:** 15059 N. Scottsdale Road, Suite 100  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
2. **[Paris Liquor License \(84-LL-2022\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an owner transfer of a Series 6 (bar) State liquor license for an existing location with a new owner.  
**Location:** 4280 N. Drinkwater Boulevard, Suite 100  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
3. **[Lighthouse Artspace Liquor License \(85-LL-2022\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a location/owner transfer of a Series 7 (beer and wine bar) State liquor license for a new location with a new owner.  
**Location:** 4301 N. Scottsdale Road, Suite RC-150  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
4. **[Bitters Bar & Food Liquor License \(86-LL-2022\)](#) – 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:** 1455 N. Scottsdale Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
5. **[Home2 Suites Scottsdale Liquor License \(87-LL-2022\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 (beer and wine store) State liquor license for a new location with a new owner.  
**Location:** 20001 N. Scottsdale Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
6. **[Arcadia Farms Liquor License \(88-LL-2022\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for a new location with a new owner.  
**Location:** 7025 E. 1<sup>st</sup> Avenue  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)

7. **[Clearwater Pinnacle Peak Liquor License \(89-LL-2022\)](#) – **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:** 23733 N. Scottsdale Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)**
8. **[Modern Oyster Chophouse Liquor License \(90-LL-2022\)](#) – **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:** 17001 N. Scottsdale Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)**
9. **[Permanent Extension of Premise for Neiman Marcus Café Extension \(10-EX-2022\)](#) – **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 7 (beer and wine bar) State liquor license for an existing location to expand the service area to all of the first, second, and ground floors of the ±150,000 square foot department store.  
**Location:** 6900 E. Camelback Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)**
10. **[Rancho Vista Alley Abandonment \(1-AB-2020#2\)](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 12668** authorizing the abandonment of the 16-feet of right-of-way alley located between Lots 4, 5, 6, 7, 8, and 9 of the Rancho Vista subdivision with Single-Family Residential (R1-7) district zoning.  
**Location:** E. Chaparral Road and E. Mariposa Drive, West of N. 69<sup>th</sup> Place  
**Staff Contact(s):** Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, [eperreault@scottsdaleaz.gov](mailto:eperreault@scottsdaleaz.gov)**
11. **[Sereno Canyon Phase 4E Final Plat \(1-PP-2022\)](#) – **Approved on Consent.**  
**Request:** Approve the final plat to replat Sereno Canyon Plat Phase 4E to establish 10 resort units on ±21 acres of a 350-acre site, per Phase 4 of the Sereno Canyon Community Phasing Plan and Final Plat.  
**Location:** Between E. Alameda Road and the E. Pinnacle Peak Road alignment (at the intersection of N. 124<sup>th</sup> Street and N. 125<sup>th</sup> Street, internal to the Sereno Canyon site)  
**Staff Contact(s):** Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, [eperreault@scottsdaleaz.gov](mailto:eperreault@scottsdaleaz.gov)**
12. **[Audit Committee Recommendation for the Transportation Commission Sunset Review](#) – **Approved on Consent.**  
**Request:** Accept the Audit Committee’s recommendation and authorize the continuation of the Transportation Commission.  
**Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, [swalker@scottsdaleaz.gov](mailto:swalker@scottsdaleaz.gov)**
13. **[Audit Committee Recommendation for the Transportation Commission’s Paths and Trails Subcommittee Sunset Review](#) – **Approved on Consent.**  
**Request:** Accept the Audit Committee’s recommendation and authorize the continuation of the Transportation Commission’s Paths and Trails Subcommittee.  
**Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, [swalker@scottsdaleaz.gov](mailto:swalker@scottsdaleaz.gov)**

14. **Driving Under the Influence Enforcement and Education Grant – Approved on Consent.**

**Request:** Adopt **Resolution No. 12672** to authorize:

1. Acceptance of, if awarded, a grant from the State of Arizona, on behalf of the Oversight Council on Driving Under the Influence (DUI) Abatement, to receive \$100,000 in grant funds to support DUI enforcement and education.
2. The City Manager, or designee, to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with the acceptance of the grant.
3. A budget transfer, in the amount of \$100,000, 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.

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

\*\*\*15. **General Obligation Bond Issuance – Approved on Consent.**

**Request:** Adopt **Ordinance No. 4579** authorizing the issuance and sale of not-to-exceed \$120,000,000 aggregate principal amount of General Obligation Bonds, Projects of 2019, Series 2023 in one or more series; providing for the annual levy of a tax for the payment of the bonds; providing certain terms, covenants and conditions concerning the sale of the bonds including, as applicable, the delegation to the City Treasurer the authority to prepare one or more Notices Inviting Bids and to award the sale of the bonds to the lowest responsible bidder or, if more than one series is sold with separate notices, bidders, or to enter into a Bond Purchase Contract or Bond Purchase Contracts with one or more underwriters and to determine whether a portion of the bonds are sold on a taxable basis; providing for the disposition of the proceeds of such bonds; approving the form and authorizing the execution of an agreement for the services of a Bond Registrar, Transfer Agent and Paying Agent; approving the form and authorizing the completion, execution, and delivery of certain documents; delegating the authority to approve and deem final a form of Official Statement; and ratifying all actions taken and to be taken with respect to the bonds in furtherance of this ordinance.

**Staff Contact(s):** Sonia Andrews, City Treasurer, 480-312-2364, [sandrews@scottsdaleaz.gov](mailto:sandrews@scottsdaleaz.gov)

16. **DCGS, LLC, Settlement Agreement – Approved on Consent.**

**Request:** Adopt **Resolution No. 12692** to authorize:

1. Settlement Agreement No. 2022-211-COS with DCGS, LLC, in the amount of \$116,083.79, to settle claimant's claims against the City and its employees.
2. The City Manager, City Treasurer, City Attorney, and their respective staff, to execute such documents and take such other actions as necessary to carry out the purpose of this Resolution.

**Staff Contact(s):** George Woods, Risk Management Director, 480-312-7040, [gwoods@scottsdaleaz.gov](mailto:gwoods@scottsdaleaz.gov)

\*\*\*16A. **Fiscal Year (FY) 2022/23 Capital Improvement Plan (CIP) Budget Adjustments – Approved on Consent.**

**Request:** Adopt **Resolution No. 12644** to authorize:

1. That a minimum of \$21,507,791.47 of the proceeds of the sale of the property (and any interest earned by the City thereon) be restricted to use for City capital/bond eligible projects with no private use therein ("Restricted Proceeds").
2. The Restricted Proceeds, as presented and discussed at the November 21, 2022 City Council Work Study Session, be allocated as follows to create, replace and/or supplement the portion of the General Fund component of the following capital projects:
  - a. \$7,407,791.47 to McCormick-Stillman Bunkhouse (PJ02)
  - b. \$1,100,000 to Chaparral Pool Renovation (new)
  - c. \$8,000,000 to 2019 Bond Project No. 27 – Modernize and Expand Police & Fire Training Facility (BH02)
  - d. \$5,000,000 to 2019 Bond Project No. 38 – Build a new Fire Department Training Facility (BH01)

3. A FY 2022/23 General Fund Capital Contingency Budget Appropriation transfer of up to \$119,883 to the McCormick-Stillman Bunkhouse (PJ02) CIP project to be funded by the 94<sup>th</sup> Street and Bell Road land proceeds.
4. A FY 2022/23 General Fund Capital Contingency Budget Appropriation transfer of up to \$2,240,447 to the Bond 2019 Project No. 27 – Modernize and Expand Police & Fire Training Facility (BH02) CIP project to be funded by the 94<sup>th</sup> Street and Bell Road land proceeds.
5. A FY 2022/23 General Fund Capital Contingency Budget Appropriation transfer of up to \$1,100,000 to a newly created CIP project titled “*Chaparral Pool Renovation*” to be funded by the 94<sup>th</sup> Street and Bell Road land proceeds.
6. The City Manager and City Treasurer, or designees, to take such actions and execute such documents as necessary to carry out the intent of this Resolution.

**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [daworth@scottsdaleaz.gov](mailto:daworth@scottsdaleaz.gov) and Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)

## REGULAR AGENDA      ITEMS 17-18

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

### 17. [Fiscal Year \(FY\) 2021/22 Annual Financial Audit](#)

**Request:** Accept the FY 2021/22 annual financial audit reports submitted by the City’s external auditors, Heinfeld, Meech & Co., P.C., and accept the staff report of compliance with Arizona Revised Statutes §41-1494.

**Presenter(s):** Sharron Walker, City Auditor and Brittney Williams, Heinfeld, Meech & Co., P.C.

**Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, [swalker@scottsdaleaz.gov](mailto:swalker@scottsdaleaz.gov)

**– City Auditor Sharron Walker and Audit Partner Brittney Williams, with Heinfeld, Meech & Co., P.C., gave a PowerPoint presentation on the Fiscal Year (FY) 2021/22 Annual Financial Audit.**

**– Councilwoman Littlefield made a motion to accept the Fiscal Year 2021/22 annual financial audit reports submitted by the City’s external auditors, Heinfeld, Meech & Co., P.C., and accept the staff report of compliance with Arizona Revised Statutes §41-1494. 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.**

### \*\*\*18. [Adoption of Residential, Energy, and Green Construction Code Updates](#)

**Requests:**

1. Adopt **Ordinance No. 4575** adopting the 2021 editions of International Residential Code and the International Energy Conservation Code, and the 2022 City of Scottsdale amendments to the International Codes, repealing and replacing Articles II and VII of Chapter 31, Building Regulations of the Scottsdale Revised Code with new Articles II and VII of Chapter 31 and establishing an effective date.
2. Adopt **Resolution No. 12499** declaring the documents entitled “*International Residential Code for One and Two-Family Dwellings, 2021 Edition*”, including appendices AA, AB, AC, AH, AJ, AK, AR, AS, AT, and AU, as published by the International Code Council, Inc., and as amended by the “*2022 City of Scottsdale Amendments to the International Residential Code, 2021 Edition*” to be public records.
3. Adopt **Resolution No. 12503** declaring the documents entitled “*International Energy Conservation Code, 2021 Edition*”, including appendices CB and RB, as published by the International Code Council, Inc., and as amended by the “*2022 City of Scottsdale Amendments to the International Energy Conservation Code, 2021 Edition*” to be public records.
4. Adopt **Ordinance No. 4576** adopting the 2021 International Green Construction Code as mandatory; adopting the 2022 City of Scottsdale amendments to the International Code; amending the Scottsdale Revised Code, repealing and replacing Chapter 31, Building and Building Regulations, Article X with a new Article X; and establishing an effective date.

5. Adopt **Resolution No. 12505** declaring the documents entitled "*The International Green Construction Code, 2021 Edition*", as published by the International Code Council, Inc., and as amended by the "*2022 City of Scottsdale Amendments to the International Green Construction Code, 2021 Edition*" to be public records.

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

- **Chief Development Officer Michael Clack gave a PowerPoint presentation on Residential, Energy, and Green Construction Code updates.**
- **Councilwoman Janik made a motion to adopt Ordinance No. 4575, Resolution Nos. 12499 and 12503, which adopts the 2021 International Residential Code (IRC) and the 2021 International Energy Conservation Code (IECC), including all amendments in attachments 2 and 3 with an effective date of January 7, 2023 and adding Option A [Add Electric Vehicle capable charging infrastructure requirement for new single-family homes (attachment 4)]. Mayor Ortega seconded the motion.**
- **Councilwoman Caputi made an alternate motion to adopt Ordinance No. 4575, Resolution Nos. 12499 and 12503, which adopts the 2021 International Residential Code (IRC) and the 2021 International Energy Conservation Code (IECC), including all amendments in attachments 2 and 3 with an effective date of January 7, 2023 and adding Option B [Retain minimum ceiling insulation value of R-38 instead of R-49 for new single-family homes (attachment 5)]. Councilmember Milhaven seconded the motion.**
- **Vice Mayor Durham made a second alternate motion to adopt Ordinance No. 4575, Resolution Nos. 12499 and 12503, which adopts the 2021 International Residential Code (IRC) and the 2021 International Energy Conservation Code (IECC), including all amendments in attachments 2 and 3 with an effective date of January 7, 2023 and adding Option A [Add Electric Vehicle capable charging infrastructure requirement for new single-family homes (attachment 4)] and Option B [Retain minimum ceiling insulation value of R-38 instead of R-49 for new single-family homes (attachment 5)]; and requesting staff to report back to the City Council in six months about the success of increasing enforcement to ensure use of R-38. Councilmember Milhaven seconded the motion, which failed 3/4 with Vice Mayor Durham and Councilmembers Janik and Milhaven voting in the affirmative and Mayor Ortega and Councilmembers Caputi, Littlefield, and Whitehead dissenting.**
- **The Council next voted on Councilwoman Caputi's alternate motion to adopt Ordinance No. 4575, Resolution Nos. 12499 and 12503, which adopts the 2021 International Residential Code (IRC) and the 2021 International Energy Conservation Code (IECC), including all amendments in attachments 2 and 3 with an effective date of January 7, 2023 with Option B [Retain minimum ceiling insulation value of R-38 instead of R-49 for new single-family homes (attachment 5)], which failed 2/5 with Councilmembers Caputi and Milhaven voting in the affirmative and Mayor Ortega; Vice Mayor Durham; and Councilmembers Janik, Littlefield, and Whitehead dissenting**
- **The Council then voted on Councilwoman Janik's original motion to adopt Ordinance No. 4575, Resolution Nos. 12499 and 12503, which adopts the 2021 International Residential Code (IRC) and the 2021 International Energy Conservation Code (IECC), including all amendments in attachments 2 and 3 with an effective date of January 7, 2023 with Option A [Add Electric Vehicle capable charging infrastructure requirement for new single-family homes (attachment 4)], which carried 5/2, with Mayor Ortega and Councilmembers Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative and Vice Mayor Durham and Councilwoman Caputi dissenting.**

– Councilwoman Janik made a motion to adopt Ordinance No. 4576 and Resolution No. 12505, which adopts the 2021 International Green Construction Code (IgCC), including all amendments in attachment 7 as a mandatory code for all new commercial building projects with an effective date of the later of July 1, 2023, or the date the City zoning ordinance is amended in response to Ordinance No. 4576. Vice Mayor Durham seconded the motion.

– Councilwoman Caputi made an alternate motion to adopt Ordinance No. 4576 and Resolution No. 12505 with amendments to make the 2021 International Green Construction Code (IgCC) and city amendments to the IgCC mandatory for zoning and planning bonuses and voluntary for all other commercial projects with a January 7, 2023 effective date. The motion died for lack of a second.

– The Council then voted on Councilwoman Janik’s original motion to adopt Ordinance No. 4576 and Resolution No. 12505, which adopts the 2021 International Green Construction Code (IgCC) including all amendments in attachment 7 as a mandatory code for all new commercial building projects with an effective date of the later of July 1, 2023, or the date the City zoning ordinance is amended in response to Ordinance No. 4576, which carried 6/1, with Mayor Ortega; Vice Mayor Durham; and Councilmembers Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative and Councilwoman Caputi dissenting.

#### **Public Comment – None**

Public Comment time is reserved for Scottsdale citizens, business owners, and/or property owners to comment on non-agendized items that are within the Council’s jurisdiction. No official Council action can be taken on these items. Advocacy for or against a candidate or ballot measure during a Council meeting is not allowed pursuant to State law and is therefore not deemed to be within the Council’s jurisdiction.

Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak [form](#) must be submitted together with the petition(s) before the Mayor announces the second Public Comment period.

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

## **CITIZEN PETITIONS**

### **ITEM 19**

**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.

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

**Adjourn the regular portion of the Meeting and Convene the City Council Work Study Session – 8:14 P.M.**

## **CITY COUNCIL WORK STUDY SESSION**

**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. – None**

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. **[Fiscal Year End 2022 Financial Report](#)**

**Request:** Receive, discuss, and provide possible direction on the Fiscal Year End 2022 Financial Report.

**Presenter(s):** Sonia Andrews, City Treasurer

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

**– Councilwoman Janik made a motion to continue Work Study Item 1 [Fiscal Year End 2022 Financial Report] to the January 10, 2023 City Council Meeting. 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.**

**Adjournment – 8:16 P.M.**

**– Councilwoman Janik made a motion to adjourn the Work Study Session. 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.**