

**SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 24, 2024**



**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 5:05 P.M. on Tuesday, September 24, 2024 in the City Hall Kiva Forum.

ROLL CALL

Mayor Ortega asked City Clerk Ben Lane to conduct the roll call.

Present: Mayor David D. Ortega; Vice Mayor Barry Graham; and Councilmembers Tammy Caputi, Tom Durham, Betty Janik, Kathy Littlefield, 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

The Pledge of Allegiance was led by Vice Mayor Graham.

MAYOR'S REPORT

Mayor Ortega called attention to the ongoing wars in foreign countries as they fight to protect their democracy and freedom and asked for a moment of silent reflection for these war-torn countries and for the safety of our military personnel.

Mayor Ortega announced that September is Domestic Violence Awareness Month and discussed this serious issue that affects the city and encouraged everyone to be aware of domestic violence issues and countermeasures.

PUBLIC COMMENT

No public comments were received.

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.

MINUTES

Request: Approve the **Regular Meeting and Work Study Session Minutes of August 21, 2024.**

MOTION AND VOTE – MINUTES

Councilwoman Janik made a motion to approve the Regular Meeting and Work Study Session Minutes of August 21, 2024. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative.

CONSENT AGENDA

1. Shiv Supper Club Liquor License (49-LL-2024)

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: 7373 E. Camelback Road

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

2. Beverly Lounge Liquor License (52-LL-2024)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a location/owner transfer of a Series 6 (bar) State liquor license for a new location with an existing owner.

Location: 7395 E. Legacy Boulevard

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

3. Toasted Social & Brunch Liquor License (55-LL-2024)

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: 7215 E. Shea Boulevard

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

4. The Remi Hotel Liquor License (56-LL-2024)

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 a new location and owner.

Location: 4415 N. Buckboard Trail

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

5. Paseo Village Gas Station Conditional Use Permit (50-UP-1977#2)

Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 13205** approving a conditional use permit for site plan amendments for an existing gas station to allow for a ±1,200 square foot convenience store and fuel canopy modifications for a property zoned Neighborhood Commercial, Planned Neighborhood Community, Planned Community Development (C-1 PNC PCD) on a ±22,500 square foot site.

Location: 8233 E. Via Paseo Del Norte

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

6. Parkway Plaza Minor General Plan Amendment and Rezoning (4-GP-2022 and 9-ZN-2022)

Requests:

1. Adopt **Resolution No. 13202** approving a Minor General Plan Amendment to the Scottsdale General Plan 2035 to change the land use designation from Employment: Office to Commercial on a ±1.86-acre site.
2. Adopt **Ordinance No. 4645** approving a zoning district map amendment from Commercial Office (C-O) to Neighborhood Commercial (C-1) on a ±1.86-acre site to allow for the integration of residential dwelling units into the existing commercial use of the site.
3. Adopt **Resolution No. 13203** declaring the document titled "*Parkway Plaza Development Plan*" to be a public record.

Location: 7400 E. McCormick Parkway

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

7. Parada del Sol Parade and Trails End Festival Event Funding

Request: Adopt **Resolution No. 13196** to authorize:

1. Funding, not to exceed \$178,750, from the portion of the Tourism Development Fund that is allocated in the Fiscal Year 2024/25 Operating Budget toward event retention and development for the Parada del Sol Parade and Trails End Festival.
2. Event Development Funding Agreement No. 2024-140-COS with Parada del Sol Historic Parade.

Staff Contact(s): Rachel Smetana, Tourism & Events Director, 480-312-2890, rsmetana@scottsdaleaz.gov

8. 2024 Scottsdale Fall Auction Event Funding

Request: Adopt **Resolution No. 13228** to authorize:

1. Funding, not to exceed \$75,000, from the portion of the Tourism Development Fund that is allocated in the Fiscal Year 2024/25 Operating Budget toward event retention and development for the 2024 Scottsdale Fall Auction.
2. Event Development Funding Agreement No. 2024-166-COS with Barrett Jackson Auction Company.

Staff Contact(s): Rachel Smetana, Tourism & Events Director, 480-312-2890, rsmetana@scottsdaleaz.gov

9. Scottsdale Italian Festival "La Strada Del Vino" Event Funding

Request: Adopt **Resolution No. 13229** to authorize:

1. Funding, not to exceed \$36,750, from the portion of the Tourism Development Fund that is allocated in the Fiscal Year 2024/25 Operating Budget toward event retention and development for the Scottsdale Italian Festival "*La Strada Del Vino*".
2. Event Development Funding Agreement No. 2024-167-COS with Italian Association of Arizona.

Staff Contact(s): Rachel Smetana, Tourism & Events Director, 480-312-2890, rsmetana@scottsdaleaz.gov

10. HOME Investment Partnership Intergovernmental Agreement Amendment

Request: Adopt **Resolution No. 13230** to authorize:

1. Agreement No. 2018-039-COS-A6, the sixth amendment to the agreement with Maricopa County, on behalf of the Maricopa HOME Consortium, extending completion deadlines and making other administrative revisions.
2. The Community Services Assistant Executive Director to execute any other documents and take such other actions as are necessary to carry out the intent of this Resolution and Agreement.

Staff Contact(s): Judy Doyle, Community Services Assistant Executive Director, 480-312-2691, jdoyle@scottsdaleaz.gov

11. Outdoor Dining Patio Revocable License Agreement Amendment

Request: Adopt **Resolution No. 13189** authorizing Agreement No. 2014-153-COS-A1, the first amendment to the Outdoor Dining Patio Revocable License Agreement with Equity Partners Group, LLC, for an outdoor dining patio on city property.

Location: 7333 E. Indian Plaza

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

12. Federal Emergency Management Agency (FEMA) Assistance to Firefighter's Grant

Request: Adopt **Resolution No. 13234** to authorize:

1. The acceptance of Fiscal Year 2023 FEMA Assistance to Firefighter's Grant funds up to the amount of \$909,090.90.
2. The Fire Chief, 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 this Grant.
3. A Budget Transfer, up to the amount of \$909,090.90, from the adopted Fiscal Year 2024/25 Future Grants Budget and/or Grant Contingency Budget to a newly created grant operating center to record the related grant activity.
4. A Budget Transfer, up to the additional amount of \$90,909.10, from the Fiscal Year 2024/25 adopted General Fund Operating Contingency to the Fire Department's operating budget to cover the 10% city required grant match.

Staff Contact(s): Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

13. Forensic Services Intergovernmental Agreement

Request: Adopt **Resolution No. 13199** authorizing Agreement No. 2024-142-COS with the Salt River Pima-Maricopa Indian Community for the purpose of providing forensic crime laboratory services.

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

14. Deoxyribonucleic Acid (DNA) Capacity Enhancement and Backlog Reduction Grant

Request: Adopt **Resolution No. 13236** to authorize, if awarded:

1. Acceptance of a grant from the U.S. Department of Justice, in the amount of up to \$150,000, for DNA capacity enhancement and backlog reduction.
2. The City Manager, or designee(s), to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with the acceptance of this Grant.
3. A Budget Transfer, of up to \$150,000, from the adopted Fiscal Year 2024/25 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

15. Pepperball One-Time Deposit

Request: Adopt **Resolution No. 13241** to authorize:

1. Acceptance of a one-time deposit, in the amount of \$122,200, related to House Bill 2897, Section 127 #2 for pepperball and pepperball weapons.
2. The City Manager and the City Treasurer, or designees, to receive a one-time deposit, in the amount of up to \$122,200 related to House Bill 2897, Section 127 #2; and execute any necessary documents or forms.
3. A Budget Transfer, of up to \$122,200, from the Fiscal Year 2024/25 Special Programs Appropriation Contingency to a newly created cost center to record the related special revenue activity.

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

16. Carefree Ranch Homesteads Subdivision Water Service Agreement

Request: Adopt **Resolution No. 13216** authorizing Water Service Agreement No. 2024-150-COS with Randy Lewis, setting forth the terms and conditions under which the City of Scottsdale will provide water service to existing and new development on Lot 19C, Carefree Ranch Homesteads, Maricopa County Tax Assessor Parcel No. 219-59-132.

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

17. Monthly Financial Report

Request: Accept the Fiscal Year 2024/25 Monthly Financial Report as of July 2024.

Staff Contact(s): Ana Lia Johnson, Acting Budget Director, 480-312-7893, anjohanson@scottsdaleaz.gov

PUBLIC COMMENT – CONSENT AGENDA

There was no public comment on the Consent Agenda items.

MOTION AND VOTE – CONSENT AGENDA

Councilwoman Janik made a motion to approve Consent Agenda Items 1 through 17. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Graham; and Councilmembers Caputi, Durham, Janik, Littlefield, and Whitehead voting in the affirmative.

REGULAR AGENDA

18. Scottsdale Road – Jomax Road to Dixileta Drive Project Construction Bid, Grant Acceptance, and Budget Transfers

Request: Adopt **Resolution No. 13188** to authorize:

1. Construction Bid Award No. IFB-062024-182 with Hunter Contracting Company, in the amount of \$29,418,253.34, for construction of the Scottsdale Road – Jomax Road to Dixileta Drive capital project (SG05).
2. Acceptance of federal grant award, in the amount of up to \$1,844,207, in Highway Safety Improvement Program Grant funds for the roundabout at Scottsdale Road and Dynamite Boulevard.
3. Acceptance of federal funds, in the amount of \$29,288,722, in Surface Transportation Block Grant Program funds for the corridor improvements.
4. A Fiscal Year (FY) 2024/25 Budget Appropriation Transfer, of up to \$8,868,722, from available appropriation in the Adopted FY 2024/25 Capital Improvement Plan Budget to

the Scottsdale Road: Jomax Road to Dixileta Drive capital project (SG05) to be funded by the Regional Arterial Life Cycle Program.

5. A Fiscal Year (FY) 2024/25 Budget Appropriation Transfer and Cash Transfer, of up to \$4,000,000, from available budget appropriation in the Adopted FY 2024/25 Capital Improvement Plan Budget to the Scottsdale Road: Jomax Road to Dixileta Drive capital project (SG05) to be funded by the Transportation 0.1% Sales Tax.
6. A Fiscal Year (FY) 2025/26 Budget Appropriation Transfer, of up to \$1,673,944, from available budget appropriation in the Adopted FY 2025/26 Capital Improvement Plan Budget to the Scottsdale Road: Jomax Road to Dixileta Drive capital project (SG05) to be funded by the Transportation 0.1% Sales Tax.
7. The City Manager and the City Treasurer, or designees, to execute any other documents and take such other actions as necessary to carry out the intent of this Resolution.

Presenter(s): Nathan Domme, Transportation Planning Manager

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

Transportation Planning Manager Nathan Domme gave a PowerPoint presentation (attached) on the proposed Scottsdale Road – Jomax Road to Dixileta Drive construction project.

PUBLIC COMMENT – ITEM 18

There was no public comment on this item.

MOTION NO. 1– ITEM 18

Mayor Ortega moved to adopt Resolution No. 13188. Councilwoman Caputi seconded the motion.

AMENDMENT TO MOTION NO. 1 – ITEM 18

Councilwoman Janik made an amendment to the original motion to require quarterly budget report updates on project expenditures. Councilwoman Whitehead seconded the motion, which carried 4/3, with Mayor Ortega and Councilmembers Durham, Janik, and Whitehead voting in the affirmative and Vice Mayor Graham and Councilmembers Caputi and Littlefield dissenting.

VOTE ON AMENDED MOTION NO. 1 – ITEM 18

The Council then voted on the amended motion to adopt Resolution No. 13188, which carried 5/2, with Mayor Ortega and Councilmembers Caputi, Durham, Janik, and Whitehead voting in the affirmative and Vice Mayor Graham and Councilwoman Littlefield dissenting.

PUBLIC COMMENT

No public comments were received.

CITIZEN PETITIONS

19. 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.

MOTION AND VOTE – ADJOURNMENT

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

ADJOURNMENT

Mayor Ortega adjourned the Regular Meeting at 6:01 P.M.

SUBMITTED BY:



Ben Lane, City Clerk

Officially approved by the City Council on October 22, 2024

CERTIFICATE

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 24th day of September 2024.

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

DATED this 22nd day of October 2024.



Ben Lane, City Clerk

Item 18: Construction Bid Award for Scottsdale Road – Jomax Road to Dixileta Drive

- **Adopt Resolution No.13188 authorizing:**

- (1) The Mayor to execute Construction Bid Award No. IFB-062024-182 in the amount of \$29,418,253.34 to Hunter Contracting Company for construction of the Scottsdale Road – Jomax Road to Dixileta Drive (SG05) capital project.
- (2) The acceptance of a federal grant award in the amount of up to \$1,844,207 in Highway Safety Improvement Program (HSIP) Grant Funds for the roundabout at Scottsdale Rd and Dynamite Blvd.
- (3) The acceptance of federal funds in the amount of \$ 29,288,722 in Surface Transportation Block Grant Program (STBGP) Funds for the corridor improvements.
- (4) A FY 2024/25 Budget Appropriation transfer of up to \$8,868,722 from available appropriation in the Adopted FY 2024/25 Capital Improvement Plan (CIP) to the Scottsdale Road: Jomax Road to Dixileta Drive (SG05) capital project to be funded by the Regional Arterial Life Cycle Program (ALCP).
- (5) A FY 2024/25 Budget Appropriation transfer and Cash Transfer of up to \$4,000,000 from available budget appropriation in the Adopted FY 2024/25 CIP budget to the Scottsdale Road: Jomax Road to Dixileta Drive (SG05) capital project to be funded by the Transportation 0.1% Sales Tax.
- (6) A FY 2025/2026 Budget Appropriation transfer of up to \$ 1,673,944 from available budget appropriation in the Adopted FY 2025/26 CIP budget to the Scottsdale Road: Jomax Road to Dixileta Drive (SG05) capital project to be funded by the Transportation 0.1% Sales Tax.



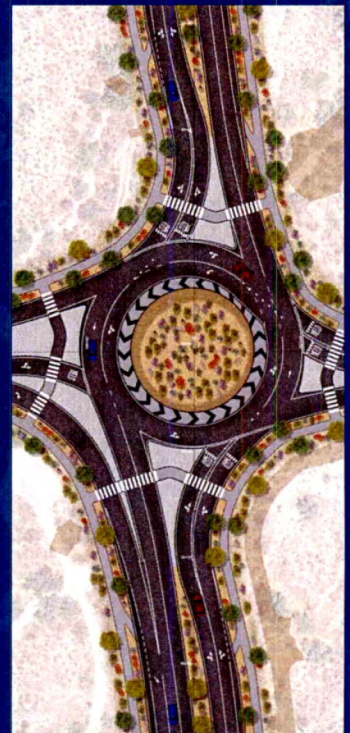
Project Location



Project Locations & Descriptions:

Scottsdale Road – Jomax Rd to Dixileta Dr:
Reconstruct 4-lane 2-mile roadway from a major collector configuration to a minor arterial complete street configuration

Scottsdale Road & Dynamite Boulevard:
Intersection will be converted to a multi-lane roundabout



Rendering of Scottsdale Road & Dynamite Roundabout

Roadway Improvements

New Configuration will include:

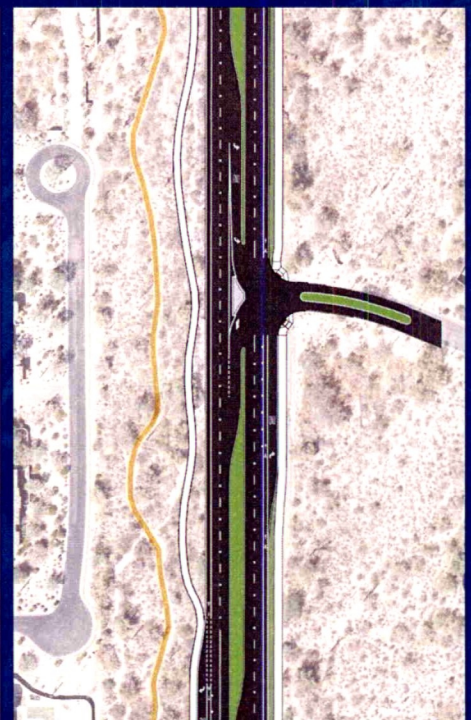
- Drainage Improvements
- Curb and Gutter
- Medians
- East Side Shared use Path
- West Side Sidewalk
- New right turn bay at Dixileta Dr



Old Configuration



New Configuration



Scottsdale Rd between Dynamite Blvd and Pinnacle Vista Dr

Budget Increase

Type of Funding Source	Current Funding Project Budget	Budget Increases	New Budget Total
Federal Contribution (Regional Program)	\$ 20,420,000	\$ 8,868,722	\$ 29,288,722
HSIP Grant	\$ 1,844,207		\$ 1,844,207
Transportation .1%	\$ 6,878,364	\$ 4,000,000	\$ 10,878,364
Transportation .1% FY 25/26 Request		\$ 1,673,944	\$ 1,673,944
Total	\$ 29,172,571	\$ 14,542,666	\$ 43,685,237

Cost Increase Breakdown



Description	Original CIP Budget	Current Estimate	Increase/(Decrease)
ADM - CPM ALLOCATION	\$ 575,000	\$ 1,235,567	\$ 660,567
Art in Public Places	\$ 189,000	\$ 189,000	\$ -
City Fees	\$ 125,000	\$ 125,000	\$ -
Construction	\$ 21,524,600	\$ 29,799,877	\$ 8,275,277
APS utilities	\$ -	\$ 1,700,000	\$ 1,700,000
Contingency	\$ 3,300,000	\$ 2,900,000	\$ (400,000)
Design/Construction Admin	\$ 2,830,000	\$ 3,496,531	\$ 666,531
Inspections Services	\$ -	\$ 794,015	\$ 794,015
Land/ROW	\$ 54,000	\$ 2,704,000	\$ 2,650,000
Salaries	\$ 575,000	\$ 741,247	\$ 166,247
Project Total: SG05	\$ 29,172,600	\$ 43,685,237	\$ 14,512,637

Adopt Resolution No. 13188 authorizing:

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Questions?

