

**SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, OCTOBER 8, 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 5:00 P.M. on Tuesday, October 8, 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 Councilmember Durham.

MAYOR'S REPORT

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

Mayor Ortega announced the 30th Anniversary of the McDowell Sonoran Preserve and declared October as McDowell Sonoran Preserve Month. The proclamation was presented to McDowell Sonoran Conservancy's Chief Executive Officer Amanda Hoffman-Handy.

CITY MANAGER'S REPORT

- **Fast Five Video Update**
Note: The Council may make comments or ask questions to the presenter(s); however, no Council action will be taken.

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.

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

PUBLIC COMMENT

Darien Priolo, Scottsdale resident, discussed moving the time of council meetings and his opposition to recycled water for drinking purposes.

MINUTES

Request: Approve the following Council meeting minutes from September 2024:

- a. **Special Meeting Minutes of September 10, 2024**
- b. Executive Session Minutes of September 10, 2024
- c. **Regular Meeting Minutes of September 10, 2024**

MOTION AND VOTE - MINUTES

Councilwoman Janik made a motion to approve the Special Meeting Minutes of September 10, 2024; Executive Session Minutes of September 10, 2024; and Regular Meeting Minutes of September 10, 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. **Limonce’ Italian Restaurant Pizzeria Liquor License (53-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: 23335 N. Scottsdale Road, Suite D105
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
2. **Filiberto’s Mexican Food Liquor License (54-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 a new location and owner.
Location: 11054 N. Frank Lloyd Wright Boulevard
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
3. **Cheba Hut Liquor License (57-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 a new location and owner.
Location: 8740 E. Shea Boulevard, Suite 100
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

4. Cheba Hut Liquor License (58-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 a new location and owner.

Location: 17025 N. Scottsdale Road, Suite 150

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

5. Busan Mart Liquor License (60-LL-2024)

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 an existing location with a new owner.

Location: 8001 E. Roosevelt Street

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

6. Tail Gunner Liquor License (61-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: 15465 N. Hayden Road

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

7. Celebration of Fine Art Conditional Use Permit (5-UP-2024)

Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 13204** approving a conditional use permit for a seasonal art festival on a ±8 acre site with Planned Community District, Central Business District (P-C C-2) zoning.

Location: Southwest corner of N. Hayden Road and E. Mayo Boulevard

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

8. Gravity Sewer – Tournament Players Club (TPC) Golf Course to North Pumpback Station Project Construction Phase Contract Modification

Request: Adopt **Resolution No. 13223** authorizing Construction Manager at Risk Contract No. 2023-201-COS-A3 with Achen-Gardner Construction, LLC, in an amount not to exceed \$5,948,834.56, to provide phase four construction phase services for the Gravity Sewer – TPC Golf Course to the North Pumpback Station Project.

Location: South of Bell Road and on the West Side of Pima Road

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

City Engineer Alison Tymkiw gave a presentation on the proposed Gravity Sewer – Tournament Players Club (TPC) Golf Course to North Pumpback Station Project Construction Phase Contract Modification.

9. Citywide Pavement Marking Treatment Services Job Order Contracts

Request: Adopt **Resolution No. 13222** to authorize:

1. The following job order contracts for two years with the option to extend for three additional one-year periods, in an amount not to exceed \$600,000 for the initial two-year term of each contract, for citywide pavement marking treatment services:

- a. Contract No. 2024-151-COS with Falcon Contracting, Inc.
 - b. Contract No. 2024-152-COS with Hawk Contracting, LLC
 - c. Contract No. 2024-153-COS with Hulxe Construction Services, LLC
2. The City Manager, or designee, to execute any such documents and take any such other actions as necessary to carry out the intent of this Resolution.

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

10. Maricopa County Securing the Cities Subrecipient Agreement

Request: Adopt **Resolution No. 13240** to authorize:

1. Subrecipient Agreement No. 2024-171-COS with Maricopa County accepting grant funds, of up to \$108,472 in United States Department of Homeland Security grant funds through the Securing the Cities Program Implementation Cooperative Agreement, for the purpose of countering weapons of mass destruction.
2. A Budget Transfer, of up to \$108,472, from the adopted Fiscal Year 2024/25 Future Grants Budget and/or Grant Contingency to a newly created cost center to record the related grant activity.

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

11. Property and Evidence Storage Grant Agreement Extension

Request: Adopt **Resolution No. 13249** to authorize:

1. Grant Agreement No. 2024-047-COS-A1 with the Arizona Department of Public Safety authorizing a six-month extension to the initial grant agreement, in the amount of \$111,000, related to Property and Evidence Storage.
2. A Budget Transfer, of up to \$111,000, from the adopted Fiscal Year 2024/25 Future Grants Budget and/or Grant Contingency Budget to the established cost center to record the related grant activity.

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

12. Appointment of Pro Tem Judges for City Court

Request: Adopt **Resolution No. 13227** authorizing the following appointments of Pro Tem Judges for an initial two-year term for the period of October 8, 2024, through October 7, 2026: Scott Adams, Susie Charbel, Laura Estay Lowery, Patricia George, Nicole Knowlton, Patricia Riggs, and Karen Yakubi.

Staff Contact(s): Marianne Bayardi, Presiding Judge, 480-312-2775, cphelps@scottsdaleaz.gov

13. Audit Committee Recommendation for the Board of Adjustment Sunset Review

Request: Accept the Audit Committee's recommendation and authorize the continuation of the Board of Adjustment.

Staff Contact(s): Lai Cluff, Acting City Auditor, 480-312-7851, lcluff@scottsdaleaz.gov

14. Audit Committee Recommendation for the Building Advisory Board of Appeals Sunset Review

Request: Accept the Audit Committee's recommendation and authorize the continuation of the Building Advisory Board of Appeals.

Staff Contact(s): Lai Cluff, Acting City Auditor, 480-312-7851, lcluff@scottsdaleaz.gov

PUBLIC COMMENT – CONSENT AGENDA

There was no public comment on the Consent Agenda items.

MOTION AND VOTE – CONSENT AGENDA

Vice Mayor Graham and Councilmembers Durham and Janik requested additional information on Item 8 [Gravity Sewer – Tournament Players Club (TPC) Golf Course to North Pumpback Station Project Construction Phase Contract Modification].

Councilwoman Littlefield made a motion to approve Consent Agenda Items 1 through 14. 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.

PUBLIC COMMENT

No public comments were received.

CITIZEN PETITIONS

18. 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

Mayor Ortega 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 5:23 P.M.

SUBMITTED BY:



Ben Lane, City Clerk

Officially approved by the City Council on November 12, 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 8th day of October 2024.

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

DATED this 12th day of November 2024.



Ben Lane, City Clerk