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CALL TO ORDER

[Time: 00:00:01]

Mayor Ortega: Hello. I call the October 8, 2024 City Council Regular Meeting to order. City Clerk, Ben Lane, please conduct the roll call.

ROLL CALL

[Time: 00:00:14]

City Clerk Ben Lane: Thank you, Mayor. Mayor David Ortega.

Mayor Ortega: Present.

Ben Lane: Vice Mayor Barry Graham.

Vice Mayor Graham: Present.

Ben Lane: Councilmembers Tammy Caputi.

Councilwoman Caputi: Here.

Ben Lane: Tom Durham.

Councilmember Durham: Here.

Ben Lane: Betty Janik.

Councilwoman Janik: Here.

Ben Lane: Kathy Littlefield.

Councilwoman Littlefield: Here.

Ben Lane: And Solange Whitehead.

Councilwoman Whitehead: Here.

Ben Lane: City Manager Jim Thompson.

Jim Thompson: Here.

Ben Lane: City Attorney Sherry Scott.

Sherry Scott: Here.

Ben Lane: City Treasurer Sonia Andrews.

Sonia Andrews: Here.

Ben Lane: Acting City Auditor Lai Cluff.

Lai Cluff: Here.

Ben Lane: And the Clerk is present. Thank you, Mayor.

Mayor Ortega: Excellent. We have Scottsdale Police Sergeant Bryan Hiner as well as Firefighter Bobby Kohnen if anyone here needs assistance.

PLEDGE OF ALLEGIANCE

[Time: 00:00:52]

Let's begin with the Pledge of Allegiance. I will call on Councilmember Tom Durham.

Councilmember Durham: I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands: One nation under God, indivisible, with liberty and justice for all.

MAYOR'S REPORT

[Time: 00:01:14]

Mayor Ortega: Well, at this time, we draw our attention to the ongoing wars in foreign countries as they fight to protect their democracy and freedom. Also, we will keep in mind our own military service members who are deployed and in our thoughts and reflections. So, I will ask us to pause in a moment of silent reflection.

Thank you. Well, we have a joyous occasion, actually, a birthday of sorts which has to do with the 30th Anniversary of the McDowell Sonoran Preserve. I have a Proclamation which I would like to read and then I will be calling forward Amanda Hoffman-Handy who is the Chief Executive Officer for the McDowell Sonoran Conservancy. So, let's begin with a happy note here.

Proclamation. Whereas 30 years ago on October 3, 1994, the Scottsdale City Council established the McDowell Sonoran Preserve to carry out the community vision of protecting thousands of acres of the Sonoran Desert; and whereas, the Scottsdale McDowell Sonoran Preserve now consists of 30,500 acres of natural open space that permanently protects habitat for native wildlife and plants, scenic views, unique geological formations and archaeological and historic sites; and whereas the Preserve has continued to benefit from the unique partnership between the city of Scottsdale and the McDowell Sonoran Conservancy with the conservancy recruiting and training over 550 steward volunteers; and whereas, this partnership provides interactive public education opportunities, above the Preserve's ecology and rich cultural history including the recent creation of the Browns Ranch Interpretive Trail, and whereas a community celebration will be held on Friday, October 18th at 10 a.m. at the Browns Ranch Trailhead to commemorate the completion of the Browns Ranch Interpretive Trail. The theme of which is a 20th century ranch in an ancient landscape.

Therefore, I David D. Ortega, the 12th Mayor of Scottsdale, do declare October 2024 as McDowell Sonoran Preserve Month in Scottsdale and urge everyone to experience the beauty of McDowell Sonoran Preserve to consider donating to the McDowell Sonoran Conservancy and most of all, to thank the stewards and the commissioners who volunteer to protect nature. So, I will ask Amanda to step forward.

You know, also if there are other conservancy members, we want you to please stand up. We want to acknowledge you as our commissioners involved in the preserve effort. I see Karla at the back. Don't be shy. And thank you, Karla. And I, myself, am a member of the McDowell Sonoran Conservancy so of course do encourage other community members to join as well.

CITY MANAGER'S REPORT

[Time: 00:06:17]

Next, we will go to the City Manager's Report.

City Manager Jim Thompson: Thank you, Mr. Mayor. This evening we have another Fast Five short video.

I'm Public Information Officer Kelsey Perry with five things happening around the city you need to know. At number five, Scottsdale Airport is launching a new master planning project to evaluate its facilities and operations and prioritize projects to improve safety, efficiency, sustainability and meet the growing operational demands. The airport is an enterprise fund, meaning that it operates without any general fund tax dollars and this master plan effort is funded through an F.A.A. Grant. The community is invited to attend an open house on October 29th at the Scottsdale Aviation Business Center to learn more. Subscribe to Scottsdale Airport's e-newsletters to stay up to date on the project. Head to Scottsdaleaz.gov and search newsletter.

At number four, we send a big congratulations to all the city staff working to make Scottsdale a more sustainable community. The city recently earned a platinum designation through SRP Sustainability Cities Program. Scottsdale is one of the two valley cities to earn the highest designation from SRP for its sustainable focus assets and programs such as the Advanced Water Treatment Facility. Scottsdale is currently accepting nominations for the annual Sustainable Scottsdale Awards, a program that recognizes changemakers in the community. Visit Scottsdaleaz.gov and search sustainable Scottsdale to apply.

Number three is a look at just a few of the many events coming to Scottsdale this fall. The Old Town Farmer's Market has reopened for the season, featuring more than 100 local growers and specialty food producers each and every Saturday. McCormick-Stillman Railroad Park is getting set to host spooky train rides from October 11th through the 31st through the Halloween Spook-Track-Ula. And don't miss the events taking place October 24th through November 2nd or the city's Annual Fall Festival on October 26th at Chaparral Park featuring the Wonderful World of Scottsdale. A showcase of various city departments and their vehicles. The Scottsdale Police Department will participate in the Desert Dog Police K-9 trials on October 27th out at WestWorld and will host a Trunk or Treat event. Plus, the annual Canal Convergence is happening from November 8th through the 17th at Scottsdale Waterfront. Opening night will feature the city's one water brewing showcase where the public can sample beer from valley brewery made from recycled water, delivered directly from Scottsdale's Advanced Water Treatment Plant. For a list of all the things happening this fall, visit Scottsdaleaz.gov and search events.

At number two, it's a heartfelt thank you to the Scottsdale Fire Department and the regional

partners for the gate fire that erupted in north Scottsdale on September 12th. Thanks to their coordinated efforts, no lives or dwellings were lost. Scottsdale Police began the swift evacuation of residents in the area. Find tips on how to prepare for wildfires or other emergencies by heading to [Scottsdaleaz.gov](https://scottsdaleaz.gov) and searching emergency preparedness.

And at number one, it's a look back at an historic decision that shaped Scottsdale's future forever. 30 years ago this month, on October 3, 1994, the Scottsdale City Council held a Special Meeting with one goal, to save the McDowell Mountains. On that day, Council voted to establish Scottsdale's McDowell Sonoran Preserve to protect the natural beauty, wildlife and vegetation of the McDowell Mountains. At the time, the preserve was 4.5 square miles in size. Today, it's the largest urban preserve in the country. It boasts 230 miles of trails that can be accessed by eight major trailheads. On October 18, the Preserve will host a dedication ceremony for the brand-new Browns Ranch Interpretive Trail, located about a mile from the Browns Ranch Trailhead. Guided community hikes will take place on the new trail on October 19th. For more information, visit McDowellsonoran.org. That's it for October.

For more news and events, sign up for our city newsletters by heading to [Scottsdaleaz.gov](https://scottsdaleaz.gov) and searching newsletter.

Mayor Ortega: Thank you, Mr. Thompson.

EXECUTIVE SESSION

[Time: 00:11:07]

Moving on during tonight's meeting, the Council may make a motion to recess into Executive Session to obtain legal advice on any applicable item on the agenda. If authorized by the Council, the Executive Session will be held immediately and will not be open to the public. The public meeting would then resume following an Executive Session.

Also, per Council Rules of Procedure, citizens attending City Council Meetings shall observe the same rules of order and decorum applicable to members of the Council and staff. Unauthorized remarks or demonstration would just delay our meeting, and we appreciate your courtesy.

Additionally, the Council recently updated its Council rules. Councilmembers should not send or receive electronic communications while attending these public meetings or any executive meetings or any executive meetings. And we do have devices supplied to us for following the agenda, but otherwise other devices must be stored elsewhere during Council meetings.

PUBLIC COMMENT

[Time: 00:12:26]

The next portion of our agenda, and I know there's some young people out here taking notes of how an agenda works. City Council and the Arizona statutes call for public meetings to also allow public comment.

Public comment is reserved for Scottsdale citizens, business owners or property owners to comment on any non-agendized item that would be in the jurisdiction of the Council. Advocacy for or against a ballot measure or candidate during a council meeting is not allowed by state law and therefore would not be deemed within our jurisdiction. And no official action could be taken regarding a public comment request. Speakers would come forward, have three minutes to address the Council on a non-agendized item. We have one speaker request and that is Darien Priolo. Thank you. Please come forward and state your name, place of residence and then let us know what's on your mind.

[Time: 00:13:30]

Darien Priolo: Hello, thank you. My name is Darien Priolo, I live at 11350 East Sahuaro Drive. So, I moved here from Washington state. Has my time started?

Mayor Ortega: You're fine.

Darien Priolo: I moved here from Washington state at the end of 2022 to escape the nonsense that was going on there in the small town that I lived in. And I figured I would live here because it was great, I loved the people here. It was a very righteous feeling. Everyone felt like they were doing the right thing. I've come to find out whether you are in a small town or big city, there's always bad apples and we have to get rid of those.

I would like to say thank you for everyone showing up in City Council or the Council members. Thank you for showing up. The small town I moved from, people wouldn't show up. Oh, where are they? Oh, I don't know. Great.

In the beginning of this meeting, I noticed you brought up foreign countries, wars, to keeping their democracy and no offense Ortega, that doesn't really jive with us. We're Americans. We should care about America. This is Scottsdale. We don't really have anything to do with foreign wars.

And I would like to say also that the participation in here for the amount of people that live in Scottsdale is kind of disappointing, but we all have lives. So maybe we should move the time up to a later time or maybe even a weekend where everyone can make it.

I have about a minute 30 left. I don't think it's going to take that long. I'll end after this, but the first City Hall meeting, I had gone to we were talking about recycling sewage water to drink and so they had brought in popsicles, and you said have you tried them, they were great. But I could shine up a turd and have you eat it and say we are short on meat and would you say it tasted

well? Probably not. No one wants to drink their piss or their poop, it's disgusting. And we don't want to pump it back in aquifer. It's absurd. We are always watching we are the people, we the people run this nation, not elected officials. Thank you.

Mayor Ortega: Thank you. I will close the public comment. Next agenda item is moving on to our Minutes.

MINUTES

[Time: 00:16:07]

I would request a motion to approve Special Meeting Minutes of September 10, 2024; Executive Session Minutes of September 10, 2024; and Regular Meeting Minutes of September 10, 2024. Do I have a motion?

Councilwoman Janik: So moved.

Councilwoman Whitehead: Second.

Mayor Ortega: We have a motion and a second. Please record your vote. Thank you. We are unanimous.

CONSENT AGENDA

[Time: 00:16:41]

Next, we have Consent Agenda Items 1 through 14. I'm told there's no request to speak from the public on any agenda item, Items 1 through 14. If Councilmembers has a question, they could ask it. At this point, I have Councilwoman Janik wishing to speak and then Vice Mayor Graham and Councilmember Durham.

Councilwoman Janik: Thank you, Mayor. I have some questions on Item number 8, the gravity sewer. Good evening. Basically, I just wanted a little bit more clarification on, it says the north pump station project construction phase contract modification and I was concerned when I saw the word modification. Could you just explain how those contracts work and why it's considered a modification.

City Engineer Alison Tymkiw: Yes, Councilwoman Janik, Mayor, members of Council. So, this is one of our construction manager at risk contracts. So, we award the initial contract. And sometimes we do the construction in phases, which is what we did in this case. So, we originally came to you in December of 2023 with GMP-1, guaranteed maximum price one, and that was for the procurement of the materials. And then we came back in February of 2024 for GMP-2, which was for first phase of construction. We came back in August of 2024 just a couple of

months ago with the third GMP and then this is the fourth and final GMP and what this allows us to do is we can be continuing design while we're procuring materials. We can do one phase while we are continuing design of the next phase.

Councilwoman Janik: Would you say that cost involved is in line with expectations.

Alison Tymkiw: Yes, this is not asking for any additional funds. This is all within the existing approved budget.

Councilwoman Janik: Okay, thank you very much. I appreciate that.

Alison Tymkiw: Sure.

[Time: 00:19:10]

Mayor Ortega: Next Vice Mayor Graham and then Councilmember Durham.

Vice Mayor Graham: I was actually also going to ask about Item number 8, so thank you, Alison. The phase three versus phase four, why do we use, why would you say we're using different vendors?

Alison Tymkiw: Councilmember Graham, we are using the same vendor. It's Achen-Gardner Construction.

Vice Mayor Graham: I read the packet, I thought it had different vendors between phase three and phase four, so maybe I misread it. Okay. So forgive me if I misread that. A couple more questions. How would you say overall the project is going?

Alison Tymkiw: Vice Mayor, Mayor, members of Council, it's going well. We were targeted to be complete by October of 2025.

Vice Mayor Graham: And have there been any scope changes since August?

Alison Tymkiw: No, no additional scope changes.

Vice Mayor Graham: And you said the project is on schedule?

Alison Tymkiw: Correct.

Vice Mayor Graham: When was it scheduled as far as completion?

Alison Tymkiw: Fall of 2025.

Vice Mayor Graham: Okay, very good. Thank you Mayor, thank you Alison.

Mayor Ortega: Good, let me just ask is there any other questions for Item eight?

Councilmember Durham: Yes.

Mayor Ortega: Thank you. Councilmember Durham.

Councilmember Durham: Thank you. In the package it said that there had been sort of a credit that we were getting on this project. My computer is not working. I'm not sure of the details, but it said there was a credit that we were getting towards this phase from a prior phase. I think it was in the neighborhood of 3 million something or other, because that money hadn't been used.

[Time: 00:21:11]

Alison Tymkiw: Yes, Councilmember Durham, Mayor, members of Council so, in one of the earlier GMPs, GMP-2, we realized some savings with that construction work. We had some contingencies in there that weren't needed, and we were able to utilize that savings towards this GMP.

Councilmember Durham: So, the savings came from things we thought we were going to need and it turns out that we didn't need them after all.

Alison Tymkiw: Correct.

Councilmember Durham: Alright, thank you, that's all I have.

Mayor Ortega: Okay so for the record, we close the public comment. There's no other requests to speak from Council. Therefore, do I have a motion to approve Consent Agenda Items 1 through 14?

Councilwoman Littlefield: So moved.

Councilwoman Janik: Second.

Mayor Ortega: Motion by Councilwoman Littlefield and seconded by Councilwoman Janik. Please record your vote. Thank you. We are unanimous. Moving ahead, we have a second opportunity for public comment.

PUBLIC COMMENT

[Time: 00:22:12]

Public comment is reserved for citizens to come forward. I'm told there's no request for additional public comment. Therefore, I will close public comment. Moving to on to petitions.

CITIZEN PETITIONS

Our City Charter allows for citizens to petition the Council by presenting a written petition at the Clerk's Office, and then it would be read today at a meeting. We agendaize that possibility but I'm told we have no requests for a petition, a citizen petition. Therefore, I will close that item and move on.

Finally, I move to adjourn our meeting. Do I have a second?

Councilwoman Whitehead: Second.

Mayor Ortega: Motion and a second. Please record your vote. We are adjourned. Thank you very much.

ADJOURNMENT

[Time: 00:23:13]