

SCOTTSDALE

CITY COUNCIL MEETING



***** AMENDED *** MEETING NOTICE AND AGENDA**

[REMOVED ITEM NO. 15; ADDED MAYOR AND COUNCIL ITEM NO. 19]

COUNCIL

David D. Ortega, Mayor

Tammy Caputi

Tom Durham

Barry Graham

Betty Janik

Kathleen S. Littlefield

Solange Whitehead

Tuesday, April 16, 2024

City Council meetings are also televised on Cox Cable Channel 11 and streamed online at 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 Regular City Council meeting (May 6, 2024).

In-person spoken public comment is being accepted on Items 1 through 17. 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

Call to Order – 5:08 P.M.

Roll Call – All Present (Councilmember Durham 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 – Vice Mayor Whitehead

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.

– Mayor Ortega presented a proclamation declaring Volunteer Week in Scottsdale and noted that Scottsdale has over 3,700 volunteers. The proclamation was presented to the City's Volunteer Coordinator, Bryan Chapman.

– Mayor Ortega encouraged residents to apply to serve on a Board or Commission and highlighted the Board of Adjustment, Historic Preservation Commission, and Loss Trust Fund Board. There are currently 12 Boards and Commissions that have openings and applications will be accepted until April 26.

– Mayor Ortega announced the Tour de Scottsdale at WestWorld was a success and thanked staff for making the event possible. He noted that Vice Mayor Solange Whitehead, Water Resources Executive Director Brian Biesemeyer, and the seven-member Water Services team completed the 62-mile trek.

Presentations/Information Updates – Scottsdale Arts President and Chief Executive Officer Gerd Wuestemann gave a PowerPoint presentation on Scottsdale Arts.

- **Scottsdale Arts Update**

Presenter(s): Gerd Wuestemann, President and Chief Executive Officer

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

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 – Stephen Casares spoke regarding his appreciation of the McDowell Sonoran Preserve and thanked Council, staff, and the volunteers for its maintenance. Lee Kauftheil spoke regarding his recent experiences in Dallas and Houston and how important multimodal transportation was in minimizing congestion and having a vibrant city. Carolee Hoth presented a citizen petition regarding Troon North traffic mitigation requests. Jon Rosenberg presented a citizen petition requesting additional public parking in the northeast quadrant of Old Town. Lisa Marie spoke about missing children in the United States.

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.”**

MINUTES

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

- a. [Special Meeting Minutes of March 5, 2024](#)
- b. [Regular Meeting and Work Study Session Minutes of March 5, 2024](#)

– Councilwoman Janik made a motion to approve the Special Meeting Minutes of March 5, 2024 and the Regular Meeting and Work Study Session Minutes of March 5, 2024. Vice Mayor Whitehead seconded the motion, which carried 6/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Graham, Janik, and Littlefield voting in the affirmative.

CONSENT AGENDA ITEMS 1-16

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.

– There was no public comment on the Consent Agenda items.

– Councilmember Graham requested additional information on Item 7 [Build New Fire Station Near Hayden Road and the Loop 101 Construction Phase Services Contract] and Item 9 [Arizona Canal Banks Land Use License Agreement Amendment].

– Mayor Ortega made a motion to approve Consent Agenda Items 1 through 16, except Item 11 [2nd Street Neighborhood Bikeway Active Transportation Project Agreement] which was moved to the Regular Agenda and Item 15 [Mastroianni v. City of Scottsdale Settlement] which was removed from the agenda at the request of staff. Councilwoman Caputi seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Graham, Janik, and Littlefield voting in the affirmative.

CONSENT AGENDA

1. [Permanent Extension of Premises for Crust Simply Italian \(10-EX-2023\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor License and Control for a permanent extension of premises for a Series 12 (restaurant) State liquor license for an existing location to expand the restaurant and a patio.
Location: 8300 N. Hayden Road, Suite F101
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
2. [Verizon PHO Pima & McDonald Conditional Use Permit \(7-UP-2018#2\)](#) – **Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 13057** approving a conditional use permit for an existing Type 4 Alternative Concealment Wireless Communication Facility, concealed within a 60-foot-tall artificial broadleaf tree with associated ground mounted equipment with Highway Commercial (C-3) zoning.

Location: 8465 E. McDonald Drive

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

3. **Quail Track Easement Abandonment (3-AB-2023) – Approved on Consent.**

Request: Adopt **Resolution No. 13055** authorizing the abandonment of 25-foot right-of-way on N. 58th Street, adjacent to Parcel No. 212-11-009Q with Single Family Residential, Environmentally Sensitive Lands, Foothills Overlay (R1-43/ESL/FO) zoning.

Location: 5790 E. Quail Track Drive

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

4. **Pencek Abandonment (10-AB-2023) – Approved on Consent.**

Request: Adopt **Resolution No. 13056** authorizing the abandonment of the western 8-foot wide portion of a 33-foot wide General Land Office (GLO) Patent Easement along the eastern property boundary and the 33-foot-wide GLO Patent Easement along the southern property boundary and the 25-foot-wide Roy Rogers Drive right-of-way along the southern property boundary of a property with Single Family Residential, Environmentally Sensitive Lands, Foothills Overlay (R1-70 ESL FO) zoning.

Location: 28848 N. 79th Street

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

5. **Rosewood 10 Final Plat (5-PP-2016#15) – Approved on Consent.**

Request: Approve the final plat for a 10-lot residential subdivision with Planned Community District, Environmentally Sensitive Lands (PCD ESL) zoning with comparable zoning of Single Family Residential (R1-35) on a ±9.02-acre site.

Location: 13020 E. Ranch Gate Road

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

6. **Raintree Drive Phase 2B Project Construction Bid – Approved on Consent.**

Request: Adopt **Resolution No. 13041** authorizing Construction Bid Award No. IFB-122023-132 with Granite Construction Company, in the amount of \$4,333,840, for construction phase services for Phase 2B of the Raintree Drive: Scottsdale Road to Hayden Road project (SB 53).

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

7. **Build New Fire Station Near Hayden Road and the Loop 101 Construction Phase Services Contract – Approved on Consent.**

Request: Adopt **Resolution No. 13073** to authorize:

1. Construction Manager at Risk Contract No. 2024-055-COS with Sun Eagle Corporation, in the amount of \$11,111,817, for construction phase services for Guaranteed Maximum Price One (GMP 1) for the Bond 2019 Project 28 – Build a New Fire Station near Hayden Road and the Loop 101 to Improve Response Times (BI02) capital project.
2. A Fiscal Year 2023/24 Capital Budget Appropriation Transfer of up to \$631,300 from the Bond 2019 Project 4 – Replace Outdated Emergency Response Equipment for Fire Department (EG02) capital project to the Bond 2019 Project 28 – Build a New Fire Station near Hayden Road and the Loop 101 to Improve Response Times (BI02) capital project to be funded by the 2019 General Obligation Bond fund.

Location: 18455 N. Hayden Road

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

– City Engineer Alison Tymkiw gave a presentation on the proposed New Fire Station Near Hayden Road and the Loop 101 Construction Phase Services Contract.

8. **On-Call Mechanical Engineering Services Contract Extensions – Approved on Consent.**

Request: Adopt **Resolution No. 13088** authorizing the following one-year on-call engineering services contract extensions, in an amount not to exceed \$750,000 per contract, for on-call mechanical engineering services:

1. Contract No. 2021-047-COS-A2 with Energy Systems Design, Inc.
2. Contract No. 2021-048-COS-A2 with LSW Engineers Arizona, Inc.
3. Contract No. 2021-049-COS-A2 with Pearson Engineering Associates, Inc.

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

9. **Arizona Canal Banks Land Use License Agreement Amendment – Approved on Consent.**

Request: Adopt **Resolution No. 13089** to authorize:

1. Land Use License Agreement No. 2021-128-COS-A1 with the Salt River Project Agricultural Improvement and Power District to add provisions for signage installation and maintenance by the City along the Arizona Canal Banks from 60th Street, to just west of Pima Road.
2. The City Manager, or designee, to execute any other documents and take such other actions as necessary to carry out the intent of this Resolution.

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

– City Engineer Alison Tymkiw gave a PowerPoint presentation on the proposed Arizona Canal Banks Land Use License Agreement Amendment.

10. **Crosscut Canal Banks Land Use License Agreement Amendment – Approved on Consent.**

Request: Adopt **Resolution No. 13090** to authorize:

1. Land Use License Agreement No. 2021-136-COS-A1 with the Salt River Project Agricultural Improvement and Power District to add provisions for signage installation and maintenance by the City along the Crosscut Canal Banks from Indian School Road to south of McDowell Road.
2. The City Manager, or designee, to execute any other documents and take such other actions as necessary to carry out the intent of this Resolution.

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

11. **2nd Street Neighborhood Bikeway Active Transportation Project Agreement**

Request: Adopt **Resolution No. 13081** to authorize:

1. Active Transportation Project Agreement No. 2024-056-COS with the Maricopa Association of Governments to identify the level of financial obligations of the parties to provide a project assessment for the 2nd Street Neighborhood Bikeway.
2. The City Manager, or designee, to execute any other documents and take such other actions as necessary to carry out the purpose of this Resolution and Contract.

Staff Contact(s): Mark Melnychenko, Transportation and Streets Director, 480-312-7651, mmelnychenko@scottsdaleaz.gov

– Transportation Planning Manager Nathan Domme gave a PowerPoint presentation on the proposed 2nd Street Neighborhood Bikeway Active Transportation Project Agreement.

– There was no public comment on this item.

– Vice Mayor Whitehead made a motion to adopt Resolution No. 13081 to authorize:

1. **Active Transportation Project Agreement No. 2024-056-COS with the Maricopa Association of Governments to identify the level of financial obligations of the parties to provide a project assessment for the 2nd Street Neighborhood Bikeway.**
2. **The City Manager, or designee, to execute any other documents and take such other actions as necessary to carry out the purpose of this Resolution and Contract.**

Councilmember Janik seconded the motion.

– Mayor Ortega made a motion to call the question. Vice Mayor Whitehead seconded the motion, which carried 5/2, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, and Janik voting in the affirmative and Councilmembers Graham and Littlefield dissenting.

– The Council then voted on Vice Mayor Whitehead’s original motion to adopt Resolution 13081 which carried 5/2, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, and Janik voting in the affirmative and Councilmembers Graham and Littlefield dissenting.

12. **City Court Jury Services Intergovernmental Agreement (IGA) – Approved on Consent.**

Request: Adopt **Resolution No. 13086** to authorize:

1. Agreement No. 2024-059-COS with the Superior Court of Arizona in Maricopa County for jury services for an initial two-year term, from July 1, 2024 to June 30, 2026, with the option to renew the IGA for four additional two-year terms.
2. The Presiding Judge, City Manager, or designee, to execute any other documents and take such other actions as necessary to carry out the purpose of this Resolution and Contract.

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

13. **Arizona Mutual Aid Compact (AZMAC) Intergovernmental Agreement – Approved on Consent.**

Request: Adopt **Resolution No. 13097** authorizing Agreement No. 2024-064-COS with the State of Arizona and various public entities for participation in the AZMAC.

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

14. **Weiss v. City of Scottsdale Settlement Agreement – Approved on Consent.**

Request: Adopt **Resolution No. 13103** to authorize:

1. Agreement No. 2024-066-COS with Plaintiff Gary Ronald Weiss, in the amount of \$24,500, to settle all claims in *Weiss v. City of Scottsdale, et al.*, Case No. CV2024-050574, currently pending in the Superior Court of the State of Arizona, County of Maricopa.
2. The City Manager, City Treasurer, City Attorney, and their respective staff, to execute any other documents and take such other actions as necessary to carry out the purpose of this Resolution.

Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

***15. **Mastroianni v. City of Scottsdale Settlement**

(Item removed at the request of staff)

16. **Monthly Financial Report – Approved on Consent.**

Request: Accept the Fiscal Year 2023/24 Monthly Financial Report as of February 2024.

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

REGULAR AGENDA **ITEM 17**

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

17. **Proposed Fiscal Year (FY) 2024/25 Operating Budget and Capital Improvement Plan**

Request: Presentation, discussion, and possible direction to staff regarding the Proposed FY 2024/25 Operating Budget and Capital Improvement Plan.

Presenter(s): Sonia Andrews, City Treasurer; Ana Lia Johnson, Acting Budget Director; Brian Biesemeyer, Water Resources Executive Director; and Alison Tymkiw, City Engineer

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

- City Treasurer Sonia Andrews, Acting Budget Director Ana Lia Johnson, Water Resources Executive Director Brian Biesemeyer, and City Engineer Alison Tymkiw gave a PowerPoint presentation on the proposed Fiscal Year (FY) 2024/25 Operating Budget and Capital Improvement Plan.
- Mayor Ortega opened public comment on this item.
- Robert Lettieri provided suggestions about possible changes to the budget documentation to promote transparency and clarity for the public.
- Mayor Ortega closed public comment on this item.
- There was Council consensus on the following item:
 - Move forward with the proposed FY 2024/25 Operating Budget and Capital Improvement Plan.
- Councilmembers made the following observations and suggestions:
 - Drainage and transportation projects and water and sewer projects often are put forward in tandem.
 - The Greenway Hayden Loop Sewer Improvements cost will be recouped through development agreements as various developments move forward.
 - The Pima Road construction project from Happy Valley Road to Jomax Road should have an intermittent construction break to address resident concerns.
 - Staff should research the contingency fund policies of other municipalities and report back to the City Council with their findings.
 - To simplify the budgeting process, consider putting the \$10 million in funding set aside for the Class and Compensation Study in either the merit adjustment or market adjustment line items.
 - An additional 60 employees are requested in the FY 24/25 budget mainly due to the new Ambulance Service and new Fire Station.
 - Population growth and employee level growth should be kept at a similar pace.
 - The Residence at Paiute budget line should be removed.
 - It is beneficial that the Shade Study is moving forward.
 - There are many positive recreational facility improvements in the budget, especially for McCormick Stillman Railroad Park and Scottsdale Stadium.
 - To maintain the City’s motto of “Simply Better Service”, it is important to ensure employees are sufficiently compensated and the city has the necessary number of employees to keep up with needed service levels.
 - Scottsdale is a donor city to the state because Scottsdale produces significant tax revenue, but it does not all come back to the city for use since the city has a significant number of “snowbirds” and tourists, who are not included in our population estimates.
 - The budget is influenced by resident input, such as sidewalk segment that is being added in South Scottsdale.
 - The State has cut the city’s tax revenues by \$20 million to \$30 million, and it is extremely difficult to make up that deficit using General Fund revenues.
 - The City produces many critical services such as water and public safety, and many other services that may not always be recognized, such as graffiti removal.
 - Additional road lanes and road widening projects are under construction.
 - Mayor and Council discretionary funds should be used for affordable housing and/or sustainability projects.
 - While the overall budget was reduced from 9.5% from a year ago, the city is Increasing law enforcement technology, tools, and facilities needed by our public safety departments
 - \$15 million was allocated to affordable housing.
 - The budget was reduced and is at 97% of the expenditure limitation capacity.

Public Comment – Dawn Brokaw and Susan Wheeler presented a citizen petition requesting a split-rail fence from 96th Street to Frank Lloyd Wright Boulevard compatible with the Cactus Corridor Study.

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 18

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.

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

– A citizen petition presented by Carolee Hoth was accepted and acknowledged.

– Vice Mayor Whitehead made a motion to direct the City Manager to investigate the matter and prepare a written response to the Council with an emphasis on the speed reduction and traffic light requests, with a copy to the petitioner. Councilwoman Janik seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Graham, Janik, and Littlefield voting in the affirmative.

– A citizen petition presented by Jon Rosenberg was accepted and acknowledged.

– Mayor Ortega noted the petition request was the subject of tonight's Work Study Session and would be considered as part of the Session. Therefore, the Council took no action on this petition at the present time.

– A citizen petition presented by Dawn Brokaw and Susan Wheeler was accepted and acknowledged.

– Vice Mayor Whitehead made a motion to direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner. Councilwoman Janik seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Graham, Janik, and Littlefield voting in the affirmative.

MAYOR AND COUNCIL

ITEM 19

*****19. [Amend the Rules of Council Procedure Related to the Use of Technological Devices During Public Meetings](#)**

Request: Amend the Rules of Council Procedure, Rule No. 5.11, related to the use of technological devices during public meetings and/or direct staff regarding additional measures that may further mitigate concerns related to the use of technological devices to send or receive communications during public meetings.

Presenter(s): Sherry Scott, City Attorney; Jim Thompson, City Manager; and Ben Lane, City Clerk
Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

- **City Attorney Sherry Scott gave a PowerPoint presentation on possibly amending the Rules of Council Procedure related to the use of technological devices during public meetings.**
- **Mayor Ortega made a motion to amend the Rules of Council Procedure, Rule No. 5.11 as presented by staff:**
 1. **Councilmembers shall not send any electronic communications while attending public Council Meetings or Executive Sessions. Only electronic devices supplied by the City and approved for use during Council Meetings may be used during the Council Meetings for noncommunicative purposes, such as referencing Meeting materials. All other electronic devices must be stored elsewhere during Council Meetings.**
 2. **Establish an emergency contact line that is monitored during Council Meetings in case a councilmember needs to be called away from the meeting for a personal reason.**
- Councilwoman Caputi seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Graham, Janik, and Littlefield voting in the affirmative.**
- **The City Council recessed the Regular Meeting and Work Study Session at 7:49 P.M.**
- **The City Council reconvened the Regular Meeting and Work Study Session at 8:01 P.M.**

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.**

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.

- **Mayor Ortega opened public comment on this item.**
- **French Thompson spoke about the parking locations identified in the Bond 2019 projects and the parking needs south of Indian School Road. Sonnie Kirtley, representing the Coalition of**

Greater Scottsdale (COGS), noted that parking needs have changed over the years and COGS supports adding two levels to the garage where the farmers market is held and finding parking resources for the northeast quadrant. Bob Pejman opposed additional parking in the northeast quadrant and stated the Bond 2019 projects and ballot language created a reasonable expectation for where voters could expect the parking to be added, which the Council should honor. Jon Rosenberg said the northeast quadrant needs additional daytime parking and the lack of parking is impacting businesses and future development in the area. Danielle Larkin spoke about the difficulty of finding parking for both employees and clients and how it has impacted her business on Stetson Drive located in the northeast quadrant.

– Mayor Ortega closed public comment on this item.

1. [Downtown Parking Update](#)

Request: Presentation, discussion, and possible direction to staff regarding downtown parking.

Presenter(s): Dan Worth, Public Works Director

Staff Contact(s): Jim Thompson, City Manager, 480-312-2800, jthompson@scottssdsaleaz.gov

– Public Works Director Dan Worth gave a PowerPoint presentation on possible Downtown Parking options.

– There was Council consensus on the following items:

- There are areas in downtown that need parking, both north and south of Indian School Road.
- Additional signage is needed to help locate parking garages.

– Councilmembers made the following observations and suggestions:

- Over the last several decades, considerable funding has been spent studying the parking issue and a solution needs to be determined that considers the entire downtown area.
- Additional parking for the northeast quadrant has not been addressed and additional parking is needed for this area, especially during the daytime.
- The Bond 2019 ballot language gave parking options that were being considered, but also indicated the City would continue to explore other locations for possible parking.
- The Galleria should not be considered as a possible solution as it is privately owned and the City cannot require the owner to provide additional parking.
- The P-2 and P-3 parking overlay district were created in the 1980s and was the only way for small lots to be developed. However, this area has grown over time and there is not enough available parking.
- More parking is needed if older lots are going to be redeveloped.
- The Stetson was deeded to the City to build additional parking.
- There are ridesharing and shuttle options for major events in Old Town.
- The Civic Center will have more events but that does not necessarily mean there is a need for additional parking capacity as events likely will not overlap.
- There are sufficient parking options in and around the 1st Street and Brown Avenue Parking Corral.
- An alternative option to the two listed by staff would be to continue with the Artisan parking and add parking at the Stetson Drive/6th Avenue location (ground floor plus one floor above), which would bring the project in under budget.
- Parking should be added based on need and data analysis.
- Multiple events held at the same time does not necessarily mean the number of parking spaces has to be increased at the same rate as individuals attend events at different times.
- There is much garage space that is not utilized during the day.
- More information is needed to see how the garages are used and where are the peak demands for parking space.

- The Bond 2019 program gave voters a reasonable expectation of where parking would be located.
- The two additional floors option for the 1st Street and Brown Avenue Parking Corral option would provide a favorable economy of scale and should be pursued.
- The parking arrangement with HonorHealth is temporary and may not always be available and staff should research if there is a way to get some of the land back for parking.
- Bond 2019 funding should not be spent on the northeast quadrant.
- Staff should pursue Option #2, which involves additional parking at 1st Street and Brown Avenue, Stetson Drive and 6th Avenue, and the Artisan.
- There have been improvement districts over the years that have provided additional parking.
- This is not the only opportunity to add parking.
- Voters expect parking to be added in the Arts District.
- Maintaining the charm of Old Town is important and adding a large parking garage at 1st Street and Brown Avenue as presented would not add to the aesthetic and may cause issues with the Farmers Market.
- Staff should look at additional parking options in the HonorHealth area.
- If a business meets the parking requirements in the City Code, they can charge for additional offered parking.
- Adding one more level to the parking garage at 1st Street and Brown Avenue would add shade for the Farmers Market.
- This discussion related to downtown parking options will continue at future council meetings.

Adjournment – 9:45 P.M.

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