

SCOTTSDALE

CITY COUNCIL MEETING

MEETING NOTICE AND AGENDA



COUNCIL

David D. Ortega, Mayor
Tammy Caputi
Tom Durham
Barry Graham

Betty Janik
Kathleen S. Littlefield
Solange Whitehead

Tuesday, May 14, 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 21, 2024).

In-person spoken public comment is being accepted on Items 1 through 13. 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

Tuesday, May 14, 2024

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Call to Order – 5:24 P.M.

Roll Call – All Present (Councilwoman Littlefield 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 – Mayor Ortega

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.

Presentations/Information Updates – Citizen Liaison Christy Hill gave a PowerPoint presentation and presented the 2024 Scottsdale 101 Citizen Academy graduates. 2024 Scottsdale 101 Citizen Academy graduates Sondra Barr, Neil Ciarfalia, and Tom Droze spoke about their experience and the many facts they learned about Scottsdale.

- **Recognition of the 2024 Scottsdale 101 Citizen Academy Graduates**

Presenter(s): Christy Hill, Citizen Liaison

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 – 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."**

MINUTES

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

- [Special Meeting Minutes of April 2, 2024](#)
- [Executive Session Minutes of April 2, 2024](#)
- [Regular Meeting Minutes of April 2, 2024](#)

– Councilwoman Janik made a motion to approve the Special Meeting Minutes of April 2, 2024; Executive Session Minutes of April 2, 2024; and the Regular Meeting Minutes of April 2, 2024. Vice

Mayor Whitehead 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 ITEMS 1-11

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.

– Vice Mayor Whitehead made a motion to approve Consent Agenda Items 1 through 11. 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.

1. **[The House Warming Project Liquor License \(18-LL-2024\)](#) – 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 and owner.
Location: 7066 E. Indian School Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
2. **[Macayo’s Mexican Food Liquor License \(19-LL-2024\)](#) – 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: 8608 E. Shea Boulevard
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
3. **[Culinary Gangster Liquor License \(20-LL-2024\)](#) – 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 and owner.
Location: 14891 N. Northsight Boulevard, Suite 135
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
4. **[IL Bosco Pizza Liquor License \(21-LL-2024\)](#) – 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: 11108 N. Frank Lloyd Wright Boulevard, Suite 114
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
5. **[Allison DuBois Spirits Liquor License \(22-LL-2024\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 4 (wholesaler) State liquor license for a new location and owner.
Location: 7678 E. Greenway Road, Suite 101
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

6. **Hi Fi Kitchen & Cocktails Liquor License (23-LL-2024) – 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 6 (bar) State liquor license for an existing location with a new owner.
Location: 4420 N. Saddlebag Trail, Suite 110
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

7. **On-Call Civil Infrastructure Inspection Services Contract Extensions – Approved on Consent.**
Request: Adopt **Resolution No. 13113** authorizing the following one-year contract extensions, in an amount not to exceed \$1,500,000 per contract, and modifying the hourly rates in accordance with the price adjustment terms in each respective contract for on-call inspection services at various project locations throughout the City:
 1. Contract No. 2020-090-COS-A3 with Consultant Engineering, Inc.
 2. Contract No. 2020-102-COS-A3 with Tristar Engineering and Management, Inc.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

8. **Scottsdale Airport Lease Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 13102** authorizing Lease Agreement No. 2024-065-COS with Desert Aerostar, LLC, for the lease of North General Aviation Box Hangar Space at the Scottsdale Airport.
Location: 15858 N. 82nd Way
Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov

9. **Gila River General Stream Adjudication Legal Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 13129** to authorize:
 1. Contract No. 2024-082-COS with Engelman Berger, P.C., in an amount not to exceed \$40,000, for continued legal representation in the Gila River General Stream Adjudication for Fiscal Year 2024/25.
 2. The City Attorney to execute Contract No. 2024-082-COS with Engelman Berger, P.C.
 3. The City Attorney to approve a one-year extension of the contract and execute any other documents and take such other actions as necessary to carry out the intent of this Resolution.**Staff Contact(s):** Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

10. **Public Safety Personnel Retirement System Pension Funding Policy – Approved on Consent.**
Request: Adopt **Resolution No. 13111** adopting the Fiscal Year 2024/25 Public Safety Personnel Retirement System (PSPRS) Pension Funding Policy; accepting the City's share of assets and liabilities under the PSPRS actuarial valuation report; repealing the prior policy; and establishing an effective date of July 1, 2024.
Staff Contact(s): Anna Henthorn, Accounting Director, 480-312-7805, ahenthorn@scottsdaleaz.gov

11. **Monthly Financial Report – Approved on Consent.**
Request: Accept the Fiscal Year 2023/24 Monthly Financial Report as of March 2024.
Staff Contact(s): Ana Lia Johnson, Acting Budget Director, 480-312-7893, anjohanson@scottsdaleaz.gov

REGULAR AGENDA ITEMS 12-13

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

12. **Public Hearing on and Adoption of Fiscal Year 2024/25 Rates and Fees**
Requests:
 1. Accept citizen comments at a public hearing regarding proposed rates and fees.

2. Adopt **Resolution No. 13091** declaring the document entitled "*Amendments to Chapter 49, Scottsdale Revised Code – Water, Sewers and Sewage Disposal*" to be a public record.
3. Adopt **Ordinance No. 4630** amending portions of Scottsdale Revised Code, Chapter 49, Water, Sewers and Sewage Disposal, relating to sewer/water reclamation rates, and miscellaneous rates and charges, effective July 1, 2024, and adjusting water rate (volumetric and base) charges, effective November 1, 2024.
4. Adopt **Ordinance No. 4631** amending Scottsdale Revised Code, Chapter 24, Solid Waste Management by adjusting solid waste rates and charges, effective July 1, 2024.
5. Adopt **Ordinance No. 4632** amending Scottsdale Revised Code, Chapter 16, Licenses, Taxation and Miscellaneous Business Regulations by adjusting the Private Hauler Fee, effective July 1, 2024.
6. Adopt **Ordinance No. 4634** amending Scottsdale Revised Code, Chapter 9, City Court, relating to a service enhancement fee, effective July 1, 2024.
7. Adopt **Ordinance No. 4635** amending Scottsdale Revised Code, Chapter 9, City Court, relating to funds, costs, and fees of the City Court, effective July 1, 2024.
8. Adopt **Resolution No. 13109** authorizing and approving adjustments to the Planning and Development Services Department's fees and charges, effective July 1, 2024.
9. Adopt **Resolution No. 13112** authorizing and approving:
 - a. Adjustments to the Community Services Division schedule of program charges, rental fees, and fines, effective July 1, 2024.
 - b. The City Manager, or designee, with concurrence of the City Attorney's Office to execute Scottsdale Stadium and Indian School Park Use Agreements with negotiated fees or fees for areas that have not typically been reservable by the public.
 - c. The City Manager, or designee, with concurrence of the City Attorney's Office to execute WestWorld agreements with negotiated fees.
10. Adopt **Resolution No. 13117** increasing the Police Department hourly fees for off-duty officers and increasing on body camera video request fees.

Presenter(s): Ana Lia Johnson, Acting Budget Director

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

– Acting Budget Director Ana Lia Johnson gave a PowerPoint presentation on the proposed Fiscal Year 2024/25 Rates and Fees.

– Mayor Ortega opened the public hearing on this item.

– There was no public comment on this item.

– Mayor Ortega closed the public hearing on this item.

– Vice Mayor Whitehead made a motion to:

1. Adopt Resolution No. 13091 declaring the document entitled "*Amendments to Chapter 49, Scottsdale Revised Code – Water, Sewers and Sewage Disposal*" to be a public record.
2. Adopt Ordinance No. 4630 amending portions of Scottsdale Revised Code, Chapter 49, Water, Sewers and Sewage Disposal, relating to sewer/water reclamation rates, and miscellaneous rates and charges, effective July 1, 2024, and adjusting water rate (volumetric and base) charges, effective November 1, 2024.
3. Adopt Ordinance No. 4631 amending Scottsdale Revised Code, Chapter 24, Solid Waste Management by adjusting solid waste rates and charges, effective July 1, 2024.
4. Adopt Ordinance No. 4632 amending Scottsdale Revised Code, Chapter 16, Licenses, Taxation and Miscellaneous Business Regulations by adjusting the Private Hauler Fee, effective July 1, 2024.
5. Adopt Ordinance No. 4634 amending Scottsdale Revised Code, Chapter 9, City Court, relating to a service enhancement fee, effective July 1, 2024.

6. **Adopt Ordinance No. 4635 amending Scottsdale Revised Code, Chapter 9, City Court, relating to funds, costs, and fees of the City Court, effective July 1, 2024.**
 7. **Adopt Resolution No. 13109 authorizing and approving adjustments to the Planning and Development Services Department's fees and charges, effective July 1, 2024.**
 8. **Adopt Resolution No. 13112 authorizing and approving:**
 - a. **Adjustments to the Community Services Division schedule of program charges, rental fees, and fines, effective July 1, 2024.**
 - b. **The City Manager, or designee, with concurrence of the City Attorney's Office to execute Scottsdale Stadium and Indian School Park Use Agreements with negotiated fees or fees for areas that have not typically been reservable by the public.**
 - c. **The City Manager, or designee, with concurrence of the City Attorney's Office to execute WestWorld agreements with negotiated fees.**
 9. **Adopt Resolution No. 13117 increasing the Police Department hourly fees for off-duty officers and increasing on body camera video request fees.**
- 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.**

13. **Public Hearing on and Adoption of Proposed Fiscal Year (FY) 2024/25 Budget (Tentative Budget) and Five-Year Capital Improvement Plan (CIP)**

Requests:

1. The City Council solicits and receives public input relative to the entire Proposed FY 2024/25 Budget, which includes both the Operating Budget and Capital Improvement Plan. The City Council may direct staff to revise the Proposed FY 2024/25 Budget prior to adoption or may adopt the proposed version as the Tentative Budget as amended required for conformity with Arizona Revised Statutes and City Charter.
2. Adopt **Ordinance No. 4637** as presented (or as modified by Council) establishing the Tentative Budget for FY 2024/25 and adopting by reference the State-required budget forms. Establishment of the Tentative Budget statutorily fixes the maximum expenditure limit. The maximum expenditure limit may still be lowered by the City Council before final budget adoption.

Adoption of Ordinance No. 4637 also:

- a. Directs the City Clerk to meet obligations regarding publication and notices imposed by Arizona Revised Statutes and City Charter.
 - b. Tentatively authorizes or approves as applicable, certain salary adjustments included in the Tentative Budget for City employees and Charter Officers and sets the salaries of the Presiding Judge and Associate Judges.
3. Adopt **Ordinance No. 4638** as presented (or as modified by Council) tentatively adopting the Five-Year CIP for FY 2024/25 – FY 2028/29.

Presenter(s): Sonia Andrews City Treasurer and Dan Worth, Public Works Director

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

– City Treasurer Sonia Andrews gave a PowerPoint presentation on the proposed Fiscal Year (FY) 2024/25 Budget (Tentative Budget) and Five-Year Capital Improvement Plan (CIP).

– Mayor Ortega opened the public hearing on this item.

– There was no public comment on this item.

– Mayor Ortega closed the public hearing on this item.

– Councilwoman Janik made a motion to:

1. **Adopt Ordinance No. 4637 as presented establishing the Tentative Budget for FY 2024/25 and adopting by reference the State-required budget forms. Establishment of the Tentative Budget statutorily fixes the maximum expenditure limit. The maximum expenditure limit may still be lowered by the City Council before final budget adoption.**

Adoption of Ordinance No. 4637 also:

- a. **Directs the City Clerk to meet obligations regarding publication and notices imposed by Arizona Revised Statutes and City Charter.**
 - b. **Tentatively authorizes or approves as applicable, certain salary adjustments included in the Tentative Budget for City employees and Charter Officers and sets the salaries of the Presiding Judge and Associate Judges.**
2. **Adopt Ordinance No. 4638 as presented tentatively adopting the Five-Year CIP for FY 2024/25 – FY 2028/29.**

Vice Mayor Whitehead seconded the motion, which carried 6/1, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Janik, and Littlefield voting in the affirmative and Councilmember Graham 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 14

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.

14. 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

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.

– There was no public comment on this item.

1. Quarterly Financial and Capital Improvement Plan (CIP) Updates

Requests:

- a. [Receive, discuss, and provide possible direction on the City Treasurer's quarterly financial presentation as of March 2024.](#)
- b. [Receive, discuss, and provide possible direction on the City Engineer's quarterly CIP presentation as of March 2024.](#)

Presenter(s): Sonia Andrews, City Treasurer and Dan Worth, Public Works Director

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

– City Treasurer Sonia Andrews and Public Works Director Dan Worth gave a PowerPoint presentation on the Quarterly Financial and Capital Improvement Plan (CIP) updates.

– Councilmembers made the following observations and suggestions:

- **There was a positive variance in retail and dining due to continued strong consumer spending.**
- **The Via Linda Police Station is 35 years old as it opened in 1989 and now the loft space in the building is being utilized to create more space for police dispatch.**
- **The storage and injection wells for water are like an ATM as they store clean water and make it available for future withdrawals as needed.**
- **Clean water is stored in the storage and injection wells which are the size of one square mile and 80 feet high. These aquifers preserve the underground caverns and are part of the City's infrastructure which provides sustainability for the water system.**
- **The solar panel shade structures would provide additional shaded space in the Civic Center area.**
- **The Miller Bridge is an essential part of the transportation network but there have been concerns from residents due to the time the crews are able to work on the construction.**
- **The budget to actual and funding source reporting is understandable and was requested for all projects.**
- **The payback period for solar is generally 15 to 20 years but there are other benefits as well.**

Adjournment – 6:59 P.M.

– Councilmember Graham made a motion to adjourn the Regular Meeting and Work Study Session. 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.