

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, October 22, 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 (November 12, 2024).

In-person spoken public comment is being accepted on Items 1 through 22. 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.

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

Roll Call

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's Report

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

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 September 2024:

- a. [Regular Meeting Minutes of September 17, 2024](#)
- b. [Special Meeting Minutes of September 24, 2024](#)
- c. [Regular Meeting Minutes of September 24, 2024](#)

CONSENT AGENDA ITEMS 1-21

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.

1. [Elvira's: Cocina, Tequila, Vino Liquor License \(62-LL-2024\)](#)

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: 20825 N. Pima Road, Suite H110

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

CONSENT AGENDA

2. [Montauk Liquor License \(63-LL-2024\)](#)
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: 4360 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
3. [El Camino Liquor License \(64-LL-2024\)](#)
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: 7133 E. Stetson Drive, Suite 5
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
4. [Coconuts Fish Cafe Liquor License \(65-LL-2024\)](#)
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: 7366 E. Shea Boulevard, Unit 110
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
5. [Rubio's Baja Grill #152 Liquor License \(66-LL-2024\)](#)
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: 32415 N. Scottsdale Road, Suite B
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
6. [Hotel Adeline Liquor License \(67-LL-2024\)](#)
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 11 (hotel/motel with restaurant) State liquor license for an existing location with a new owner.
Location: 5101 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
7. [Residence Inn Scottsdale North Liquor License \(68-LL-2024\)](#)
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 11 (hotel/motel with restaurant) State liquor license for an existing location with a new owner.
Location: 17011 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
8. [Brakes Plus Vehicle Repair Facility Conditional Use Permit \(4-UP-2024\)](#)
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 13246** approving a conditional use permit for a vehicle repair facility on a ±0.6 acre site with Highway Commercial (C-3) zoning.
Location: 1215 N. Scottsdale Road
Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov

CONSENT AGENDA

9. [Crossroads East Zoning Adoption – Legacy North \(19-ZN-2002#12\)](#)
Request: Adopt **Ordinance No. 4655** affirming the zoning classification approved as part of Case No. 19-ZN-2002#6 and finalizing the zoning district boundary for the ±20 acre Legacy North property as Planned Community District (PCD) with the P-C comparable Multi-Family Residential District (P-C R-5) zoning.
Location: 7550 E. Legacy Boulevard
Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov
10. [Care Homes Text Amendment \(1-TA-2022\)](#)
Request: Adopt **Ordinance No. 4657** to amend the City of Scottsdale Zoning Ordinance (Ordinance No. 455), Article I, Section 1.806 (Disability Accommodation); Article I, Section 1.920 (Request for Disability Accommodation); Article III, Section 3.100 (Definitions); Article V, Section 5.012 (Single-Family Residential, R1-190 – Use Regulations); and Article V, Section 5.102 (Single-Family Residential, R1-43 – Use Regulations) to clarify what constitutes a care home and modify the process and criteria for obtaining a Disability Accommodation.
Staff Contact(s): Erin Perreault, Planning and Development Services Director, 480-312-7093, eperreault@scottsdaleaz.gov
11. [Nonexclusive Utility Easement Agreement for Fire Station 612 and Aquifer Storage and Recovery Well 160](#)
Request: Adopt **Resolution No. 13238** authorizing Contract No. 2024-169-COS with Arizona Public Service, granting and conveying a nonexclusive utility easement upon, under, and across City property to provide power to the City Fire Station 612 and Aquifer Storage and Recovery Well 160.
Location: 18455 N. Hayden Road
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov
12. [Congestion Mitigation and Air Quality Improvement Grant for the Scottsdale Road Signal Detection System Upgrade Capital Project](#)
Request: Adopt **Resolution No. 13251** to authorize:
 1. Acceptance of a congestion mitigation and air quality improvement grant award from the U.S. Department of Transportation Federal Highway Administration, in the amount of \$3,222,995 with a \$204,815 local match, to support the procurement and installation of upgraded vehicle detection systems and traffic signal controller cabinets in connection with the Scottsdale Road Signal Detection System Upgrade capital project (TJ04).
 2. The City Manager, or designee, to execute a grant agreement and any other documents and to take such other actions as necessary to carry out the intent of this Resolution.**Staff Contact(s):** Mark Melnychenko, Transportation and Streets Director, 480-312-7651, mmelnychenko@scottsdaleaz.gov
13. [Congestion Mitigation and Air Quality Improvement Grant for the Goldwater Boulevard Pedestrian and Bicycle Underpass at Scottsdale Road Project](#)
Request: Adopt **Resolution No. 13258** to authorize:
 1. Acceptance of a congestion mitigation and air quality improvement grant award from the U.S. Department of Transportation Federal Highway Administration, in the amount of \$2,352,421 with a \$142,193 local match, to construct a bicycle and pedestrian underpass in connection with the Goldwater Boulevard Pedestrian and Bicycle Underpass at Scottsdale Road project (SI03).
 2. The City Manager, or designee, to execute a grant agreement and any other documents and to take such other actions as necessary to carry out the intent of this Resolution.**Staff Contact(s):** Mark Melnychenko, Transportation and Streets Director, 480-312-7651, mmelnychenko@scottsdaleaz.gov

CONSENT AGENDA

14. [**Congestion Mitigation and Air Quality Improvement Grant for the Central Arizona Project \(CAP\) Canal Path Project**](#)
Request: Adopt **Resolution No. 13259** to authorize:
 1. Acceptance of a congestion mitigation and air quality improvement grant award from the U.S. Department of Transportation Federal Highway Administration, in the amount of \$2,372,025 with a \$207,378 local match, to construct a shared-use path along the southern side of the CAP canal in connection with the Central Arizona Project (CAP) Canal Path project (TJ01).
 2. The City Manager, or designee, to execute a grant agreement and any other documents and to take such other actions as necessary to carry out the intent of this Resolution.**Staff Contact(s):** Mark Melnychenko, Transportation and Streets Director, 480-312-7651, mmelnychenko@scottsdaleaz.gov

15. [**Scottsdale Airport Kilo Apron Rehabilitation Project Construction Bid**](#)
Request: Adopt **Resolution No. 13235** authorizing Construction Bid Award No. IFB-042024-162 with Sunland Asphalt and Construction, LLC, in the amount of \$697,594.29, for construction services in connection with the Airport Kilo Apron Rehabilitation project.
Location: 15000 N. Airport Drive
Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov

16. [**Scottsdale ArtWalk Gold Palette Event Funding**](#)
Request: Adopt **Resolution No. 13250** to authorize:
 1. Funding, not to exceed \$75,000, from the portion of the Fiscal Year 2024/25 Tourism Development Fund that is allocated toward event retention and development for the Scottsdale ArtWalk Gold Palette Event.
 2. Event Funding Agreement No. 2024-172-COS with the Scottsdale Gallery Association.**Staff Contact(s):** Rachel Smetana, Tourism & Events Director, 480-312-2890, rsmetana@scottsdaleaz.gov

17. [**Rassner Memorial Scottsdale Library Endowment Allocation for Fiscal Year 2024/25**](#)
Request: Adopt **Resolution No. 13221** approving the distribution of up to \$18,600 in interest income from the Rassner Memorial Scottsdale Library Endowment Fund for Fiscal Year 2024/25 and authorizing the allocation of funds for the purchase of books and literary materials.
Staff Contact(s): Judy Doyle, Community Services Assistant Executive Director, 480-312-2691, jdoyle@scottsdaleaz.gov

18. [**HOME Investment Partnership Program \(HOME\) Funding Intergovernmental Agreement**](#)
Request: Adopt **Resolution No. 13231** to authorize:
 1. Agreement No. 2022-026-COS-A2, the second amendment to the agreement with Maricopa County for funds from the Home Investment Partnership Program, American Rescue Plan Act, and Program Year 23 HOME Investment Partnership Program, in the amount of \$355,614, for a new total of \$2,851,429, to continue the administration of the Tenant Based Rental Assistance Program.
 2. The Community Services Assistant Executive Director to execute any other documents or take other actions as 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

CONSENT AGENDA

19. [Audit Services Intergovernmental Agreement Amendment](#)

Request: Adopt **Resolution No. 13261** to authorize:

1. Agreement No. 2021-023-COS-A3, the third amendment to the agreement with the Scottsdale Unified School District No. 48, for defined audit services.
2. The City Auditor to execute future amendments for additional audit services.
3. The City Auditor, 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): Lai Cluff, Acting City Auditor, 480-312-7851, lcluff@scottsdaleaz.gov

20. [Reduction of Human Exploitation and Trafficking Grant](#)

Request: Adopt **Resolution No. 13260** to authorize, if awarded:

1. Acceptance of a grant from the Arizona Department of Public Safety, in the amount of \$370,500, to reimburse the City for overtime, equipment, supplies, and training costs related to the reduction of human exploitation and trafficking.
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 the grant.
3. A Budget Transfer, of up to \$370,500, from the 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

21. [Monthly Financial Report](#)

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

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

REGULAR AGENDA ITEM 22

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

22. [National Forest Foundation Agreement](#)

Request: Adopt **Resolution No. 13207** to authorize:

1. Agreement No. 2024-147-COS with the National Forest Foundation to provide funds and support toward improving the forest watersheds that are critical to the City's water supply.
2. The Water Resources Executive Director, or designee, to execute any such documents and take any such other actions as necessary to carry out the intent of this Resolution.

Presenter(s): Gretchen Baumgardner, Water Policy Manager

Staff Contact(s): Kevin Rose, Interim Water Resources Executive Director, 480-312-5621, krose@scottsdaleaz.gov

Agenda continues on the following page

Public Comment

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CITIZEN PETITIONS

ITEM 23

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.

23. 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

Adjournment