

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, January 10, 2023

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 Council meeting (January 24, 2023).

In-person spoken public comment is being accepted on Items 1 through 23. 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, January 10, 2023

Page 2 of 8

Call to Order – 5:00 P.M.

Roll Call – All present

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 – Councilwoman Littlefield

Mayor's Report

Mayor Ortega wished everyone a Happy New Year.

Mayor Ortega reported that on Friday there was an incident involving Scottsdale's elite police officers serving an arrest warrant. It occurred in an adjoining jurisdiction and they were valiant in carrying out their duties. He commended the police officers involved and thanked them for their valor and service. He thanked the other government agencies involved in the incident.

Mayor Ortega recognized former Councilman Rene Wendell, who passed away on December 24, 2022. Rene was an active member of the community and will be remembered for his kind spirit, commitment to others, and sense of humor.

Mayor Ortega asked for a moment of silent reflection for the people of Ukraine as they fight for their freedom and democracy.

City Manager's Report – City Manager Jim Thompson introduced a "Fast Five" video produced by the City Communication's Office which provided updates on several City events and offerings.

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 – Former City Councilmember Linda Milhaven spoke to a previously submitted citizen petition related to water delivery for the Rio Verde community. She asked the Council to reconsider entering into an agreement with EPCOR for water delivery. Cody Reim asked the Council to schedule the Rio Verde water contract with EPCOR for an emergency meeting. Louise Lamb requested a status update on a citizen petition submitted on November 8, 2022 regarding reinstating downtown trolley services. Shon Reim asked the Council to help the Rio Verde community with water delivery services.

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 November 2022:

- a. [Regular Meeting and Work Study Session Minutes of November 14, 2022](#)
- b. [Special Meeting Minutes of November 21, 2022](#)
- c. Executive Session Minutes of November 21, 2022
- d. [Regular Meeting and Work Study Session Minutes of November 21, 2022](#)
- e. [Special Meeting Minutes of November 28, 2022](#)

– Councilwoman Janik made a motion to approve the Regular Meeting and Work Study Session Minutes of November 14, 2022; Special Meeting Minutes of November 21, 2022; Executive Session Minutes of November 21, 2022; Regular Meeting and Work Study Session Minutes of November 21, 2022; and Special Meeting Minutes of November 28, 2022. Councilwoman Whitehead seconded the motion, which carried 6/0, with Mayor Ortega; Vice Mayor Durham; and Councilmembers Caputi, Janik, Littlefield, and Whitehead voting in the affirmative, and Councilmember Graham abstaining.

CONSENT AGENDA ITEMS 1-23

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.

– Councilwoman Whitehead made a motion to approve Consent Agenda Items 1 through 23, except Item 21, which was considered separately. Vice Mayor Durham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Durham; and Councilmembers Caputi, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.

1. [Sneaky Bird Liquor License \(91-LL-2022\)](#) – 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: 15801 N. Frank Lloyd Wright Boulevard, Suite 100

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

2. [Scottsdale House Bingo License \(3-BI-2022\)](#) – Approved on Consent.

Request: Consider forwarding a recommendation of approval to the Arizona Department of Revenue for a bingo license for the Scottsdale House.

Location: 4800 N. 68th Street

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

3. [T-Mobile Scottsdale Ranch PH10928B Conditional Use Permit \(27-UP-2006#4\)](#) – Approved on Consent.

Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 12654** approving a renewal of a Conditional Use Permit for an existing Type 4 alternative concealment wireless communication facility concealed within an artificial palm tree with Single-Family Residential, Planned Community District (R1-18 PCD) zoning.

Location: 10580 N. 100th Street

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

4. [Standing Stones Final Plat \(7-PP-2021\)](#) – Approved on Consent.

Request: Approve the final plat for an 8-lot subdivision and associated tracts and easements on a ±10-acre site (Parcel Nos. 219-11-451A and 219-11-450A) with Single-Family Residential, Environmentally Sensitive Lands (R1-43/ESL).

Location: Southwest corner of E. Standing Stones Road and N. Lone Mountain Parkway (East of Treviso community)

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

5. **Treatment and Removal of Non-Native Invasive Plants Grant – Approved on Consent.**

Request: Adopt **Resolution No. 12679** to authorize:

1. Agreement No. 2022-200-COS with the Arizona Department of Forestry and Fire Management for the acceptance of a grant for treatment and removal of non-native invasive plants in the McDowell Sonoran Preserve.
2. The City Manager, or designee(s), to execute all documents and other necessary or desirable instruments in connection with the acceptance of this Grant.
3. A budget transfer, in the amount of \$192,000, from the Fiscal Year 2022/23 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.

Staff Contact(s): Kroy Ekblaw, Preserve Director, 480-312-7094, kekblaw@scottsdaleaz.gov

6. **Rassner Memorial Scottsdale Library Endowment Allocation for Fiscal Year (FY) 2022/23 – Approved on Consent.**

Request: Adopt **Resolution No. 12706** approving the distribution of up to \$18,000 in interest income from the Rassner Memorial Scottsdale Library Endowment Fund for FY 2022/23 and authorizing the allocation of funds to recommended activities.

Staff Contact(s): Kira Peters, Community Services Administrator, 480-312-2691, kcpeters@scottsdaleaz.gov

7. **First Substantial Amendment to the Community Development Block Grant (CDBG) Program Fiscal Year (FY) 2022/2023 Annual Action Plan – Approved on Consent.**

Request: Adopt **Resolution No. 12685** to authorize and approve:

1. The Substantial Amendment to the FY 2022/23 Annual Action Plan, which recognizes \$310,165.22 in CDBG program income from repayments of deferred loans in FY 2021/2022 from Green Housing Rehabilitation Program participants to be recorded in the FY 2021/22 Green Housing Rehabilitation Program Revolving Loan Fund.
2. The City Manager, or designee, to execute other documents and take such other actions as necessary to carry out the intent of this Resolution.

Staff Contact(s): Greg Bestgen, Human Services Director, 480-312-0104, gbestgen@scottsdaleaz.gov

8. **Rock 'n' Roll Running Arizona Series – Approved on Consent.**

Request: Adopt **Resolution No. 12721** to authorize:

1. New Event Funding Agreement No. 2023-010-COS with the Iron Man Group.
2. Fiscal Year 2022/23 Tourism Development Fund event retention and development funding, in an amount not to exceed \$40,000, to support the Rock 'n' Roll Running Arizona Series.

Staff Contact(s): Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov

9. **Financial Statement Audit Professional Services Contract – Approved on Consent.**

Request: Adopt **Resolution No. 12698** authorizing the third one-year extension of Contract No. 2020-041-COS with Heinfeld, Meech & Co., P.C., in an amount not to exceed \$98,500, for the audit of the City's Fiscal Year 2022/23 financial statements and related services.

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

10. **Scottsdale Firefighter Cancer Screening Physicals – Approved on Consent.**

Request: Adopt **Resolution No. 12719** authorizing Contract No. 2023-008-COS with the Vincere Physicians Group, PLLC, in the approximate amount of \$797,535, for cancer screening physicals for Scottsdale firefighters.

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

11. **Fuel Reduction Mitigation Program Grant – Approved on Consent.**
Request: Adopt **Resolution No. 12720** to authorize:
 1. If awarded, the acceptance of a grant, in the amount of \$20,000, from Maricopa County, through the Department of Emergency Management for fuel mitigation projects.
 2. A budget transfer, in the amount of \$20,000, from the Fiscal Year 2022/23 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.
 3. The Fire Chief, or designee, to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with the acceptance of the Maricopa County Department of Emergency Management grant.**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

12. **New Police Department Off-Duty Fee – Approved on Consent.**
Request: Adopt **Resolution No. 12649** authorizing the implementation of a new Police Department off-duty fee for additional holidays to include Labor Day, Veterans Day, Martin Luther King, Jr. Day, Presidents' Day, Memorial Day, and Juneteenth.
Staff Contact(s): Jeff Walther, Chief of Police, 480-312-1900, jwalther@scottsdaleaz.gov

13. **Arizona Traffic and Criminal Software Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 12700** to authorize:
 1. Agreement No. 2023-002-COS with the Arizona Governor's Office of Highway Safety to accept a grant, in the amount of \$55,000, related to the purchase of equipment for Arizona Traffic and Criminal Software.
 2. The City Manager, or designee, to execute Contract No. 2023-002-COS.
 3. A budget transfer, in the amount of \$55,000, from the adopted Fiscal Year 2022/23 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

14. **Agreement for Hiring Officers/Police Aides on an On-Duty Basis – Approved on Consent.**
Request: Adopt **Resolution No. 12713** authorizing the Chief of Police, or designee, with the concurrence of the City Attorney to execute agreements for the hiring of officers/police aides on an on-duty basis.
Staff Contact(s): Jeff Walther, Chief of Police, 480-312-1900, jwalther@scottsdaleaz.gov

15. **On-Call Structural Design Services Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 12702** authorizing the following one-year contract extensions, in an amount not to exceed \$750,000 per contract, for on-call structural design services at various project locations throughout the City of Scottsdale:
 1. Contract No. 2019-003-COS-A3 with Horrocks Engineers, Inc.
 2. Contract No. 2019-004-COS-A3 with Point Engineers, LLC
 3. Contract No. 2019-005-COS-A3 with Gannett Fleming, Inc.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

16. **Citywide Electrical Construction Services Job Order Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 12703** authorizing the following one-year job order contract extensions, in an amount not to exceed \$2,500,000 per contract, for citywide electrical (Water Resources electrical systems) construction services:
 1. Contract No. 2020-008-COS-A2 with Keller Electrical Industries, LLC
 2. Contract No. 2020-009-COS-A2 with Rosendin Electric, Inc.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

17. **General Landscape Services Job Order Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 12704** authorizing the following one-year job order contract extensions, in an amount not to exceed \$2,000,000 per contract, for citywide general landscape services:
 1. Contract No. 2020-004-COS-A2 with DBA Construction, Inc.
 2. Contract No. 2020-005-COS-A2 with Landscapes Unlimited, LLC
 3. Contract No. 2020-019-COS-A2 with Valley Rain Construction Corporation**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

18. **Water Campus Administration Building Design-Build Manager Preconstruction Phase Contract – Approved on Consent.**
Request: Adopt **Resolution No. 12715** authorizing Design-Build Manager Preconstruction Phase Contract No. 2023-004-COS with Willmeng Construction, Inc., in an amount not to exceed \$551,308, to provide design-build services for the Scottsdale Water Campus Administration Building Expansion and New Lab Project.
Location: 8787 E. Hualapai Drive
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

19. **Repair Lakes and Irrigation at Vista del Camino Park in the Indian Bend Wash Construction Phase Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 12717** authorizing Construction Manager at Risk Contract No. 2023-006-COS with Valley Rain Construction Corporation, in an amount not to exceed \$6,137,324.10, to provide construction phase services for Bond 2019 Project 23 – Repair Lakes and Irrigation at Vista del Camino Park in the Indian Bend Wash.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

20. **Indian School Park Master Plan Engineering Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 12718** authorizing Engineering Services Contract No. 2023-007-COS with Kimley-Horn and Associates, Inc., in the amount of \$209,710, to provide design services for the Indian School Park Master Plan.
Location: 4289 N. Hayden Road
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

21. **Procurement Code Amendment**
Request: Adopt **Ordinance No. 4582** amending Scottsdale Revised Code, Chapter 2, Article IV, Division 4, amending the purchasing thresholds within existing regulations, rules, and procedures.
Staff Contact(s): Sonia Andrews, City Treasurer, 480-312-2364, sandrews@scottsdaleaz.gov
– City Treasurer Sonia Andrews gave a PowerPoint presentation.
– Councilwoman Whitehead made a motion to approve Item 21 [Procurement Code Amendment] and adopt Ordinance No. 4582 amending Scottsdale Revised Code, Chapter 2, Article IV, Division 4, amending the purchasing thresholds within existing regulations, rules, and procedures and to provide quarterly reports on awarded bids. Councilwoman Caputi seconded the motion.
– Councilmember Graham made an alternate motion to adopt Ordinance No. 4582 increasing the threshold to \$50,000 instead of \$100,000. Councilwoman Janik seconded the motion.
– Councilwoman Whitehead made an amendment to the original motion adopting Ordinance No. 4582 requiring that all contracts will continue to be brought to Council. Councilwoman Janik seconded the motion.
– Mayor Ortega made a motion to continue Item 21 [Procurement Code Amendment]. Councilwoman Janik seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Durham; and Councilmembers Caputi, Graham, Janik, Littlefield, and Whitehead voting in the affirmative.

22. **Protect and Preserve Scottsdale Task Force Work Plan – Approved on Consent.**

Request: Adopt **Resolution No. 12722** to authorize:

1. The work plan for the Protect and Preserve Scottsdale Task Force to govern and guide the Task Force.
2. The Task Force to make minor changes to the work plan.
3. The City Treasurer, or designee, to take further actions as necessary to carry out the intent of this Resolution.

Staff Contact(s): Sonia Andrews, City Treasurer, 480-312-2364, sandrews@scottsdaleaz.gov

23. **Law Enforcement Civilian Auxiliary Assistance and Support Agreement – Approved on Consent.**

Request: Adopt **Resolution No. 12699** authorizing Agreement No. 2023-001-COS with the Arizona Rangers for law enforcement civilian auxiliary assistance and support.

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

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 24

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.

24. **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

Adjourn the regular portion of the Meeting and Convene the City Council Work Study Session – The City Council adjourned the regular portion of the Meeting at 6:20 P.M.

CITY COUNCIL WORK STUDY SESSION

–The City Council reconvened at 6:29 P.M.

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. – None**

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.

1. [Fiscal Year End 2022 Financial Report](#)

Request: Receive, discuss, and provide possible direction on the Fiscal Year End 2022 Financial Report.

Presenter(s): Sonia Andrews, City Treasurer

Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

– City Treasurer Sonia Andrews gave a PowerPoint presentation on the fiscal year end 2022 Financial Report.

– Councilmembers made the following suggestions to staff:

- **Provide the management letter and any additional verbal comments from the recent audit of the City's procurement card program.**

Adjournment – 6:53 P.M.

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