

**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 21, 2024**

*City Council meetings are also televised on Cox Cable Channel 11 and streamed online at [ScottsdaleAZ.gov](http://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 (June 4, 2024).*

*In-person spoken public comment is being accepted on Items 1 through 7. 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](http://WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION)

Tuesday, May 21, 2024

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**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 Janik**

**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.

– Mayor Ortega presented a Citation of Merit for all city personnel for their work during Scottsdale's high season of activities and events, which starts in November and continues into May.

– Mayor Ortega presented a proclamation declaring Inflammatory Bowel Disease (IBD) Awareness Week in Scottsdale. The proclamation was presented to Scottsdale residents.

– Mayor Ortega noted that it was graduation week, noting it was a great time to celebrate and bring a close to Scottsdale's event season.

– Mayor Ortega thanked Vice Mayor Whitehead for her service as Vice Mayor and announced Councilmember Graham would be the next Vice Mayor starting in June.

**City Manager's Report – Tourism and Events Director Karen Churchard gave a PowerPoint presentation on the Tourism and Events Strategic Plan. Mayor Ortega and Vice Mayor Whitehead noted that Karen was retiring at the end of May and thanked her for service to Scottsdale.**

- **Tourism and Events Strategic Plan Update**

**Presenter(s):** Karen Churchard, Tourism and Events Director

**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 – Brent Bieser spoke about the City Manager's Report response to his citizen petition regarding an S-R zoned property located at Scottsdale Road and Vista Drive and the parking issues with the hotel across the street and requested Council feedback.**

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:

- a. [Special Meeting Minutes of April 16, 2024](#)
- b. Executive Session Minutes of April 16, 2024
- c. [Regular Meeting and Work Study Session Minutes of April 16, 2024](#)

**Councilwoman Janik made a motion to approve the Special Meeting Minutes of April 16, 2024; Executive Session Minutes of April 16, 2024; and the Regular Meeting and Work Study Session Meeting Minutes of April 16, 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 1-5

**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 Janik requested additional information on Item 1 [AFB Development Final Plat (12-PP-2022)].**

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

**– Vice Mayor Whitehead made a motion to approve Consent Agenda Items 1 through 5. Councilwoman Littlefield 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. [AFB Development Final Plat \(12-PP-2022\) – Approved on Consent.](#)

**Request:** Approve the final plat for a new residential subdivision comprised of 52 lots on a 40-acre site with Single Family Residential, Environmentally Sensitive Lands, Planned Community District (R1-7 ESL PCD) zoning.

**Location:** 9402 E. Bell Road

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

**– Senior Planner Meredith Tessier gave a presentation on the proposed AFB Development Final Plat.**

2. [City Annexation Policy – Approved on Consent.](#)

**Request:** Adopt **Resolution No. 13119** to authorize:

1. The rescinding of Resolution No. 4692.
2. The approval of a new annexation policy that provides greater clarity for the City’s consideration of future annexations, consistent with the adopted General Plan.
3. City staff use of the annexation criteria for processing and evaluating annexation requests and presenting them to the Council for consideration.

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

3. **Capital Improvement Projects On-Call Water Resources Engineering Service Contracts – Approved on Consent.**

**Request:** Adopt **Resolution No. 13118** authorizing the following on-call engineering services contracts, in an amount not to exceed \$2,500,000 per contract for the initial two-year term; with the option to extend for three additional one-year periods, in an amount not to exceed \$1,250,000 per contract extension, for on-call water resources engineer services on an “as needed” basis for various project locations throughout the City:

1. Contract No. 2024-073-COS with Carollo Engineers, Inc.
2. Contract No. 2024-074-COS with GHD, Inc.
3. Contract No. 2024-075-COS with Hazen and Sawyer, P.C.
4. Contract No. 2024-076-COS with Water Works Engineers, LLC
5. Contract No. 2024-077-COS with WestLand Resources, Inc., doing business as WestLand Engineering and Environmental Services

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

4. **Financial Advisor Professional Services Contract – Approved on Consent.**

**Request:** Adopt **Resolution No. 13114** to authorize:

1. Contract No. 2024-070-COS with Piper Sandler & Co. for financial advisor services, including but not limited to the issuance of municipal bonds such as: general obligation, street and highway, water and sewer revenue, Municipal Property Corporation, community facilities district, and improvement district.
2. The City Treasurer, or designee, to approve up to four one-year extensions of the contract with concurrence of the Purchasing Director
3. The City Treasurer, 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):** Gina Kirklin, Finance Director, 480-312-5006, [rkirklin@scottsdaleaz.gov](mailto:rkirklin@scottsdaleaz.gov)

5. **Fiscal Year (FY) 2024/25 Human Services Program Funding – Approved on Consent.**

**Request:** Adopt **Resolution No. 13100** approving the recommendations of the Human Services Advisory Commission and authorizing:

1. The allocation of FY 2024/25 Scottsdale Cares Program funding, in the amount of \$111,937, to agencies supporting a variety of human services programs.
2. The allocation of FY 2024/25 General Fund, in the amount up to \$100,000, to agencies supporting a variety of human services programs.
3. The allocation of FY 2024/25 Salt River Pima-Maricopa Indian Community funds, in the amount of \$97,500, supporting home delivered and congregate meals.
4. The distribution of Scottsdale Endowment Program funding, in the amount of \$8,600, to two different agencies, the McDowell Sonoran Conservancy for their Expedition Days: Expedition Days Live Suite and the Arizona Burn Foundation.
5. The Assistant City Manager, or designee, to execute contracts with non-profit agencies for programs and services that do not exceed the formal bid limit of \$50,000.
6. The Mayor to execute contracts with agencies for services and programs that exceed the current formal bid limit of \$50,000.
7. The Community Assistance Manager to adjust each organization’s recommended funding award by the appropriate percentage should any final funding amounts differ from the amounts estimated in this Resolution and corresponding exhibit.
8. The Assistant 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):** Judy Doyle, Community Services Assistant Executive Director, 480-312-2691, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)

## **REGULAR AGENDA**      **ITEMS 6-7**

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

### **6. Infrastructure Reimbursement Agreement**

**Request:** Adopt **Resolution No. 13130** to authorize:

1. Infrastructure Reimbursement Agreement No. 2023-145-COS-A1 with McDowell Mountain Village Declarant, LLC (“Optima”), for sewer construction and cost reimbursement to design and construct sewer transmission mains between Scottsdale Road and the TPC sewer interceptor.
2. Fiscal Year 2023/24 Capital Improvement Plan Budget Transfers of up to \$11,000,000 from the Frank Lloyd Wright 24-inch Transmission Main & Booster Station 83B Modifications (WC03A), SROG Regional Wastewater Facilities (VF04A), and Zone 14/16 Water System Improvements Phase 2 (WH23A) capital projects to the Greenway Hayden Loop Sewer Improvements (VJ01) capital project to be funded by Sewer Rates.
3. A Fiscal Year 2023/24 General Fund Capital Contingency Budget Appropriation Transfer of up to \$8,000,000 to the Greenway Hayden Loop Sewer Improvements (VJ01) capital project to be funded by Sewer Rates.
4. Necessary adjustments to the Fiscal Year 2024/25 Capital Improvement Plan, including a budget transfer of up to \$4,000,000 from the Reclamation Plant Expansion (TEMP2974) capital project to partially restore Sewer and Water capital contingencies.
5. The City Manager, or designee, to execute any such documents and take any such other actions as necessary to carry out the intent of this Resolution and Agreement.

**Location:** Generally between Scottsdale Road and the TPC interceptor

**Presenter(s):** Brian Biesemeyer, Water Resources Executive Director

**Staff Contact(s):** Brian Biesemeyer, Water Resources Executive Director, 480-312-5683, [bbiesemeyer@scottsdaleaz.gov](mailto:bbiesemeyer@scottsdaleaz.gov)

**– Water Resources Executive Director Brian Biesemeyer gave a PowerPoint presentation on the proposed Infrastructure Reimbursement Agreement.**

**– There was no public comment on this item.**

**– Mayor Ortega made a motion adopt Resolution No. 13130. Vice Mayor Whitehead seconded the motion.**

**– Vice Mayor Whitehead made a motion to call the question, 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.**

**– The Council then voted on the original 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.**

### **7. Scottsdale Community Sustainability Plan**

**Request:** Adopt **Resolution No. 13107** approving the Scottsdale Community Sustainability Plan.

**Presenter(s):** Lisa McNeilly, Sustainability Director

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

**– Sustainability Director Lisa McNeilly gave a PowerPoint presentation on the proposed Scottsdale Community Sustainability Plan.**

**– Mayor Ortega opened public comment on this item.**

- Jim Davis, with the Coalition of Greater Scottsdale, requested fiscal sustainability be added to the Sustainability Plan and noted that Scottsdale is underinvesting in its assets' maintenance.
- Austin Fairbanks, Scottsdale resident, stated the Sustainability Plan would have no major impact on the environment at large, yet would be costly to implement.
- Patricia Badenoch spoke in opposition to the Sustainability Plan and noted concerns about the wording in the Plan.
- Paul Rowe spoke in opposition to the Sustainability Plan and its potential impacts to quality of life.
- Robbie Louchheim spoke in opposition to the Sustainability Plan.
- Jim Haxby spoke in opposition to the Sustainability Plan due to increased costs to residents without a clear benefit.
- Bob Pejman spoke in opposition to the Sustainability Plan, noting the Plan did not address overdevelopment.
- Geoff Kull spoke in opposition to the Sustainability Plan due to potential rate increases and restrictions on individuals.
- Mayor Ortega closed public comment and noted there were a number of written comments submitted on this item.
- Councilmember Durham made a motion to continue Resolution No. 13107 to a later date to allow additional community outreach with at least two community outreach meetings being scheduled by city staff. 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.

#### **Public Comment – None**

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## **CITIZEN PETITIONS**

### **ITEM 8**

**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.

**8. 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 agendaize 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](mailto:blane@scottsdaleaz.gov)

**Adjournment – 7:52 P.M.**

**– Mayor Ortega made a motion to adjourn the Regular Meeting. 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.**