

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, March 19, 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 (April 2, 2024).

In-person spoken public comment is being accepted on Items 1 through 14. 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

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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 Caputi

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 welcomed Sheriff Jack, the rabbit mascot for Bunnanza, and invited everyone to attend Bunnanza on Saturday, March 30, 2024, from 9:00 a.m. to noon. The free admission event will be held on the Civic Center lawn and will feature an egg hunt, interactive booths, food vendors, photo opportunities with Sheriff Jack, and entertainment.

– Mayor Ortega presented a proclamation to City social workers declaring March as Social Work Month in Scottsdale.

– Mayor Ortega announced the annual Tour de Scottsdale would take place on April 13, 2024, noting there are only 300 of 3,000 slots left for this event geared toward cyclists at all levels.

Presentations/Information Updates – Neighborhood Advisory Commissioners Louise Lamb and George Spatola gave a PowerPoint presentation and presented the 2023 Spirit of Scottsdale Awards. They presented the Spirit of Scottsdale 2023 Individual Award to Matthew Patzlaff and the Spirit of Scottsdale 2023 Organization Award to Neighbors Helping Neighbors. Scottsdale's Museum of the West's President Chief Executive Officer and Executive Director Todd Bankofier gave a PowerPoint presentation.

- **Spirit of Scottsdale 2023 Awards Presentation**

Presenter(s): Louise Lamb and George Spatola, Commissioners, Neighborhood Advisory Commission

- **Western Spirit: Scottsdale's Museum of the West Update**

Presenter(s): Todd Bankofier, 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 – 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 [Regular Meeting and Work Study Session Minutes of February 20, 2024](#)

– Councilwoman Janik made a motion to approve the Regular Meeting and Work Study Session Minutes of February 20, 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 1-13

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 13. 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.

CONSENT AGENDA

- [Storyrock Phase 3 Abandonment \(9-AB-2023\)](#) – Approved on Consent.**
Request: Adopt **Resolution No. 13043** authorizing the abandonment of 20 feet of roadway and utility easement along the northern boundary, 40 feet of roadway and utility easement along the eastern boundary, and 55 feet of roadway and utility easement along the southern boundary on two parcels with Planned Community District Environmentally Sensitive Lands (PCD ESL) zoning.
Location: Generally northeast of the E. Pinnacle Peak Road and N. 130th Street alignment with Assessor Parcel Numbers: 217-01-005N and 217-01-005M
Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov
- [Storyrock Phase 3 Phase 1 Final Plat \(5-PP-2016#14\)](#) – Approved on Consent.**
Request: Approve the final plat for Storyrock 3 Phase 1 for a 34-lot residential subdivision with Planned Community District Environmentally Sensitive Lands (PCD ESL) zoning, with multiple Single Family Residential District comparable zonings (R1-18 ESL, R1-35 ESL, and R1-43 ESL), and Single Family Residential Planned Residential Development Environmentally Sensitive Lands (R1-43 PRD ESL) zoning, on a ±100 acre site.
Location: Northeast corner of N. 128th Street and E. Pinnacle Peak Road alignment
Staff Contact(s): Erin Perreault, Planning, Economic Development, and Tourism Executive Director, 480-312-7093, eperreault@scottsdaleaz.gov
- [Quail Crest Estates Rezoning \(12-ZN-2020\)](#) – Approved on Consent.**
Requests:

1. Adopt **Ordinance No. 4623** approving a zoning district map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-130 ESL) to Single-Family Residential, Environmentally Sensitive Lands (R1-70 ESL) zoning on a ±3.3 acre site.
2. Adopt **Resolution No. 13025** approving a Density Incentive for increases in Natural Area Open Space on the ±20 acre site.

Location: Northeast corner of N. 132nd Street and the E. Redbird Road alignment.

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

4. **[On-Call Water Resources Engineering Services Contract Extensions – Approved on Consent.](#)**
Request: Adopt **Resolution No. 13066** authorizing the following one-year contract extensions, in an amount not to exceed \$1,250,000 per contract, for on-call water resources engineering services:
 1. Contract No. 2022-038-COS-A1 with Wilson Engineers, LLC
 2. Contract No. 2022-039-COS-A1 with Black and Veatch Corporation
 3. Contract No. 2022-040-COS-A1 with Brown and Caldwell, Inc.
 4. Contract No. 2022-041-COS-A1 with Arcadis U.S., Inc.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov
5. **[WestWorld Tony Nelssen Equestrian Center South Hall Design – Approved on Consent.](#)**
Request: Adopt **Resolution No. 13083** authorizing a Fiscal Year 2023/24 Tourism Development Fund Operating Contingency Fund balance transfer, of up to \$300,000, to a newly created capital improvement project for design phase services for improvements to WestWorld's Tony Nelssen Equestrian Center South Hall.
Staff Contact(s): Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov
6. **[Public Safety Training Intergovernmental Agreement – Approved on Consent.](#)**
Request: Adopt **Resolution No. 13068** to authorize:
 1. Agreement No. 2024-050-COS with the City of Glendale for public safety training to allow the City of Scottsdale to send fire recruits to the Glendale Fire Recruit Training Academy.
 2. The City Manager, or designee, to execute such documents and take such other actions as necessary to carry out the intent of this Resolution and Agreement.**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov
7. **[Fire Service Mutual Aid Intergovernmental Agreement – Approved on Consent.](#)**
Request: Adopt **Resolution No. 13069** to authorize:
 1. Agreement No. 2024-051-COS with the Town of Fountain Hills for fire service mutual aid.
 2. The City Manager, or designee, to execute such documents and take such other actions as necessary to carry out the intent of this Resolution and Agreement.**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov
8. **[Scottsdale Ground Ambulance Transportation Program Start-Up Costs – Approved on Consent.](#)**
Request: Adopt **Resolution No. 13079** authorizing a Fiscal Year 2023/24 General Fund Operating Contingency transfer, of up to \$1,564,431, to the Fire Department Operating Budget for Scottsdale Ground Ambulance Transportation Program start-up costs.
Staff Contact(s): Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov
9. **[Family Advocacy Center Grant – Approved on Consent.](#)**
Request: Adopt **Resolution No. 13082** to authorize:
 1. The acceptance of a grant from the Office of the Arizona Attorney General, in the amount of \$51,526, for training and purchasing of equipment specifically for the Family Advocacy Center.

2. The Chief of Police, 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 award.
3. A Budget Transfer, of up to \$51,526, from the Fiscal Year 2023/24 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

10. **[Audit Committee Recommendation for the Development Review Board Sunset Review](#) – **Approved on Consent.****

Request: Accept the Audit Committee’s recommendation and authorize the continuation of the Development Review Board.

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

11. **[Audit Committee Recommendation for the Planning Commission Sunset Review](#) – **Approved on Consent.****

Request: Accept the Audit Committee’s recommendation and authorize the continuation of the Planning Commission.

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

12. **[Fiscal Year 2022/23 Risk Management Department and Loss Trust Fund Annual Report](#) – **Approved on Consent.****

Request: Accept the Fiscal Year 2022/23 Annual Report for the Risk Management Department and Loss Trust Fund.

Staff Contact(s): George Woods, Risk Management Director, 480-312-7040, gwoods@scottsdaleaz.gov

13. **[Monthly Financial Report](#) – **Approved on Consent.****

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

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

REGULAR AGENDA ITEM 14

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

14. **[Scottsdale Stadium Phase Two Improvements Project Construction Phase Services Contract](#)**

Request: Adopt **Resolution No. 13072** to authorize:

1. Construction Manager at Risk Contract No. 2023-125-COS-A1 with Okland Construction Company, Inc., in an amount not to exceed \$9,156,723, to provide phase two construction services for the Scottsdale Stadium Phase Two Improvements.
2. A Fiscal Year 2023/24 General Fund Capital Contingency Budget Appropriation Transfer, of up to \$1,700,000, to the Scottsdale Stadium Renovations Phase 2 (PH05) capital project, to be funded by the Tourism Development Fund.
3. A Fiscal Year 2023/24 Operating Cash Transfer, of up to \$1,700,000, from the Tourism Development Fund to the Scottsdale Stadium Renovations Phase 2 (PH05) capital project.

Location: 7408 E. Osborn Road

Presenter(s): Alison Tymkiw, City Engineer

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

– City Engineer Alison Tymkiw gave a PowerPoint presentation on the City’s proposed contract related to Scottsdale Stadium Phase Two Improvements Project Construction.

– There was no public comment on this item.

– Vice Mayor Whitehead made a motion to adopt Resolution No. 13072 to authorize:

1. Construction Manager at Risk Contract No. 2023-125-COS-A1 with Okland Construction Company, Inc., in an amount not to exceed \$9,156,723, to provide phase two construction services for the Scottsdale Stadium Phase Two Improvements.
2. A Fiscal Year 2023/24 General Fund Capital Contingency Budget Appropriation Transfer, of up to \$1,700,000, to the Scottsdale Stadium Renovations Phase 2 (PH05) capital project, to be funded by the Tourism Development Fund.
3. A Fiscal Year 2023/24 Operating Cash Transfer, of up to \$1,700,000, from the Tourism Development Fund to the Scottsdale Stadium Renovations Phase 2 (PH05) capital project.

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.

Public Comment – None

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CITIZEN PETITIONS

ITEM 15

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.

15. 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.

– Mayor Ortega opened public comment on this item.

– Ute Brady, Chair of Scottsdale Environmental Advisory Commission, spoke about the Commission's recommendations and the United Nations Intergovernmental Panel on Climate Change's accelerated timelines for emission reduction before reaching a critical threshold. Patricia Badenoch spoke about the objective of the Sustainability Plan and concerns regarding the verbiage used in the Sustainability Plan

– Mayor Ortega closed public comment on this item.

1. **[Scottsdale Community Sustainability Plan](#)**

Request: Presentation, discussion, and possible direction to staff regarding draft sections of the 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

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

– There was Council consensus on the following items:

- **Support Scottsdale Environmental Advisory Commission (SEAC) recommendation to increase the tree and shrub canopy to 20% by 2030 and 25% by 2040.**
- **Support staff recommendation for structured shade, which is to defer this item until the completion of Shade & Tree Plan.**
- **The word "refuse" should be used primarily instead of the word "waste" in the Scottsdale Community Sustainability Plan.**
- **Support SEAC recommendation to reduce landfill refuse per single-family household from 2022 levels by 25% by 2030 and by 90% by 2040.**
- **Proceed with SEAC recommendations related to the following Waste Targets: Landfill Waste Collected, Municipal Landfill Waste Collected, and Diversion Rates.**
- **Proceed with staff recommendations related to the following Waste Targets: Commercial Accounts, Organic Waste Diverted, and Recycling Contamination Rates.**
- **Support SEAC recommendation for energy to increase distributed solar capacity citywide to 180 Megawatts (MW) by 2030 and to 500 MW by 2040; increase municipal solar capacity to 5 MW by 2030.**
- **Support staff recommendation to reduce citywide electricity use per square foot by 15% by 2035 (relative to 2022) and SEAC recommendation to reduce municipal electricity use by 15% by 2035 (relative to 2022) through efficiency measures.**
- **Proceed with staff recommendations related to the following Energy Targets: Greenhouse Gas Emissions (Citywide and Municipal), Average Energy Burden, and Number of Green Buildings.**

– Councilmembers made the following observations and suggestions:

- For Temperature Targets, add an additional indicator for the second target identified.
- The three largest growth areas are also the hottest areas, which is concerning as the city continues to look at future development.
- Concern about water usage for developing a large tree canopy.
- Desert trees would take less water than non-native trees.
- The actionable goals should focus on items the City can control.
- Request for staff to provide additional data on structured shade areas.
- Trees cannot be planted in the McDowell Sonoran Preserve and this area is excluded from the calculation related to tree canopy shade coverage percentages.
- Many trees are being planted now, such as in the medians on Hayden Road, which will mature over the next 10 years into a large canopy.
- Maricopa County has a program to retrofit low-income housing with energy efficient products and this is a key method for reducing heat effects.
- The Scottsdale Community Sustainability Plan is an aspirational document and not a mandate so there are no penalties for not achieving these goals.
- Growth areas are hotter due to more economic activity.
- City staff and SEAC's recommendations are similar, but it is hard to decide on a timeline with so many future unknowns.
- City staff and SEAC were encouraged to collaborate and work towards the same goals.
- Regular reviews with SEAC, staff, and City Council are important to ensure progress is being made toward shared goals.
- Should focus on water usage over the next several years.
- The Nature Conservancy completed a study on the cost benefit analysis for planting trees in the Phoenix metro area and found a significant benefit in planting trees.
- Add a new action item (4.6) to the Heat Strategy 4: Plant trees in an appropriate area that will allow them to mature but also consider future growth (allow for mature spacing).
- The orientation of a building has a significant impact on the building's cooling.
- The circularity of refuse needs to be emphasized and clarified to showcase what can be done to divert waste from the landfill.
- The Solid Waste Department has done educational outreach to residents, which has reduced the weight of waste going to the landfill.
- Structural changes of waste, such as plastic instead of glass, also contribute to less weight of waste going to the landfill.
- A 90% waste reduction could only be achieved, at this time, by raising rates.
- There are many technology innovations that may help achieve these goals, but it is hard to know what that will be.
- The goals should be attainable and flexible as implementation begins.
- Many residents do want to recycle and making it more convenient encourages recycling.
- There are economic benefits to reuse and recycling related to decreased transportation costs with fewer items going to the landfill.
- Food waste can be valuable for local farm compost.
- The City should accelerate implementing solar energy for municipal buildings.
- The use of electric vehicles should be reviewed further, but they have a positive impact on air quality.
- How far the City can go will be linked to what utility providers are producing and storing energy.
- There is a desire to bring the Sustainability Plan forward for Council action by the end of May.
- There are many outstanding studies that would provide more information on benchmark metrics and where to focus efforts.
- Some of these changes may lead to unintended consequences and increased costs.

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Adjournment – 7:53 P.M.

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