

CITY COUNCIL REPORT



Meeting Date: October 20, 2026
General Plan Element: **Public Services & Facilities**
General Plan Goal: **Provide city service facilities to meet the needs of the community**

ACTION

Scottsdale Airport Ordinance Update: Adopt Scottsdale Ordinance No. 4722, amending Section 5-121 of the Scottsdale Revised Code Section to clarify circumstances in which the Aviation Director may, with not less than thirty (30) days' notice, discontinue an Airport permit when continued use of City-owned Airport property is no longer consistent with the public interest.

BACKGROUND

Chapter 5 of the Scottsdale Revised Code governs the use of City-owned Airport property through leases, licenses, permits and similar agreements. Current provisions do not expressly address certain operational situations in which continued use of Airport property may no longer serve the public interest or is otherwise inconsistent with the Airport's operational or developmental needs.

Ordinance No. 4722 clarifies that, in addition to the existing provisions, the Aviation Director may provide not less than thirty (30) days' notice to a permittee that a permit will be discontinued when continued use is no longer consistent with the public interest. This clarification supports orderly, safe, and consistent administration of Airport operations.

ANALYSIS & ASSESSMENT

Policy Implications

The amendment provides clarification regarding circumstances in which an Airport permit may be discontinued when continued use of the property is inconsistent with the public interest or the Airport's operational or developmental needs. This clarification enhances transparency and supports effective operational management of City-owned Airport property.

RESOURCE IMPACTS

Staffing, Workload Impact

No additional staffing is required to implement the ordinance.

City Council Report | Scottsdale Airport Ordinance 4722

Future Budget Implications

The Airport is managed through an Enterprise Fund and does not use General Fund monies. Adoption of the Ordinance does not require additional budget.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach

Adopt Ordinance No. 4722.

Proposed Next Steps

If adopted, the Airport will implement the Ordinance as part of its standard administrative processes.

RESPONSIBLE DEPARTMENTS

Enterprise Operations Department, Aviation

STAFF CONTACT(S)

Rick Wielebski, Aviation Director, rwielebski@scottsdaleaz.gov

APPROVED BY

Signed by:

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Rick Wielebski, C.M., Aviation Director

10/6/2026

Date

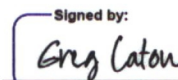
(480) 312-8475, rwielebski@scottsdaleaz.gov

Signed by:

C1A0F7B0F8EB464...
Judy Doyle, Deputy City Manager
(480) 312-2691, jdoyle@scottsdaleaz.gov

10/6/2026

Date

Signed by:

844928DD3EAD4C9...
Greg Caton, City Manager
(480) 312-7759, gcaton@scottsdaleaz.gov

10/6/2026

Date

ATTACHMENTS

- 1. Ordinance No. 4722

ORDINANCE NO. 4722

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AMENDING
SECTION 5-121 OF THE SCOTTSDALE REVISED CODE AND
PROVIDING FOR RETROACTIVE APPLICABILITY

WHEREAS, the City of Scottsdale owns and operates the Scottsdale Airport and Section 5-121 regulates the use of city-owned Airport property; and

WHEREAS, the City Council finds it in the public interest to clarify cancellation provisions applicable to Airport permits.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. Section 5-121, Scottsdale Revised Code, is amended as follows, with new language shown in shaded format and deleted language shown in strikethrough format:

SEC. 5-121. - Use of city-owned Airport property.

The Aviation Director may enter into a lease, license, permit or other such agreement for the use of any city-owned Airport property, including but not limited to, land, buildings, office space, and aircraft storage facilities, subject to the following conditions:

(1) Any lease of city-owned Airport property shall be in a form approved by the City Attorney and subject to approval by the Airport Advisory Commission and City Council.

(2) Any Airport license or other such agreement shall be in a form approved by the City Attorney, with a term of three (3) years or less and a minimum of a thirty (30) calendar day cancellation clause. Any license or other such agreement not meeting these criteria shall be subject to approval by the Airport Advisory Commission and City Council.

(3) Any Airport permit shall be in a form approved by the City Attorney and shall remain in effect until such time as the permittee requests cancellation in writing, ~~or the permit is revoked pursuant to division 4 of this chapter, or the Aviation Director determines, on not less than thirty (30) calendar days' notice to the permittee, that continued use of the city-owned Airport property is no longer consistent with the operational or developmental needs of the Airport or is otherwise no longer consistent with the public interest~~

(4) Any use of city-owned Airport property for commercial aeronautical activities is subject to the requirements of the Airport Minimum Operating Standards.

Section 2. Section 5-121(3) applies retroactively to existing Airport licenses and permits as of the effective date of this Ordinance.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona, this 20th day of October, 2026.

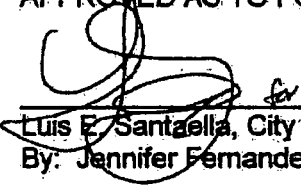
CITY OF SCOTTSDALE, an Arizona
municipal corporation

Lisa Borowsky, Mayor

ATTEST:

Ben Lane, City Clerk

APPROVED AS TO FORM:



Luis E. Santaella, City Attorney

By: Jennifer Fernandez, Senior Assistant City Attorney

Lane, Benjamin

From: notifications@cognitoforms.com on behalf of City of Scottsdale
<notifications@cognitoforms.com>
Sent: Thursday, October 15, 2026 2:57 PM
To: Lane, Benjamin
Subject: City Council Public Written Comment Form - Bryan Scott

⚠ External Email: Please use caution if opening links or attachments!

City of Scottsdale
Web Scottsdale City Council Meeting Written Comment Form

Open Form

Entry Details

Agenda Item

MEETING DATE 10/20/2026

WHICH AGENDA ITEM WOULD YOU LIKE TO COMMENT ON? 19. Scottsdale Airport Ordinance Code Amendment

Name

FULL NAME Bryan Scott

Contact Information

EMAIL scottsdaleaudit@gmail.com

CITY SCOTTSDALE

Comment

COMMENT

An FAA (Federal Aviation Administration) complaint was filed arguing the airport received a \$15.5 million federal grant with the condition that the airport's nature be maintained — and that systematically eliminating certain public access fundamentally changes the mission stated in that grant application.

This ordinance's "operational or developmental needs" language maps directly onto that change. This ordinance is the tool to clear certain public access remaining at the airport.

Three specific objections.

First, Section 2 applies this ordinance retroactively. A clarification of existing law does not require retroactive application. The old code already allowed permits to be "revoked pursuant to division 4." If the city already had the authority it claims, no new ordinance was needed. If it didn't, then the city is unilaterally rewriting the terms under which the city and businesses invested capital. I ask the council: what specific existing permit cannot be addressed under the current revocation authority, and why does it require a new ordinance rather than a case-by-case determination?

Second, no compensation for improvements. A permittee who has built a maintenance facility or installed fuel infrastructure on city property has invested real capital. Terminating that permit on 30 days' notice without any cost-recovery provision is functionally a taking without just compensation. The 5th Amendment does not disappear because the property is a permit rather than a lease.

Third, no appeal process. The Aviation Director unilaterally determines what is "inconsistent with the public interest." That phrase is not defined. There is no hearing, no cure period, no independent review. The

director is the decision-maker and the responsible party. This is not a check on power. It is the concentration of power.

The "public interest" framing deserves scrutiny. The ordinance says it protects the "public interest." But the public interest in an airport is access — the public can use a general aviation airport. If the city's determination of "public interest" consistently means "higher-revenue corporate jet operations," then the language is not a safeguard. It is a justification.

I urge the council to table this ordinance pending written response to three questions:

What specific existing permit cannot be addressed under the current revocation authority?

What happens to a permittee's capital improvements when a permit is discontinued under this ordinance?

What is the city's position on the FAA grant condition regarding maintenance of the airport's general aviation character?

Any one of these answers would tell the public what this ordinance is actually for. As drafted, it gives a single city employee the power to terminate a business's use of property it has invested in, on 30 days' notice, for a reason the employee alone defines, with no process to challenge that determination, applied retroactively to businesses already operating.

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