

SCOTTSDALE

CITY COUNCIL MEETING



***** AMENDED *** MEETING NOTICE AND AGENDA**

[REWORDED ITEM No. 4; ADDED ITEM Nos. A1, 15A AND 15B]

COUNCIL

David D. Ortega, Mayor

Tammy Caputi

Tom Durham

Betty Janik

Kathleen S. Littlefield

Linda Milhaven

Solange Whitehead

Tuesday, February 2, 2021

Until further notice, City Hall is closed to the public during Council meetings and these meetings are being held electronically. While physical facilities are not open to the public, City Council meetings are televised on Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search "live stream") to allow the public to virtually attend and listen/view the meeting in progress. 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 (February 16, 2021).

Spoken comment is being accepted on items on the Consent and Regular Agenda (Items 1 through 16). To sign up to speak on these items, please click [here](#). Scottsdale citizens may also speak on items that are within the Council's jurisdiction but are not on the agenda (maximum of five speakers). To sign up to speak on a non-agendized item that is within the Council's jurisdiction, please click [here](#). Request to speak forms must be submitted no later than 90 minutes before the start of the meeting. Written comments on any of the items on tonight's agenda 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](#), or on the "click here to submit a written comment on an item" link located at the top of each page of the agenda.

5:00 P.M.

MARKED AGENDA

REGULAR CITY COUNCIL MEETING

Meeting to be held electronically.

Call to Order – 5:00 P.M.

Roll Call – All present

One or more members of the Council may be unable to attend the Council meeting in person and may participate telephonically, pursuant to A.R.S. §38-431(4).

Mayor's Report – Mayor Ortega announced that Councilwoman Betty Janik has assumed the role as Vice Mayor and thanked Councilwoman Whitehead for her service as Vice Mayor.



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

City Manager's Report – Economic Development Reaccreditation – Economic Development Director Rob Millar presentation.

Public Comment – None

Public Comment time is reserved for citizens to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. **Speakers are limited to three minutes to address the Council during "Public Comment."**

ADDED ITEMS

Added Items: Resolution No. 8223 requires that, with limited exceptions, the agenda language, the Council report, and any supporting material described as being attached to the Council report shall be made available to the public at least ten days prior to a scheduled Council meeting. Material that is not timely made requires a separate vote to consider whether the item will remain on the agenda or be continued to a future date.

*****A1. Added Item**

Item Nos. 15A and 15B were added to the agenda on January 28, 2021 and require a separate vote to remain on the agenda.

Request: Vote to accept the agenda as presented or continue the added items to the next scheduled Council meeting, which is February 16, 2021.

– Councilwoman Whitehead made a motion to accept the agenda as presented.

Councilwoman Caputi seconded the motion, which carried 7/0, by roll call vote, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

MINUTES

Request: Approve the [Regular Meeting Minutes of January 12, 2021](#).

– Vice Mayor Janik made a motion to approve the Regular Meeting Minutes of January 12, 2021.

Councilwoman Littlefield seconded the motion, which carried 7/0, by roll call vote, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

CONSENT AGENDA ITEMS 1-15B

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 15B, absent Item 13, which was moved to the Regular Agenda. Councilwoman Caputi seconded the motion, which carried 7/0, by roll call vote, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

1. [Z'Tejas Southwestern Grill Liquor License \(99-LL-2020\)](#) – 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 a new location and owner.

Location: 8300 N. Hayden Road, Suite D101-D102

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

2. [Wandering Donkey Taqueria & Tequila Bar Liquor License \(2-LL-2021\)](#) – **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 a new location and owner.
Location: 10121 E. Bell Road, Suite 150
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
3. [PHX Beer Co. Liquor License \(3-LL-2021\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) State liquor license for an existing location and owner, new license series.
Location: 8300 N. Hayden Road, Suite D100
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- ***4. [Permanent Extension of Premises for Desert Mountain Outlaw \(2-EX-2021\)](#) – **Approved on Consent.**
Request: At the request of staff, continue to a date to be determined.
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
5. [Scottsdale Airport Lease Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12038** authorizing Lease Agreement No. 2021-009-COS with Pantheon Global Realty, LLC, for the North General Aviation Executive Box Hangar Space at the Scottsdale Airport.
Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov
6. [Multi-Use Sports Fields Construction Phase Services Contract \(Construction of Fields\)](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12051** authorizing CM@Risk Contract No. 2020-200-COS-A1 with Valley Rain Construction Corporation in the amount of \$11,426,905.70 for construction Phase 2 services for the Bond 2019 Project 53 – Build Multi-Use Sports Fields in the Area of Bell Road.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
7. [Multi-Use Sports Fields Construction Phase Services Contract \(Offsite Water System\)](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12052** authorizing CM@Risk Contract No. 2020-199-COS-A1 with Hunter Contracting Co. in the amount of \$4,493,629.78 for construction Phase 2 services for the Bond 2019 Project 53 – Build Multi-Use Sports Fields in the Area of Bell Road.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
8. [Airport Engineering Services Contract](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12045** authorizing Contract No. 2018-055-COS-A1 with Mead & Hunt, Inc., increasing the annual contract expenditure limit to \$1,500,000 for on-call aviation engineering services for projects at the Scottsdale Airport.
Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov
9. [Aviation Real Estate Brokerage Consulting Services Contract](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12044** authorizing Contract No. 2021-015-COS with DMD Real Estate Group, LLC, for aviation real estate brokerage consulting services.
Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov
10. [Police Department Homeland Security Reallocation Grant](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12041** to authorize:
 1. Contract No. 2021-010-COS with the Arizona Department of Homeland Security accepting a State Homeland Security reallocation grant in the amount of \$33,000.

2. A budget transfer in the amount of \$33,000 from the adopted FY 2020/21 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

11. **Aggressive Driving Education and Enforcement Grant – Approved on Consent.**

Request: Adopt **Resolution No. 12049** to authorize:

1. The acceptance of additional grant monies from the Arizona Governor's Office of Highway Safety in the amount of \$50,000 for overtime costs related to aggressive driving education and enforcement.
2. The Chief of Police, 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 grant.
3. A budget transfer in the amount of \$50,000 from the FY 2020/21 Future Grants Budget and/or Grant Contingency Budget to the current cost center to record the related grant activity.

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

12. **Arizona Traffic and Criminal Software Data Sharing Agreement – Approved on Consent.**

Request: Adopt **Resolution No. 12053** to authorize:

1. Agreement No. 2021-016-COS with the Arizona Department of Transportation for the use of the Arizona Traffic Software (TraCS).
2. The Chief of Police, or designee, to enter into future data sharing agreements with other criminal justice agencies.

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

13. **Rio Verde Foothills Domestic Water Improvement District – Councilwoman Littlefield made a motion to approve Item 13, Rio Verde Foothills Domestic Water Improvement District formation consent resolution. Councilwoman Caputi seconded the motion, which carried 7/0, by roll call vote, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.**

Request: Adopt **Resolution No. 12063** to authorize:

1. Consent for the formation of the Rio Verde Foothills Domestic Water Improvement District.
2. The City Manager, or designee, to submit public comments or execute any forms or documents and appear or attend any such proceedings as may be necessary.

Staff Contact(s): Brian Biesemeyer, Water Services Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov

14. **Designate the City of Scottsdale's Chief Fiscal Officer – Approved on Consent.**

Requests:

1. Adopt **Resolution No. 12054** designating the City of Scottsdale's Chief Fiscal Officer for officially submitting the FY 2020/21 Expenditure Limitation Report to the Arizona Auditor General and superseding the prior designation.
2. Adopt **Resolution No. 12055** designating the City of Scottsdale's Chief Fiscal Officer for officially submitting the FY 2019/20 Expenditure Limitation Report to the Arizona Auditor General and superseding the prior designation.

Staff Contact(s): Anna Henthorn, Accounting Director, 480-312-7805, ahenthorn@scottsdaleaz.gov

15. **Council Committee and Subcommittee Appointments – Approved on Consent.**

Request: Confirm the dissolution of the WestWorld subcommittee and Mayor Ortega's City Council committee and subcommittee appointments for the Audit Committee and Economic Development Subcommittee as follows:

1. Audit Committee – Councilmembers Durham, Littlefield, and Whitehead
2. Economic Development Subcommittee – Councilmembers Janik, Milhaven, and Whitehead

Staff Contact(s): Rachel Smetana, Mayor's Chief of Staff, 480-312-7806, rsmetana@scottsdaleaz.gov

- ***15A. [Public Safety Personnel Retirement System Appointment](#) – Approved on Consent.**
Request: Accept Mayor David D. Ortega’s appointment of Hugo Meraz as the Chair of the Public Safety Personnel Retirement System Boards.
Staff Contact(s): Rachel Smetana, Mayor’s Chief of Staff, 480-312-7806, rsmetana@scottsdaleaz.gov
- ***15B. [City Clerk Appointment and Employment Agreement](#) – Approved on Consent.**
Request: Adopt **Resolution No. 12067** to authorize:
1. Appointment of Benjamin M. Lane to the position of City Clerk effective March 8, 2021.
2. Employment Agreement No. 2021-019-COS with Benjamin M. Lane.
Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

REGULAR AGENDA **ITEM 16**

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

- 16. [Comprehensive Financial Policies and Governing Guidance](#)**
Request: Adopt **Resolution No. 12047** relating to Comprehensive Financial Policies and Governing Guidance as the formal guidelines for the City of Scottsdale’s FY 2021/22 financial planning and management.
Presenter(s): Judy Doyle, Acting City Treasurer
Staff Contact(s): Sylvia Dlott, Acting Budget Director, 480-312-2419, sdlott@scottsdaleaz.gov
– Acting City Treasurer Judy Doyle presentation.
– Vice Mayor Janik made a motion to approve Item 16, Comprehensive Financial Policies and Governing Guidance resolution. Councilwoman Whitehead seconded the motion, which carried 7/0, by roll call vote, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

MAYOR AND COUNCIL **ITEM 17**

– Councilwoman Littlefield made a motion to agendaize, as soon as possible, but before the current session ends in July, a presentation, discussion, and possible direction to staff regarding the downtown parking code, including how it relates to multi-family and multi-occupant structures. Mayor Ortega seconded the motion, which carried 7/0, by roll call vote, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

- 17. Boards, Commissions, and Task Force Nominations (Note: Appointments scheduled for March 2, 2021)**

How the Board and Commission Nomination Process Works: The Council will review applications submitted for the board and commission openings under consideration. From this applicant pool, the Council will select nominees for further consideration.

Airport Advisory Commission (one vacancy) – **Councilwoman Caputi nominated Thomas Noon and Councilwoman Whitehead nominated Ken Casey**
Board of Adjustment (two vacancies) – **Councilwoman Whitehead nominated Conan Deady and Timothy Stratton, Councilwoman Littlefield nominated Gary Steinback, and Councilwoman Caputi nominated Ryan Wagner**
Building Advisory Board of Appeals (three vacancies) – **No applications received**
Environmental Advisory Commission (one vacancy) – **Councilmember Milhaven nominated Anthony Coletta, Mayor Ortega nominated Heather Abrahami, and Vice Mayor Janik nominated Andrew Scheck**

Historic Preservation Commission (one vacancy) – **Mayor Ortega nominated Rose Smith and Councilwoman Littlefield nominated Ben Brosseau**
Industrial Development Authority (three vacancies) – **Councilwoman Littlefield nominated Mary Grier, Daniel Stewart, and Thomas Williams**
Judicial Appointments Advisory Board (one citizen representative vacancy) – **Vice Mayor Janik nominated Laura Ingegneri**
McDowell Sonoran Preserve Commission (two vacancies) – **Councilmember Durham nominated Laurie LaPat-Polasko and Marsha Lipps**
Parks and Recreation Commission (one vacancy) – **Councilwoman Caputi nominated Eric Kurland and Councilmember Milhaven nominated Teresa Quale**
Tourism Development Commission (one Scottsdale Hotelier vacancy) – **Councilwoman Whitehead nominated Sherry Henry**
Veterans Advisory Commission (one vacancy) – **Councilwoman Milhaven nominated Deborah Dominick and Vice Mayor Janik nominated Steven Jackson**

Note: The only Council action to be taken on Item No. 17 is to select nominees for appointment consideration at a future Council meeting.

Adjournment – 6:06 P.M.