

# SCOTTSDALE

# CITY COUNCIL MEETING

## MEETING NOTICE AND AGENDA



### COUNCIL

W.J. "Jim" Lane, Mayor  
Suzanne Klapp  
Virginia L. Korte  
Kathleen S. Littlefield

Linda Milhaven  
Guy Phillips  
Solange Whitehead

Tuesday, January 21, 2020

*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 4, 2020).*

### 5:00 P.M. MARKED AGENDA

#### CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

#### Call to Order – 5:07 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).*

#### Pledge of Allegiance – Cub Scout Pack 221, Webelos 2, Pack Leader Joe Searle

#### Invocation – Chaplain Bob Frost, Detachment 1439, Marine Corps League, Scottsdale Honorary Poet Laureate

#### Mayor's Report – Mayor Lane read a proclamation in honor of the 25<sup>th</sup> Anniversary of Accreditation with the Commission on Accreditation for Law Enforcement Agencies for the Scottsdale Police Department.

#### Presentations/Information Updates – Water Resources Executive Director Brian Biesemeyer and Arizona Public Service representatives Patricia McLaughlin and Anthony Aguilar presentations.

- **APS Peak Solutions Rebate**

**Presenter(s):** Brian Biesemeyer, Water Resources Executive Director; Patricia McLaughlin, Arizona Public Service; Anthony Aguilar, Arizona Public Service

#### Public Comment – Sandy Schenkat expressed appreciation for the recent Scottsdale Experience publication. Tom Frenkel commented on the political process and thanked Scottsdale Police officers for their assistance in painting over offensive graffiti that had been written on the walls of his commercial property. Y. Michelle Zhang expressed concern about a traffic citation that she received in a construction zone in which the barricade plan had expired one week prior to the October 24, 2019, citation date; and submitted a citizen petition urging the City Council to investigate, come up with a solution and issue apologies to all drivers involved. David Ortega spoke to referendum checks and balances and zoning changes. Patti Badenoch said the Parada Del Sol board rejected the "Stand Up for Old Town" float entry.



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)

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. 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 card 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."**

## 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 Items

The supporting materials for Item No. 23 were added to the agenda less than ten days prior to the meeting and will require a separate vote to remain on the agenda.

**Request:** Vote to accept the agenda as presented or to continue the added item(s) to the February 4, 2020, Council meeting.

**– Councilmember Korte made a motion to accept the agenda as presented. Councilwoman Milhaven seconded the motion, which carried 5/2 with Mayor Lane and Councilmembers Klapp, Korte, Milhaven, and Phillips voting in the affirmative and Vice Mayor Littlefield and Councilwoman Whitehead dissenting.**

## CONSENT AGENDA ITEMS 1-21

**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. If you wish to speak on an item on the Consent Agenda, please complete a Request to Speak card for each topic you wish to address. **You will be given one opportunity to speak on any or all Consent items listed on the agenda.** After all of the speakers have finished, the Council will decide which items to remove for additional discussion and/or presentation from staff. 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.

**– Councilmember Korte made a motion to approve Consent Agenda Items 1 through 21. Vice Mayor Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**

### 1. [Snooze Liquor License \(69-LL-2019\)](#) – 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:** 8612 E. Shea Boulevard, Suites 105 and 110

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

### 2. [J Town Liquor License \(98-LL-2019\)](#) – 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:** 7341 E. 6<sup>th</sup> Avenue

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

3. **[Yama Sushi & Asian Cuisine Liquor License \(100-LL-2019\)](#) – 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:** 7704 E. Doubletree Ranch Road, Suite 105  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
4. **[Frashers Steakhouse Liquor License \(101-LL-2019\)](#) – 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:** 4180 N. Drinkwater Boulevard  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
5. **[How Convenient Liquor License \(102-LL-2019\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 (beer and wine store) State liquor license for a new location and owner.  
**Location:** 7014 E. Camelback Road, Suite 2244  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
6. **[Oak St Convenience Liquor License \(104-LL-2019\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 (beer and wine store) State liquor license for an existing location with a new owner.  
**Location:** 7123 E. Oak Street  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
7. **[Hotel Valley Ho Liquor License \(105-LL-2019\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 6 (bar) State liquor license for an existing location and owner, new license series.  
**Location:** 6850 E. Main Street  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
8. **[Vito's Pizza and Italian Ristorante Liquor License \(106-LL-2019\)](#) – 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:** 10999 N. Frank Lloyd Wright Boulevard  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
9. **[Westland 10 Final Plat \(4-PP-2000#2\)](#) – Approved on Consent.**  
**Request:** Approve the final plat for a new 4-lot residential subdivision, modifying a 10-acre portion of the existing Westland 25 Subdivision, with Single-Family Residential District, Environmentally Sensitive Lands (R1-43 ESL) zoning and amended development standards.  
**Location:** Northwest corner of E. Westland Drive and N. 84<sup>th</sup> Street  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

10. [Rawhide Wash Flood Hazard Mitigation Project Intergovernmental Agreement – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11583** authorizing Agreement No. 2018-164-COS-A1, the first amendment to the agreement with the City of Phoenix and the Flood Control District of Maricopa County, to designate primary responsibility for right-of-way acquisition to the City of Scottsdale.  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
11. [General Landscape Services Job Order Contracts – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11666** authorizing the following contracts for a two-year term, in an amount not to exceed \$4,000,000 per contract, for citywide general landscape services:
  1. Contract No. 2020-004-COS with DBA Construction, Inc.
  2. Contract No. 2020-005-COS with Landscapes Unlimited, LLC
  3. Contract No. 2020-019-COS with Valley Rain Construction Corporation**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
12. [Beer and Wine in City Parks Code Amendment – Approved on Consent.](#)  
**Request:** Adopt **Ordinance No. 4437** amending Scottsdale Revised Code, Chapter 20, Parks, Recreation and Cultural Affairs, Article III, Sections 20-31, 20-33, and 20-34, regarding consumption of beer and wine in City parks.  
**Staff Contact(s):** Reed Pryor, Parks and Recreation Director, 480-312-1011, [rpryor@scottsdaleaz.gov](mailto:rpryor@scottsdaleaz.gov)
13. [Parking Lease Agreement – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11688** authorizing Agreement No. 2020-013-COS with Scottsdale Healthcare Hospitals, dba HonorHealth, for the use of land for parking at Drinkwater Boulevards and Second Street.  
**Staff Contact(s):** Reed Pryor, Parks and Recreation Director, 480-312-1011, [rpryor@scottsdaleaz.gov](mailto:rpryor@scottsdaleaz.gov)
14. [Friends of Scottsdale Public Library Agreement – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11694** authorizing Agreement No. 2020-017-COS with Friends of Scottsdale Public Library, Inc., for the support of the Scottsdale Public Library and its programs.  
**Staff Contact(s):** Kira Peters, Library Director, 480-312-2691, [kcpeters@scottsdaleaz.gov](mailto:kcpeters@scottsdaleaz.gov)
15. [Noriega Livery Stable Lease Agreement – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11684** authorizing Agreement No. 2018-181-COS-A1, an amended and restated agreement with Parada del Sol, Inc. (Parada), to expand Parada's use to the entire premises at the Noriega Livery Stable as a rodeo and western-themed museum.  
**Location:** 3806 N. Brown Avenue  
**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, [kchurchard@scottsdaleaz.gov](mailto:kchurchard@scottsdaleaz.gov)
16. [Granular Activated Carbon Contract – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11654** authorizing Contract No. 2012-034-COS-A1, the first modification to the contract with Calgon Carbon Corporation, to reflect changes in pricing for Granular Activated Carbon under the Producer Price Indexes.  
**Staff Contact(s):** Brian Biesemeyer, Water Resources Executive Director, 480-312-5683, [bbiesemeyer@scottsdaleaz.gov](mailto:bbiesemeyer@scottsdaleaz.gov)
17. [SkillBridge Veteran Employment Memorandum of Understanding – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11696** authorizing Agreement No. 2020-020-COS with the Office of the Under Secretary of Defense for Personnel and Readiness of the U.S. Department of Defense to participate in a skill-building and training program for veterans called "SkillBridge".  
**Staff Contact(s):** Donna Brown, Human Resources Director, 480-312-2615, [dbrown@scottsdaleaz.gov](mailto:dbrown@scottsdaleaz.gov); Brian Biesemeyer, Water Resources Executive Director, 480-312-5683, [bbiesemeyer@scottsdaleaz.gov](mailto:bbiesemeyer@scottsdaleaz.gov)

18. [Age and Dementia Friendly Community – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11690** authorizing participation in the AARP Network of Age-Friendly Communities and the Dementia Friendly America Community Network.  
**Staff Contact(s):** Brent Stockwell, Assistant City Manager, 480-312-7288, [bstockwell@scottsdaleaz.gov](mailto:bstockwell@scottsdaleaz.gov)
19. [Emergency and Specialty Law Enforcement Mutual Aid Intergovernmental Agreement – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11672** authorizing Agreement No. 2015-047-COS-A1, the first amendment to the agreement with the Salt River Pima-Maricopa Indian Community, for emergency and specialty law enforcement mutual aid.  
**Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, [arodbell@scottsdaleaz.gov](mailto:arodbell@scottsdaleaz.gov)
20. [Monthly Financial Report – Approved on Consent.](#)  
**Request:** Accept the FY 2018/19 Monthly Financial Report as of June 2019 (fiscal year-end).  
**Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)
21. [Monthly Financial Report – Approved on Consent.](#)  
**Request:** Accept the FY 2019/20 Monthly Financial Report as of November 2019.  
**Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)

## **REGULAR AGENDA      ITEMS 22-23**

**How the Regular Agenda Works:** The Council takes a separate action on each item on the Regular Agenda. If you wish to address the Council regarding any or all of the items on the Regular Agenda, please complete a Request to Speak card for each topic you wish to address and submit it to the City Clerk. Speakers will be given at least three minutes to speak per item. Additional time *may* be granted to speakers representing two or more persons. Cards for designated speakers and the persons they represent must be submitted together. **Comment cards must be submitted before public testimony has begun on that item.**

22. [Senior Living at McDowell Mountain Ranch Rezoning and Abandonment \(8-ZN-2019 and 5-AB-2019\) – Withdrawn at the request of the applicant.](#)  
**Requests:**
  1. Adopt **Ordinance No. 4427** approving a zoning district map amendment from Single-Family Residential, Planned Community District, Environmentally Sensitive Lands (R1-35 PCD ESL) zoning to Commercial Office, Planned Community District, Environmentally Sensitive Lands (C-O PCD ESL) zoning; amending the Horseman’s Park Development Plan; and approving a 40% parking reduction for a residential healthcare facility on a 5±-acre site.
  2. Adopt **Resolution No. 11603** declaring the document titled “*Senior Living at McDowell Mountain Ranch Development Plan*” to be a public record.
  3. Adopt **Resolution No. 11597** authorizing the abandonment of the 33-foot-wide General Land Office Patent Easement (GLOPE) on the east side of Parcel No. 217-14-037A; and the 33-foot-wide GLOPE on the west side, the 33-foot-wide GLOPE on the south side, and the west 8 feet of the 33-foot-wide GLOPE on the east side of Parcel No. 217-14-038A.**Location:** 9875 and 9909 E. McDowell Mountain Ranch Road  
**Presenter(s):** Doris McClay, Sr. Planner  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

23. [Fiesta Ranch Rezoning \(6-ZN-2019\)](#)

**Requests:**

1. Adopt **Ordinance No. 4434** approving a zoning district map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-70 ESL) zoning and Single-Family Residential, Environmentally Sensitive Lands (R1-190 ESL) zoning to Planned Community District, Environmentally Sensitive Lands (PCD ESL) zoning, with comparable zoning of Single-Family Residential (R1-43 and R1-18) and Open Space (OS) districts, including a development plan with amended development standards on a 273±-acre site located on the south side of E Rio Verde Drive, east of N. 136<sup>th</sup> Street (including Parcel Nos. 219-39-010G, 219-39-010M, 219-39-010N, 219-39-010V, 219-39-010U, and 219-39-010P).
2. Adopt **Resolution No. 11683** declaring the document titled "*Fiesta Ranch Planned Community District Development Plan*" to be a public record.
3. Adopt **Resolution No. 11691** authorizing Agreement No. 2020-015-COS with Wildcat Ridge, LLC, to terminate and release Development Agreement No. 2004-033-COS.

**Location:** South side of E Rio Verde Drive, east of N. 136<sup>th</sup> Street

**Presenter(s):** Doris McClay, Sr. Planner

**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

**– Senior Planner Doris McClay and Applicant Representative John Berry presentations.**

**– Councilwoman Whitehead made an alternate motion to continue this item (Fiesta Ranch Rezoning) in order to resolve the major amendment question and to have all other questions asked, such as the list of all of the deviations from the documents that pertain to this project, in hand before a vote. Vice Mayor Littlefield seconded the motion, which failed 2/5, with Vice Mayor Littlefield and Councilwoman Whitehead voting in the affirmative, and Mayor Lane and Councilmembers Klapp, Korte, Milhaven, and Phillips dissenting.**

**– Councilwoman Milhaven made a motion to: (1) Adopt Ordinance No. 4434, approving a zoning district map amendment; (2) adopt Resolution No. 11683, declaring the document titled "Fiesta Ranch Planned Community District Development Plan" to be a public record; and (3) adopt Resolution No. 11691, authorizing Agreement No. 2020-015-COS with Wildcat Ridge, LLC, to terminate and release Development Agreement No. 2004-033-COS. Mayor Lane seconded the motion, which carried 5/2, with Mayor Lane and Councilmembers Klapp, Korte, Milhaven, and Phillips voting in the affirmative and Vice Mayor Littlefield and Councilwoman Whitehead dissenting.**

**Public Comment – Bob Cappel presented a citizen petition asking the City to consider applying to the Arizona Corporation Commission to be granted intervention for the Liberty Utilities (Black Mountain Sewer) Corporation's application to increase sewer rates from the current \$79.20/residence/month to \$104.94/residence/month.**

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.

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 card 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 card must be submitted, together with the petition(s), **before** the second Public Comment period begins.

#### 24. Receipt of Citizen Petitions

**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):** Carolyn Jagger, City Clerk, 480-312-2411, [cjagger@scottsdaleaz.gov](mailto:cjagger@scottsdaleaz.gov)

**– Councilman Phillips made a motion to direct the City Manager to investigate the citizen petition submitted by Bob Cappel asking the City to consider applying to the Arizona Corporation Commission to be granted intervention for the Liberty Utilities (Black Mountain Sewer) Corporation's application to increase sewer rates from the current \$79.20/residence/month to \$104.94/residence/month and prepare a written response to Council with a copy to the petitioner. Councilwoman Klapp seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**

**– Councilwoman Milhaven made a motion to direct the City Manager to investigate the citizen petition submitted by Y. Michelle Zhang urging the City Council to investigate [the traffic citation that she received in a construction zone in which the barricade plan had expired one week prior to the October 24, 2019, citation date], come up with a solution and issue apologies to all the drivers involved and prepare a written response to Council with a copy to the petitioner. Councilman Phillips seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**

**Mayor and Council Items – Councilwoman Milhaven made a motion to have staff bring forward a recommendation for mural guidelines following a review and recommendation by the Development Review Board. Councilman Phillips seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**

**Adjournment – 7:40 P.M.**