

SCOTTSDALE

CITY COUNCIL MEETING

MEETING NOTICE AND AGENDA



COUNCIL

David D. Ortega, Mayor
Tammy Caputi
Tom Durham
Betty Janik

Kathleen S. Littlefield
Linda Milhaven
Solange Whitehead

Tuesday, February 16, 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 (March 2, 2021).

Spoken comment is being accepted on items on the Consent and Regular Agenda (Items 1 through 18). 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

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:01 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 referenced the Council's review of the draft 2035 General Plan, which is posted on the City's website, and welcomed citizen comment through the City's website.

City Manager's Report – Shop Scottsdale Program Update – Economic Development Program Manager Cristal Rodriguez presentation.



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

Presentations/Information Updates – Experience Scottsdale President and CEO Rachel Sacco and Board Chair Kate Birchler presentations.

- **Experience Scottsdale Update**
Presenter(s): Rachel Sacco, President and CEO; Kate Birchler, Board Chair

Public Comment – Valeri Marsh expressed concern about 4G/5G wireless facilities.

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."**

MINUTES

Request: Approve the [Regular Meeting Minutes of January 19, 2021](#); [Work Study Session Minutes of January 19, 2021](#); [Special Meeting Minutes of January 26, 2021](#); Executive Session Minutes of January 26, 2021; and [Regular Meeting Minutes of February 2, 2021](#).

– Vice Mayor Janik made a motion to approve the Regular Meeting Minutes of January 19, 2021; Work Study Session Minutes of January 19, 2021; Special Meeting Minutes of January 26, 2021; Executive Session Minutes of January 26, 2021; and Regular Meeting Minutes of February 2, 2021. Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

CONSENT AGENDA **ITEMS 1-17**

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 Caputi made a motion to approve Consent Agenda Items 1 through 17, with the exception of Item 15, which was removed from the agenda at the request of staff. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

1. [Sugarjam – The Southern Kitchen Liquor License \(100-LL-2020\)](#) – **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 an existing location and owner, new license series.
Location: 15111 N. Hayden Road, Suites 170 and 180
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
2. [Scottsdale Suites on Shea Liquor License \(1-LL-2021\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 11 (hotel/motel) State liquor license for a new location and owner.
Location: 10801 N. 89th Place
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
3. [Old Town Scottsdale Liquors Liquor License \(4-LL-2021\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9 (liquor store) State liquor license for a new location and owner.
Location: 4165 N. Craftsman Court
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

4. **One Viktor Foxtrot Liquor License (5-LL-2021) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 1 (in state producer) State liquor license for a new location and owner.
Location: 7825 E. Redfield Road, Suite 104
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
5. **Permanent Extension of Premises for Fogo De Chao Churrascaria (1-EX-2021) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor License and Control for a permanent extension of premises for a Series 12 (restaurant) State liquor license for an existing location to add a new patio.
Location: 6300 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
6. **Level Up Scottsdale Retail Hours Extension Conditional Use Permit (9-UP-2015#3) – Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt
Resolution No. 12060 approving a five-year renewal and amendment of a Conditional Use Permit for a medical marijuana use (dispensary), including revisions to hours of operation, from 9:00 a.m. to 7:00 p.m. to 6:00 a.m. to 10:00 p.m., in a 3,770±-square foot suite with Industrial Park (I-1) zoning.
Location: 14980 N. 78th Way, Suites 204 and 207
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
7. **Verizon PHO Poinsettia AZ01-020 Conditional Use Permit (12-UP-2015#2) – Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt
Resolution No. 12061 approving a renewal of a Conditional Use Permit for an existing Type 4 Alternative Concealment Wireless Communication Facility located on a 60-foot-tall artificial pine tree, with Multiple Family Residential (R-5) zoning.
Location: 12000 N. 90th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
8. **Sereno Canyon Phase 1 Lot “34” and Tract “C” Replat (16-PP-2017#19) – Approved on Consent.**
Request: Approve the final plat to replat Lot “34” and Tract “C” of the Sereno Canyon Phase 1 subdivision to modify both parcels consisting of 2.63± acres within the Single-Family Residential District, Environmentally Sensitive Lands (R1-130/ESL) zoning portion of the site.
Location: Southwest corner of N. 124th Street and N. 124th Place
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
9. **Citywide Mechanical and Plumbing Construction Services Job Order Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 12043** authorizing the following job order contracts in a total amount not to exceed \$4,000,000 for the first two years of each contract for citywide mechanical and plumbing construction services:
 1. Contract No. 2021-012-COS with Midstate Mechanical, Inc.
 2. Contract No. 2021-013-COS with McCarthy Building Companies, Inc.
 3. Contract No. 2021-014-COS with Summa Mechanical Contractors, Inc.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

10. **Acquisition of Right-of-Way for the Raintree Drive and Northsight Boulevard Intersection Improvement Project – Approved on Consent.**
Request: Adopt **Resolution No. 12046** authorizing the acquisition of right-of-way, public access easements, and temporary construction easements for improvements to the intersection at Raintree Drive and Northsight Boulevard.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
11. **Storm Water Engineering Services Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 12050** authorizing the following one-year contract extensions in an amount not to exceed \$1,000,000 per contract for studies, design, construction documents, and construction administration for on-call storm water projects:
 1. Contract No. 2018-016-COS-A2 with J2 Engineering and Environmental Design, LLC
 2. Contract No. 2018-017-COS-A2 with Michael Baker International, Inc.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
12. **Sewer Transportation and Treatment Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 12066** authorizing Agreement No. 2021-018-COS with the City of Phoenix for sewer transportation and treatment in the area of 56th Street and Lone Mountain Road.
Staff Contact(s): Brian Biesemeyer, Water Resources Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov
13. **Community Action Program Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 12065** authorizing Agreement No. 2016-092-COS-A6, the sixth amendment to the agreement with the Maricopa County Human Services Department, to provide additional funding to the City's Community Action Program through June 30, 2021.
Staff Contact(s): Greg Bestgen, Human Services Department Director, 480-312-0104, gbestgen@scottsdaleaz.gov
14. **Authority for Stadium and Indian School Park Fees – Approved on Consent.**
Request: Adopt **Resolution No. 12068** authorizing the City Manager to execute Scottsdale Stadium and Indian School Park use agreements that contain negotiated fees and fees for areas that have not typically been reservable by the public.
Staff Contact(s): Bill Murphy, Assistant City Manager, 480-312-7954, bmurphy@scottsdale.gov
15. **Proposition 207 Grant Funds Acceptance – Removed from the agenda at the request of staff.**
Request: Adopt **Resolution No. 12064** to authorize:
 1. The acceptance of \$150,000 in Proposition 207 funds from the Governor's Office of Highway Safety for the funding of a portion of two existing prosecutor positions.
 2. The City Attorney, or designee, to execute and submit any related documents and agreements in connection with the acceptance of the grant.
 3. A budget transfer in the amount of \$150,000 from the FY 2020/21 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record related grant activity.
 4. A budget transfer in an amount not to exceed \$150,000 from the FY 2020/21 General Fund Budget from Personnel Services to Contractual Services within the City Attorney Division to utilize the savings generated from the Proposition 207 grant to cover anticipated expense increases, such as outside counsel expenses resulted from the additional scope of work from said grant.**Staff Contact(s):** Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov
16. **Financial Statement Audit Professional Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 12048** authorizing a one-year extension of Contract No. 2020-041-COS with Heinfeld, Meech & Co., P.C., in an amount not to exceed \$92,750, for the audit of the City's FY 2020/21 financial statements and related services.
Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

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

Request: Accept the FY 2020/21 Monthly Financial Report as of December 2020.

Staff Contact(s): Sylvia Dlott, Acting Budget Director, 480-312-2419, sdlott@scottsdaleaz.gov

REGULAR AGENDA **ITEM 18**

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

18. [Celebrity Equine Center Conditional Use Permit \(4-UP-2020\)](#)

Request: Find that the conditional use permit criteria have been met and adopt

Resolution No. 12029 approving a Conditional Use Permit for a ranch on a 5±-acre site with Single-Family Residential (R1-43) zoning.

Location: 9588 N. 120th Street

Presenter(s): Jeff Barnes, Senior Planner

Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664,

rgrant@scottsdaleaz.gov

– Senior Planner Jeff Barnes and Applicant Representative Wendy Riddell presentations.

– Councilwoman Littlefield made a motion to find that the conditional use permit criteria have been met and adopt Resolution No. 12029, with the modification to Stipulation No. 1 to include the Site Plan dated February 11, 2021 presented by staff. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

Mayor and Council Items – None

Adjourn the City Council Regular Meeting and Convene the City Council Work Study Session – 6:59 P.M.

CITY COUNCIL 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: **None**

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.

1. [Monthly Financial Update](#)

Request: Receive, discuss, and provide possible direction on the City Treasurer’s monthly financial presentation as of January 2021.

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.

2. Monthly Financial Study Session

Request: Presentation, discussion, and possible Council direction regarding the monitoring of FY 2020/21 revenues and expenditures.

Presenter(s): Jim Thompson, City Manager

Staff Contact(s): Sylvia Dlott, Acting Budget Director, 480-312-2419, sdlott@scottsdaleaz.gov

– City Manager Jim Thompson presentation.

Adjournment – 7:25 P.M.