

**SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 14, 2021**



**CITY HALL KIVA
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251**

CALL TO ORDER

Mayor David D. Ortega called to order a Regular Meeting of the Scottsdale City Council at 5:07 P.M. on Tuesday, September 14, 2021.

ROLL CALL

Present: Mayor David D. Ortega; Vice Mayor Betty Janik; and Councilmembers Tammy Caputi, Tom Durham, Kathy Littlefield, Linda Milhaven, and Solange Whitehead

Also Present: City Manager Jim Thompson, City Attorney Sherry Scott, City Treasurer Sonia Andrews, City Auditor Sharron Walker, and City Clerk Ben Lane

PLEDGE OF ALLEGIANCE – Mayor Ortega

MAYOR'S REPORT

Mayor Ortega read a proclamation in honor of Hispanic Heritage Month which is from September 15 to October 15, 2021. Mayor Ortega thanked the City's Diversity Task Force Committee and recognized members Assistant Police Chief Helen Gandara, Deputy City Attorney Luis Santaella, Solid Waste Services Manager Manny Castillo, Administrative Assistant Supervisor Chelo Leyva Allen, and Capital Improvement Plan Budget Manager Sylvia Dlott.

PUBLIC COMMENT

- Dan Lundberg presented a citizen petition (attached) asking the City for concessions and modifications to the Miller Road extension project, including open productive dialogue with residents; traffic calming speed limits and traffic safety; and noise and light abatement.
- Sonnie Kirtley requested the City re-evaluate inconsistencies in rental ordinances for guest houses and casitas on homeowner properties.
- French Thompson stated although he may disagree with Council actions, he respects and admires City Councilmembers and staff.

NOTE: MINUTES OF CITY COUNCIL MEETINGS AND WORK STUDY SESSIONS ARE PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ARIZONA REVISED STATUTES. THESE MINUTES ARE INTENDED TO BE AN ACCURATE REFLECTION OF ACTION TAKEN AND DIRECTION GIVEN BY THE CITY COUNCIL AND ARE NOT VERBATIM TRANSCRIPTS. DIGITAL RECORDINGS AND CLOSED CAPTION TRANSCRIPTS OF SCOTTSDALE CITY COUNCIL MEETINGS ARE AVAILABLE ONLINE AND ARE ON FILE IN THE CITY CLERK'S OFFICE.

MINUTES

Request: Approve the Regular Meeting Minutes of August 24, 2021.

MOTION AND VOTE – MINUTES

Vice Mayor Janik made a motion to approve the Regular Meeting Minutes of August 24, 2021. 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.

CONSENT AGENDA

- 1. The Wine Collective of Scottsdale Liquor License (47-LL-2021)**
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: 4020 N. Scottsdale Road, Suite 104
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 2. Birdcall Liquor License (49-LL-2021)**
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: 7204 E. Shea Boulevard
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 3. Touchstar Cinemas Liquor License (54-LL-2021)**
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: 15515 N. Hayden Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 4. Blue Adobe Santa Fe Grille Liquor License (56-LL-2021)**
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: 10885 N. Frank Lloyd Wright Boulevard
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 5. Masala Indian Cuisine Liquor License (57-LL-2021)**
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: 11219 E. Via Linda, Suite D1
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

- 6. McDowell Mountain Liquor License (58-LL-2021)**
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 with a new owner.
Location: 10690 E. Sheena Drive
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 7. Vito's Pizza and Italian Ristorante Liquor License (59-LL-2021)**
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: 18221 N. Pima Road, Suite 140
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 8. Arizona Stronghold Vineyards, LLC Liquor License (60-LL-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 19 (remote tasting room) State liquor license for a new location and owner.
Location: 4225 N. Marshall Way, Suite 2
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 9. Permanent Extension of Premise for Culinary Dropout (14-EX-2021)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for an existing Series 12 (restaurant) State liquor license to add a new patio.
Location: 15125 N. Scottsdale Road, Suite 120
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 10. 4Group Building Heliport Conditional Use Permit (7-UP-2021)**
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 12253** approving a Conditional Use Permit for a new heliport on a ±0.8-acre site with Industrial Park (I-1) zoning.
Location: 16115 N. 81st Street
Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov
- 11. WestWorld Sport Fields Municipal Use Master Site Plan (9-UP-2021)**
Request: Find that the Municipal Use Master Site Plan (MUMSP) criteria have been met and adopt **Resolution No. 12254** approving a MUMSP for a 29-acre new multi-use sports field with field lighting with Single-Family Residential, Environmentally Sensitive Lands (R1-35, ESL) and Western Theme Park District (WP) zoning.
Location: 15514 & 15522 N. Thompson Peak Parkway, 9809 E. McDowell Mountain Road, 15939 N. 98th Street, and Parcel APN 217-14-038B
Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov

Mayor Ortega opened public comment.

Mike Leary, a Scottsdale resident, spoke about drainage issues at this location.

Mayor Ortega closed public comment.

Councilmember Linda Milhaven asked the City Manager to respond to the issues about drainage.

City Manager Jim Thompson explained the drainage issues were being addressed.

12. Hawkins – CSOK Non-Major General Plan Amendment and Rezoning (5-GP-2020 and 8-ZN-2020)

Requests:

1. Adopt **Resolution No. 12255** approving a Non-Major General Plan Amendment to the Scottsdale General Plan 2001 Conceptual Land Use Map from Minor Office to a Neighborhood Commercial on the northern ± 1.97 -acres of an approximately ± 5.01 -gross acre site for a retail and office development.
2. Adopt **Ordinance No. 4516** approving a zoning district map amendment from Commercial Office (C-O) to Neighborhood Commercial (C-1) on ± 1.97 -acres, and from Single-Family Residential Planned Residential Development (R1-18 PRD) to Service Residential (S-R) on ± 0.67 -acres, and from Commercial Office (C-O) to Service Residential (S-R) on ± 0.89 -acres, amending the development plan for the existing PRD to adjust lot size and setback requirements on ± 1.48 -acres, all representing portions of an overall ± 5.01 -gross acre site.

Location: N. 114th Street and E. Shea Boulevard

Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov

Mayor Ortega opened public comment.

Frank Gostyla, a Scottsdale resident, spoke in support of the amendment and rezoning applications for this project.

Mayor Ortega closed public comment.

13. Estates on 128th Final Plat (6-PP-2020)

Request: Approve the final plat for a new residential subdivision, comprised 12 lots and 2 tracts, on a ± 10 -acre site with Single-Family Residential, Planned Residential Development, Environmentally Sensitive Lands (R1-18 PRD ESL and R1-35 PRD ESL) zoning.

Location: Southeast corner of N. 128th Street and E. Shea Boulevard

Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov

14. Lot 1864A and Lot 1868 DC Ranch Replat (4-PP-2021)

Request: Approve the final plat for a replat to combine Lot 1864A and Lot 1868 and to modify a portion of Tract A of the DC Ranch Parcel 6.8 subdivision.

Location: 11291 E. Hideaway Lane and 21670 N. 113th Way

Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov

15. Water Infrastructure and Multi-Use Sports Fields Land Acquisition

Request: Adopt **Resolution No. 12240** to authorize:

1. The City Manager, or designee, to submit bids at the Arizona State Land auction to be held in October 2021, and, if the City is the successful bidder, authorize staff to pay required fees and deposits and provide complete payment to the Arizona State Land Department for the purchase of parcels of real property in the general vicinity of the intersection of Pima Road and Trailside View, and the south end of 91st Street, for water infrastructure improvements and the extension of 91st Street to provide access to Multi-Use Sports Fields.
2. The City Manager, or designee, to pay such refundable and nonrefundable deposits, fees, and other amounts and to make such decisions and render such performance as necessary to comply with Arizona State Land auction rules and to secure purchase of the property and make payment in full within the time limits set forth under the rules of the auction.
3. Upon being named the successful bidder, the City Treasurer to utilize funds from the City's Capital Improvement Plan budget to pay the full purchase price of the land.
4. The Mayor, or his designee, to execute any documents as necessary to complete the acquisition of the property.

Location: Adjacent to Pima Road, Trailside View, and 91st Street

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

16. Right-of-Way Acquisition for Camelback Road Sidewalk Improvement Project

(Removed from the Consent Agenda and considered separately, Page 8.)

17. On-Call Engineering Services Contracts for Sewer Rehabilitation

Request: Adopt **Resolution No. 12251** authorizing the following one-year contract extensions in an amount not to exceed \$500,000 per contract for Citywide on-call sewer rehabilitation engineering services:

1. Contract No. 2019-151-COS-A1 with Dibble & Associates Consulting Engineers, Inc.
2. Contract No. 2019-152-COS-A1 with Project Engineering Consultants, Ltd.

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

18. Solar Systems North Corporation Campus Project Design Phase Services Contract

Request: Adopt **Resolution No. 12226** authorizing Design Build Preconstruction Contract No. 2021-122-COS with Chasse Building Team, Inc., in the amount of \$310,095 for design-build manager, design phase services for the North Corporation Campus Garage and Bond 2019 Project 57 – Install Solar Systems North Corporation Campus project.

Location: 9191 E. San Salvador Drive

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

19. The Waterfront Market, LLC Outdoor Dining Revocable License Agreement

Request: Adopt **Resolution No. 12235** authorizing Agreement No. 2021-129-COS with The Waterfront Market, LLC, doing business as tenant Olive & Ivy Restaurant and Marketplace, for an existing outdoor dining patio on property on the north side of the Arizona Canal.

Location: 7135 E. Camelback Road, Suite 195

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

- 20. Old Town Scottsdale Farmers Market Revocable License Agreement**
Request: Adopt **Resolution No. 12215** authorizing Agreement No. 2021-092-COS with Farmers Market Support Services, LLC, to hold the annual Old Town Scottsdale Farmers Market.
Location: Southwest corner of 1st Street and Brown Avenue
Staff Contact(s): Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov
- 21. Hayden Road/Miller Road: Pinnacle Peak Road to Happy Valley Road Capital Project**
(Removed from the Consent Agenda and considered separately, Page 9.)
- 22. 82nd Street and Heatherbrae Drive Deactivation Agreement**
Request: Adopt **Resolution No. 12239** authorizing Deactivation Agreement No. 2021-130-COS with the Salt River Valley Water Users' Association (SRP) for the deactivation and reconstruction of SRP irrigation structure 1-1.50-13.
Location: 82nd Street and Heatherbrae Drive
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov
- 23. Proposition 202 Grant Funds Acceptance Intergovernmental Agreement**
Request: Adopt **Resolution No. 12260** to authorize:
1. Agreement No. 2021-147-COS with the Salt River Pima-Maricopa Indian Community to accept Proposition 202 Tribal Gaming funds in the amount of \$1,095,000.
 2. A budget transfer in the amount of \$604,557 from the adopted Fiscal Year 2021/22 Future Grants Budget and/or Grant Contingency Budget to newly created cost centers to record the related grant activity.
- Staff Contact(s):** Shane Stone, Management Associate to the City Manager, 480-312-7826, shstone@scottsdaleaz.gov
- 24. Staffing for Adequate Emergency Response Fiscal Year (FY) 2021/22 Grant**
Request: Adopt **Resolution No. 12250** to authorize:
1. If awarded, the spending of the Federal Emergency Management Agency (FEMA) Staffing for Adequate Emergency Response (SAFER) grant funds in the total amount of \$3,216,701 over three, 12-month periods beginning in FY 2021/22.
 2. The Fire Chief, 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 FEMA grant.
 3. The addition of fifteen new, full-time equivalent firefighter positions.
 4. A budget transfer in the amount of \$824,795 from the adopted FY 2021/22 Future Grants Budget and/or Grant Contingency to a newly created cost center to record the related SAFER grant activity. This transfer will cover the first year period beginning in FY 2021/22 to be funded by the grant.
 5. A budget transfer in the amount of \$538,837 from the FY 2021/22 adopted General Fund Operating Contingency to the Fire Department's operating budget to cover medical exams as well as the one-time costs associated with the academy and uniforms/gear.
- Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov
- 25. Invasive Plant Fiscal Year (FY) 2021/22 Grant**
(Removed at the request of staff.)

26. Fire Department Urban Area Security Initiative Grant

Request: Adopt **Resolution No. 12265** to authorize:

1. If awarded, the acceptance of Fiscal Year 2021/22 Arizona Department of Homeland Security (AZDHS) and Federal Emergency Management Agency Urban Area Security Initiative grant funds in the amount of \$54,741.
2. The Fire Chief, 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 AZDHS grant.
3. A budget transfer in the amount of \$54,741 from the adopted Fiscal Year 2021/22 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center within the Fire Department's operating budget to record the related grant activity.

Staff Contact(s): Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

27. Water, Sewers, and Sewage Disposal Code Amendment

Request: Adopt **Ordinance No. 4514** amending Scottsdale Revised Code, Chapter 49, Water, Sewers, and Sewage Disposal, Section 49-22, regarding the application for domestic water service for an existing unit of service, to address a needed correction.

Staff Contact(s): Sonia Andrews, City Treasurer, 480-312-2364, sandrews@scottsdaleaz.gov

28. Alarm Systems Code Amendment

Request: Adopt **Ordinance No. 4515** amending Scottsdale Revised Code, repealing and replacing Chapter 3, Alarm Systems in its entirety and replacing with Chapter 3, Alarm/Security Systems to remove outdated and unapplicable code provisions and update other code provisions.

Staff Contact(s): Sonia Andrews, City Treasurer, 480-312-2364, sandrews@scottsdaleaz.gov

29. Engine Braking Code Amendment

Request: Adopt **Ordinance No. 4518** amending Scottsdale Revised Code, Chapter 17, Motor Vehicles and Traffic, Article III, by adding Section 17-63 regarding the operation of compression release engine brakes where prohibited.

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

30. Scottsdale AZCares Funding

Request: Adopt **Resolution No. 12264** to authorize:

1. A Fiscal Year (FY) 2021/22 budget transfer in the amount of \$2,136,800 from the Scottsdale AZCares Special Revenue Fund, available funds in the Emergency Response program in the operating budget to the Community Facility Safety Upgrades capital project (DH14) to complete adding automatic doors and touch-free fixtures to community facilities as well as to finish installing ultraviolet disinfection and bipolar ionization systems as part of the City's COVID-19 response.
2. A FY 2021/22 budget transfer in the amount of \$270,000 from the Scottsdale AZCares Fund Tony Nelssen Center UV and Ionization capital project (DH10) to the Community Facility Safety Upgrades capital project (DH14) to complete adding automatic doors and touch-free fixtures to community facilities as well as finish installing ultraviolet disinfection and bipolar ionization systems as part of the City's COVID-19 response.
3. A FY 2021/22 budget transfer in the amount of \$2,100,000 from the Scottsdale AZCares Special Revenue Fund, unallocated funds in the operating budget to the City Buildings Safety Retrofit capital project (DH15) to complete adding automatic doors and

touch-free fixtures to city facilities as well as finish installing ultraviolet disinfection and bipolar ionization systems as part of the City's COVID-19 response.

4. The City Manager, or designee, with the advice and consent of the City Attorney and City Treasurer to supplement existing programs, create such new programs, execute such contracts, and expend such funds as may be necessary to mitigate the effects of and aid in the recovery from the emergency caused by the COVID-19 pandemic in accordance with the allocations set forth in Exhibit 1 of this resolution.
5. The City Manager, or designee, with the advice and consent of the City Attorney and City Treasurer to reallocate funds between and among any of the categories set forth in Exhibit 1 of this resolution; provided, however, no individual category set forth in the Exhibit 1 allocations, besides the unallocated funds category, shall be reduced or increased by more than twenty-five percent (25%) of the amount stated therein without further approval of the City Council.

Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

31. Fiscal Year (FY) 2021/22 Capital Improvement Plan Budget Adjustments and Creation of New Capital Project

Request: Adopt **Resolution No. 12266** to authorize:

1. A FY 2021/22 budget appropriation transfer in the amount of \$428,412 from the Shea Underpass Access at 124th Street (TB66) capital project to a newly created capital project to be titled "*Shea Boulevard & 124th Street Remediation Project*" to be funded by the Arterial Life Cycle Program Regional Sales Tax funding source.
2. A FY 2021/22 Transportation Fund Capital Contingency budget appropriation transfer in the amount of \$1,493,838 to the newly created Shea Boulevard & 124th Street Remediation Project capital project to be funded by the Transportation 0.1% Sales Tax.
3. A FY 2021/22 Transportation Fund Capital Contingency budget appropriation transfer in the amount of \$48,452 to the Shea Underpass Access at 124th Street (TB66) capital project to be funded by Transportation 0.2% Sales Tax.

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

MOTION AND VOTE – CONSENT AGENDA

Councilwoman Littlefield made a motion to approve Consent Agenda Items 1 through 31, absent Items 16 and 21, which were removed from the Consent Agenda and considered separately, and Item 25, which was removed from the Consent Agenda at staff's request. Councilmember Durham 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.

ITEMS CONSIDERED SEPARATELY

- 16. Right-of-Way Acquisition for Camelback Road Sidewalk Improvement Project**
Request: Adopt **Resolution No. 12246** authorizing the acquisition of real property interests as required by the revised Camelback Road Sidewalk Improvement Project.
Location: North side of Camelback Road, from 73rd Street to Miller Road
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

Public Works Director Dan Worth gave a PowerPoint presentation (attached) on a right-of-way acquisition for the Camelback Road Sidewalk Improvement project.

Mayor Ortega opened public comment.

Jane Peterson, a Scottsdale resident, expressed concern related to the project's impact on security, privacy, driveway use, accessibility, and landscaping to her property.

Jude Nau, a Scottsdale hotelier, spoke to degradation issues of the buffer between residential neighborhoods and the entertainment district caused by this project.

Mayor Ortega closed public comment.

MOTION AND VOTE – ITEM 16

Councilwoman Whitehead made a motion to continue Item 16 till a meeting in October 2021 and would like more information about opportunities to save the trees or protect the property, as well as build the sidewalk. 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.

21. Hayden Road/Miller Road: Pinnacle Peak Road to Happy Valley Road Capital Project Intergovernmental Agreement

Request: Adopt **Resolution No. 12227** authorizing Agreement No. 2021-124-COS with the Maricopa Association of Governments for project administration and reimbursement of Proposition 400 Regional Transportation Sales Tax Grant funds for eligible costs incurred by the City for the Hayden Road/Miller Road: Pinnacle Peak Road to Happy Valley Road capital project.

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

Public Works Director Dan Worth gave a presentation on the proposed capital project intergovernmental agreement.

Mayor Ortega opened public comment.

The following spoke in opposition to the Miller Road extension project and support of the citizens petition submitted by Dan Lundberg:

- Frederick White, Scottsdale resident
- Scott Smith, Scottsdale resident
- Nicole Forbes, Scottsdale resident
- Lori Ann Lundberg, Scottsdale resident

Mayor Ortega closed public comment.

MOTION AND VOTE – ITEM 16

Councilwoman Whitehead made a motion to approve the Hayden Road/Miller Road: Pinnacle Peak Roadway to Happy Valley Road Capital Project Intergovernmental Agreement and adopt Resolution No. 12227. Councilmember Durham 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.

PUBLIC COMMENT – None

CITIZEN PETITIONS

32. 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 agendaize 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

MOTION AND VOTE – ITEM 32

Mayor Ortega made a motion to direct the City Manager to investigate the matter and prepare a written response to the Council, with a copy to the petitioner. 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.

MAYOR AND COUNCIL ITEMS – None

ADJOURNMENT

MOTION AND VOTE – ADJOURNMENT

Vice Mayor Janik made a motion to adjourn. Councilwoman Caputi 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.

The Regular City Council Meeting adjourned at 6:32 P.M.

SUBMITTED BY:



Ben Lane, City Clerk

Officially approved by the City Council on October 12, 2021

C E R T I F I C A T E

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the City Council of Scottsdale, Arizona held on the 14th day of September 2021.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 12th day of October 2021.



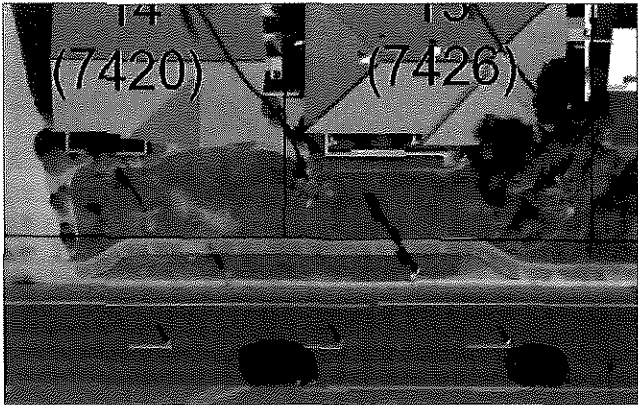
Ben Lane, City Clerk

Project Overview

- Improve sidewalk on north side of road from 73rd St to Miller Rd
- Continuous 8-foot sidewalk, accessibility improvements



Current Condition



Narrow sections



Gaps

Current Condition



Right of Way Acquisition

- Council approved acquisition in January 2021:
 - 406 sf of road right of way
 - 234 sf of waterline easements
 - 2,263 sf of temporary easements (usually 5 feet wide)
- Additional need identified:
 - 215 sf of waterline easements
 - 3,586 sf of temporary easements (all additional 5-foot wide strips)
- Additional Council approval needed because increase is over 20%
- If approved, staff will negotiate with property owners for each acquisition
 - No permanent construction in temporary easements
 - City will replace landscaping as necessary

Questions?

Pinnacle Peak Reserve Homeowners / Miller Road Expansion Project PETITION

PETITION

OFFICE OF THE
CITY CLERK

2021 SEP 14 PM 4:08

We, the homeowners of Pinnacle Peak Reserve, and those whose property is adjacent to, or in direct line of site of Miller Rd., Juan Tabo Rd., and/or Happy Valley Rd, will be greatly and negatively impacted by the expansion of Miller Road from Pinnacle Peak Road to Happy Valley Road. This expansion project will have several huge impacts on our community, particularly impact the safety of the citizens and pedestrians in Pinnacle Peak Reserve, huge increases in traffic noise and light from automobile headlights entering numerous homes throughout several areas of Pinnacle Peak Reserve. Original construction in Peak Reserve began in 1996, the entire community was designed around Miller Road which runs through the center of Pinnacle Peak Reserve. Miller Rd. was originally planned, categorized and constructed as a minor arterial, sidewalks were built directly adjacent to the road/asphalt and home property line setbacks from the road are only nine feet. On May 18, 1999 the city council voted to "Designate" Miller Rd from a Minor Arterial to a Major Collector, after the road was already built as a minor arterial. The projected increase in traffic will make it unsafe for pedestrians on the sidewalks and in the bike lanes along Miller Road, as well as Juan Tabo (the east / west bound main road into and out of Pinnacle Peak Reserve, intersecting and terminated at Miler Rd). It will create extremely dangerous and unsafe conditions for the children to access school bus stops along Miller Rd. and on Juan Tabo Rd, it will be extremely dangerous and unsafe for children and dangerous for children to cross 2 and 4-lanes of heavy traffic to get to and from school bus stops for pick up and being dropped-off after school, as well as the Mail Box locations along Juan Tabo Rd, where homeowner have to park along the side of the street and exit their cars into the traffic lane on foot to get their mail daily. Speed and noise from traffic are also of great concern and will diminish both quality of life and the value of our homes and create an encumbrance on our ability to enjoy our homes and properties. Because Pinnacle Peak Reserve is not gated as other nearby communities also impacted by the Miller Rd extension, we are also concerned about increased crime. Therefore, we, the homeowners of Pinnacle Peak Reserve, are petitioning the Scottsdale City Council to hear and address our current and future concerns for safety, speed, noise, security and concessions to the design of the Miller Road extension.

We understand that according to an initial Draft Noise Analysis Technical Report of stated area submitted on April 12, 2021 that was based on the COS Roadway Noise Abatement Policy, section 11.0, Statement of Likelihood, *no barriers were evaluated or are recommended for this project.* Also, the report states that a final determination of noise abatement

measures will be made upon completion of the project design. the public involvement process, concurrence with the COS RNAP, and City approval.




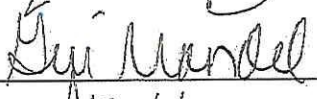



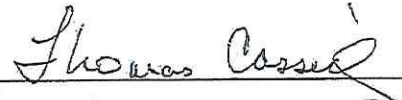

It is our understanding, based on the Roadway Noise Abatement Policy Options, that the Cost Cap per benefited developed property, and each affected property, based on 2010 dollars is \$60,000. \$60k x 72 Pinnacle Peak Reserve homes = \$4.32M for noise abatement.

- A roundabout for speed and noise abatement to be constructed at Miller and Park View Lane (this can be incorporated into the current design plans since that area is currently desert/undeveloped and part of the Miller Rd. Extension);
- A roundabout at Juan Tabo and Miller Road (after the project has been completed and data gathered on traffic, speed and noise);
- Speed limiting/speed controlling measures taken on Miller Road and Juan Tabo Road (so that citizens can safely access school bus stops, use the bike lanes, safely access our mail boxes, and safely walk on the sidewalks that are directly adjacent to the road);
- Traffic calming devices along Miller Rd. for safety, in the north and south bound lanes;
- Traffic calming devices along Juan Tabo Road for safety, in the east and west bound lanes;
- Increase the height (8-10 feet) of the retaining wall separating Miller Road and NAOS, and the back of the homes in direct line of sight with Miller Rd. and bridge for noise and light abatement
- Inclusion of walking area/dog run area in the design (since it will be unsafe to walk/bike along Miller Road once connected to Pinnacle Peak)
- 8ft. – 10ft. concrete-walls or brick-walls be built on both sides of the entire length of the bridge over Rawhide Wash to contain traffic noise on the bridge

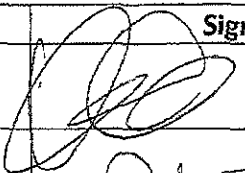
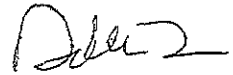


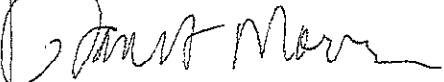
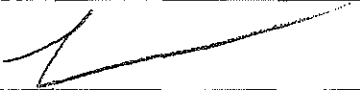

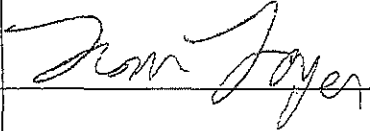
Our ASK of the below signed petitioners is that our concerns of noise and light abatement including berms, walls, bushes, trees, foliage, traffic control, traffic calming, speed limiting, security, be heard and acted upon and included with all phases of the construction project. We also ask for consideration in the design now to allow for noise and traffic abatement strategies in the future. We also ask that our concerns regarding safety, traffic calming, traffic control, speed limiting, security and noise

abatement be revisited within one year of the project's completion or as deemed necessary and that future design improvements be evaluated and that impacted Pinnacle Peak Reserve homeowners be included in future decisions per our requests.

Pinnacle Peak Reserve Homeowners / Miller Road Expansion Project PETITION

	Printed Name	Signature	Address	Lot #	Date
1	John Hannan		7436 E. ALAMEDA RD SCOTTSDALE AZ 85255		9/8/21
2	LISA BAKER		7344 E Desert Vista Scottsdale AZ 85255		9/8/21
3	NESTOR NAZARENO		7326 E. LA JUAN RD # 1 85255		9/9/21
4	G Mandel		7663 ELAVENTA RD		9/9/21
5	Ariel Kelly		24356 N. 75 th way		9/9/21
6	Ron Saleiman		7537 E. Alameda Ln		9/9/21
7	Don Forbes		7561 E. Alameda Rd.		9/9/21
8	Tom Cassidy		7553 E ALAMEDA RD		9/9/21
9	DANNY YENIAK		24421 N 75 th way		9/9/21

Pinnacle Peak Reserve Homeowners / Miller Road Expansion Project PETITION

	Printed Name	Signature	Address	Lot #	Date
10	Kevin Cannon		7449 E. Santa Catalina Dr		9/12/21
11	Debi Turner		7848 E Parkwood Ln		9/12/21
12	Monica Krogh		24580 N. 74th Place		9/12/21
13	Joseph Rosenwasser		27963 N. 74th Dr		9/12/21
14	Janet Morrow		24545 N. 77th St.		9/12/21
15	Paul Eisen		7779 E. Camel		2/1/21
16	Janet Morrow	Janet Morrow	7545 E. Plover		9/12/21
17	Carly Westphal		7545 E. Santa Catalina Dr		9/14/21
18	Tom Fayer		7261 E Desert Rd ^{Vista}	7267	9/12/21
19					
20					
21					

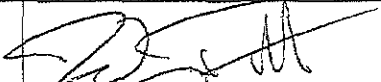
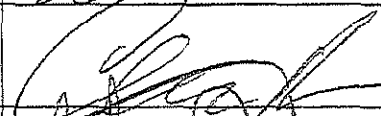


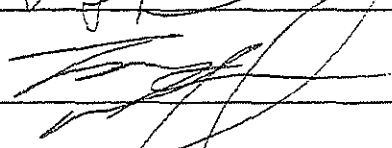

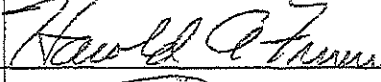
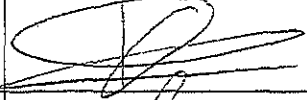
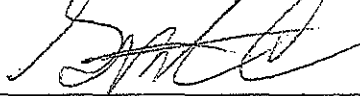
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Pinnacle Peak Reserve Homeowners / Miller Road Expansion Project PETITION

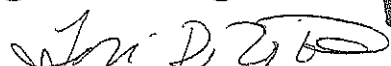

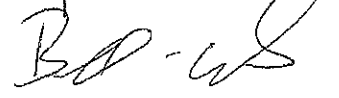


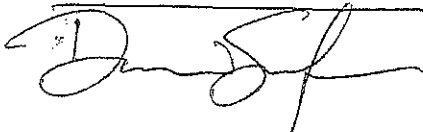
	Printed Name	Signature	Address	Lot #	Date
1	FREDERIC WHITE		7424 E CHRISTMAS CIRCLE SCOTTSDALE AZ 85255	2004 4	9/11/21
2	Roberta Burke		24830 N 76th PL SCOTTSDALE AZ 85255	15	12/20/2021
3	Jennifer Burke		24830 N 76th PL Scottsdale, AZ 85255	15	12 Sept 2021
4	Karen Schicker		24529 N. 76th pl. Scottsdale, AZ 85255	42	Sept. 12, 2021
5	Steven & Lucy Backerkeim		24636 N 77th ST Scottsdale AZ 85255	64	9-12-21
6	Chris Lonina + Laurie Blynsky		24748 N 77 ST Scottsdale AZ 85255	56	9-12-21
7	Dawn + Kyle Frend		7635 E. LA JUNTA SCOTTSDALE, AZ 85255	50	Sept 9 2021
8	Marta + Adrian Partea		24657 N 77 ST Scottsdale AZ 85255	30	09/12-21
9	Mary and Terance Wilkins		24613 N 76th PL Scottsdale, AZ 85255	43	09-12-2021
	Darla John Vogrin		24662 N. 76th PL. Scottsdale AZ 85255	10	09/12/21

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Pinnacle Peak Reserve Homeowners / Miller Road Expansion Project PETITION

	Printed Name	Signature	Address	Lot #	Date
1	DAVID FRIEDWIRTH		7477 E. DESERT VISTAS	2055	9/10/21
2	CHRISTOPHER ROWAN		7473 E. DE LAZO RD #144	#144	9/10/21
3	ANTHONY JOHNSON		7553 E DESERT VISTA	410	9/10/21
4	Christopher Hulse		7429. E Christmas Cholla Dr	61	9/10/21
5	Tim Allen		7453 E Christmas Cholla Dr	2057	9/10/21
6	TEO KARISTOSIAN		24733 N. 75TH WAY	2035	9/10/21
7	HAROLD FURMAN		7430 E CHRISTMAS CHOLLA DR	600	9/11/21
8	Klinton Lukaj		7513 E Christmas Cholla Dr	68	9/11/21
9	Stephanie Conn		7555 E Christmas Cholla	63	9/14/21

Pinnacle Peak Reserve Homeowners/ Miller Road Expansion Project Petition

9/9	15 	Tori DiVito
9/9	16 	Justin Klump Lot 58 8900 7447 E Christmascholla Lot 59
9/9		Bill Workson 7441 E CHRISTMAS CYPRESS SCOTTSDALE AZ 85255
9/9		Amy Tallmadge 7641 E Christmas Cholla Dr Scottsdale, AZ 85255
9/9		7510 E Christmas Cholla Dr Scottsdale AZ 85255 Lot 18
9/9		DAVID SCHIFRIN 24853 N. 75 th WAY SCOTTSDALE, AZ 85255 Lot 28

Pinnacle Peak Reserve Homeowners / Miller Road Expansion Project PETITION

	Printed Name	Signature
9/6	1 STEVE PETERS LOTA # 11 7460 E CHRISTMAS CHOLLA 85255	
9/6	2 MIKE MARINO 7558 E CHRISTMAS CHOLLA 85255 LOT 26	
9/6	3 HOI PETER 7468 E CHRISTMAS CHOLLA 85255	
9/6	4 ANDREA MARINO 7558 E CHRISTMAS CHOLLA 85255 LOT 26	
9/6	5 BOB LEISER	
9/6	6 STEVE BRITT	
9/6	7 GINO CALABRO	
9/6	8 BRITT CALABRO	
9/7	9 ROBERTO DI VITO 7408 E CHRISTMAS CHOLLA DRIVE 85255	LOT #1
	10 [REDACTED]	
9/7	11 MICHAEL LARSON LOT # 59	7447 E CHRISTMAS CHOLLA 85255
9/7	12 TAMMIE WHITE	
9/9	13 TIM ALDERSON	
9/9	14 SCOTT GOLDBERG 7423 E CHRISTMAS CHOLLA 85255	LOT 62