

SCOTTSDALE CITY COUNCIL MEETING

*** AMENDED *** MEETING NOTICE AND AGENDA [ADDED PRESENTATION/INFORMATION UPDATES]



COUNCIL

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

Kathleen S. Littlefield
Linda Milhaven
Solange Whitehead

Tuesday, April 5, 2022

City Council meetings are also televised on Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search "live stream") to 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 (April 26, 2022).

In-person spoken public comment is being accepted on Items 1 through 17. To sign up to speak on these items, please click [here](#).

In-Person spoken public comment is also being accepted on non-agendized items that are within the Council's jurisdiction. Scottsdale citizens may speak on items that are within the Council's jurisdiction but are not on the agenda, with a total of 15 minutes at the beginning and 15 minutes at the end of the meeting dedicated to comment on non-agendized items. To sign up to speak in-person on a non-agendized item that is within the Council's jurisdiction, please click [here](#).

Registration for In-Person public comment is available online by completing a Request to Speak form. In-Person Public Comment Request to Speak forms for Consent, Regular, and Non-Agendized items must be submitted no later than 90 minutes before the start of the meeting.

Written public comment may be submitted in-person by completing a yellow written public comment card or electronically by completing a Written Public Comment form. Written public comment received during the meeting will be shared with the Council. 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. A written public comment may be submitted electronically by clicking [here](#).

5:00 P.M.

Marked Agenda

REGULAR CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:00 P.M.

Roll Call – All present

One or more members of the Council may be attending the Council Meeting by telephone, video, or Internet conferencing, pursuant to A.R.S. §38-431(4).



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

Pledge of Allegiance – Vice Mayor Caputi

Mayor's Report – Mayor Ortega asked for a moment of silence to pray for the people of Ukraine and for the survival of their democracy. Mayor Ortega congratulated Scottsdale Arts for their ARTrageous event held April 2nd at the new Fieldhouse venue located at Scottsdale Stadium. Mayor Ortega announced today was the last Spring Training home game in Scottsdale, noting that Spring Training has been a tradition in Scottsdale since 1955.

*****Presentations/Information Updates**

- **Proclamation: Fair Housing Month – Mayor Ortega read a proclamation in honor of Fair Housing Month and presented the proclamation to Affordable Rental Movement of Save the Family Chief Executive Officer Jacki Taylor, Leasing Manager Krista Shockey, and Director of Property Development Allisia Fiorini.**
- **Proclamation: Volunteer Appreciation Week – Mayor Ortega read a proclamation declaring April 17th through April 23rd as Scottsdale Volunteer Appreciation Week and presented the proclamation to 2021 William P. Schrader Volunteer Impact Award Honoree Hank Carmean.**
Presenter(s): Mayor David D. Ortega

Public Comment – Freya Brier presented a citizen petition asking for a crosswalk and other safety measures at the entrance to the canal path at the curve between Miller and Jackrabbit roads. French Thompson suggested the City include construction mitigation measures in future construction plans, especially in the Downtown area.

Public Comment time is reserved for Scottsdale 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 [form](#) 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."**

CONSENT AGENDA ITEMS 1-14

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

1. **[Scottsdale Resort at McCormick Ranch Liquor License \(9-LL-2022\)](#) – 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 with a new owner.
Location: 7700 E. McCormick Parkway
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
2. **[Wilderness Spirits Distributors Liquor License \(10-LL-2022\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 4 (wholesaler) State liquor license for a new location and owner.
Location: 7466 E. Monte Cristo Avenue, Suite 101
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

3. **Fata Morgana Mediterranean Cuisine Liquor License (11-LL-2022) – 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: 7116 E. Mercer Lane, Suites 102 and 103
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
4. **Chevron Gas Liquor License (12-LL-2022) – 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: 6930 E. Thomas Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
5. **Gastrome Market Liquor Licenses (13-LL-2022 and 14-LL-2022) – 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 and a Series 12 (restaurant) State liquor license for a new location and owner.
Location: 7704 E. Doubletree Ranch Road, Suite 140
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
6. **Mason’s Famous Lobster Rolls Liquor License (15-LL-2022) – 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: 15257 N. Scottsdale Road, Suite F1-155
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
7. **Engineering Services Contracts for Surveying Services – Approved on Consent.**
Request: Adopt **Resolution No. 12427** authorizing the following one-year contract extensions for on-call engineering services, in an amount not to exceed \$500,000 per contract, for surveying services throughout the City:
 1. Contract No. 2020-065-COS-A1 with AZTEC Engineering Group, Inc.
 2. Contract No. 2020-066-COS-A1 with T2 UES, Inc.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov
8. **Water Resources Underground Infrastructure Construction Services Job Order Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 12428** authorizing the following contract modifications for the first option year, in an amount not to exceed \$5,000,000 per contract, for citywide water resources underground infrastructure construction services:
 1. Contract No. 2020-059-COS-A1 with Achen Gardner Construction, LLC
 2. Contract No. 2020-060-COS-A1 with B&F Contracting, Inc.
 3. Contract No. 2020-061-COS-A1 with Garney Companies, Inc.
 4. Contract No. 2020-062-COS-A1 with Markham Contracting Co., Inc.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov
9. **Water Resources Treatment Job Order Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 12429** authorizing the following job order contract modifications for the first option year, in an amount not to exceed \$7,500,000 per contract, for citywide water resources treatment construction services:
 1. Contract No. 2020-055-COS-A1 with Currier Construction, Inc.
 2. Contract No. 2020-056-COS-A1 with Garney Companies, Inc.
 3. Contract No. 2020-057-COS-A1 with MGC Contractors, Inc.
 4. Contract No. 2020-058-COS-A1 with Schofield Civil Construction, LLC**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

10. **Pima Road: Dynamite Boulevard to Las Piedras Capital Project – Approved on Consent.**
Request: Adopt **Resolution No. 12412** to authorize:
 1. Agreement No. 2022-031-COS with the Maricopa Association of Governments for project administration and reimbursement of Proposition 400 Regional Transportation Sales Tax funds for eligible costs incurred by the City for the Pima Road: Dynamite Boulevard to Las Piedras capital project.
 2. The City Manager, or his designee, to execute any other documents on behalf of the City and take such other actions as necessary to carry out the intent of this Resolution and Agreement.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

11. **Underground Electric Utility Easement – Approved on Consent.**
Request: Adopt **Resolution No. 12403** authorizing Contract No. 2022-051-COS with Arizona Public Service, granting an underground electric utility easement on the Scottsdale Fire Station 615 property.
Location: 31802 N. Pima Road
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

12. **Pedestrian Behavior Pilot Program Study License Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 12446** authorizing Agreement No. 2022-047-COS with Sensagrate, Inc., for a pilot program to study and assess pedestrian behavior at two locations in the City.
Location: Intersection of Scottsdale Road and Camelback Road and Camelback Road between Buckboard Trail and Saddlebag Trail.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

13. **Airport Perimeter Road Reconstruction Project Grant – Approved on Consent.**
Request: Adopt **Resolution No. 12425** to authorize:
 1. Acceptance of an airport improvement grant from the Arizona Department of Transportation in the amount of \$728,090.
 2. A Fiscal Year 2021/22 Aviation Future Grant Contingency budget appropriation transfer in the amount of \$728,090 to a newly created Capital Improvement Project (CIP) to be titled “*Airport Perimeter Road Reconstruction*” to be funded by CIP State Grants for the design and construction of airport perimeter road improvements.
 3. The Aviation Director to execute and submit any related documents and agreements in connection with the acceptance of this grant.**Staff Contact(s):** Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov

14. **Human Resources Management Code Amendment – Approved on Consent.**
Request: Adopt **Ordinance No. 4539** amending Scottsdale Revised Code, Chapter 14, Human Resources Management, Section 14-81 to establish Juneteenth as a City holiday.
Staff Contact(s): Luran Beebe, Human Resources Manager, 480-312-2746, lbeebe@scottsdaleaz.gov

REGULAR AGENDA ITEMS 15-17

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

15. **Tournament Players Club (TPC) Conditional Use Permit (58-UP-1985#2)**
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 12410** approving a Conditional Use Permit for an amendment extending the TPC golf course and accessory uses for a new restaurant/clubhouse on a ±2.5-acre site with Open Space (OS) zoning.
Location: Southeast corner of N. Greenway-Hayden Loop and E. Bell Road
Presenter(s): Meredith Tessier, Senior Planner
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

- Senior Planner Meredith Tessier and Applicant Representative Jordan Rose gave the PowerPoint presentations.
- Councilmember Milhaven made a motion finding that the conditional use permit criteria have been met and to adopt Resolution No. 12410 approving a Conditional Use Permit for an amendment to the existing Tournament Players Club adding the stipulation that the operator is subject to, and shall remain in, full compliance with all state of Arizona and local jurisdiction requirements and amending the site plan to include the graphic showing that the Sports Lounge will only be 18 percent of the entire building. Vice Mayor Caputi seconded the motion, which carried 6/1, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Milhaven, and Whitehead voting in the affirmative and Councilwoman Littlefield dissenting.

16. [Palo on 75th Rezoning \(9-ZN-2021\)](#)

Request: Adopt **Ordinance No. 4536** approving a zoning district map amendment from Service Residential Downtown Overlay (S-R DO) to Downtown/Downtown Multiple Use, Type 2, Downtown Overlay (D/DMU-2 DO), including an amendment to the building setback on both street frontages to allow for a new multi-family development consisting of 5 units on a ±0.20-acre site.

Location: 3961 N. 75th Street

Presenter(s): Greg Bloemberg, Project Coordination Liaison

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

– Project Coordination Liaison Greg Bloemberg and Applicant Representative Lauren Proper Potter gave the PowerPoint presentations.

– Councilwoman Whitehead made a motion to adopt Ordinance No. 4536 approving a zoning district map amendment from Service Residential Downtown Overlay (S-R DO) to Downtown/Downtown Multiple Use, Type 2, Downtown Overlay (D/DMU-2 DO), including an amendment to the building setback on both street frontages to allow for a new multi-family development consisting of 5 units on a ±0.20-acre site located at 3961 N. 75th Street; noting that during the Development Review Board submittal, the applicant shall coordinate with staff in an effort to include street trees along the N. 75th Street frontage, if deemed feasible and safe; and acknowledging there is a private party agreement between the two adjacent property owners related to short-term rental units. Councilmember Durham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

17. [Transportation Action Plan](#)

Request: Adopt **Resolution No. 12434** approving the 2022 Transportation Action Plan.

Presenter(s): David Meinhart, Transportation Planning Manager

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

– The City Manager requested this item be tabled until the April 26, 2022 City Council Meeting.

Public Comment – None

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CITIZEN PETITIONS

ITEM 18

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 [form](#) must be submitted, together with the petition(s), **before** the second Public Comment period begins.

18. **Receipt of Citizen Petitions – Councilwoman Whitehead 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, related to the citizen petition asking for a crosswalk and other safety measures at the entrance to the canal path at the curve between Miller and Jackrabbit roads. Mayor Ortega seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.**

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

Mayor and Council Items – None

Adjournment – 6:46 P.M.

– Councilwoman Janik made a motion to adjourn the Regular Meeting. Councilmember Durham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.