

SCOTTSDALE

CITY COUNCIL MEETING



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

[ADDED ITEM No. A1 AND CONSENT ITEM No. 19A]

COUNCIL

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

Linda Milhaven
Guy Phillips
Solange Whitehead

Tuesday, September 8, 2020

Until further notice, Council meetings will be 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 listen/view the meeting in progress.

Only written comments submitted electronically at least one hour prior to the meeting are being accepted. A written public comment may be submitted electronically by clicking on the "click here to submit a written comment on an item" link located at the top of each page of the agenda.

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 (September 22, 2020).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

Meeting will be held electronically.

Call to Order – 5:01 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).

Mayor's Report – Mayor Lane read a proclamation honoring the 40th Anniversary of Make-A-Wish Day, which started in Scottsdale.



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

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.

– Councilwoman Klapp made a motion to accept the agenda as presented. Councilmember Korte seconded the motion, which carried 7/0, by roll call vote, with Mayor Lane; Vice Mayor Whitehead; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Phillips voting in the affirmative.

***A1. Added Items

Consent Item No. 19A was added to the agenda on September 2, 2020.

Request: Vote to accept the agenda as presented or continue the added item(s) to the next scheduled Council meeting, which is September 22, 2020.

CONSENT AGENDA ITEMS 1-19A

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.

– Councilmember Korte made a motion to approve Consent Agenda Items 1 through 19A, absent Item 11, which was removed from the agenda at the request of staff. Vice Mayor Whitehead seconded the motion, which carried 7/0, by roll call vote, with Mayor Lane; Vice Mayor Whitehead; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Phillips voting in the affirmative.

- [Clovr Life Spa Liquor License \(61-LL-2020\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) State liquor license for a new location and owner.
Location: 8877 N. Scottsdale Road, Suite 404
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- [Unbaked Edible Cookie Dough & Ice Cream Liquor License \(67-LL-2020\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for a new location and owner.
Location: 3712 N. Scottsdale Road, Suite 105
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- [Gabiella's Liquor License \(68-LL-2020\)](#) – 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 with a new owner.
Location: 10155 E. Via Linda, Suite H135
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

4. **Ville de Marie Private School Conditional Use Permit (3-UP-2020) – Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt
Resolution No. 11902 approving a Conditional Use Permit for an educational service, elementary and secondary school, to allow for a new private school in a 33,867± square-foot building on a 3.8± acre site with Single-Family Residential (R1-7) zoning.
Location: 8512 E. Thomas Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
5. **Building Blocks Preschool Conditional Use Permit (5-UP-2020) – Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt
Resolution No. 11903 approving a Conditional Use Permit for an educational service, elementary and secondary school, to allow for a private preschool located at the Congregational Church of the Valley in a 1,600± square-foot building on a 3.9±-acre site, with Single-Family Residential (R1-43) zoning.
Location: 12001 E. Shea Boulevard
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
6. **Scottsdale Road Right-of-Way Annexation (1-AN-2020) – Approved on Consent.**
Request: Adopt **Ordinance No. 4467** approving the annexation of a 10-foot-wide strip of right-of-way stretching generally from E. Bell Road, north, to E. Deer Valley Road (approximately 2.8 miles), including the adoption of City of Scottsdale R1-35 zoning designation for the newly annexed areas.
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
7. **Princess Metering Station Repairs Project Preconstruction Phase Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 11878** authorizing CM@Risk Contract No. 2020-137-COS with Currier Construction, Inc., in an amount not to exceed \$129,904.14, to provide preconstruction phase services for the Princess Metering Station Repairs project.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
8. **Preserve Trails Construction Services Job Order Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 11896** authorizing the following job order contract modifications for the second option year, in an amount not to exceed \$2,000,000 per contract, for Preserve trail projects throughout the City:
 1. Contract No. 2017-138-COS-A2 with American Conservation Experience
 2. Contract No. 2017-139-COS-A2 with Cuddy Mountain Trail Company**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
9. **Pool Construction Job Order Contract – Approved on Consent.**
Request: Adopt **Resolution No. 11898** authorizing Contract No. 2018-136-COS-A1 with Shasta Industries, Inc., for a one-year contract extension in an amount not to exceed \$5,000,000 for pool construction projects throughout the City.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

10. **Electrical Instruments and Controls Systems Design Engineering Services Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 11899** authorizing the following one-year contract extensions in an amount not to exceed \$1,000,000 per contract for electrical instruments and controls systems design at various project locations throughout the City:
 1. Contract No. 2018-128-COS-A1 with Arcadis U.S., Inc.
 2. Contract No. 2018-129-COS-A1 with Brown and Caldwell, Inc.
 3. Contract No. 2018-130-COS-A1 with Black & Veatch Corporation**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

11. **Land Acquisition to Expand Water Pump Station – Removed at the request of staff.**
Request: Adopt **Resolution No. 11915** authorizing the acquisition of 0.12± acres of land from the Arizona Conference of Seventh Day Adventists in the amount of \$162,700 for the future expansion of an existing pump station.
Location: Adjacent to 7535 E. Redfield Road
Staff Contact(s): Brian Biesemeyer, Water Resources Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov

12. **Police Department Psychological Professional Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 11889** authorizing Contract No. 2020-142-COS with Dr. Jeni McCutcheon Psy.D, PLLC, in the amount of \$30,000, to provide psychological services to the Police Department for pre-employment candidate testing, non pre-employment well-being checks, military reintegration, and post shooting or use of force critical intervention.
Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov

13. **Police Officer Safety Equipment Grant – Approved on Consent.**
Request: Adopt **Resolution No. 11886** to authorize:
 1. The acceptance of a grant from the Office of the Arizona Attorney General in the amount of \$40,000 to purchase equipment specifically for officer safety.
 2. The Chief of Police, or designee, to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with the acceptance of the grant.
 3. A budget transfer in the amount of \$40,000 from the FY 2020/21 Future Grants Budget and/or Grant Contingency Budget and the creation of a new cost center to record the related grant activity.**Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov

14. **Civil Unrest Assistance Grant – Approved on Consent.**
Request: Adopt **Resolution No. 11891** to authorize:
 1. The acceptance of a Riots – Imposition of Curfew Assistance Grant in the amount of up to \$1,500,000 from the Arizona Department of Emergency and Military Affairs for civil unrest assistance.
 2. The Chief of Police, or designee, to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with the acceptance of the grant.
 3. A budget transfer equal to the actual FY 2019/20 eligible expenses in the amount of \$994,958 from the FY 2019/20 Future Grants Budget and/or Grant Contingency Budget to the cost center created to record the related grant activity.
 4. A budget transfer equal to the remaining amount of the grant award for FY 2020/21 expenses in the amount of \$505,042 from the FY 2020/21 Future Grants Budget and/or Grant Contingency Budget to the cost center created to record the related grant activity.**Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov

15. **National League of Cities Annual Membership Dues – Approved on Consent.**
Request: Adopt **Resolution No. 11906** authorizing payment of annual membership dues in the amount of \$13,086 to the National League of Cities for FY 2020/21.
Staff Contact(s): Brad Lundahl, Government Relations Director, 480-312-2683, blundahl@scottsdaleaz.gov
16. **Acting City Treasurer Appointment – Approved on Consent.**
Request: Adopt **Resolution No. 11919** appointing Budget Director Judy Doyle to serve as Acting City Treasurer effective October 1, 2020.
Staff Contact(s): Donna Brown, Human Resources Director, 480-312-2615, dbrown@scottsdaleaz.gov
17. **2019 Board and Commission Annual Report – Approved on Consent.**
Request: Accept the 2019 annual report approved by each publicly appointed board, commission, and working task force.
Staff Contact(s): Rommel Cordova, Management Assistant, 480-312-2424, rcordova@scottsdaleaz.gov
18. **Boards and Commissions Code Amendment – Approved on Consent.**
Request: Adopt **Ordinance No. 4410** amending Scottsdale Revised Code, Chapter 2, Article V, Division 1, Section 2-241, relating to boards and commissions term limits.
Staff Contact(s): Megan Lynn, Senior Management Associate, 480-312-2854, mlynn@scottsdaleaz.gov
19. **Municipal Property Corporation Excise Tax Bond Redemption – Approved on Consent.**
Request: Adopt **Resolution No. 11922** to authorize:
1. The transfer of City moneys in order to prepay and redeem prior to maturity a portion of the City of Scottsdale Municipal Property Corporation Excise Tax Revenue Bonds (Water and Sewer Improvements Project) Series 2010.
 2. Taking of all other actions necessary for the consummation of the transaction contemplated by this Resolution.
 3. A FY 2020/21 appropriation only budget transfer not to exceed \$9,000,000 from the Water and Water Reclamation Fund Operating Reserve fund balance designation to the Water and Water Reclamation Fund Debt Service to prepay and redeem the bonds being redeemed.
 4. Ratifying the actions of all officers and agents of the City with respect to the transfer of City moneys and the prepayment and redemption of the bonds being redeemed.
- Staff Contact(s):** Jeff Nichols, City Treasurer, 480-312-2364, jenichols@scottsdaleaz.gov
- 19A. **Sereno Canyon Phase 4A – First Amendment Final Plat (16-PP-2017#17) – Approved on Consent.**
Request: Approve the final plat to replat Phase 4A of the Sereno Canyon Community Development on 5.7± acres of a 350±-acre site as per Phase 4A of the Sereno Canyon Community Phasing Plan and Final Plat, to modify Tract “G” within the Resort/Townhouse Residential, Environmentally Sensitive Lands (R-4R ESL) zoning portion of the site.
Location: Between E. Alameda Road and E. Pinnacle Peak Road along N. 124th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

MAYOR AND COUNCIL

ITEM 20

Councilman Phillips made a motion to direct staff to come back to Council with a plan to allow public comment as soon possible. Vice Mayor Whitehead seconded the motion, which carried 7/0, by roll call vote, with Mayor Lane; Vice Mayor Whitehead; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Phillips voting in the affirmative.

20. Boards, Commissions, and Task Force Nominations (Note: Appointments scheduled for October 6, 2020)

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

Airport Advisory Commission (three vacancies) – **Councilwoman Milhaven nominated Larry Bernosky, Peter Mier, and Rick Milburn.**

Citizen’s Bond Oversight Committee (three vacancies) – **Councilwoman Klapp nominated Andrew Armstrong, Hyungiu (Ben) Hur, and Brion Neeley and Councilmember Korte nominated Linda Spink.**

Human Relations Commission (two vacancies) – **Councilman Phillips nominated Stuart Rhoden and Janice Shimokubo and Councilwoman Littlefield nominated Robin Murphy and Terri Rudin.**

Industrial Development Authority (three vacancies) – **Councilwoman Littlefield nominated Jeffrey Greene.**

Judicial Appointments Advisory Board (one State Bar Representative vacancy) – **Councilwoman Milhaven nominated Steven Jackson and Councilmember Korte nominated Tricia Schafer.**

Neighborhood Advisory Commission (two vacancies) – **Councilwoman Klapp nominated Jonathan Budwig and William James.**

Personnel Board (one vacancy) – **Mayor Lane nominated Bill Amato.**

Planning Commission (four vacancies) – **Councilmember Korte nominated George Ertel, Kevin Maxwell, William Scarbrough, and Joe Young; Councilman Phillips nominated Barry Graham; Councilwoman Littlefield nominated Jeffrey Kinney, Diane Nowak, and Christian Serena; and Councilwoman Klapp nominated Waseem Hamadeh.**

Tourism Development Commission (two Hotelier vacancies) – **Councilwoman Klapp nominated Ken McKenzie, Mayor Lane nominated Michael Recuber, and Councilman Phillips nominated Monica Nicodemus and Krista Welch.**

Veterans Advisory Commission (one vacancy) – **Mayor Lane nominated Michael Feehan, Councilmember Korte nominated Blake Lindgren, and Councilman Phillips nominated Daniel Zuczek.**

Note: The only Council action to be taken on Item No. 20 is to select nominees for appointment consideration at a future Council meeting. No public comment will be taken on this item.

Adjournment – 5:43 P.M.