

SCOTTSDALE

CITY COUNCIL MEETING

MEETING NOTICE AND AGENDA



COUNCIL

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

Linda Milhaven
Guy Phillips
Solange Whitehead

Tuesday, October 20, 2020

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 (November 10, 2020).

Spoken comment is being accepted on items on the Consent and Regular Agenda (Items 1 through 21). To sign up to speak on these items, 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

CITY COUNCIL MEETING

Meeting will be held electronically.

Call to Order – 5:11 P.M.

Roll Call – All present (Councilmember Korte participated electronically)

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 – None



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

MINUTES

Request: Approve the [Regular Meeting Minutes of September 22, 2020](#); and [Work Study Session Minutes of September 22, 2020](#).

– Councilman Phillips made a motion to approve the Regular Meeting Minutes of September 22, 2020, and Work Study Session Minutes of September 22, 2020. Councilwoman Milhaven seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Whitehead; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Phillips voting in the affirmative.

CONSENT AGENDA ITEMS 1-19

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.

– Councilman Phillips made a motion to approve Consent Agenda Items 1 through 19. Councilwoman Klapp seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Whitehead; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Phillips voting in the affirmative.

1. [Broth and Bao Liquor License \(76-LL-2020\)](#) – **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: 1455 N. Scottsdale Road, Suite 105
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
2. [Blind Pig Liquor License \(77-LL-2020\)](#) – **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: 3370 N. Hayden Road, Suite 116
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
3. [5895 N. Granite Reef Road Non-Major General Plan Amendment and Rezoning \(1-GP-2020 and 4-ZN-2020\)](#) – **Approved on Consent.**
Requests:
 1. Adopt **Resolution No. 11933** approving a Non-Major General Plan Amendment to the Scottsdale General Plan 2001 Conceptual Land Use Map from Mixed-Use Neighborhoods to Commercial on a 1.1±-acre site.
 2. Adopt **Ordinance No. 4469** approving a zoning district map amendment from Regional Shopping Center (C-S) District to Neighborhood Commercial (C-1) District zoning on a 1.1± acre site.**Location:** 5895 N. Granite Reef Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
4. [Multi-Use Sports Fields Preconstruction Phase Services Contract \(Construction of Fields\)](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 11951** authorizing CM@Risk Contract No. 2020-172-COS with Valley Rain Construction Corporation in the amount of \$72,400.38, to provide preconstruction phase services for Bond 2019 Project 53 – Build Multi-Use Sports Fields in the Area of Bell Road.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

5. **Multi-Use Sports Fields Preconstruction Phase Services Contract (Offsite Water System) – Approved on Consent.**
Request: Adopt **Resolution No. 11952** to authorize:
 1. CM@Risk Contract No. 2020-174-COS with Hunter Contracting Co., in the amount of \$38,385.62, to provide preconstruction phase services for Bond 2019 Project 53 – Build Multi-Use Sports Fields in the Area of Bell Road.
 2. The City Manager, or designee, to initiate a Municipal Use Master Site Plan to develop City-owned Parcel No. 217-12-005L.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

6. **Electric Vehicle Charging Pilot Agreement (One Civic Center) – Approved on Consent.**
Request: Adopt **Resolution No. 11930** authorizing Agreement No. 2020-164-COS with Arizona Public Service Company for the installation and maintenance of Level 2 electric vehicle charging stations and infrastructure.
Location: 7447 E. Indian School Road
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

7. **Electric Vehicle Charging Pilot Agreement (North Corp Yard) – Approved on Consent.**
Request: Adopt **Resolution No. 11931** authorizing Agreement No. 2020-165-COS with Arizona Public Service Company for the installation and maintenance of Level 2 electric vehicle charging stations and infrastructure.
Location: 9191 E. San Salvador Drive
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

8. **Edward Byrne Memorial Justice Assistance Grant – Approved on Consent.**
Request: Adopt **Resolution No. 11960** to authorize:
 1. Acceptance of the 2020 Edward Byrne Memorial Justice Assistance Grant in the amount of \$26,949 to continue to partially fund a full-time property and evidence technician position.
 2. The Chief of Police, or designee, to conduct all negotiations and execute and submit all necessary documents or desirable instruments in connection with the acceptance of the grant.
 3. A budget transfer in the amount of \$26,949 from the FY 2020/21 Future Grants Budget and/or Grant Contingency Budget.**Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov

9. **Fire Department Urban Area Security Initiative Grants – Approved on Consent.**
Request: Adopt **Resolution No. 11956** to authorize:
 1. Contract No. 2020-181-COS with the Arizona Department of Homeland Security to accept the Urban Area Security Initiative Terrorism Liaison Officer (TLO) grant in the amount of \$40,830.
 2. Contract No. 2020-180-COS with the Arizona Department of Homeland Security to accept the Urban Area Security Initiative Chemical, Biological, Radiological, Nuclear and Explosive (CBRNE) grant in the amount of \$40,000.
 3. The Fire Chief, or designee, to conduct all negotiations and to execute and submit all documents or desirable instruments in connection with the acceptance of both grants.
 4. Budget transfers in the amounts of \$40,830 and \$40,000 from the adopted FY 2020/21 Future Grants Budget and/or Grant Contingency Budget and the creation of new cost centers to record the TLO and CBRNE related grant activity.**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

10. **Police Department Urban Area Security Initiative CBRNE Grant – Approved on Consent.**
Request: Adopt **Resolution No. 11957** to authorize:
 1. The acceptance of a FY 2020/21 Arizona Department of Homeland Security Urban Area Security Initiative Chemical, Biological, Radiological, Nuclear and Explosive (CBRNE) grant in the amount of \$40,000.
 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 adopted FY 2020/21 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.**Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov

11. **Police Department Urban Area Security Initiative Terrorism Liaison Officer Grant – Approved on Consent.**
Request: Adopt **Resolution No. 11958** to authorize:
 1. The acceptance of a FY 2020/21 Arizona Department of Homeland Security Urban Area Security Initiative Terrorism Liaison Officer (TLO) grant in the amount of \$159,190.
 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 \$159,190 from the adopted FY 2020/21 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.**Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov

12. **Police Department Homeland Security Grant – Approved on Consent.**
Request: Adopt **Resolution No. 11959** to authorize:
 1. The acceptance of a FY 2020/21 Arizona Department of Homeland Security, State Homeland Security grant in the amount of \$78,500.
 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 \$78,500 from the adopted FY 2020/21 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.**Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov

13. **Crossroads East Drainage and Public Works Infrastructure Preconstruction Phase Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 11972** authorizing CM@Risk Contract No. 2019-036-COS-A1, the first amendment to the agreement with Haydon Building Corporation, in the amount of \$77,770 to provide preconstruction phase services for the Crossroads East sewer lift station.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

14. **Homeless Management Information Systems Partnership Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11920** authorizing Contract No. 2020-162-COS with Crisis Response Network, Inc., for access and use of the Maricopa Homeless Management Information System database.
Staff Contact(s): Bill Murphy, Assistant City Manager, 480-312-7954, bmurphy@scottsdaleaz.gov

15. **Barbara Sparacino v. City of Scottsdale Settlement Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11971** authorizing settlement in the amount of \$55,000 of the claims in the lawsuit titled *Barbara Sparacino v. City of Scottsdale, et al.*, filed in Maricopa County Superior Court, CV2020-004017.
Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

16. **2019 Bond Projects General Obligation Bonds Issuance – Approved on Consent.**
Request: Adopt **Resolution No. 11947** authorizing the issuance and sale of not-to-exceed \$55,000,000 aggregate principal amount of General Obligation bonds, Projects of 2019, Series 2020 in one or more series; providing for the annual levy of a tax for the payment of the bonds; providing certain terms, covenants and conditions concerning the sale of the bonds including, as applicable, the delegation to the Acting City Treasurer the authority to prepare a notice inviting bids and award the sale of the bonds to the lowest responsible bidder or to enter into a bond purchase contract with an underwriter and to determine whether a portion of the bonds are sold on a taxable basis; providing for the disposition of the proceeds of such bonds; approving the form and authorizing the execution of an agreement for the services of a Bond Registrar, Transfer Agent and Paying Agent; approving the form of certain documents, and authorizing completion, execution and delivery thereof; delegating the authority to approve and deem final a form of official statement; and ratifying all actions to be taken with respect to the bonds.
Staff Contact(s): Judy Doyle, Acting City Treasurer, 480-312-2603, jdoyle@scottsdaleaz.gov

17. **General Obligation Refunding Bond Issuance – Approved on Consent.**
Request: Adopt **Resolution No. 11948** authorizing the issuance and sale of not-to-exceed \$190,000,000 aggregate principal amount of General Obligation Refunding Bonds, Taxable Series 2020; providing for the annual levy of a tax for the payment of the bonds, providing certain terms, covenants and conditions concerning the sale of the bonds including, as applicable, the delegation to the City Treasurer the authority to prepare a notice inviting bids and award the sale of the bonds to the lowest responsible bidder or to enter into a bond purchase contract with an underwriter; providing for the disposition of the proceeds of such bonds; approving the form and authorizing the execution of agreements for the services of a Bond Registrar, Transfer Agent, Paying Agent and an Escrow Trustee; approving the form of certain documents, and authorizing completion, execution and delivery thereof; delegating the authority to approve and deem final a form of official statement; and ratifying all actions to be taken with respect to the bonds.
Staff Contact(s): Judy Doyle, Acting City Treasurer, 480-312-2603, jdoyle@scottsdaleaz.gov

18. **Municipal Property Corporation Excise Tax Revenue Refunding Bonds Issuance – Approved on Consent.**
Request: Adopt **Resolution No. 11949** authorizing an Agreement with the City of Scottsdale Municipal Property Corporation (MPC) providing for the refinancing of certain public improvements by providing for the refunding of previously issued and outstanding bonds; approving the issuance of bonds by the MPC; approving the form of Agreement, Trust Indenture, Escrow Trust Agreement and Continuing Disclosure Undertaking with respect to the bonds; delegating the authority to approve and deem final a form of official statement; and authorizing and ratifying all other actions taken and to be taken necessary to the consummation of the transactions contemplated by the resolution, including the redemption in advance of maturity of certain outstanding bonds.
Staff Contact(s): Judy Doyle, Acting City Treasurer, 480-312-2603, jdoyle@scottsdaleaz.gov

19. **Monthly Financial Report – Approved on Consent.**
Request: Accept the FY 2020/21 Monthly Financial Report as of August 2020.
Staff Contact(s): Sylvia Dlott, Acting Budget Director, 480-312-2419, sdlott@scottsdaleaz.gov

REGULAR AGENDA ITEMS 20-21

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

20. [Southdale \(5-ZN-2020\)](#)

Requests:

1. Adopt **Ordinance No. 4472** approving a zoning district map amendment from Highway Commercial (C-3) District to Planned Unit Development (PUD) District zoning, including a development plan and amended development standards for building setbacks, encroachments into setbacks, and private outdoor living space for a new four-story mixed use development, consisting of 267 residential units and 4,400± square feet of commercial floor area on a 4.7±-acre site.
2. Adopt **Resolution No. 11936** declaring the document titled "*Southdale Development Plan*" to be a public record.

Location: 7000 E. McDowell Road

Presenter(s): Greg Bloemberg, Senior Planner

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

– Senior Planner Greg Bloemberg and Applicant Representative John Berry presentations.

– Councilwoman Milhaven made a motion to find that the PUD (Planned Unit Development) criteria had been met and to adopt Ordinance No. 4472 and Resolution No. 11936.

Councilmember Korte seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Whitehead; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Phillips voting in the affirmative.

21. [Acoya Scottsdale at Shea \(6-ZN-2020\)](#)

Request: Adopt **Ordinance No. 4473** approving a zoning district map amendment from Central Business (C-2) District zoning to Commercial Office (C-O) District zoning and a 27% parking reduction on a 3.5±-gross-acre site.

Location: 7373, 7375 and 7365 E. Shea Boulevard

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 Kurt Jones presentations.

– Councilwoman Klapp made a motion to adopt Ordinance No. 4473. Councilwoman Milhaven seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Whitehead; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Phillips voting in the affirmative.

MAYOR AND COUNCIL ITEM 22

22. Boards, Commissions, and Task Forces Appointments

How the Board and Commission Appointment Process Works:

Until further notice, in person interviews for board and commission nominees will not be held. Each board and commission nominee has submitted materials for the Council's review and consideration and can be viewed [here](#). The Council will make the appointment(s) for each vacancy based on the submitted materials.

Building Advisory Board of Appeals – Randall Lukas was appointed to the Building Advisory Board of Appeals, effective October 20, 2020.

Nominee(s): Randall Lukas

Council to fill one vacancy (appointment effective October 20, 2020)

Historic Preservation Commission – Larry Edmonds was appointed to the Historic Preservation Commission, effective October 20, 2020.

Nominee(s): Larry Edmonds

Council to fill one vacancy (appointment effective October 20, 2020)

Human Services Commission – James Campbell was reappointed, and Cambria Bowman was appointed, to the Human Services Commission, effective October 20, 2020.

Nominee(s): Cambria Bowman, James Campbell, Fadumo Malow

Council to fill two vacancies (appointments effective October 20, 2020)

Library Board – Sam Campana and Fred Klein were appointed to the Library Board, effective October 20, 2020.

Nominee(s): Sam Campana, Brian Kelley, Fred Klein

Council to fill two vacancies (appointments effective October 20, 2020)

Loss Trust Fund Board – Brandon Perlow was reappointed to the Loss Trust Fund Board, effective October 20, 2020.

Nominee(s): Brandon Perlow

Council to fill one vacancy (appointment effective October 20, 2020)

Parks and Recreation Commission – Ronald Lehman was appointed to the Parks and Recreation Commission, effective October 20, 2020.

Nominee(s): Ronald Lehman

Council to fill one vacancy (appointment effective October 20, 2020)

Paths and Trails Subcommittee – Ted Levie was reappointed to the Paths and Trails Subcommittee, effective October 20, 2020.

Nominee(s): Ted Levie, Nicholas Mazur, Carl Stein

Council to fill one non-commission member vacancy (appointment effective October 20, 2020)

Transportation Commission – Karen Kowal, Donald Pochowski, and Andy Yates were appointed to the Transportation Commission, effective October 20, 2020.

Nominee(s): Karen Kowal, Michael Kuzel, Donald Pochowski, Jay Rosenthal, Andy Yates

Council to fill three vacancies (appointments effective October 20, 2020)

– Councilmember Phillips made a motion to agendize a discussion to consider directing staff to find a way to use the performing arts theater for physical public comment or to utilize the Kiva for the same purpose. Councilwoman Littlefield seconded the motion, which failed 2/5, with Councilmembers Littlefield and Phillips voting in the affirmative, and Mayor Lane; Vice Mayor Whitehead; and Councilmembers Klapp, Korte, and Milhaven dissenting.

Adjourn the City Council Regular Meeting and Convene the City Council Work Study Session – 6:53 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.

1. **Monthly Financial Update and Quarterly CIP Update**
Request: Receive, discuss, and provide possible direction on the City Treasurer's monthly financial presentation as of September 2020.
Presenter(s): Judy Doyle, Acting City Treasurer; Dave Meinhart, Transportation Planning Manager; Dave Lipinski, City Engineer
Staff Contact(s): Sylvia Dlott, Acting Budget Director, 480-312-2419, sdlott@scottsdaleaz.gov
– Acting City Treasurer Judy Doyle, Transportation Planning Manager Dave Meinhart, and City Engineer Dave Lipinski presentations.
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 – 7:33 P.M.