

SCOTTSDALE

CITY COUNCIL MEETING



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

[ADDED MAYOR AND COUNCIL ITEM No. 33]

COUNCIL

David D. Ortega, Mayor

Tammy Caputi

Tom Durham

Betty Janik

Kathleen S. Littlefield

Linda Milhaven

Solange Whitehead

Tuesday, January 12, 2021

Until further notice, City Hall is closed to the public during Council meetings and these meetings are being held electronically. While physical facilities are not open to the public, City Council meetings are televised on Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search "live stream") to allow the public to virtually attend and listen/view the meeting in progress. Unless an exception is made, or unless otherwise noted, the Council will not begin discussion on any new items after 10:00 p.m. Items that are not heard will be continued to the next scheduled Council meeting (January 19, 2021).

Spoken comment is being accepted on items on the Consent and Regular Agenda (Items 1 through 31). To sign up to speak on these items, please click [here](#). Spoken comment is also being accepted on items that are within the Council's jurisdiction but are not on the agenda (maximum of five speakers). To sign up to speak on a non-agendized item that is within the Council's jurisdiction, please click [here](#). Request to speak forms must be submitted no later than 90 minutes before the start of the meeting. Written comments on any of the items on tonight's agenda that are submitted electronically at least 90 minutes before the meeting will be emailed to the Council and posted online prior to the meeting. A written public comment may be submitted electronically by clicking [here](#), or on the "click here to submit a written comment on an item" link located at the top of each page of the agenda.

4:00 P.M.

Marked Agenda

REGULAR CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 4:00 P.M.

Roll Call – All present

One or more members of the Council may be unable to attend the Council meeting in person and may participate telephonically, pursuant to A.R.S. §38-431(4).

Pledge of Allegiance – Vice Mayor Whitehead

Inaugural Remarks – Mayor David D. Ortega and City Councilmembers – Mayor Ortega and Councilmembers Caputi, Durham, and Janik thanked their families and supporters and expressed appreciation for the opportunity to serve.



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

Mayor's Report – Mayor Ortega announced that he had signed an emergency proclamation to help continue the measures put in place to halt the spread of the COVID-19 virus.

Public Comment – Valeri Marsh, Kristen Graham, and Merrill Jane Leffmann expressed concern about 4G and 5G wireless facilities.

Public Comment time is reserved for citizens to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. **Speakers are limited to three minutes to address the Council during "Public Comment."**

MINUTES

Request: Approve the [Special Meeting Minutes of November 30, 2020](#); [Regular Meeting Minutes of November 30, 2020](#); [Work Study Session Minutes of November 30, 2020](#); Executive Session Minutes of November 30, 2020; [Regular Meeting Minutes of December 1, 2020](#); and [Regular Meeting Minutes of December 7, 2020](#).

– Councilwoman Littlefield made a motion to approve the Special Meeting Minutes of November 30, 2020; Regular Meeting Minutes of November 30, 2020; Work Study Session Minutes of November 30, 2020; Executive Session Minutes of November 30, 2020; Regular Meeting Minutes of December 1, 2020; and Regular Meeting Minutes of December 7, 2020. Councilmember Milhaven seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Janik, Littlefield, and Milhaven voting in the affirmative.

CONSENT AGENDA ITEMS 1-30

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 Milhaven made a motion to approve Consent Agenda Items 1 through 30, absent Item 27, which was considered separately. Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Janik, Littlefield, and Milhaven voting in the affirmative.

- [Cold Beers & Pizza Liquor License \(85-LL-2020\) – 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: 4222 N. Scottsdale Road, Suite 102
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- [Hyatt Place & Hyatt House Scottsdale Liquor License \(90-LL-2020\) – Approved on Consent.](#)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 11 (hotel/motel) State liquor license for a new location and owner.
Location: 18513 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- [Lone Spur Cafe North Scottsdale Liquor License \(91-LL-2020\) – 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: 15600 N. Hayden Road, Building B
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

4. **[Chadwick's Urban Markets Liquor License \(93-LL-2020\)](#) – **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: 3703 N. 69th Street, Unit 101
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
5. **[Chadwick's Urban Markets Liquor License \(94-LL-2020\)](#) – **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 an existing location with a new owner.
Location: 3703 N. 69th Street, Unit 101
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
6. **[Volanti Restaurant and Lounge Liquor License \(95-LL-2020\)](#) – **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 an existing location and owner, new license series.
Location: 15000 N. Airport Drive, Suite 200
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
7. **[Rice Paper on Shea Liquor License \(96-LL-2020\)](#) – **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: 7366 E. Shea Boulevard, Suite 111
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
8. **[PV Liquors, LLC Liquor License \(97-LL-2020\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9S (liquor store with sampling privileges) State liquor license for an existing location and owner, new license series.
Location: 9301 E. Shea Boulevard, Suite 133
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
9. **[Nash Powersports Conditional Use Permit \(9-UP-2020\)](#) – **Approved on Consent.**
Request: At the request of the applicant and staff, continue to a future City Council meeting date to be determined.
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**
10. **[Morning Vista Abandonment \(11-AB-2018\)](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 11796** authorizing the abandonment of portions of East Morning Vista Road, including dedicated fee-simple rights-of-way and roadway and public utility easements, with Single-family Residential District, Environmentally Sensitive Lands (R1-190/ESL) zoning designation.
Location: East Morning Vista Road, between N. 114th Street and N. 116th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**
11. **[Morning Vista Final Plat \(4-PP-2019\)](#) – **Approved on Consent.**
Request: Approve the final plat for a gated, 7-lot subdivision and associated access tract, with amended development standards on a combined 34.6± acre site with Single-family Residential District, Environmentally Sensitive Land (R1-190 ESL) zoning designation.
Location: 11500 E. Morning Vista Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**

12. **[Sereno Canyon Phase 4 – East Sereno Canyon Parkway Final Plat \(16-PP-2017#18\) – Approved on Consent.](#)**
Request: Approve the final plat to modify Tract “A” E. Sereno Canyon Parkway on 77.9± acres of a 350-acre site, as per Phase 4A of the Sereno Canyon Community Phasing Plan and Final Plat, with the Resort/Townhouse Residential, Environmentally Sensitive Lands (R-4R ESL) zoning portion of the site.
Location: Between E. Alameda Road and the E. Pinnacle Peak Road alignment (along E. Sereno Canyon Parkway), and between N. 124th Street and N. 128th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
13. **[Wildcat Hill Final Plat \(1-PP-2019\) – Approved on Consent.](#)**
Request: Re-approve the final plat for a 122-lot residential subdivision on a 353±-acre site, with amended development standards, with the Single-family Residential, Environmentally Sensitive Lands (R1-70/ESL) zoning designation.
Location: Southeast corner of N. Cave Creek Road and E. Bartlett Lake Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
14. **[Crossroads East Drainage and Public Works Infrastructure Construction Phase Services Contract – Approved on Consent.](#)**
Request: Adopt **Resolution No. 12004** to authorize:
 1. CM@Risk Contract No. 2020-189-COS-A1 with Haydon Building Corp. for the second of two Guaranteed Maximum Price contracts in the amount of \$3,551,146.55 to provide construction phase services for the Crossroads East Sewer Lift Station project.
 2. A FY 2020/21 CIP Budget Appropriation transfer, effective February 11, 2021, in the amount of \$2,000,000 from the Jomax Road Sewer Interceptor and Lift Station project to the Crossroads East Sewer project to be funded by Sewer Development Fees.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
15. **[Water Pump Station Expansion Land Acquisition – Approved on Consent.](#)**
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
16. **[Seventh-Day Adventists Revocable Driveway License Agreement – Approved on Consent.](#)**
Request: Adopt **Resolution No. 11998** authorizing Agreement No. 2020-191-COS with the Arizona Conference Corporation of Seventh-Day Adventists permitting access and improvements to the City-owned parcel known as the Park and Ride facility at the southeast corner of Scottsdale and Thunderbird roads.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
17. **[Right-of-Way Acquisition for Camelback Road Sidewalk Improvement Project – Approved on Consent.](#)**
Request: Adopt **Resolution No. 12014** authorizing the acquisition of right-of-way, waterline easements, and temporary construction easements for traffic signal installation and sidewalk improvements.
Location: North side of Camelback Road, from 73rd Street to Miller
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

18. **On-Call Structural Design Services Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 12023** authorizing the following one-year contract extensions in an amount not to exceed \$750,000 per contract for on-call structural design services at various project locations throughout the City of Scottsdale:
 1. Contract No. 2019-003-COS-A1 with Horrocks Engineers, Inc.
 2. Contract No. 2019-004-COS-A1 with Point Engineers, LLC
 3. Contract No. 2019-005-COS-A1 with Gannett Fleming, Inc,**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
19. **Princess Metering Station Rehabilitation Project Construction Phase Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 12026** authorizing CM@Risk Contract No. 2020-192-COS-A1 with Currier Construction, Inc., in the amount of \$480,534.26, for the second of three Guaranteed Maximum Price proposals to provide construction phase services for the Princess Metering Station Rehabilitation project.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
20. **WestWorld Horse Barns Renovation Project Preconstruction Phase Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 12033** authorizing Design Build Manager Contract No. 2021-006-COS with Caruso Construction, Inc., in the amount of \$284,085, to provide preconstruction phase services for the Bond 2019 Project 45 – Renovate WestWorld Horse Barns to Increase Rentable Space.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
21. **Proposition 202 Grant Funds Acceptance – Approved on Consent.**
Request: Adopt **Resolution No. 12001** to authorize:
 1. Agreement No. 2021-005-COS with the Salt River Pima-Maricopa Indian Community to accept Proposition 202 Tribal Gaming Funds in the amount of \$846,500.
 2. A budget transfer in the amount of \$300,000 from the adopted FY 2020/21 Grant Contingency and/or the Future Grants Budget to a newly created cost center within the Community Services Division to record the grant activity.**Staff Contact(s):** Brad Lundahl, Government Relations Director, 480-312-2683, blundahl@scottsdaleaz.gov
22. **Arterial Traffic Incident Management Pilot Project Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 12025** authorizing Agreement No. 2021-004-COS with Maricopa County for the Department of Transportation Regional Emergency Action Coordinating Team Arterial Traffic Incident Management Pilot Project.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
23. **Request for Exemption from Posting Security for Outstanding Workers’ Compensation Claims – Approved on Consent.**
Request: Adopt **Resolution No. 12040** authorizing the execution of a letter to the Industrial Commission of Arizona requesting an exemption to the requirement to post security for outstanding workers’ compensation claims.
Staff Contact(s): George Woods, Acting Risk Management Director, 480-312-7040, gwoods@scottsdaleaz.gov
24. **Audit Committee Recommendation for the Development Review Board Sunset Review – Approved on Consent.**
Request: Adopt **Resolution No. 12031** accepting the Audit Committee’s recommendation and authorizing the continuation of the Development Review Board.
Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

25. **[Audit Committee Recommendation for the Planning Commission Sunset Review – Approved on Consent.](#)**
Request: Adopt **Resolution No. 12032** accepting the Audit Committee’s recommendation and authorizing the continuation of the Planning Commission.
Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov
26. **[Scottsdale Mall Code Amendment – Approved on Consent.](#)**
Request: Adopt **Ordinance No. 4487** amending Scottsdale Revised Code, Chapter 20, repealing and replacing Section 20-119(H).
Staff Contact(s): Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov
27. **[Municipal Property Corporation Excise Tax Revenue Refunding Bonds Issuance – Councilmember Milhaven declared a conflict of interest and left the dais. – Vice Mayor Whitehead made a motion to approve Item 27. Councilwoman Littlefield seconded the motion, which carried 6/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Janik, and Littlefield voting in the affirmative. – Councilmember Milhaven returned to the dais.](#)**
Request: Adopt **Resolution No. 12037** supplementing Resolution No. 11949 to approve the issuance of bonds by the City of Scottsdale Municipal Property Corporation, on a tax-exempt or taxable basis; approving revised forms of bond documents; otherwise confirming and ratifying all other actions taken and to be taken necessary to the consummation of the transactions contemplated by Resolution No. 11949, as supplemented by Resolution No. 12037.
Staff Contact(s): Judy Doyle, Acting City Treasurer, 480-312-2603, jdoyle@scottsdaleaz.gov
28. **[Scottsdale Stadium Renovations Budget Transfer – Approved on Consent.](#)**
Request: Adopt **Resolution No. 11997** authorizing a FY 2020/21 CIP Budget Appropriation transfer in the amount of \$4,655,346 from the Scottsdale Stadium Renovations capital project to a newly created CIP Project to be titled “*Scottsdale Stadium Renovations Phase 2*” to be funded by the Tourism Development Fund that was originally budgeted for Phase 1 and not used.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
29. **[Monthly Financial Report – Approved on Consent.](#)**
Request: Accept the FY 2020/21 Monthly Financial Report as of October 2020.
Staff Contact(s): Sylvia Dlott, Acting Budget Director, 480-312-2419, sdlott@scottsdaleaz.gov
30. **[Emergency Proclamation – Approved on Consent.](#)**
Request: Approve and continue the Emergency Proclamation issued by Mayor Ortega on January 12, 2021, as a result of COVID-19, until the emergency is later terminated by another proclamation issued by Mayor Ortega or by the majority vote of the City Council pursuant to Scottsdale Revised Code Section 10-3.
Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

REGULAR AGENDA ITEM 31

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

31. **[DC Ranch Neighborhood Park Municipal Use Master Site Plan Phase I \(14-UP-2020\)](#)**
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 11993** approving a Municipal Use Master Site Plan for a park on 14.67± acres with Open Space, Planned Community District (OS PCD) zoning.
Location: Southwest corner of E. Trailside View and N. 91st Street
Presenter(s): Meredith Tessier, Senior Planner
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

- Senior Planner Meredith Tessier and Executive Assistant Strategic Projects Kroy Ekblaw presentations.
- Councilmember Milhaven made a motion to find that the conditional use permit criteria have been met and approve Item 31, DC Ranch Neighborhood Park Municipal Use Master Site Plan Phase I (14-UP-2020), with the addition of low-level lighting around the lake. Vice Mayor Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Janik, Littlefield, and Milhaven voting in the affirmative.

MAYOR AND COUNCIL

ITEMS 32-33

32. Preserve and Designate City Property Abutting the Canal in Downtown

Request: At the request of Mayor Ortega, direct staff to study, evaluate options, and bring forward future agenda items to:

1. Maintain the City's remaining property interests along and abutting the canal in Downtown, including the City's right-of-way, for eventual use as a public recreational and/or public open space; and
2. Designate the open recreational area near Soleri Bridge to become a formal City Park potentially named Solstice Park.

– Vice Mayor Whitehead made a motion to direct staff to study, evaluate options, and bring forward future agenda items to:

1. Maintain the City's remaining property interests along and abutting the canal in Downtown, including the City's right-of-way, for eventual use as a public recreational and/or public open space; and
2. Designate the open recreation area near Soleri Bridge to become a formal City Park potentially named Solstice Park. Councilwoman Janik seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Janik, Littlefield, and Milhaven voting in the affirmative.

*****33. General Plan Task Force**

Request: At the request of Councilwoman Littlefield, direct the City Manager to agendize, for the January 19, 2021 Council meeting, a resolution creating a nine-member task force charged with reviewing the current General Plan, receiving citizen input, and presenting recommendations for an updated plan to Council on or before the statutory deadlines for submitting an updated plan to the Scottsdale voters on a November 2, 2021 Special Election ballot. The resolution should provide for an open application process, with members of the task force being appointed from applications submitted from the general citizenry and, ideally, be representative of all parts of the City.

– Councilwoman Littlefield made a motion to agendize, for the January 19, 2021 Council Meeting agenda, a resolution creating a new seven-member task force to review the revised General Plan, as presented, and submit an updated plan and recommendations for Council review. Councilmember Durham seconded the motion, which carried 4/3, with Vice Mayor Whitehead and Councilmembers Durham, Janik, and Littlefield voting in the affirmative, and Mayor Ortega and Councilmembers Caputi and Milhaven dissenting.

– Councilmember Milhaven made an alternate motion directing staff to schedule a Study Session next week, if possible, to review the General Plan public outreach process and ways the Council might enhance the process. Councilwoman Caputi seconded the motion, which failed 5/2, with Councilmembers Milhaven and Caputi voting in the affirmative and Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Durham, Janik, and Littlefield dissenting.

Adjournment – 6:25 P.M.