

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

Monday, November 25, 2019

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 (December 3 or 4, 2019).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:02 P.M.

Roll Call – All present (Councilwoman Milhaven arrived at 5:11 P.M.)

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 – Library Teen Advisory Board Members

Invocation – Pastor Ryan Goble, Scottsdale Bible Church

Mayor's Report – Mayor Lane read a proclamation in honor of November 30th Small Business Saturday. Mayor Lane announced that the Scottsdale Ranch Park Tennis Center was awarded the 2019 Outstanding Facility by the United States Tennis Association. Mayor Lane announced that the City won Arizona State University's Inaugural "Resilience Prize" for the Indian Bend Wash Greenbelt.

Presentations/Information Updates – None

Public Comment – Valerie Marsh expressed concern about cell towers and biological radiation.

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. 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 card 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."**



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.

A1. Added Items

Materials for Consent Item No. 18 were added to the agenda less than ten days prior to the meeting and will require a separate vote to remain on the agenda.

Request: Vote to accept the agenda as presented or to continue the added item to December 3 or 4, 2019.

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

MINUTES

Request: Approve the [Joint Dinner Meeting Minutes of October 29, 2019](#).

– Councilwoman Klapp made a motion to approve the Joint Dinner Meeting Minutes of October 29, 2019. Councilwoman Korte seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.

CONSENT AGENDA **ITEMS 1-18**

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. If you wish to speak on an item on the Consent Agenda, please complete a Request to Speak card for each topic you wish to address. **You will be given one opportunity to speak on any or all Consent items listed on the agenda.** After all of the speakers have finished, the Council will decide which items to remove for additional discussion and/or presentation from staff. 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 18. Councilman Phillips seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.

1. [Al Hamra Liquor License \(79-LL-2019\)](#) – **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: 11219 E. Via Linda, Suite D1

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

2. [Bronzmopolitan Liquor License \(83-LL-2019\)](#) – **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: 15811 N. Frank Lloyd Wright Blvd., Suite 125

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

3. **Caribbean Palm Restaurant and Bar Liquor License (84-LL-2019) – 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: 2515 N. Scottsdale Rd., Suites 2-4
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
4. **Oregano's Pizza Bistro Liquor License (86-LL-2019) – 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: 15544 N. Pima Rd.
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
5. **Stampede Sports Bar Liquor License (87-LL-2019) – 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: 18221 N. Pima Rd., Suite 140
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
6. **Benedetto's Restaurant Market Street at DC Ranch Conditional Use Permit (8-UP-2019) – Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt
Resolution No. 11647 approving a Conditional Use Permit for live entertainment in a 3,818± square-foot restaurant with Planned Neighborhood Center, Planned Community District (PNC PCD) zoning.
Location: 20707 E. Pima Rd., Suite 200
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
7. **Cochise Manor Abandonment (7-AB-2012#4) – Approved on Consent.**
Request: Adopt **Resolution No. 11626** authorizing the abandonment of 33 feet of Government Land Office Patent easement along the west and east property lines and eight feet of Government Land Office Patent easement along the south property line of a 4.3±-acre parcel with Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning.
Location: 10425, 10473, 10521, and 10569 N. 131st Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
8. **Underground Fuel Storage Construction Services Job Order Contract – Approved on Consent.**
Request: Adopt **Resolution No. 11610** authorizing Contract No. 2017-167-COS-A1 with Cochise Contractors, Inc., in an amount not to exceed \$2,000,000 for a one-year contract extension for fuel underground storage tank removal and new fuel system installation.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
9. **North Corp Yard CNG Compliance Project Budget Adjustment – Approved on Consent.**
Request: Adopt **Resolution No. 11643** authorizing a FY 2019/20 capital budget transfer totaling \$179,498 from the Additional Compressed Natural Gas (CNG) Station project, and a FY 2019/20 Fleet Management Fund Operating Contingency Budget transfer in the amount of \$20,502 to the North Corp Yard CNG Compliance Project, for a grand total of \$200,000 to be funded by the Fleet Management Fund.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

10. **East Valley Collaboration on Homelessness – Approved on Consent.**
Request: Adopt **Resolution No. 11580** authorizing the City to collaborate with East Valley Towns and Cities to explore solutions to address homelessness.
Staff Contact(s): Greg Bestgen, Human Services Department Director, 480-312-0104, gbestgen@scottsdaleaz.gov
11. **Apache Park Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11639** authorizing Agreement No. 2019-197-COS, an amended and restated intergovernmental agreement with Scottsdale Unified School District for the development and joint use of Apache Park.
Staff Contact(s): Bill Murphy, Assistant City Manager, 480-312-7954, bmurphy@scottsdaleaz.gov
12. **Fiscal Year 2019/20 Capital Improvement Plan Mid-Year Budget Adjustments – Approved on Consent.**
Request: Adopt **Resolution No. 11642** authorizing FY 2019/20 Capital Improvement Plan mid-year budget adjustments.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
13. **HOME Investment Partnership Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11612** authorizing Agreement No. 2018-039-COS-A3, the third amendment to the agreement with Maricopa County, on behalf of the Maricopa HOME Consortium, to receive FY 2019/19 Federal HOME Investment Partnership funds in the amount of \$314,693.94
Staff Contact(s): Bill Murphy, Assistant City Manager, 480-312-7954, bmurphy@scottsdaleaz.gov
14. **Eureka Loft Settlement Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11622** approving Contract No. 2019-178-COS authorizing settlement with Eureka Hub Management, Inc., to abandon use of the Eureka Loft Trademark for payment of \$7,000 to the City.
Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov
15. **November 5, 2019 Special Bond Election Canvass – Approved on Consent.**
Request: Adopt **Resolution No. 11645** as the official canvass of the City of Scottsdale November 5, 2019 Special Election.
Staff Contact(s): Carolyn Jagger, City Clerk, 480-312-2411, cjagger@scottsdaleaz.gov
16. **Fire Department Emergency Response Equipment Replacement – Approved on Consent.**
Request: Adopt **Resolution No. 11652** authorizing a FY 2019/20 General Fund Capital Contingency Budget Appropriation transfer totaling \$2,228,400 to a newly created capital project to be titled “Replace Outdated Emergency Response Equipment for Fire Department” that will be funded by General Obligation Bond 2019 proceeds in the amount of \$2,057,000 and by the CIP General Fund in the amount of \$171,400.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
17. **Monthly Financial Report – Approved on Consent.**
Request: Accept the FY 2019/20 Monthly Financial Report as of September 2019.
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

18. [Core Center Rezoning and Development Agreement \(19-ZN-2013#2, 2-DA-2019\)](#) – **Approved on Consent.**

Requests:

1. Adopt **Ordinance No. 4429** approving a zoning district map amendment amending the previously-approved Development Plan for the site, including approval of Bonus Development Standards of floor area ratio in exchange for Special Public Improvements, for a 7.58±-acre site with Planned Airpark Core Development – Airpark Mixed Use (PCP-AMU) zoning.
2. Adopt **Resolution No. 11624** declaring the document titled “*Core Center Development Plan*” to be a public record.
3. Adopt **Resolution No. 11625** authorizing Development Agreement No. 2019-179-COS.

Location: 15301 N. Hayden Rd.

Presenter(s): Brad Carr, Principal Planner

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

REGULAR AGENDA **ITEMS 19-21**

How the Regular Agenda Works: The Council takes a separate action on each item on the Regular Agenda. If you wish to address the Council regarding any or all of the items on the Regular Agenda, please complete a Request to Speak card for each topic you wish to address and submit it to the City Clerk. Speakers will be given at least three minutes to speak per item. Additional time may be granted to speakers representing two or more persons. Cards for designated speakers and the persons they represent must be submitted together. **Comment cards must be submitted before public testimony has begun on that item.**

19. [Fiscal Year 2018/19 Annual Financial Audit](#)

Request: Accept the FY 2018/19 annual financial audit reports submitted by the City’s external auditors, Heinfeld, Meech & Co., P.C.

Presenter(s): Sharron Walker, City Auditor

Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

– **City Auditor Sharron Walker presentation.**

– **Councilman Phillips made a motion to accept the FY 2018/19 annual financial audit reports. Vice Mayor Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**

20. [Fiscal Year 2018/19 Financial Update](#)

Request: Receive, discuss, and provide possible direction on the City Treasurer’s financial summary presentation for Fiscal Year 2018/19.

Presenter(s): Jeff Nichols, City Treasurer

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

– **City Treasurer Jeff Nichols presentation.**

21. [Monthly Financial Update](#)

Request: Receive, discuss and provide possible direction on the City Treasurer’s monthly financial presentation as of October 2019.

Presenter(s): Jeff Nichols, City Treasurer

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

– **City Treasurer Jeff Nichols presentation.**

Public Comment – None

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CITIZEN PETITIONS

ITEM 22

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 card must be submitted, together with the petition(s), **before** the second Public Comment period begins.

22. Receipt of Citizen Petitions – None

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 agendize 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): Carolyn Jagger, City Clerk, 480-312-2411, cjagger@scottsdaleaz.gov

Mayor and Council Items – None

Adjournment – 6:33 P.M.