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. **Bronzropolitan 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.  
    **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.  
    **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

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

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.

**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, Mihaven, 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
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.”

Citizen Petitions

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.