

# SCOTTSDALE CITY COUNCIL MEETING

**\*\*\* AMENDED \*\*\* MEETING NOTICE AND AGENDA  
[ADDED ITEM NOS. A1 AND 20A; AND REWORDED ITEM No. 8 TITLE]**



## COUNCIL

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

Linda Milhaven  
Guy Phillips  
Solange Whitehead

Tuesday, February 18, 2020

*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 (March 3, 2020).*

**5:00 P.M.**

**MARKED AGENDA**

## CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Call to Order – 5:03 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 – Daughters of the American Revolution, Major Winfield Scott Chapter**

**Invocation – Pastor Bruce Johnson, Scottsdale Presbyterian Church**

**Mayor's Report – Mayor Lane highlighted the Women's Suffrage exhibit that is currently on display at the Civic Center Library. Mayor Lane read a proclamation honoring the American Association of University Women of Arizona who have been empowering women since 1881.**

**Presentations/Information Updates – Experience Scottsdale President and CEO Rachel Sacco presentation.**

- **Experience Scottsdale Update**  
Presenter(s): Rachel Sacco, President and CEO

**Public Comment – Peter Boyle encouraged young arts enthusiasts to engage with Scottsdale Arts. Dorian Sellers expressed concern about homelessness. John Arthur Deal presented a citizen's petition asking for answers related to the City's Master Lease with the City of Phoenix and sublease with the Giants, LLC.**

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](http://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**

Item No. 20A was added to the agenda on February 12, 2020.

**Request:** Vote to accept the agenda as presented or continue the added item(s) to the next scheduled Council meeting, which is March 3, 2020.

**– Councilmember Korte made a motion to accept the agenda as presented. Councilwoman Klapp 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 [Special Meeting Minutes of January 21, 2020](#); [Regular Meeting Minutes of January 21, 2020](#); and Executive Session Minutes of January 21, 2020.

**– Councilman Phillips made a motion to approve the Special Meeting Minutes of January 21, 2020; Regular Meeting Minutes of January 21, 2020; and Executive Session Minutes of January 21, 2020. 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.**

## CONSENT AGENDA **ITEMS 1-20A**

**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 20A, with the exception of Item No. 8, which was continued to March 3, 2020, and Item No. 9, which was continued to March 17, 2020. 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. [S & V Urban Italian at SOHO Liquor License \(108-LL-2019\)](#) – 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 a new location and owner.

**Location:** 16580 N. 92<sup>nd</sup> Street, Suite 105

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

**2. [Kwik Mart Liquor License \(109-LL-2019\)](#) – 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:** 8001 E. Roosevelt Street

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

3. **MIXT Liquor License (112-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 a new location and owner.

**Location:** 15125 N. Scottsdale Road, Suite L1-190

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

4. **Twist Bistro and Gallery Liquor License (1-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:** 32409 N. Scottsdale Road, Suite 107

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

5. **Culinary Dropout Liquor License (2-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:** 15125 N. Scottsdale Road, Suite L1-190

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

6. **Agent and Acquisition of Control Change Liquor Licenses – Approved on Consent.**

**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an agent and acquisition of control change at the following locations:

1. Olive & Ivy (4-LL-2020 and 5-LL-2020) for an existing Series 7 (beer and wine bar) and Series 12 (restaurant) State liquor license located at 7135 E. Camelback Road, Suite 195.
2. Flower Child (6-LL-2020) for an existing Series 12 (restaurant) State liquor license located at 10460 N. 90<sup>th</sup> Street.
3. Zinburger Scottsdale Quarter (7-LL-2020) for an existing Series 12 (restaurant) State liquor license located at 15257 N. Scottsdale Road, Suite F1-150.
4. Culinary Dropout (8-LL-2020) for an existing Series 12 (restaurant) State liquor license located at 7135 E. Camelback Road, Suite 125.
5. Blanco Tacos and Tequila (9-LL-2020) for an existing Series 12 (restaurant) State liquor license located at 6166 N. Scottsdale Road, Suite 601.
6. Pizzeria Virtu (12-LL-2020) for an existing Series 12 (restaurant) State liquor license located at 6952 E. Main Street.

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

7. **Winfield Hotel & Residences Abandonment (3-AB-2017#2) – Approved on Consent.**

**Request:** Adopt **Resolution No. 11712** granting a two-year extension to fulfill the conditions set forth in Resolution No. 11066 abandoning 1,620± square-feet of an alley abutting 4221 and 4223 N. Scottsdale Road and 4216 N. Winfield Scott Plaza.

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

\*\*\*8. **Papago Plaza Rezoning and Development Agreement (6-ZN-2018#2 and 8-DA-2019) – Vice Mayor Littlefield made a motion to continue to March 3, 2020. 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.**

**Requests:**

1. Adopt **Ordinance No. 4436** approving a zoning district map amendment from Planned Community District, Planned Regional Center (P-C PRC) zoning to Planned Community District, Planned Regional Center, Planned Shared Development (P-C PRC PSD) zoning to allow for a new four-lot subdivision on a 10±-acre site located at the southwest corner of N. Scottsdale Road and E. McDowell Road.
2. Adopt **Resolution No. 11692** authorizing Development Agreement No. 2020-016-COS with Papago Marketplace, LLC; CRP/AR McDowell Owner, LLC; Willie M. Yee G.C.E. Trust; and Scottsdale Hotel Investors, LLC.

**Location:** 7115 E. McDowell Road

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

9. [South Scottsdale Mixed-Use Rezoning \(14-ZN-2018\)](#) – Councilmember Korte made a motion to continue to March 17, 2020. 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.  
**Requests:**
  1. Adopt **Ordinance No. 4432** approving a zoning district map amendment from Highway Commercial (C-3) zoning to Planned Unit Development (PUD) zoning, including a development plan and amended development standards for building setbacks and stepbacks on a 4.32±-acre site.
  2. Adopt **Resolution No. 11674** declaring the document titled “*South Scottsdale Mixed-Use Development Plan*” to be a public record.**Location:** 1000 N. Scottsdale Road  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
  
10. [Rawhide Wash Flood Hazard Mitigation Project Intergovernmental Agreement](#) – Approved on Consent.  
**Request:** Adopt **Resolution No. 11677** authorizing Agreement No. 2020-011-COS with the City of Phoenix and the Flood Control District of Maricopa County for construction, construction management, and operation and maintenance for the Rawhide Wash Flood Hazard Mitigation Project.  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
  
11. [Osborn Road Parallel Sewer Main Preconstruction Phase Services Contract](#) – Approved on Consent.  
**Request:** Adopt **Resolution No. 11706** authorizing CM@Risk Contract No. 2020-036-COS with B & F Contracting, Inc., in an amount not to exceed \$40,594.50, to provide preconstruction phase services for the Osborn Road Parallel Sewer Main from Bishop Lane to Miller Road project.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
  
12. [Intelligent Transportation Systems Engineering Services Contract](#) – Approved on Consent.  
**Request:** Adopt **Resolution No. 11707** authorizing Contract No. 2016-006-COS-A3 with Kimley-Horn and Associates, Inc., for a one-year contract extension, in an amount not to exceed \$1,000,000, for on-call intelligent transportation system engineering services.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
  
13. [Storm Water Engineering Services Contracts](#) – Approved on Consent.  
**Request:** Adopt **Resolution No. 11708** authorizing the following one-year contract extensions in an amount not to exceed \$1,000,000 per contract for studies, design, construction documents, and construction administration for on-call storm water projects:
  1. Contract No. 2018-016-COS-A1 with J2 Engineering and Environmental Design, LLC
  2. Contract No. 2018-017-COS-A1 with Michael Baker International, Inc.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
  
14. [Tree Planting and Funding Agreement](#) – Approved on Consent.  
**Request:** Adopt **Resolution No. 11711** authorizing Agreement No. 2020-039-COS with Urban Offsets, Inc., to partially fund the cost of purchasing, planting, and maintaining 100 trees.  
**Staff Contact(s):** Tim Conner, Office of Environmental Initiatives Manager, 480-312-7833, [tconner@scottsdaleaz.gov](mailto:tconner@scottsdaleaz.gov)
  
15. [HOME Investment Partnership Program Intergovernmental Agreement](#) – Approved on Consent.  
**Request:** Adopt **Resolution No. 11676** authorizing Agreement No. 2020-010-COS with Maricopa County; the Cities of Avondale, Chandler, Glendale, Peoria, Surprise, and Tempe; and the Town of Gilbert to continue to operate as a consortium to receive federal funding under the HOME Investment Partnership Program.  
**Staff Contact(s):** Greg Bestgen, Human Services Department Director, 480-312-0104, [gbestgen@scottsdaleaz.gov](mailto:gbestgen@scottsdaleaz.gov)

16. [Airport Lease Agreements – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11689** to authorize:
1. Lease Agreement No. 2018-193-COS-A1, the first amendment to the agreement with Scottsdale Jet Center Real Estate, LLC, to permit expansion of leased area, adjust the base rent, and authorize the Aviation Director to approve future assignments.
  2. Lease Assignment, Assumption, Consent and Estoppel No. 2020-014-COS with Scottsdale Jet Center Real Estate, LLC, and Jet Aviation of America, Inc.
- Staff Contact(s):** Gary Mascaro, Aviation Director, 480-312-7735, [gmascaro@scottsdaleaz.gov](mailto:gmascaro@scottsdaleaz.gov)
17. [2019 DNA Capacity Enhancement and Backlog Reduction Program Grant – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11705** to authorize:
1. Agreement No. 2020-035-COS with the U.S. Department of Justice to accept a 2019 DNA Capacity Enhancement and Backlog Reduction Program formula grant in the amount of \$260,969.
  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. The additional of a full-time, temporary 1.0 FTE Forensic Scientist II position in the Police Department Crime Laboratory to be funded by the grant.
  4. A budget transfer in the amount of \$260,969 from the adopted FY 2019/20 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the grant activity.
- Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, [arodbell@scottsdaleaz.gov](mailto:arodbell@scottsdaleaz.gov)
18. [Fire Utility Truck Replacement Budget Transfer – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11723** authorizing a FY 2019/20 General Fund Capital Contingency Budget Appropriation transfer in the amount of \$782,638 to a newly created capital project titled “44- Replacement of Fire Utility Truck to be used on Fire Ground Activity and Response to Hazardous Materials and Technical Rescue Incidents” to be funded by the General Obligation Bond 2019 proceeds.
- Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, [tshannon@scottsdaleaz.gov](mailto:tshannon@scottsdaleaz.gov)
19. [Financial Statement Audit Professional Services Contract – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11714** authorizing Contract No. 2020-041-COS with Heinfeld, Meech & Co., P.C., in an amount not to exceed \$90,000, for financial statement audit services.
- Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, [swalker@scottsdaleaz.gov](mailto:swalker@scottsdaleaz.gov)
20. [Monthly Financial Report – Approved on Consent.](#)  
**Request:** Accept the FY 2019/20 Monthly Financial Report as of December 2019.
- Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)
- \*\*\*20A. [Petition for Review of Federal Aviation Administration Action – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11728** authorizing the City to file a petition for review of Federal Aviation Administration action related to flight routes from Sky Harbor International Airport or seek other available legal remedies.
- Staff Contact(s):** Sherry Scott, City Attorney, 480-312-2405, [sscott@scottsdaleaz.gov](mailto:sscott@scottsdaleaz.gov)

## REGULAR AGENDA ITEM 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.**

21. [Monthly Financial Update](#)

**Request:** Receive, discuss and provide possible direction on the City Treasurer's monthly financial presentation as of January 2020.

**Presenter(s):** Jeff Nichols, City Treasurer

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

**– City Treasurer Jeff Nichols gave a presentation on the City's monthly financial status as of January 2020.**

**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

### 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 – Councilwoman Milhaven made a motion to direct the City Manager to investigate the citizen petition submitted by John Arthur Deal asking for answers related to the City's Master Lease with the City of Phoenix and sublease with the Giants, LLC, and prepare a written response to the Council, with a copy to the petitioner. Councilmember 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.**
- 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](mailto:cjagger@scottsdaleaz.gov)

**Mayor and Council Items – None**

**Adjournment – 5:50 P.M.**