Scottsdale

City Council Meeting

***Amended*** Meeting Notice and Agenda

[Added Item Nos. A1, 21A, and 21B]

COUNCIL

W.J. “Jim” Lane, Mayor
Suzanne Klapp
Virginia L. Korte
Kathleen S. Littlefield
Linda Milhaven
Guy Phillips
Solang Whitehead

Tuesday, June 16, 2020

Until further notice, Council meetings will be 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 listen/view the meeting in progress.

Only written comments submitted electronically at least one hour prior to the meeting are being accepted. A written Public Comment may be submitted electronically by clicking 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.

CITY COUNCIL MEETING

Meeting will be held electronically.

Call to Order

Roll Call

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

MINUTES


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***

Consent Item Nos. 21A and 21B were added to the agenda on June 10, 2020.

**Request:** Vote to accept the agenda as presented or continue the added item(s) to the next scheduled Council meeting, which is June 30, 2020.

**CONSENT AGENDA ITEMS 1-21B**

*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.

1. **92nd Street Café Liquor License (12-LL-2019)**
   **Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 6 (bar) State liquor license for an existing location with a new owner.
   **Location:** 9160 E. Shea Boulevard, Suite 113
   **Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

2. **Maple & Ash Liquor License (41-LL-2020)**
   **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 requesting a new license Series 7.
   **Location:** 7135 E. Camelback Road, Suite 130
   **Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

   **Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for sampling privileges for a Series 9S (liquor store) State liquor license for an existing location and owner.
   **Location:** 23251 N. Pima Road
   **Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

4. **Inchin Bamboo Garden Liquor License (47-LL-2020)**
   **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:** 10050 N. Scottsdale Road, Suites 121, 123, and 125
   **Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

5. **Trevor’s Liquor License (48-LL-2020)**
   **Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for sampling privileges for a Series 9S (liquor store) State liquor license for a new location and owner.
   **Location:** 7340 E. McDowell Road
   **Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
CONSENT AGENDA

6. **Sasaki Sushi & Bar Liquor License (49-LL-2020)**
   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: 7373 E. Scottsdale Mall, Suite 6
   Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

7. **88th Place Subdivision Final Plat (14-PP-2014#2)**
   Request: Approve the final plat for an 8-lot residential subdivision with Single-Family Residential (R1-7) zoning on a 2.5±-acre site.
   Location: 13681 N. 88th Place
   Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

8. **Sereno Canyon Phase 1A Lot 9A Mailbox Parcel Final Plat (16-PP-2017#13)**
   Request: Approve the final plat to replat Lot 9A of the Sereno Canyon Phase 1A subdivision, to create a “mailbox” tract on 1.36± acres of a 44±-acre site, as per Phase 1A of the Sereno Canyon Community Phasing Plan, within the Single-Family Residential District, Environmentally Sensitive Lands (R1-43/ESL) zoning portion of the site.
   Location: Northwest corner of E. La Junta Road and N. 125th Street
   Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

9. **Sereno Canyon Phase 3A Lot 14 Mailbox Parcel Final Plat (16-PP-2017#14)**
   Request: Approve the final plat to replat Lot 14 of the Sereno Canyon Phase 3A subdivision, to create a "mailbox" tract on 1.83± acres of a 39±-acre site, as per Phase 3A of the Sereno Canyon Community Phasing Plan, within the Single-Family Residential District, Environmentally Sensitive Lands (R1-43/ESL) zoning portion of the site.
   Location: Along N. 125th Street, south of E. Ranch Gate Road
   Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

10. **Bellezza Da Stallone Abandonment (10-AB-2018)**
    Request: Adopt Resolution No. 11309 authorizing the abandonment of unimproved right-of-way and portions of N. 86th Place and E. Montello Road located within the Bellezza Da Stallone subdivision with Single-Family Residential (R1-35) zoning.
    Location: 8636 E. Montello Road
    Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

11. **Sands North Historic District Phase 2 Rezoning (9-ZN-2018#2)**
    Request: Adopt Ordinance No. 4457 approving a zoning district map amendment from Resort/Townhouse Residential (R-4R) to Resort/Townhouse Residential Historic Property (R-4R HP) zoning on four properties located on 0.6± acres within the Sands North Townhouse subdivision.
    Location: 6850 N. 72nd Place; 7238 E. Joshua Tree Lane; 7241 E. Joshua Tree Lane; and 6824 N. 73rd Street
    Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
CONSENT AGENDA

12. **General Plan Update Adoption Procedures**
   **Request:** Adopt Resolution No. 11851 to:
   1. Repeal the general plan process written procedures adopted by Resolution No. 10100.
   2. Adopt Scottsdale General Plan Update Adoption Procedures.
   **Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

13. **Public Improvements Code Amendment**
    **Request:** Adopt Ordinance No. 4451 amending Scottsdale Revised Code, Chapter 47, Streets, Sidewalks and Public Works Generally, Article I, Section 47-2, regarding the definition of Public Improvements.
    **Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

14. **Administrative Correction to the Stormwater Fee**
    **Request:** Adopt Ordinance No. 4459 amending Scottsdale Revised Code, Chapter 49, Water Sewer and Sewage Disposal, Section 49-48.1, for an administrative correction to the Stormwater Fee that was inadvertently modified on May 19, 2020.
    **Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

15. **Civil Infrastructure Inspection Services Engineering Services Contracts**
    **Request:** Adopt Resolution No. 11813 authorizing the following contracts for a two-year term in an amount not to exceed $1,000,000 per contract for citywide annual civil infrastructure inspection services:
    **Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

16. **Shea Boulevard Intersections Capital Project Intergovernmental Agreement**
    **Request:** Adopt Resolution No. 11831 authorizing Agreement No. 2020-103-COS with the Maricopa Association of Governments for project administration and reimbursement of Proposition 400 Regional Transportation Sales Tax funds for eligible costs incurred by the City for the Shea Boulevard Intersections capital project.
    **Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

17. **East Valley Regional Veterans Court Intergovernmental Agreement**
    **Request:** Adopt Resolution No. 11782 authorizing Agreement No. 2020-077-COS with the City of Tempe to use and pay City of Tempe Judicial Officers to adjudicate Scottsdale veterans court cases in the East Valley Regional Veterans Treatment Court held at Tempe Municipal Court.
    **Staff Contact(s):** Joseph Olcavage, Presiding Judge, 480-312-2775, c/o kkung@scottsdaleaz.gov

18. **City Court Jury Services Intergovernmental Agreement**
    **Request:** Adopt Resolution No. 11807 authorizing Agreement No. 2014-074-COS-A3, the third amendment to the agreement with the Superior Court of Arizona in Maricopa County, to extend the agreement for jury services for an additional two years from June 30, 2020, to June 30, 2022, and to reflect the increased cost per summons.
    **Staff Contact(s):** Joseph Olcavage, Presiding Judge, 480-312-2775, c/o kkung@scottsdaleaz.gov
CONSENT AGENDA

19. **Asserting Creditors Rights in Bankruptcy of Purdue Pharma L.P.**
   **Request:** Adopt Resolution No. 11839 authorizing the City Manager, City Attorney, City Treasurer, and/or their designees to assert creditors rights in the case currently pending in the United States Bankruptcy Court in the Southern District of New York, Case No. 19-23649 related to the bankruptcy of Purdue Pharma L.P.
   **Staff Contact(s):** Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

20. **Appoint an Acting City Treasurer**
   **Request:** Adopt Resolution No. 11852 to:
   1. Accept the resignation of Jeff Nichols as City Treasurer.
   2. Terminate City Treasurer’s Employment Contract No. 2013-153-COS.
   3. Appoint Jeff Nichols as Acting City Treasurer effective immediately through no later than September 30, 2020.
   **Staff Contact(s):** Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

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

***21A. **Authorize Purchase of Property-Casualty Insurance for the Period of July 1, 2020, to July 1, 2021**
   **Request:** Adopt Resolution No. 11857 authorizing and directing the purchase of Property - Casualty Insurance for Fiscal Year 2020/21.
   **Staff Contact(s):** Katherine Callaway, Risk Management Director, 480-312-7841, kcallaway@scottsdaleaz.gov

***21B. **Emergency Management Code Amendment to Promote Economic Recovery**
   **Requests:**
   1. Adopt Ordinance No. 4455 amending Scottsdale Revised Code, Chapter 10, Emergency Management, to permit the Council by Resolution to (1) suspend the provisions of any ordinance, resolution or City regulation necessary to promote an economic recovery from a state of emergency so long as such suspension is not inconsistent with state statutes or emergency regulations promulgated by the Governor, and (2) temporarily suspend contractual obligations due the City, so long as such suspension is consistent with state and federal law.
   2. Adopt Resolution No. 11862 authorizing the City Manager to take specified actions to promote economic recovery from the effects of the state of emergency caused by the Coronavirus (COVID-19) pandemic.
   **Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

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

22. **Truth in Taxation Hearing and Public Hearing on the Proposed Fiscal Year 2020/21 Property Tax Levy**

   **Requests:**
   1. Solicit public testimony on the proposed FY 2020/21 property tax levy.
   2. **By roll call vote,** approve a motion to levy the proposed property taxes, taxes to be assessed by ordinance on June 30, 2020.

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

23. **Public Hearing on Proposed Fiscal Year 2020/21 Municipal Streetlight Improvement District Expenses and Property Tax Levy (by District)**

   **Requests:**
   1. Solicit public testimony on the proposed FY 2020/21 Streetlight Improvement District proposed expenses and tax levy.
   2. Approve a motion to adopt the annual statements and estimates of expenses and levy the proposed FY 2020/21 Streetlight Improvement District taxes, by district, taxes to be assessed by ordinance on June 30, 2020.

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

24. **Final Public Hearing on the Fiscal Year 2020/21 Budget**

   **Request:** Solicit public testimony on the FY 2020/21 Operating Budget and Capital Improvement Plan, as tentatively approved on May 19, 2020.

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

25. **Code of Ethics for City Officials Amendment**

   **Request:** Adopt Ordinance No. 4461 to amend the Ethics Code in Scottsdale Revised Code, Chapter 2, Administration, and Chapter 14, Human Resources Management as follows:
   1. Section 2-47 (Definitions) to add definitions in an effort to further clarify the Ethics Code.
   2. Section 2-50 (Gifts) to clarify that anonymous gifts are prohibited and add other clarifying language related to prohibited gifts.
   3. Section 14-135 (Gifts and Gratuities) to remove any confusion that could result from two separate City Code provisions, which both apply to elected and appointed officials and both address prohibited City gifts.

   **Presenter(s):** Sherry Scott, City Attorney
   **Staff Contact(s):** Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

Mayor and Council Items

Adjourn the City Council Regular Meeting and Convene the City Council Special Meeting
CITY COUNCIL SPECIAL MEETING

SPECIAL MEETING AGENDA

ITEM 1

1. **Final Adoption of Fiscal Year 2020/21 Budget Estimates**
   Request: Adopt Ordinance No. 4460 setting the final budget estimates for the FY 2020/21 Operating Budget and Capital Improvement Plan as tentatively approved on May 19, 2020.
   Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

Adjourn the City Council Special Meeting and Convene:

- [DC Ranch Community Facilities District Board of Directors](#) (Agenda Page 8)
- [McDowell Mountain Ranch Community Facilities District Board of Directors](#) (Agenda Page 9)
- [Scottsdale Mountain Community Facility District Board of Directors](#) (Agenda Page 10)
- [Via Linda Road Community Facilities District Board of Directors](#) (Agenda Page 11)
- [Scottsdale Waterfront Commercial Community Facilities District Board of Directors](#) (Agenda Page 12)
NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
DC RANCH COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the DC Ranch Community Facilities District of Scottsdale, Arizona, open to the public*, will be held on Tuesday, June 16, 2020 at 5:00 p.m. or immediately following the meeting of the Scottsdale City Council.

*Until further notice, Community Facilities Districts Board of Directors meetings will be held electronically. While physical facilities are not open to the public, Community Facilities Districts Board of Directors meetings are televised on Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search “live stream”) to allow the public to listen/view the meeting in progress.

Written comments submitted electronically at least one hour prior to the meeting are being accepted. A written Public Comment may be submitted electronically by clicking on the “click here to submit a written comment on an item” link located at the top of each page of the agenda.

The agenda for the meeting is as follows:

1. Call to Order
2. Approval of Minutes of Tuesday, June 11, 2019
3. Adopt Resolution No. 53, which sets out proposed budget and calls for Public Hearing
4. Call for Public Testimony on the budget
5. Adopt Resolution No. 54, which approves the budget and sets tax levy
6. Adjournment

Persons with a disability may request a reasonable accommodation by contacting Gina Kirklin at 480-312-5006. Requests should be made 24 hours in advance, or as early as possible, to allow time to arrange the accommodation. For TTY users, the Arizona Relay Service (1-800-367-8939) may contact Gina Kirklin at 480-312-5006.
NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
McDOWELL MOUNTAIN RANCH
COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the McDowell Mountain Ranch Community Facilities District of Scottsdale, Arizona, open to the public*, will be held on Tuesday, June 16, 2020 at 5:00 p.m. or immediately following the meeting of the Scottsdale City Council.

*Until further notice, Community Facilities Districts Board of Directors meetings will be held electronically. While physical facilities are not open to the public, Community Facilities Districts Board of Directors meetings are televised on Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search “live stream”) to allow the public to listen/view the meeting in progress.

Written comments submitted electronically at least one hour prior to the meeting are being accepted. A written Public Comment may be submitted electronically by clicking on the “click here to submit a written comment on an item” link located at the top of each page of the agenda.

The agenda for the meeting is as follows:

1. Call to Order
2. Approval of Minutes of Tuesday, June 11, 2019
3. Adopt Resolution No. 65, which sets out proposed budget and calls for Public Hearing
4. Call for Public Testimony on the budget
5. Adopt Resolution No. 66, which approves the budget and sets tax levy
6. Adjournment

Persons with a disability may request a reasonable accommodation by contacting Gina Kirklin at 480-312-5006. Requests should be made 24 hours in advance, or as early as possible, to allow time to arrange the accommodation. For TTY users, the Arizona Relay Service (1-800-367-8939) may contact Gina Kirklin at 480-312-5006.
NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
SCOTTSDALE MOUNTAIN COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special
meeting of the Scottsdale Mountain Community Facilities District of Scottsdale, Arizona, open to the public*,
will be held on Tuesday, June 16, 2020 at 5:00 p.m. or immediately following the meeting of the Scottsdale
City Council.

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accepted. A written Public Comment may be submitted electronically by clicking on the “click here to
submit a written comment on an item” link located at the top of each page of the agenda.

The agenda for the meeting is as follows:

1. Call to Order
2. Approval of Minutes of Tuesday, June 11, 2019
3. Adopt Resolution No. 68, which sets out proposed budget and calls for Public Hearing
4. Call for Public Testimony on the budget
5. Adopt Resolution No. 69, which approves the budget
6. Adjournment

Persons with a disability may request a reasonable accommodation by contacting Gina Kirklin at 480-312-5006. Requests
should be made 24 hours in advance, or as early as possible, to allow time to arrange the accommodation. For TTY users, the
Arizona Relay Service (1-800-367-8939) may contact Gina Kirklin at 480-312-5006.
NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the Via Linda Road Community Facilities District of Scottsdale, Arizona, open to the public*, will be held on Tuesday, June 16, 2020 at 5:00 p.m. or immediately following the meeting of the Scottsdale City Council.

*Until further notice, Community Facilities Districts Board of Directors meetings will be held electronically. While physical facilities are not open to the public, Community Facilities Districts Board of Directors meetings are televised on Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search “live stream”) to allow the public to listen/view the meeting in progress.

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The agenda for the meeting is as follows:

1. Call to Order
2. Approval of Minutes of Tuesday, June 11, 2019
3. Adopt Resolution No. 49, which sets out proposed budget and calls for Public Hearing
4. Call for Public Testimony on the budget
   CLICK HERE TO PROVIDE TESTIMONY TELEPHONICALLY DURING THE PUBLIC HEARING FOR THE VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT
5. Adopt Resolution No. 50, which approves the budget and sets tax levy
6. Adjournment

Persons with a disability may request a reasonable accommodation by contacting Gina Kirklin at 480-312-5006. Requests should be made 24 hours in advance, or as early as possible, to allow time to arrange the accommodation. For TTY users, the Arizona Relay Service (1-800-367-8939) may contact Gina Kirklin at 480-312-5006.
NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
SCOTTSDALE WATERFRONT COMMERCIAL
COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special
meeting of the Scottsdale Waterfront Commercial Community Facilities District of Scottsdale, Arizona, open to
the public*, will be held on Tuesday, June 16, 2020 at 5:00 p.m. or immediately following the meeting of the
Scottsdale City Council.

*Until further notice, Community Facilities District Board of Directors meetings will be held
electronically. While physical facilities are not open to the public, Community Facilities Districts Board
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accepted. A written Public Comment may be submitted electronically by clicking on the “click here to
submit a written comment on an item” link located at the top of each page of the agenda.

The agenda for the meeting is as follows:

1. Call to Order

2. Approval of Minutes of Tuesday, June 11, 2019, and Tuesday, October 22, 2019

3. Adopt Resolution No. 36, which sets out proposed budget and calls for Public Hearing

4. Call for Public Testimony on the budget

CLICK HERE TO PROVIDE TESTIMONY TELEPHONICALLY DURING THE PUBLIC
HEARING FOR THE SCOTTSDALE WATERFRONT COMMERCIAL COMMUNITY
FACILITIES DISTRICT

5. Adopt Resolution No. 37, which approves the budget and sets tax levy

6. Adjournment

Persons with a disability may request a reasonable accommodation by contacting Gina Kirklin at 480-312-5006. Requests
should be made 24 hours in advance, or as early as possible, to allow time to arrange the accommodation. For TTY users, the
Arizona Relay Service (1-800-367-8939) may contact Gina Kirklin at 480-312-5006.