

**SCOTTSDALE**

# **CITY COUNCIL MEETING**

## **MEETING NOTICE AND AGENDA**



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### **COUNCIL**

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

Linda Milhaven  
Guy Phillips  
Solange Whitehead

**Tuesday, August 25, 2020**

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***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](http://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.***

***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 (September 8, 2020).***

**5:00 P.M.**

**MARKED AGENDA**

### **CITY COUNCIL MEETING**

Meeting will be held electronically.

**Call to Order – 5:00 P.M.**

**Roll Call – All present**

***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 – Councilwoman Littlefield led the Pledge of Allegiance. Mayor Lane asked for a moment of silence to observe casualties of the COVID-19 pandemic.**

## **CONSENT AGENDA      ITEMS 1-21**

**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.



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)

## CONSENT AGENDA

– Councilmember Korte made a motion to approve Consent Agenda Items 1 through 21. Councilman Phillips seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Whitehead; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Phillips voting in the affirmative.

1. **[ASU Kerr Cultural Center Liquor License \(30-LL-2020\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 5 (government) State liquor license for a new location and owner.  
**Location:** 6110 N. Scottsdale Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
2. **[W Mart Liquor License \(51-LL-2020\)](#) – 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:** 7919 E. Thomas Road, Suite 104  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
3. **[Mint Liquor License \(52-LL-2020\)](#) – Approved on Consent.**  
**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:** 7373 E. Camelback Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
4. **[La Locanda Bistro Liquor License \(53-LL-2020\)](#) – 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:** 3915 N. Scottsdale Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
5. **[Aloft Scottsdale Liquor License \(54-LL-2020\)](#) – Approved on Consent.**  
**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 and owner, with a new license series.  
**Location:** 4415 N. Civic Center Plaza  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
6. **[Senor Taco Express Liquor License \(55-LL-2020\)](#) – 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:** 23015 N. Scottsdale Road, Suite G107  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
7. **[Craftsman Liquor Licenses \(56-LL-2020 and 57-LL-2020\)](#) – 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 and a Series 18 (in-state craft distiller) State Liquor license for an existing location with a new owner and a new license series.  
**Location:** 20469 N. Hayden Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)

8. **Le Bouquet Florist and Boutique Liquor License (58-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 a new location and owner.  
**Location:** 9393 N. 90<sup>th</sup> Street, Suite 115  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
9. **Alo Cafe Liquor License (59-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:** 6960 E. 1<sup>st</sup> Street  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
10. **Scottsdale Mobil Liquor License (60-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 a new location and owner.  
**Location:** 6002 N. Granite Reef Road  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
11. **Senor Taco Liquor License (62-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:** 15223 N. 87<sup>th</sup> Street, Suite 120  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
12. **Scottsdale Road Utility Corridor Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11907** authorizing Agreement No. 2020-150-COS with Arizona Public Service Company (APS) and Five Star Development Resort Communities, LLC, to create and regulate a protected utility corridor along a portion of Scottsdale Road at East Indian Bend Road for the undergrounding of 69kV electric power lines by APS.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
13. **Raintree Drive Extension Project Construction Phase Services Contract – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11895** authorizing CM@Risk Contract No. 2020-147-COS with Achen-Gardner Construction, LLC, in an amount not to exceed \$14,587,109.33, to provide construction phase services for Phase 1 of the Raintree Drive Extension Project from Scottsdale Road to Hayden Road.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
14. **Police and Fire Training Facility Architectural Services Contract – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11872** authorizing Contract No. 2020-115-COS with Fucello Architects, LLC, in the amount of \$220,075, to provide conceptual design services for the following:
  1. Project 26 – Replace Deteriorating Vehicle Training Track at the Police and Fire Training Facility
  2. Project 27 – Modernize and Expand the Police and Fire Training Facility
  3. Project 38 – Build a New Fire Department Training Facility**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)

15. **Bond 2019, Project 1 Engineering Services Contract – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11897** authorizing Contract No. 2020-148-COS with Ritoch-Powell and Associates in the amount of \$1,188,047.73, for design services for the Bond 2019, Project 1, Replace Aging Infrastructure and Improve Public and Event Spaces on Civic Center Plaza.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
16. **Loloma Lands (Museum Square) Purchase and Sale Agreement and Development Agreement – Approved on Consent.**  
**Requests:**
  1. Adopt **Resolution No. 11752** authorizing Agreement No. 2018-029-COS-A5, the fifth amendment to the agreement with ARC Scottsdale Holdings, LLLP, regarding the acquisition of City-owned real property, located east of North Goldwater Boulevard and west of North Marshall Way, both north and south of East 2<sup>nd</sup> Street.
  2. Adopt **Resolution No. 11873** authorizing Agreement No. 2019-173-COS-A1, the first amendment to the agreement with ARC Scottsdale Holdings, LLLP, regarding the purchase of City property pursuant to Contract No. 2018-029-COS, as amended, as a precondition to the transfer of GFAR and transfers of density and the construction on the ARC-owned parcel.**Location:** N. Goldwater Boulevard and west of N. Marshall Way, both north and south of E. 2<sup>nd</sup> Street.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
17. **United States Department of Housing and Urban Development Grant Application – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11877** to authorize:
  1. The submission of a grant application to the United States Department of Housing and Urban Development for Foster Youth to Independence Tenant Protection Vouchers to house Scottsdale young adults and the acceptance of any resulting grant award.
  2. A Memorandum of Understanding No. 2020-145-COS with the Arizona State Department of Child Safety and the Maricopa Continuum of Care.**Staff Contact(s):** Bill Murphy, Assistant City Manager, 480-312-7954, [bmurphy@scottsdale.gov](mailto:bmurphy@scottsdale.gov)
18. **Community Action Program Intergovernmental Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11890** authorizing Agreement No. 2016-092-COS-A5, the fifth amendment to the agreement with the Maricopa County Human Services Department, to provide additional funding, including CARES Act funds related to COVID-19, and extending the agreement for an additional six months.  
**Staff Contact(s):** Bill Murphy, Assistant City Manager, 480-312-7954, [bmurphy@scottsdale.gov](mailto:bmurphy@scottsdale.gov)
19. **School Resource Officer Intergovernmental Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11793** authorizing Agreement No. 2020-084-COS with Cave Creek Unified School District for the provision of a Scottsdale Police Officer to serve as a School Resource Officer.  
**Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, [arodbell@scottsdale.gov](mailto:arodbell@scottsdale.gov)
20. **Gila River General Stream Adjudication – Approved on Consent.**  
**Requests:**
  1. Adopt **Resolution No. 11893** authorizing Intergovernmental Agreement No. 2019-142-COS-A1, the first amendment to the agreement with the cities of Avondale, Glendale, and Mesa for joint legal representation in the Gila River General Stream Adjudication.
  2. Adopt **Resolution No. 11894** authorizing Legal Services Contract No. 2020-146-COS with Engelman Berger, P.C. in an amount not to exceed \$38,400 for the continued legal representation in the Gila River General Stream Adjudication for FY 2020/21; and authorizing the City Attorney to approve a one-year extension of the contract.**Staff Contact(s):** Sherry Scott, City Attorney, 480-312-2405, [sscott@scottsdaleaz.gov](mailto:sscott@scottsdaleaz.gov)

21. **Administrative Correction to AZCares Funding – Approved on Consent.**

**Request:** Adopt **Resolution No. 11883** to authorize:

1. A FY 2020/21 administrative correction to move \$29.6 million of AZCares Funding and the associated appropriation budget transfer, as originally detailed in Section 2 of Resolution No. 11870, from the General Fund to a newly created Special Revenue Fund in the operating budget to ensure governmental accounting standards are being met.
2. A FY 2020/21 budget transfer in the amount of \$400,000 from the newly created Special Revenue Fund, Community Facility Safety Upgrades program to a newly created CIP project to be titled Tony Nelssen Center UV and Ionization funded by the AZCares funding.

**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)

## **REGULAR AGENDA** ITEM 22

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

22. **Public Infrastructure Reimbursement Development Agreement**

**Request:** Adopt **Resolution No. 11884** authorizing Public Infrastructure Reimbursement Development Agreement No. 2020-138-COS with Axon Enterprise, Inc., for the reimbursement of public infrastructure costs paid by Axon Enterprise, Inc., up to a maximum amount of \$9,408,716.

**Presenter(s):** Rob Millar, Economic Development Director

**Staff Contact(s):** Rob Millar, Economic Development Director, 480-312-2533, [rmillar@scottsdaleaz.gov](mailto:rmillar@scottsdaleaz.gov)

**– Economic Development Director Rob Millar presentation.**

**– Axon founder and CEO Rick Smith spoke briefly about the history of his company, as well as his plans for the future, and thanked Mayor Lane for reaching out and advocating for Scottsdale.**

**– Councilmember Korte made a motion to adopt Resolution No. 11884 authorizing Public Infrastructure Reimbursement Development Agreement No. 2020-138-COS with Axon Enterprise, Inc., for the reimbursement of public infrastructure costs paid by Axon Enterprise, Inc., up to a maximum amount of \$9,408,716. Councilwoman Milhaven seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Whitehead; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Phillips.**

**Mayor and Council Items – Councilman Phillips made a motion to agendize a vote at the next Council meeting on September 8<sup>th</sup> to repeal the emergency clause (Emergency Proclamation declared by Mayor Lane dated March 8, 2020) unless such clause has been terminated by the Mayor prior to that date. The motion died for lack of a second.**

**Adjourn the City Council Regular Meeting and Convene the City Council Work Study Session – 5:45 P.M.**

## **CITY COUNCIL WORK STUDY SESSION**

**Work Study Sessions:** Work study sessions provide a less formal setting for the Mayor and Council to discuss specific topics, at length, with each other and City staff. Work study sessions provide an opportunity for staff to receive direction from the Council and for the public to observe these discussions.

1. **Monthly Financial Update**

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

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2. **Monthly Financial Study Session**

**Request:** Presentation, discussion and possible Council direction regarding the monitoring of FY 2020/21 revenues and expenditures.

**Presenter(s):** Jeff Nichols, City Treasurer; Jim Thompson, City Manager

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

**– City Manager Jim Thompson presentation.**

**Adjournment – 6:11 P.M.**