

**SCOTTSDALE CITY COUNCIL  
REGULAR MEETING MINUTES  
WEDNESDAY, JULY 1, 2020**



**CITY HALL KIVA  
3939 N. DRINKWATER BOULEVARD  
SCOTTSDALE, AZ 85251**

**CALL TO ORDER**

Mayor W.J. "Jim" Lane called to order a Regular Meeting of the Scottsdale City Council at 5:02 P.M. on Wednesday, July 1, 2020.

**ROLL CALL**

Present: Mayor W.J. "Jim" Lane; Vice Mayor Solange Whitehead; and Councilmembers Suzanne Klapp, Virginia L. Korte, Kathleen S. Littlefield, Linda Milhaven, and Guy Phillips

Also Present: City Manager Jim Thompson, City Attorney Sherry Scott, City Treasurer Jeff Nichols, City Auditor Sharron Walker, and City Clerk Carolyn Jagger

**MAYOR'S REPORT – None**

**MINUTES**

**Request:** Approve the Special Meeting Minutes of June 4, 2020, and June 16, 2020; Regular Meeting Minutes of June 16, 2020; and Work Study Session Minutes June 16, 2020.

**MOTION AND VOTE – MINUTES**

Councilmember Korte made a motion to approve the Special Meeting Minutes of June 4, 2020, and June 16, 2020; Regular Minutes of June 16, 2020; and Work Study Session Minutes of June 16, 2020. Councilwoman Littlefield seconded the motion, which carried 7/0, by roll call vote, with Mayor Lane; Vice Mayor Whitehead; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Phillips voting in the affirmative.

**NOTE:** MINUTES OF CITY COUNCIL MEETINGS AND WORK STUDY SESSIONS ARE PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ARIZONA REVISED STATUTES. THESE MINUTES ARE INTENDED TO BE AN ACCURATE REFLECTION OF ACTION TAKEN AND DIRECTION GIVEN BY THE CITY COUNCIL AND ARE NOT VERBATIM TRANSCRIPTS. DIGITAL RECORDINGS AND CLOSED CAPTION TRANSCRIPTS OF SCOTTSDALE CITY COUNCIL MEETINGS ARE AVAILABLE ONLINE AND ARE ON FILE IN THE CITY CLERK'S OFFICE.

## ADDED ITEMS

### A1. Added Items

Item Nos. 27 and 28 were added to the agenda on June 24, 2020.

**Request:** Vote to accept the agenda as presented or continue the added item(s) to the next scheduled Council meeting, which is July 2, 2020.

## MOTION AND VOTE – ADDED ITEMS

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

## CONSENT AGENDA

### 1. HUB Liquor License (42-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:** 9343 E. Shea Boulevard, Suite B135

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

### 2. Permanent Extension of Premises for Compa Spirits (3-EX-2020)

**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for a Series 4 (wholesale) State liquor license for an existing location.

**Location:** 502 N. Hayden Road, Unit 986

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

### 3. Permanent Extension of Premises for Drunk Munk (4-EX-2020)

**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for a Series 12 (restaurant) State liquor license for an existing location to expand the patio.

**Location:** 7133 E. Stetson Drive, Suites 1-2

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

### 4. Sereno Canyon Phases 4C2 and 4D Final Plat (16-PP-2017#9 and 16-PP-2017#10)

**Request:** Approve the final plat to replat portions of Lot 1 on 19.3± acres of a 350±-acre site, as per Phase 4 of the Sereno Canyon Community Phasing Plan and Final Plat, to establish 47 resort units, within the Resort/Townhouse Residential, Environmentally Sensitive Lands (R-4R ESL) zoning portion of the site.

**Location:** Between E. Alameda Road and the E. Pinnacle Peak Road alignment along N. 123<sup>rd</sup> Street and N. 124<sup>th</sup> Street

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

### 5. Scottsdale Heights Phase I Replat and Phase II Final Plat (6-PP-2019 and 1-PP-2018#2)

**Request:** Approve the final plat for Scottsdale Heights Phase II, a 58-lot residential subdivision on a 14.36±-acre site with Medium Density Residential District, Environmentally Sensitive Lands Overlay (R-3 ESL) zoning located at 7363 E. Dove Valley Road and include a revision to the tracts within Scottsdale Heights Phase I on an adjacent 13.3±-acre site with Medium Density Residential District, Environmentally Sensitive Lands Overlay (R-3 ESL) and Central Business District, Environmentally Sensitive Lands Overlay (C-2 ESL) zoning located at 7225 E. Dove Valley Road.

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

- 6. Acquisition of Right-of-Way for the Osborn Road Complete Street Project**  
**Request:** Adopt **Resolution No. 11824** authorizing the acquisition of rights-of-way, pedestrian access easements, and temporary construction easements for the Osborn Road Complete Street Project from Hayden Road to Scottsdale Road.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
- 7. Pima Dynamite Trailhead Improvements**  
**Request:** Adopt **Resolution No. 11823** authorizing Construction Bid Award No. 20PB037 with Path Construction Southwest, LLC, the lowest responsive bidder, in the amount of \$5,632,312.95 for construction of Pima Dynamite Trailhead improvements.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
- 8. Booster Pump Station 57 Rehabilitation**  
**Request:** Adopt **Resolution No. 11826** authorizing Construction Bid Award No. 20PB036 with Kay Constructors, LLC, the lowest responsive bidder, in the amount of \$6,426,133.20 for construction of the rehabilitation of Booster Pump Station 57 and associated reservoir.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
- 9. Osborn Road Parallel Sewer Main Project Construction Phase Services Contract**  
**Request:** Adopt **Resolution No. 11838** authorizing CM@Risk Contract No. 2020-074-COS-A1, the first amendment to the contract with B & F Contracting, Inc., in the amount of \$1,839,550.01 to provide construction services for Phase 2 of the Osborn Road Parallel Sewer Main – Bishop Lane to Miller Road project.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
- 10. Sewer Collection System Rehabilitation Preconstruction Phase Services Contract**  
**Request:** Adopt **Resolution No. 11850** authorizing CM@Risk Contract No. 2020-108-COS with B & F Contracting, Inc., in the amount of \$45,148.85 to provide preconstruction phase services for the Sewer Collection System Rehabilitation of 24, 30, and 36-inch Diameter Pipes and Manholes project.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
- 11. Scottsdale Road – Jomax Road to Dixileta Drive Project Engineering Services Contract**  
**Request:** Adopt **Resolution No. 11785** authorizing Contract No. 2020-081-COS with Ritoch-Powell & Associates Consulting Engineers, Inc., in the amount of \$1,593,260.90 to provide engineering services for the Scottsdale Road – Jomax Road to Dixileta Drive project.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
- 12. The Drunk Munk Outdoor Dining Revocable License Agreement**  
**Request:** Adopt **Resolution No. 11860** authorizing Agreement No. 2019-034-COS-A1, the first amendment to the agreement with Scottsdale Canal Project, LLC, and Hermosa Inn Restaurant, LLC, to allow their tenant OTTB, LLC, dba The Drunk Munk, to increase the size of the patio based on an existing outdoor dining license agreement.  
**Location:** 7133 E. Stetson Drive, Suite 1  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)

- 13. Balcony Air Rights Easement Agreement**  
**Request:** Adopt **Resolution No. 11861** authorizing Agreement No. 2020-112-COS with GE Ventures, LLC, permitting the construction of balconies within the right-of-way.  
**Location:** 4238 N. Craftsman Court  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
- 14. Stetson Plaza Splash Pad Enhancement Project Budget Transfer**  
**Request:** Adopt **Resolution No. 11856** authorizing a FY 2020/21 General Fund Capital Contingency Budget Appropriation transfer in the amount of \$65,000 to a newly created CIP project titled "*Stetson Plaza Splash Pad Enhancement Project*" to be funded by the Downtown Cultural Trust.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
- 15. Workforce Development Services Intergovernmental Agreement**  
**Request:** Adopt **Resolution No. 11804** authorizing Agreement No. 2020-111-COS with Maricopa County to share costs for workforce development services at the Vista del Camino Community Center.  
**Staff Contact(s):** Greg Bestgen, Human Services Department Director, 480-312-0104, [gbestgen@scottsdaleaz.gov](mailto:gbestgen@scottsdaleaz.gov)
- 16. Papago Sports Complex Lease Agreements**  
**Request:** Adopt **Resolution No. 11865** to authorize:  
  1. Lease Agreement No. 2018-201-COS-A1, the first amendment to the agreement with the City of Phoenix for use of the Papago Sports Complex property.
  2. Memorandum of First Amendment to Lease Agreement No. 2018-201-COS-E2 with the City of Phoenix.
  3. Sublease Agreement No. 2019-104-COS-A1, the first amendment to the agreement with the San Francisco Giants Baseball Club, LLC, for use of the Papago Sports Complex property.**Location:** Northwest corner of McDowell Road and 64<sup>th</sup> Street  
**Staff Contact(s):** Bill Murphy, Assistant City Manager, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)
- 17. Airport Delta Apron Rehabilitation Phase 2 and Improvements Project**  
**Request:** Adopt **Resolution No. 11836** authorizing Construction Bid Award No. 20PB032 with Combs Construction, Inc., the lowest responsive bidder, in the amount of \$736,703.25 for the Airport Delta Apron Rehabilitation Phase 2 and Improvements Project.  
**Staff Contact(s):** Gary Mascaro, Aviation Director, 480-312-7735, [gmascaro@scottsdaleaz.gov](mailto:gmascaro@scottsdaleaz.gov)
- 18. Scottsdale Airport Runway Rehabilitation Project Preconstruction Phase Services Contract**  
**Request:** Adopt **Resolution No. 11837** authorizing CM@Risk Contract No. 2020-104-COS with J. Banicki Construction, Inc., in the amount of \$112,539 to conduct preconstruction phase services for the Runway Rehabilitation Project at Scottsdale Airport.  
**Staff Contact(s):** Gary Mascaro, Aviation Director, 480-312-7735, [gmascaro@scottsdaleaz.gov](mailto:gmascaro@scottsdaleaz.gov)

**19. Aviation Code Amendment**

**Request:** Adopt **Ordinance No. 4452** amending Scottsdale Revised Code, Chapter 5, Aviation, to help foster the long-term economic health and enhance the safe operating environment at the Airport/Airpark.

**Staff Contact(s):** Gary Mascaro, Aviation Director, 480-312-7735, [gmascaro@scottsdaleaz.gov](mailto:gmascaro@scottsdaleaz.gov)

**20. WaterSMART Grant Application**

**Request:** Adopt **Resolution No. 11864** authorizing the submission of a grant application to the United States Department of Interior Bureau of Reclamation for a WaterSMART Drought Response Program Federal grant for FY 2020/21 and the acceptance of any resulting grant award.

**Staff Contact(s):** Brian Biesemeyer, Water Resources Director, 480-312-5683, [bbiesemeyer@scottsdaleaz.gov](mailto:bbiesemeyer@scottsdaleaz.gov)

**21. Animal Care and Control Services Intergovernmental Agreement**

**Request:** Adopt **Resolution No. 11855** authorizing Agreement No. 2020-110-COS with Maricopa County for the provision of animal care and control services.

**Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, [arodbell@scottsdaleaz.gov](mailto:arodbell@scottsdaleaz.gov)

**22. City Jail Fee**

**Request:** Adopt **Resolution No. 11863** establishing a nightly fee of \$250 per night for offenders to serve their jail sentence at the newly renovated City of Scottsdale Jail.

**Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, [arodbell@scottsdaleaz.gov](mailto:arodbell@scottsdaleaz.gov)

**23. Staffing for Adequate Emergency Response Grant**

**Request:** Adopt **Resolution No. 11859** to authorize:

1. Spending the Federal Emergency Management Agency (FEMA) Staffing for Adequate Emergency Response (SAFER) grant funds, in the total amount of \$1,245,622 over three, 12-month periods beginning in FY 2020/21.
2. The addition of six new, full-time equivalent firefighter positions in the Fire Department for FY 2020/21.
3. A budget transfer in the amount of \$415,208 from the adopted FY 2020/21 Future Grants Budget and/or Grant Contingency to a newly created cost center within the Fire Department's operating budget to record the related SAFER grant activity. This transfer will cover 26 pay periods from July 1, 2020, through June 30, 2021, to be funded by the grant.
4. A budget transfer in the amount of \$146,223 from the FY 2020/21 adopted General Fund Operating Contingency to the Fire Department's operating budget to cover medical exams as well as the one-time costs associated with the academy and uniforms/gear.
5. The Fire Chief, or designee, to conduct all negotiations and to execute and submit all documents in connection with the acceptance of the FEMA grant.

**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, [tshannon@scottsdaleaz.gov](mailto:tshannon@scottsdaleaz.gov)

**24. Fiscal Year 2019/20 Operating and Capital Budget Adjustments**

**Request:** Adopt **Resolution No. 11846** authorizing FY 2019/20 operating and capital improvement plan budget adjustments.

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

**25. Bond Counsel Services Contract**

**Request:** Adopt **Resolution No. 11853** authorizing Contract No. 2020-109-COS with Sherman & Howard, LLC, for bond counsel services associated with the City's issuance of bonds and other capital financing.

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

**26. Indemnification of City Attorney in *Shawn C. Fuller v. City of Scottsdale et al.***

**Request:** Adopt **Resolution No. 11867** authorizing the City to defend and indemnify City Attorney Sherry R. Scott in the lawsuit titled *Shawn C. Fuller v. City of Scottsdale et al.*, Case No. CV2020-052874, currently pending in the Maricopa County Superior Court.

**Staff Contact(s):** Lori Davis, Deputy City Attorney, 480-312-2405, [lodavis@scottsdaleaz.gov](mailto:lodavis@scottsdaleaz.gov)

**27. Scottsdale Drive-In Concert Series**

**Request:** Adopt **Resolution No. 11868** to authorize:

1. A FY 2020/21 Tourism Development Fund operating contingency transfer in the amount of \$50,000 to the Tourism and Events Department operating budget to support the Scottsdale Drive-In Concert Series.
2. New Event Funding Agreement No. 2020-113-COS with M Culinary, LLC.

**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, [kchurchard@scottsdaleaz.gov](mailto:kchurchard@scottsdaleaz.gov)

**MOTION AND VOTE – CONSENT AGENDA**

Councilwoman Littlefield made a motion to approve Consent Agenda Items 1 through 27. Vice Mayor Whitehead seconded the motion, which carried 7/0, by roll call vote, with Mayor Lane; Vice Mayor Whitehead; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Phillips voting in the affirmative.

**REGULAR AGENDA**

**28. CARES Act Funding**

**Request:** Adopt **Resolution No. 11870** to authorize:

1. The City to accept \$29,628,014 from the AZCares Fund as part of the Federal CARES Act.
2. A FY 2019/20 budget transfer in the amount of \$9,954,199 from the general fund to the grants fund within the Public Safety – Police operating budget.
3. A FY 2019/20 budget transfer in the amount of \$7,284,445 from the general fund to the grants fund within the Public Safety – Fire operating budget.
4. A FY 2020/21 appropriation only budget transfer in the amount of \$29,628,014 from the PSPRS Pension Liabilities fund balance designation funded by the freed up general fund monies as a result of receiving the AZCares funding to non-divisional general fund operating cost centers to record the following activity:
  - a. \$3,000,000 for care for vulnerable citizens; \$450,000 for residential utility assistance program; \$3,110,000 for community facilities safety upgrades; \$1,500,000 for arts and culture programs; \$100,000 for public health communication; \$5,000,000 for business assistance programs; \$2,220,000 for city building safety retrofits; \$871,232 for telework/technology expenses; \$1,340,000 for PPE/sanitation/cleaning; \$2,200,000 for emergency response; \$2,000,000 for future COVID-19 resurgence preparation; \$4,000,000 for public safety; and \$3,836,782 for unallocated funds remaining.

5. The City Manager to supplement existing programs, create new programs, execute contracts and expend funds as may be necessary to mitigate the effects of and aid in recovery from the emergency caused by the coronavirus (COVID-19) pandemic in accordance with the allocations set forth in the Scottsdale AZCares Framework and Scottsdale AZCares Funding Priorities Matrix.
6. The City Manager to reallocate funds between and among any of the categories set forth in the Scottsdale AZCares Funding Priorities Matrix provided that specific funding categories are not reduced or increased by more than twenty-five percent of the amount stated therein without further approval by Council.

**Presenter(s):** Jim Thompson, City Manager

**Staff Contact(s):** Brad Lundahl, Government Relations Director, 480-312-2683,  
[blundahl@scottsdaleaz.gov](mailto:blundahl@scottsdaleaz.gov)

City Manager Jim Thompson gave a PowerPoint presentation on the Federal CARES Act funding.

#### **MOTION AND VOTE – ITEM 28**

Councilwoman Klapp made a motion to adopt Resolution No. 11870. Councilwoman Littlefield seconded the motion, which carried 7/0, by roll call vote, with Mayor Lane; Vice Mayor Whitehead; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Phillips voting in the affirmative.

**MAYOR AND COUNCIL ITEMS – None**

#### **ADJOURNMENT**

The Regular City Council Meeting adjourned at 5:26 P.M.

**SUBMITTED BY:**



**Carolyn Jagger, City Clerk**

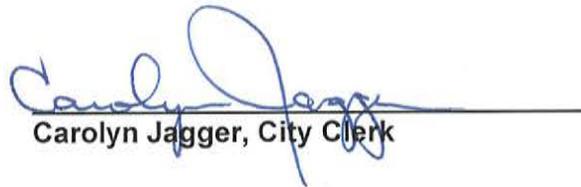
Officially approved by the City Council on August 24, 2020

### CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the City Council of Scottsdale, Arizona held on the 1<sup>st</sup> day of July 2020.

I further certify that the meeting was duly called and held, and that a quorum was present.

**DATED** this 24<sup>th</sup> day of August 2020.

  
Carolyn Jagger, City Clerk