CALL TO ORDER

Mayor David D. Ortega called to order a Regular Meeting of the Scottsdale City Council at 5:00 P.M. on Tuesday, January 19, 2021.

ROLL CALL

Present: Mayor David D. Ortega; Vice Mayor Solange Whitehead; and Councilmembers Tammy Caputi, Tom Durham, Betty Janik, Kathleen S. Littlefield, and Linda Milhaven (all participating electronically)

Also Present: City Manager Jim Thompson, City Attorney Sherry Scott, Acting City Treasurer Judy Doyle, City Auditor Sharron Walker, and City Clerk Carolyn Jagger (all participating electronically)

MAYOR’S REPORT – None

CITY MANAGER’S REPORT – ECONOMIC DEVELOPMENT REACCREDITATION – None

PUBLIC COMMENT – Valeri Marsh and Leon Lyons commented on 4G and 5G wireless facilities.

ADDED ITEMS

A1. Added Item

Item No. 11A was added to the agenda on January 14, 2021 and requires a separate vote to remain on the agenda. (Item No. 14 was also added to the agenda on January 14, 2021, as the result of Council action on January 12, 2021, and does not require a separate vote to remain on the agenda.)

Request: Vote to accept the agenda as presented or continue the added item to the next scheduled Council meeting, which is February 2, 2021.

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.
MOTION AND VOTE – ADDED ITEMS

Vice Mayor Whitehead made a motion to accept the agenda as presented. Councilmember Milhaven seconded the motion, which carried 7-0, by roll call vote, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Janik, Littlefield, and Milhaven voting in the affirmative.

CONSENT AGENDA

1. Verizon PHO Loop Drop Conditional Use Permit (13-UP-2020)
   Request: Find that the conditional use permit criteria have been met and adopt

   Resolution No. 12027 approving a Conditional Use Permit for a new Type 4 Alternative
   Concealment Wireless Communication Facility concealed within a 59-foot-tall artificial palm
   tree with associated ground mounted equipment, located at 8901 E. Mountain View Road,
   with Highway Commercial Planned Community District (C-3 PCD) zoning.
   Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

   Mayor Ortega opened public comment.

   Frank Di Bugnara, Scottsdale resident, spoke in opposition.

   Mayor Ortega closed public comment.

2. T-Mobile PH23001J Desert Mountain Cactus Conditional Use Permit (22-UP-2003#4)
   Request: Find that the conditional use permit criteria have been met and adopt

   Resolution No. 12028 approving a Conditional Use Permit for an existing Type 4
   Alternative Concealment Wireless Communication Facility concealed within a 30-foot-tall
   artificial cactus on a 26± acre site located at 39730 N. Cave Creek Road, with Open Space
   Environmentally Sensitive Lands District (O-S ESL) zoning.
   Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

3. Storyrock 2A Final Plat (5-PP-2016#9)
   Request: Approve the final plat for Storyrock 2A of the Master Plat for the Storyrock
   subdivision for 39 lots and tracts on 462± acres zoned Planned Community District,
   Environmentally Sensitive Lands, with multiple Single-Family Residential District
   comparable zonings (R1-18 ESL, R1-43 ESL, R1-35 ESL and R1-70 ESL).
   Location: Northeast corner of N. 128th Street and E. Alameda Road
   Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

4. Storyrock 1C Phase 2 Replat (5-PP-2016#8)
   Request: Approve the final plat for Storyrock 1C Phase 2 to replat Phase 1C of the Master
   Plat for the Storyrock subdivision for 47 lots and tracts on 462± acres zoned Planned
   Community District, Environmentally Sensitive Lands, with multiple Single-Family
   Residential District comparable zonings (R1-18 ESL, R1-43 ESL, R1-35 ESL and R1-70
   ESL).
   Location: Northeast corner on N. 130th Street Alignment and E. Alameda Road
   Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
5. **Independent Ethics Reviewers Professional Services Contracts**  
**Request:** Adopt Resolution No. 12020 authorizing the following professional services contracts to allow retired judges to serve as independent ethics reviewers, as required by Scottsdale Revised Code Section 2-57:  
2. Contract No. 2021-002-COS with Jay Davis  
**Staff Contact(s):** Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

6. **Cafeteria Plan Amendment**  
**Request:** Adopt Resolution No. 12036 authorizing an amendment to the City of Scottsdale Cafeteria Plan Second Amendment to allow certain prospective midyear election changes to Dependent Care Assistance Plan (DCAP) accounts and participants to apply credits in their Health Flexible Spending Account and DCAP accounts existing as of the plan year ending June 30, 2020.  
**Staff Contact(s):** Donna Brown, Human Resources Director, 480-312-2615, dbrown@scottsdaleaz.gov

7. **Fuel Reduction Mitigation Program Subgrantee Reimbursement Agreement**  
**Request:** Adopt Resolution No. 12035 to authorize:  
1. Subgrantee Reimbursement Agreement No. 2021-008-COS with Maricopa County, Department of Emergency Management, to accept a grant in the amount of $19,718 for a fuel reduction mitigation program in support of the County Community Wildfire Protection Program.  
2. A budget transfer in the amount of $19,718 from the FY 2020/21 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.  
**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

8. **Arizona Sun Circuit Quarter Horse Show**  
**Request:** Adopt Resolution No. 12034 to authorize:  
1. New Event Funding Agreement No. 2021-007-COS with the Arizona Quarter Horse Association in an amount of up to $75,000 per year for a three-year term.  
2. A FY 2020/21 Tourism Development Fund operating contingency transfer in an amount not to exceed $75,000 to the Tourism and Events Department Operating Budget to support the Arizona Sun Circuit event.  
**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov

9. **Budget Appropriation Transfers for Drainage Master Studies and Plans**  
**Request:** Adopt Resolution No. 12022 to authorize:  
1. A FY 2020/21 cash transfer in the amount of $50,000 from the CIP In Lieu Stormwater Fund to the Operating Special Programs Fund.  
2. A FY 2020/21 Operating Special Programs Fund contingency appropriation transfer in the amount of $50,000 to two newly created operating projects under the Special Programs Fund to be titled “East Shea Corridor Area Drainage Master Study and Plan” ($25,000) and “Desert Mountain Area Drainage Master Study and Floodplain Delineation” ($25,000).  
**Staff Contact(s):** Ashley Couch, Drainage and Flood Control Program Manager, 480-312-4317, acouch@scottsdaleaz.gov
Staff Contact(s): Sylvia Dlott, Acting Budget Director, 480-312-2419, sdlott@scottsdaleaz.gov

Staff Contact(s): Sylvia Dlott, Acting Budget Director, 480-312-2419, sdlott@scottsdaleaz.gov

11A. Arizona Corporation Commission Energy Rule  
Request: Adopt Resolution No. 12062 authorizing the Mayor and City Councilmembers to sign a letter to the Arizona Corporation Commission (ACC) supporting adoption of the proposed new Energy Rule currently under consideration (ACC Docket Number RU-00000A-18-0284).  
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

MOTION AND VOTE – CONSENT AGENDA

Councilwoman Caputi made a motion to approve Consent Agenda Items 1 through 11A. Councilwoman Janik seconded the motion, which carried 7/0, by roll call vote, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Janik, Littlefield, and Milhaven voting in the affirmative.

REGULAR AGENDA

Request: Adopt Resolution No. 12030 authorizing the abandonment of 13 feet of General Land Office Patent (GLO) easement along the northern boundary, 8-feet of the GLO easement along the eastern boundary, and 33-feet of the GLO easement along the southern boundary of a property with Single-Family Residential (R1-43) zoning.  
Location: 10535 E. Cactus Road  
Presenter(s): Kathryn Posler, City Planner  
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

City Planner Katie Posler gave a PowerPoint presentation (attached) on the Shaw Butte abandonment request.

Mayor Ortega openec public comment.

Seth Friedman, Scottsdale resident, spoke in support.

Mayor Ortega closed public comment.

MOTION AND VOTE – ITEM 12

Vice Mayor Whitehead made a motion to approve Item 12, Shaw Butte Abandonment (11-AB-2019). Councilmember Durham seconded the motion, which carried 7/0, by roll call vote, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Janik, Littlefield, and Milhaven voting in the affirmative.
13. **Bicycle and Related Devices Code Amendments Requests:**
   1. Adopt **Ordinance No. 4486** amending Scottsdale Revised Code, Chapter 17, Motor Vehicles and Traffic, Sections 17-76, 17-78, 17-80 through 17-87, 17-89 through 17-91, 17-93 through 17-97, and 17-99 relating to bicycles and related devices, including electric bicycles and scooters.
   2. Adopt **Ordinance No. 4488** amending Scottsdale Revised Code, Chapter 20, Parks, Recreation, and Cultural Affairs, Sections 20-31, 20-117, and 20-132 regulating the use of electric bicycles, electric scooters, and similar devices.
   3. Provide possible direction on whether to conduct additional public outreach on a device sharing licensing ordinance and schedule for possible adoption by the City Council at a later date.

**Presenter(s):** Mark Melnychenko, Transportation and Streets Director  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

Transportation and Streets Director Mark Melnychenko gave a PowerPoint presentation (attached) on the proposed bicycle and related devices code amendments.

Mayor Ortega openec public comment.

Morgan Roth, representing Bird, expressed concern about parking requirements.

Mayor Ortega closed public comment.

**MOTION AND VOTE – ITEM 13**

Vice Mayor Whitehead made a motion to continue Item 13 to a date to be determined. Councilwoman Littlefield seconded the motion, which carried 7-0, by roll call vote, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Janik, Littlefield, and Milhaven voting in the affirmative.

14. **General Plan Task Force Request:** Presentation from staff regarding the General Plan process and timeline, and discuss, consider, and provide possible direction or take possible action on:

a. Options for additional public outreach and input and potential responsive revisions to the draft General Plan 2035; and/or

b. Adopt Resolution No. 12056 creating a seven-member task force charged with reviewing the entire Citizen Review Committee recommended draft General Plan 2035, receiving citizen input, and then presenting it as modified to the community, Planning Commission, and Council for review and a vote.

**Presenter(s):** Erin Perreault, Planning and Development Area Director  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

Planning and Development Area Director Erin Perreault gave a PowerPoint presentation (attached) on the General plan process and timeline.
MOTION AND VOTE – ITEM 14

Councilwoman Littlefield made a motion to continue the process with additional and open public comment. Councilwoman Janik seconded the motion, which carried 7/0, by roll call vote, with Mayor Ortega; Vice Mayor Whitehead; and Councilmembers Caputi, Durham, Janik, Littlefield, and Milhaven voting in the affirmative.

MAYOR AND COUNCIL ITEMS – None

ADJOURNMENT

The Regular City Council Meeting adjourned at 7:10 P.M.

SUBMITTED BY:

Carolyn Jagger, City Clerk

Officially approved by the City Council on February 16, 2021
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 19th day of January 2021.

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

DATED this 16th day of February 2021.

Carolyn Jagger, City Clerk
Shaw Butte Abandonment

11-AB-2019

City Council
January 19, 2021

Coordinator: Katie Posler

Context Aerial 11-AB-2019
Request:

- Adopt Resolution No. 12030 to abandon 13-feet of the GLO easement along the northern boundary, 8-feet of the GLO easement along the eastern boundary, and 33-feet of the GLO easement along the southern boundary of a property with Single-family Residential (R1-43) zoning located at 10535 E. Cactus Road.
Key Points

- Conformance with Transportation Planning
- Abandonment removes excess and unnecessary roadway easements
- Associated land division case (11-PP-2019) with street dedications and street improvements was approved by the Development Review Board on December 3, 2020 with a 5-0 vote
- Planning Commission heard this case on December 9, 2020 and recommended approval with a 5-2 vote
- Neighborhood support and opposition to new street alignment, East Paradise Drive
- East Paradise Drive provides legal access and street frontage for western neighbor
- Utility companies have no conflict or services within abandonment area
Action Requested

- Adopt Resolution No. 12030 to abandon 13-feet of the GLO easement along the northern boundary, 8-feet of the GLO easement along the eastern boundary, and 33-feet of the GLO easement along the southern boundary of a property with Single-family Residential (R1-43) zoning located at 10535 E. Cactus Road.
EXHIBIT B
RIGHT OF WAY FOR ROADWAY AND PUBLIC UTILITY PURPOSES
ABANDONMENT

GLO abandonment graphic

EXHIBIT B
RIGHT OF WAY DEDICATION

ROW dedication graphic
Emergency Easement dedication graphic
Bicycle and Related Devices Ordinance

City Council Meeting January 19, 2021

Background

• Devices
• Regulations
• Staff team developed the regulations and coordinated with companies
• Data Report
Some Key Data

138 - Total scooter related emergencies

304,336 Miles on Scooters

22 - Citations for dangerous riding

62,451 - Hours on Scooters

246 - Total scooter related citations

276,090 - Rides

Devices Not to be Parked on Sidewalks, in Landscaping or in Large Groups
Racks are the Ideal Parking Location

Transportation Safety Zone
Proposed Regulations

- Prohibit riding on sidewalks
- Usage times
- Parking of devices
- Permission of underage users
- Fees

Riding in Parks Limited to Multi-Use Paths and Roadways Scooters and Bicycles Prohibited in the Civic Center Mall
<table>
<thead>
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<th>Number of Devices Allowed</th>
<th>Licensing Fee</th>
<th>Application Fee</th>
<th>Total Cost</th>
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</table>

**Action Requested**

- Adoption of Ordinance No. 4486
- Adoption of Ordinance No. 4488
- Direction on possible licensing ordinance
Draft Scottsdale General Plan 2035
Process + Procedures

City Council Meeting - January 19, 2021
Erin Perreault, AICP
Long Range Planning Director

What is a General Plan?

The General Plan is:
- Community Vision/City Policy
- Community-wide Goals
- Guides Decisions
- Legal Mandate
- Framework for More Specific Planning
- Establishes the Mixture/Location of Land Uses

The General Plan is NOT:
- Zoning / Regulatory
- Rigid or Static
- Budget
- Specific Project
- Capital Project
- Master Plan
- “Just the land use map”
2035 General Plan Update Foundation

- Visioning Town Hall – 100 Community Members
- Council-appointed 25-member Task Force
  - 32 Public Meetings
- Plan retained content from 2001/2011 efforts
- Extensive citywide public outreach
  - 5 Community Workshops – Plan Content
  - 6 Community Open House Events – Plan Review
  - Ongoing Online Engagement
  - Meetings with Individuals/Community Groups

Current General Plan Update Process and Timeline

- Data Collection and Analysis (completed)
- City Staff Technical Advisory Committee Review (completed)
- Citizen Review Committee (completed)
- Public Outreach (January – July 2021)
  - Boards/Commissions (January – March 2021)
  - Public Open Houses (@ least 3 in-person/9 electronic, February-March 2021)
  - Planning Commission Study Sessions (@ least 3, February – April 2021)
  - City Council Study Sessions (@ least 3, February – April 2021)
  - State Statute Required Public Hearing Process (March – June 2021)
    - Planning Commission Remote/Regular Public Hearings
    - Council Adoption Consideration
- Ratification Consideration by the Voters (November 2021)
Citizen Review Committee Process

- 13 Member Committee
  - Boards and Commissions related General Plan content
- 13 Public Meetings (April – Dec. 2020)
  - Completed charge earnestly/on time all during COVID restrictions (electronic meetings)
  - Respectful of previous Task Force work, public comments received
  - Reviewed entire draft plan
  - Considered all public comments received (300+)
  - Took final action on plan in December 2020
- Public outreach
  - Ongoing online engagement
  - Meetings with individuals/community groups
  - Vast majority of comments received by commission were at the very end of process (200+)

<table>
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<tr>
<th>Committee Member</th>
<th>Roll Call</th>
<th>Present</th>
<th>Absent</th>
<th>Item 1</th>
<th>Item 2</th>
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Process Comparison

1. State Statute Required Process
2. 2035 General Plan Update, Current Process
3. Additional Task Force Process
### State Statute Required Update Process

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
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<tbody>
<tr>
<td>Council Adopted Written Procedures</td>
<td>June 16, 2020</td>
</tr>
<tr>
<td>60-Day Notification Letter</td>
<td>January 8, 2021</td>
</tr>
<tr>
<td>1 Remote Planning Commission Hearing</td>
<td>March 24, 2021</td>
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<tr>
<td>1 Planning Commission Recommendation Hearing</td>
<td>May 12, 2021</td>
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<tr>
<td>1 City Council Hearing to Adopt Plan</td>
<td>June 8, 2021</td>
</tr>
<tr>
<td>1 City Council Meeting to Call Election + Place Plan on Ballot</td>
<td>July 2, 2021</td>
</tr>
<tr>
<td>Election</td>
<td>November 2, 2021</td>
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### 2035 General Plan Update Process

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<th>Event</th>
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<tr>
<td>Council Adopted Written Procedures</td>
<td>June 16, 2020</td>
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<tr>
<td>Citizen Review Committee</td>
<td>December 14, 2021</td>
</tr>
<tr>
<td>60-Day Notification Letter</td>
<td>January 8, 2021</td>
</tr>
<tr>
<td>13 City Boards/Commissions</td>
<td>January-February 2021</td>
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<tr>
<td>Community Open Houses - South, Central, North</td>
<td>February-March 2021</td>
</tr>
<tr>
<td>1st City Council Study Session - Council direction on plan content,</td>
<td>February 9, 2021</td>
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<tr>
<td>typically limited public input</td>
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<tr>
<td>1st Planning Commission Non-Action Meeting - public testimony taken</td>
<td>February 10, 2021</td>
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<td>2nd Planning Commission Non-Action Meeting - public testimony taken</td>
<td>February 24, 2021</td>
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<td>2nd City Council Study Session - Council direction on plan content,</td>
<td>March 9, 2021</td>
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<td>3rd Planning Commission Non-Action Meeting - public testimony taken</td>
<td>March 10, 2021</td>
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<td>1 Remote Planning Commission Hearing</td>
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<td>3rd City Council Study Session - Council direction on plan content,</td>
<td>April 13, 2021</td>
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### Proposed Task Force Process

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<td>Council Adopted Written Procedures</td>
<td>January 19, 2021</td>
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<tr>
<td>Solicit Community Applications for Task Force</td>
<td>February 2021</td>
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<td>City Council Meeting to Nominata/Appoint Task Force</td>
<td>March 2021</td>
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<tr>
<td>Task Force Meetings - @ least 6 meetings</td>
<td>April - June 2021</td>
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<tr>
<td>Task Force Presentation to Council</td>
<td>June or September 2021</td>
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<tr>
<td>60-Day Notification Letter</td>
<td>September 2021</td>
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<tr>
<td>13 City Boards/Commissions</td>
<td>October-November 2021</td>
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<td>Community Open Houses - South, Central, North @ least 3 in-person / @ least 9 Zoom</td>
<td>January – February 2022</td>
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<tr>
<td>1st City Council Study Session - Council direction on plan content, typically limited public input</td>
<td>February 2022</td>
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<tr>
<td>1st Planning Commission Non-Action Meeting - public testimony taken</td>
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<tr>
<td>2nd Planning Commission Non-Action Meeting - public testimony taken</td>
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<td>2nd City Council Study Session - Council direction on plan content, typically limited public input</td>
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<td>July 2022</td>
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### State Statute Required Update Process

- Council Adopted Written Procedures
- 60-Day Notification Letter
- 1 Remote Planning Commission Hearing
- 1 Planning Commission Recommendation Hearing
- 1 City Council Hearing to Adopt GP
- 1 City Council Meeting to Call Election + Place GP on Ballot
- Election

### 2035 General Plan Update Process

- Council Adopted Written Procedures
- Citizen Review Committee
- 60-Day Notification Letter
- 13 City Boards/Commissions
- Community Open Houses - South, Central, North @ least 3 in-person / @ least 9 Zoom
- 1st City Council Study Session - Council direction on plan content, typically limited public input
- 1st Planning Commission Non-Action Meeting - public testimony taken
- 2nd Planning Commission Non-Action Meeting - public testimony taken
- 2nd City Council Study Session - Council direction on plan content, typically limited public input
- 3rd Planning Commission Non-Action Meeting - public testimony taken
- 1 Remote Planning Commission Hearing
- 3rd City Council Study Session - Council direction on plan content, typically limited public input
- 1 Planning Commission Recommendation Hearing
- 1 City Council Hearing to Adopt Plan
- 1 City Council Meeting to Call Election + Place Plan on Ballot
- Election

### Proposed Task Force Process

- Council Adopted Written Procedures
- Solicit Community Applications for Task Force
- City Council Meeting to Nominata/Appoint Task Force
- Task Force Meetings - @ least 6 meetings
- Task Force Presentation to Council
- 60-Day Notification Letter
- 13 City Boards/Commissions
- Community Open Houses - South, Central, North @ least 3 in-person / @ least 9 Zoom
- 1st City Council Study Session - Council direction on plan content, typically limited public input
- 1st Planning Commission Non-Action Meeting - public testimony taken
- 2nd Planning Commission Non-Action Meeting - public testimony taken
- 2nd City Council Study Session - Council direction on plan content, typically limited public input
- 3rd Planning Commission Non-Action Meeting - public testimony taken
- 1 Remote Planning Commission Hearing
- 3rd City Council Study Session - Council direction on plan content, typically limited public input
- 1 Planning Commission Recommendation Hearing
- 1 City Council Hearing to Adopt Plan
- 1 City Council Meeting to Call Election + Place Plan on Ballot
- Election
Pertaining to the draft Scottsdale General Plan 2035 process and timeline, consider & provide possible direction or take possible action on:

A. Options for additional public outreach and input and potential responsive revisions to the draft General Plan 2035; and/or

B. Adopting Resolution No. 12056 creating a seven-member task force charged with reviewing the entire Citizen Review Committee recommended draft General Plan 2035, receiving citizen input, and then presenting it as modified to the community, Planning Commission, and Council for review and a vote.

Draft Scottsdale General Plan 2035

City Council Meeting - January 19, 2021