

**SCOTTSDALE**

# **CITY COUNCIL MEETING**



## **\*\*\* AMENDED \*\*\* MEETING NOTICE AND AGENDA**

**[RESCHEDULED ITEM No. 13]**

### **COUNCIL**

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Kathleen S. Littlefield

Linda Milhaven

Guy Phillips

Solange Whitehead

**Tuesday, September 24, 2019**

*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 (October 1, 2019).*

**5:00 P.M.**

**MARKED AGENDA**

### **CITY COUNCIL MEETING**

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Call to Order – 5:04 P.M.**

**Roll Call – All present (Councilman Phillips participated telephonically)**

*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 – Girl Scout Troop 1027, Leader Riley Palmer**

**Invocation – Pastor Bob Drew, Scottsdale Bible Church**

**Mayor's Report – Mayor Lane read a proclamation honoring Hispanic Heritage Month. Mayor Lane congratulated the Water Department on receiving the Crescordia Award for Sustainability at the Arizona Forward Environmental Excellence awards.**

**Presentations/Information Updates – None**

**Public Comment – Sandy Schenkat commented on a recent article published in the Scottsdale Progress. David Ortega commented on proposed infill incentives for the Southbridge Project. Tori Lakes-Freedman expressed concerns about her quality of life.**

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)

## **CONSENT AGENDA**      **ITEMS 1-10**

**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 10. Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead voting in the affirmative.**

1.     [Matty G's Liquor License \(67-LL-2019\)](#) – **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 an existing location with a new owner.  
**Location:** 6107 N. Scottsdale Road, Suite 110  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
2.     [Lure Fish House Liquor License \(68-LL-2019\)](#) – **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 an existing location with a new owner.  
**Location:** 8877 N. Scottsdale Road, Suite 402  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
3.     [New York Bagels 'N Bialys Liquor License \(71-LL-2019\)](#) – **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 an existing location with a new owner.  
**Location:** 8876 E. Pinnacle Peak Road, Suite 100  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
4.     [Planned Airpark Core Development Text Amendment \(2-TA-2019\)](#) – **Approved on Consent.**  
**Request:** Adopt **Ordinance No. 4423** approving a text amendment to the City of Scottsdale Zoning Ordinance No. 455, amending Article V., Section 5.4006 (Use Regulations) to add 'Restaurant, including drive-through restaurant but excluding drive-in restaurant' as an allowed land use in the Airpark Mixed Use subdistrict of the Planned Airpark Core Development zoning district.  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
  
5.     [Engineering Services Contracts for Sewer Collection System Rehabilitation Projects](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 11570** authorizing the following on-call engineering services contracts for an initial two-year term in an amount not to exceed \$1,000,000 per contract for the design of various sewer collection system rehabilitation projects:
  1. Contract No. 2019-151-COS with Dibble & Associates Consulting Engineers, Inc.
  2. Contract No. 2019-152-COS with Project Engineering Consultants, Ltd.**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)

6. **Rassner Memorial Scottsdale Library Endowment – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11561** authorizing the distribution of interest income in the amount of \$18,000 from the Rassner Memorial Scottsdale Library Endowment to the Scottsdale Public Library for FY 2019/20 to support educational and technological needs, as recommended by the Library Board.  
**Staff Contact(s):** Kira Peters, Library Director, 480-312-2691, [kcpeters@scottsdaleaz.gov](mailto:kcpeters@scottsdaleaz.gov)
7. **Fire Department Urban Area Security Initiative Grant – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11571** to authorize:
  1. The acceptance of a FY 2019/20 Arizona Department of Homeland Security and Federal Emergency Management Agency Urban Area Security Initiative grant in the amount of \$40,000.
  2. The Fire Chief, or designee, to conduct all negotiations and to execute and submit all documents in connection with the acceptance of the grant.
  3. A budget transfer in the amount of \$40,000 from the adopted FY 2019/20 Future Grants Budget and/or Grant Contingency Budget and the creation of a new cost center to record the related grant activity.**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, [tshannon@scottsdaleaz.gov](mailto:tshannon@scottsdaleaz.gov)
8. **Artfest of Scottsdale – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11585** to authorize:
  1. Funding, not to exceed \$30,000, from the portion of the FY 2019/20 Tourism Development Fund that is allocated toward event retention and development for the Artfest of Scottsdale event.
  2. New Event Funding Agreement No. 2019-167-COS with Andrew Maguire & Associates, LLC.**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, [kchurchard@scottsdaleaz.gov](mailto:kchurchard@scottsdaleaz.gov)
9. **Scottsdale Dia de los Muertos – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11586** to authorize:
  1. Funding, not to exceed \$70,000, from the portion of the FY 2019/20 Tourism Development Fund that is allocated toward event retention and development for the Scottsdale Dia de los Muertos event.
  2. New Event Funding Agreement No. 2019-168-COS with LORE Southwest Media & Arts, LLC.**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, [kchurchard@scottsdaleaz.gov](mailto:kchurchard@scottsdaleaz.gov)
10. **Monthly Financial Report – Approved on Consent.**  
**Request:** Accept the FY 2019/20 Monthly Financial Report as of July 2019.  
**Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)

## **REGULAR AGENDA**      **ITEMS 11-13**

**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.**

**Public Comment Note:** Item Nos. 11 and 12 will be presented together. Speakers will be given one opportunity to address the Council on one or both items.

11. [Vacation Rentals Code Amendment](#)

**Request:** Adopt **Ordinance No. 4416** amending Scottsdale Revised Code, Chapter 18, Public Nuisance and Property Maintenance, by adding Article IX., Sections 18-150 through 18-152 regarding vacation rentals.

**Presenter(s):** Raun Keagy, Planning and Development Area Director

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

– **Planning and Development Area Director Raun Keagy presentation.**

– **Councilmember Korte made a motion to adopt Ordinance No. 4416. Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead voting in the affirmative.**

12. [Nuisance Parties and Unlawful Gatherings Code Amendment](#)

**Request:** Adopt **Ordinance No. 4417** amending Scottsdale Revised Code, Chapter 18, Public Nuisance and Property Maintenance, by adding and reserving Sections 18-112 through 18-120, and adding Article VIII, Sections 18-121 through 18-149, regarding nuisance parties and unlawful gatherings.

**Presenter(s):** Raun Keagy, Planning and Development Area Director

**Staff Contact(s):** Joe Padilla, Acting City Attorney, 480-312-2405, [jpadilla@scottsdaleaz.gov](mailto:jpadilla@scottsdaleaz.gov)

– **Planning and Development Area Director Raun Keagy presentation.**

– **Councilmember Korte made a motion to adopt Ordinance No. 4417, including the changes to Sections 18-123(a)(3)(a) and 18-125(c)(3) provided by staff, and change the time from 90 days to 180 days where appropriate within the ordinance. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead voting in the affirmative.**

\*\*\*13. **Loloma Lands Purchase and Sale Agreement**

(Rescheduled to a future Council meeting at the request of staff.)

**Public Comment – None**

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## **CITIZEN PETITIONS**

### **ITEM 14**

**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.

**14. Receipt of Citizen Petitions – None**

**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 agendaize 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 – 6:01 P.M.**