

**SCOTTSDALE**

# **CITY COUNCIL MEETING**

## **MEETING NOTICE AND AGENDA**



### **COUNCIL**

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

Linda Milhaven  
Guy Phillips  
Solange Whitehead

**Tuesday, November 12, 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 (November 25, 2019).*

**5:00 P.M.**

**MARKED AGENDA**

### **CITY COUNCIL MEETING**

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Call to Order – 5:19 P.M.**

**Roll Call – All present (Councilwoman Milhaven 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 – Coronado High School Soccer Team, Coach Nick Barker**

**Invocation – Father Gregory Schlarb, Our Lady of Perpetual Help**

**Mayor's Report – Mayor Lane congratulated the City's Economic Development Team on receiving an International Economic Development Council Silver Award for the department's "Delivering the Cure" video. Mayor Lane recognized the City's Parks and Recreation Department for receiving their fifth re-accreditation certification demonstrating the organization's compliance with rigorous standards and commitment to quality and improvement.**

**Presentations/Information Updates – Experience Scottsdale President and CEO Rachel Sacco presentation.**

- **Experience Scottsdale Update**  
**Presenter(s):** Rachel Sacco, President and CEO

**Public Comment – None**

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)

## MINUTES

**Request:** Approve the [Special Meeting Minutes of October 1, 2019, October 3, 2019](#), and [October 15, 2019 4:00 P.M.](#) and [October 15, 2019 5:00 P.M.](#); [Regular Meeting Minutes of October 1, 2019](#) and [October 15, 2019](#); [Work Study Session Minutes of October 22, 2019](#); and Executive Session Minutes of October 3, 2019 and October 15, 2019.

**– Councilmember Korte made a motion to approve the Special Meeting Minutes of October 1, 2019, October 3, 2019, October 15, 2019 (4:00 P.M.), and October 15, 2019 (5:00 P.M.); Regular Meeting Minutes of October 1, 2019, and October 15, 2019; Work Study Session Minutes of October 22, 2019; and Executive Session Minutes of October 3, 2019, and October 15, 2019. Vice Mayor Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**

## CONSENT AGENDA ITEMS 1-20

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

- [Philadelphia Sandwich Company Liquor License \(74-LL-2019\)](#) – 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:** 7318 E. Stetson Dr.  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- [Grazie Pizzeria & Wine Bar Liquor License \(77-LL-2019\)](#) – 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 a new location and owner.  
**Location:** 6952 E. Main St.  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- [OEB Breakfast Co. Liquor License \(78-LL-2019\)](#) – 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 a new location and owner.  
**Location:** 17757 N. Scottsdale Rd., Suite 103  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- [Detroit Coney Grill Liquor License \(81-LL-2019\)](#) – 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:** 6953 N. Hayden Rd.  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)

5. **Zinque Liquor License (85-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 a new location and owner.  
**Location:** 4712 N. Goldwater Blvd., Suite 110  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
6. **Permanent Extension of Premises for Super Chunk Sweets & Treats and New Wave Market (5-EX-2019) – Approved on Consent.**  
**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 add a new patio.  
**Location:** 7120 E. 6<sup>th</sup> Ave., Suites 19-20  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
7. **Aerohead Aviation Heliport Conditional Use Permit (4-UP-2019) – Approved on Consent.**  
**Request:** Find that the conditional use permit criteria have been met and adopt  
**Resolution No. 11630** approving a Conditional use Permit for a new off-airport heliport on a 1.7±-acre site with Industrial Park (I-1) zoning.  
**Location:** 15570 N. 83<sup>rd</sup> Way  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
8. **Sereno Canyon Phase 4B1 Final Plat (16-PP-2017#7) – Approved on Consent.**  
**Request:** Approve the final plat to replat portions of lots 1 and 3 on 12.47±-acres of a 350-acre site, as per Phase 4 of the Sereno Canyon Community Phasing Plan and Final Plat, to establish 27 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 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)
9. **On-Call Engineering Underground Fuel Storage Services – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11598** authorizing Contract 2017-160-COS-A1 with Gannett Fleming, Inc., for a one-year extension in an amount not to exceed \$1,000,000, for permanent underground fuel storage tank closures and new fuel system design related services.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
10. **McCormick-Stillman Railroad Park Restroom Building Replacement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11613** to authorize:
  1. The creation of a new Capital Improvement Program (CIP) project to be titled McCormick-Stillman Railroad Park Restroom Building Replacement and budget adjustments totaling \$722,000, as follows:
    - a. A FY 2019/20 Special Programs Fund Operating Budget contingency appropriation transfer to the CIP totaling \$282,000 that will be funded by McCormick-Stillman Railroad Park revenue collected in the Operating Special Programs Fund.
    - b. A FY 2019/20 Community Services Division, Parks and Recreation Department General Fund Operating Budget transfer to the CIP totaling \$440,000 that will be funded by the Operating General Fund.
  2. Construction Bid Award 20PB012 with Straight Arrow Contracting, LLC, the lowest responsive bidder, in the amount of \$575,000 for the construction of McCormick-Stillman Railroad Park Restroom Building Replacement.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)

11. **Wireless License Agreement with Sprint Spectrum – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11567** authorizing Agreement No. 2019-150-COS with Sprint Spectrum L.P. permitting the continued operation of a wireless site on the northeast corner of Pima Road and Dynamite Boulevard.  
**Location:** 28175 N. Pima Road  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
12. **Wireless License Agreement with Verizon Wireless – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11584** authorizing Agreement No. 2019-166-COS with Verizon Wireless LLC permitting the continued operation of a wireless site on the southwest corner of 123<sup>rd</sup> Street and Doubletree Ranch Road.  
**Location:** 12103 E. Mission Ln.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
13. **General Building Citywide Electrical Construction Services Job Order Contracts – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11632** authorizing the following job order contracts in an amount not to exceed \$5,000,000 per contract for the initial two-year terms of each contract for citywide general building electrical construction services:
  1. Contract No. 2019-183-COS with Rosendin Electric, Inc.
  2. Contract No. 2019-184-COS with K2 Electric Newco, LLC
  3. Contract No. 2019-185-COS with Hawkeye Electric, Inc.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
14. **Civil Citywide Electrical Construction Services Job Order Contracts – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11641** authorizing the following job order contracts in an amount not to exceed \$5,000,000 per contract for the initial two-year terms of each contract for citywide civil electrical construction services:
  1. Contract No. 2019-194-COS with AJP Electric, Inc.
  2. Contract No. 2019-195-COS with CS Construction, Inc.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
15. **Fiscal Year 2019/20 Arterial Life Cycle Program Capital Improvement Plan Budget Adjustments – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11582** authorizing FY 2019/20 capital improvement plan budget adjustments related to the arterial life cycle program.  
**Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)
16. **Police Department Urban Area Security Initiative Grant – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11621** to authorize:
  1. Contract No. 2019-177-COS with the Arizona Department of Homeland Security to accept the Urban Area Security Initiative CBRNE grant in the amount of \$40,000.
  2. A budget transfer in the amount of \$40,000 from the adopted FY 2019/20 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.**Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, [arodbell@scottsdaleaz.gov](mailto:arodbell@scottsdaleaz.gov)

17. **Smart City Strategic Roadmap Grant – Approved on Consent.**

**Request:** Adopt **Resolution No. 11620** to authorize:

1. The acceptance of a Scottsdale Industrial Development Authority grant in the amount of \$50,000, and recognizing \$25,000 in private donations through the Arizona Institute for Digital Progress for strategic advisory services to create a Smart City Strategic Roadmap program.
2. A FY 2019/20 budget transfer in the amount of \$50,000 from the adopted FY 2019/20 Future Grants Contingency Budget and/or Grant Contingency Budget to a newly created grant center to record all the grant activity.
3. A FY 2019/20 budget transfer in the amount of \$25,000 from the Special Programs Fund Appropriation Contingency funded by private donations through the Arizona Institute for Digital Progress to a newly created center to record expenditures related to the Smart City Strategic Roadmap program.

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

18. **International Off-Road and UTV Expo – Approved on Consent.**

**Request:** Adopt **Resolution No. 11640** to authorize:

1. Funding not to exceed \$37,500 from the portion of the FY 2019/20 Tourism Development Fund that is allocated toward event retention and development for the International Off-Road and UTV event.
2. New Event Funding Agreement No. 2019-192-COS with the Company of the Americas, Inc.

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

19. **Proposition 202 Grant Funds Acceptance – Approved on Consent.**

**Request:** Adopt **Resolution No. 11628** to authorize:

Agreement No. 2019-181-COS with Ak-Chin Indian Community and the Leukemia & Lymphoma Society to accept Proposition 202 Tribal Gaming Funds in the amount of \$10,000.

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

20. **Scottsdale Arts Financial Participation Agreement – Approved on Consent.**

**Request:** Adopt **Resolution No. 11638** authorizing Contract No. 2019-060-COS-A1, an amendment to the Financial Participation Agreement with Scottsdale Arts, to modify the established payment schedule.

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

## **REGULAR AGENDA**      **ITEMS 21-24**

**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:** The only Council action to be taken on Item No. 21 is to continue the item to a date to be determined. No public comment will be taken on this item.

21. [Southbridge Two Rezoning, Abandonment, and Development Agreement \(22-ZN-2018, 19-AB-2018, and 4-DA-2019\)](#)

**Request:** Continue to a date to be determined

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

– **Councilmember Korte made a motion to continue cases 22-ZN-2018, 19-AB-2018, and 4-DA-2019 to December 4, 2019. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**

**Public Comment Note:** Item Nos. 22 and 23 will be presented together. Speakers will be given one opportunity to address the Council on one or both items.

22. [Sunday Goods Rezoning \(5-ZN-2019\)](#)

**Request:** Adopt **Ordinance No. 4424** approving a zoning district map amendment from Central Business/Parking, Downtown Overlay (C-2/P-3 DO, P-2 DO) to Commercial Office/Parking, Downtown Overlay (C-O DO, P-2 DO) zoning, including amended standards for building setbacks adjacent to the street, on a 4,800± square-foot site.

**Location:** 4255 N. Winfield Scott Plaza

**Presenter(s):** Bryan Cluff, Sr. Planner

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

23. [Sunday Goods Conditional Use Permit \(2-UP-2019\)](#)

**Request:** Find that the conditional use permit criteria have been met and adopt

**Resolution No. 11587** approving a Conditional Use Permit for a Medical Marijuana Use on a 4,800 ± square-foot site with Commercial Office/Parking, Downtown Overlay (C-O, P-2 DO) zoning.

**Location:** 4255 N. Winfield Scott Plaza

**Presenter(s):** Bryan Cluff, Sr. Planner

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

– **Councilwoman Milhaven made a motion to continue Items 22 and 23 to a date uncertain. Councilmember Korte seconded the motion, which failed 3/4, with Councilmember Korte, Councilwoman Milhaven, and Councilwoman Whitehead voting in the affirmative, and Mayor Lane, Vice Mayor Littlefield, Councilwoman Klapp, and Councilman Phillips dissenting.**

– **Applications for Case 5-ZN-2019 and Case 2-UP-2019 were withdrawn by the applicant.**

24. [Scottsdale General Plan 2001 Non-Major General Plan Amendment \(5-GP-2019\)](#)

**Request:** Adopt **Resolution No. 11631** approving a Non-Major General Plan Amendment to the Scottsdale General Plan 2001 to add state statute required content including a Conservation, Rehabilitation and Redevelopment Element, a neighborhood Preservation and Revitalization Element, an Energy Element, a Bicycling Element, and updated demographics, mapping, and graphics content, for continued compliance with Arizona Revised Statutes.

**Presenter(s):** Erin Perreault, Long Range Planning Director

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

– **Long Range Planning Director Perreault made a motion to continue the application.**

– **Councilman Phillips made a motion to adopt Resolution No. 11631. Vice Mayor Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**

## Public Comment – None

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## CITIZEN PETITIONS

### ITEM 25

**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.

#### 25. 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 agendize 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

### ITEM 26

#### 26. Boards, Commissions, and Task Force Nominations (Note: Interviews and appointments scheduled for December 4, 2019)

**How the Board and Commission Nomination Process Works:** The Council will review applications submitted for the board and commission openings under consideration. From this applicant pool, the Council will select nominees for further consideration. While welcome to attend, applicants will be contacted if nominated and do not need to be present at the meeting to be considered for nomination.

Board of Adjustment (*one vacancy*) – **Councilwoman Klapp nominated Jason Chocron.**

Building Advisory of Board of Appeals (*three vacancies*) – **Councilwoman Milhaven nominated Marcy Kostewa.**

Historic Preservation Commission (*one vacancy*) – **Councilwoman Whitehead nominated Blair Schweiger.**

Human Services Commission (*one vacancy*) – **Vice Mayor Littlefield nominated Emily Reilly.**

Industrial Development Authority (*three vacancies*) – **No nominations were made.**

Library Board (*one vacancy*) – **Councilman Phillips nominated Sheila Collins and Councilmember Korte nominated Sam Campana.**

Loss Trust Fund Board (*two vacancies*) – **Councilmember Korte nominated Richard O'Connor and Allan Smith.**

Neighborhood Advisory Commission (*two vacancies*) – **Mayor Lane nominated Jonathan Budwig and Carol Miraldi, Councilwoman Klapp nominated Michael Wills, Councilwoman Whitehead nominated Laurie Coe, and Councilman Phillips nominated Alexandra Duemer.**

Planning Commission (*one vacancy*) – **Councilwoman Klapp nominated Prescott Smith, Councilwoman Whitehead nominated A.J. Germek, Vice Mayor Littlefield nominated Joseph Cusak, Councilman Phillips nominated William Scarbrough, and Councilmember Korte nominated Dana Close.**

**Adjournment – 6:21 P.M.**