

SCOTTSDALE

CITY COUNCIL MEETING

SPECIAL MEETING NOTICE AND AGENDA



COUNCIL

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

Linda Milhaven
Guy Phillips
Solange Whitehead

Monday, November 23, 2020

Until further notice, City Hall is closed to the public during Council meetings and these meetings are being 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 (search "live stream") to allow the public to virtually attend and listen/view the meeting in progress. 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 30, 2020).

Written comments on any of the items on tonight's agenda that are submitted electronically at least 90 minutes before the meeting will be emailed to the Council and posted online prior to the meeting. A written public comment may be submitted electronically by clicking [here](#), or on the "click here to submit a written comment on an item" link located at the top of each page of the agenda. Spoken comment is being accepted on Items 1 through 22. To sign up to speak on these items, please click [here](#). Request to speak forms must be submitted no later than 90 minutes before the start of the meeting.

5:00 P.M.

MARKED AGENDA

CITY COUNCIL SPECIAL MEETING

Meeting will be held electronically.

Call to Order – 5:04 P.M.

Roll Call – Mayor Lane absent.

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).

Presentations/Information Updates – Vice Mayor Whitehead recognized City employees Anthony Floyd and Lori Glover for their efforts to encourage the City to ask the Arizona Corporation Commission to continue to include energy efficiency incentives in the Commission's new Energy Rule.

- **Scottsdale Arts Presentation – Scottsdale Arts President and CEO Gerd Wuestemann presentation.**

Presenter(s): Gerd Wuestemann, Scottsdale Arts President and CEO



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

CONSENT AGENDA ITEMS 1-22

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.

– **Councilwoman Littlefield made a motion to approve Consent Agenda Items 1 through 22, with the exception of Item 8, which was removed from the Consent Agenda, and Item 7, which is being continued to November 30. Councilmember Korte seconded the motion, which carried 6/0, by roll call vote, with Vice Mayor Whitehead and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Phillips voting in the affirmative.**

– **City Attorney Sherry Scott asked Vice Mayor Whitehead for a separate motion to continue Item 7.**

– **Councilwoman Littlefield made a motion to continue Item 7, Stagecoach and Windmill rezoning, to November 30. Councilmember Korte seconded the motion, which carried 6/0, by roll call vote, with Vice Mayor Whitehead and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Phillips voting in the affirmative.**

1. **Mondello's Italian Grill & Pizzeria Liquor License (80-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: 14144 N. 100th Street, Suite B-130
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
2. **Cats Pajamas Liquor License (81-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: 10323 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
3. **Bei Express Liquor License (83-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: 2910 N. Hayden Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
4. **Pulque Restaurant Liquor License (87-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: 9619 N. Hayden Road, Suite 108
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
5. **Don Bluth Front Row Theatre Conditional Use Permit (6-UP-2020) – Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt
Resolution No. 11966 approving a Conditional Use Permit for live entertainment in a 3,000± square-foot establishment, zoned Highway Commercial, Planned Community District (C-3, PCD).
Location: 8989 E. Via Linda, Suite 118
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

6. **Harvest Retail Conditional Use Permit (10-UP-2015#3) – Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt
Resolution No. 11967 approving a five-year renewal and amendment to an existing Conditional Use Permit for a medical marijuana use (dispensary), including revisions to current hours of operation of 6:00 a.m. to 7:00 p.m. to 6:00 a.m. to 10:00 p.m. on a 1.08±-acre site with Industrial Park (I-1) zoning.
Location: 15190 N. Hayden Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

7. **Stagecoach & Windmill Rezoning (12-ZN-2019) – Continued to November 30.**
Request: Adopt **Ordinance No. 4478** approving a zoning district map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-190 ESL) zoning to Single-Family Residential, Environmentally Sensitive Lands (R1-70 ESL) zoning on a 30±-acre parcel.
Location: Southwest corner of E. Stagecoach Pass Road and N. Windmill Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

8. **Solitude Rezoning and Abandonment (17-ZN-2019 and 10-AB-2019) – Councilwoman Milhaven made a motion to adopt Ordinance No. 4477 and Resolution No. 11965. Councilmember Korte seconded the motion, which carried 5/1, by roll call vote, with Vice Mayor Whitehead and Councilmembers Klapp, Korte, Milhaven, and Phillips voting in the affirmative and Councilwoman Littlefield dissenting.**
Requests:
 1. Adopt **Ordinance No. 4477** approving a zoning district map amendment from Single-Family Residential, Environmentally Sensitive Lands, Hillside District (R1-190 ESL HD) zoning to Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning on a 20±-acre site.
 2. Adopt **Resolution No. 11965** authorizing the abandonment of a 20-foot right-of-way segment that runs east and west along the Whispering Winds alignment between N. 91st Street and N. 92nd Street, with Single-Family Residential, Environmentally Sensitive Lands, Hillside District (R1-190 ESL HD) zoning on a 20±-acre site.**Location:** Southwest corner of E. Happy Valley Road and N. 92nd Street (Parcel Nos. 217-05-008A, 217-05-008E and 217-05-008F)
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

9. **Palmeria Phase II Rezoning and Development Agreement (7-ZN-2016#2 and 3-DA-2020) – Approved on Consent.**
Request: At the request of staff, continue to the November 30, 2020 Council Meeting.
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

10. **Storyrock 1B Section C Final Plat (5-PP-2016#7) – Approved on Consent.**
Request: Approve the final plat for Storyrock 1B Section C to replat Phase 1B of the Master Plat for the Storyrock subdivision for 19 lots and tracts on 462± acres zoned Planned Community District, Environmentally Sensitive Lands (P-C ESL), with multiple Single-Family Residential district comparable zonings (R1-18 P-C ESL, R1-35 P-C ESL, R1-43 P-C ESL, and R1-70 P-C ESL), located approximately (from north to south) between E. Ranch Gate Road and E. Pinnacle Peak Road, and (from west to east) between N. 128th Street and the N. 134th Street alignment.
Location: East of the southwest corner of 128th Street and Ranch Gate Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

11. **Well Site 159 Land Purchase and Municipal Use Master Site Plan – Approved on Consent.**
Request: Adopt **Resolution No. 11908** authorizing the purchase of 1.31± acres of land from the Arizona State Land Department and initiating a Municipal Use Master Site Plan for the construction of well site 159 located approximately one-half mile east of the intersection of Scottsdale Road and Legacy Boulevard.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
12. **Police and Fire Training Facility Preconstruction Phase Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 11953** authorizing CM@Risk Contract No. 2020-178-COS with CORE Construction, Inc., in the amount of \$152,500, to provide preconstruction phase services for the following Bond 2019 projects:
 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
13. **Underground Fuel Storage Construction Services Job Order Contract – Approved on Consent.**
Request: Adopt **Resolution No. 11982** authorizing Contract No. 2017-167-COS-A2 with Cochise Contractors, Inc., in an amount not to exceed \$2,000,000 for a one-year contract extension for fuel underground storage tank removal and new fuel system installation.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
14. **Tourism Event Venue Fee Funding Program – Approved on Consent.**
Request: Adopt **Resolution No. 11990** to authorize a change to the FY 2020/21 Event Venue Fee Funding Program's room night requirement from 430 rooms to 338 rooms.
Staff Contact(s): Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov
15. **Mainstream Housing Voucher Grant Application – Approved on Consent.**
Request: Adopt **Resolution No. 12003** to authorize:
 1. The submission of a grant application to the United States Department of Housing and Urban Development for Mainstream Housing Vouchers and acceptance of any resulting grant.
 2. The Human Services Director or designee to execute any necessary grant agreements related to the acceptance and administration of the grant.
 3. The City Manager, Human Services Director, and the City Attorney to execute any other documents or desirable instruments in connection with the grant.**Staff Contact(s):** Bill Murphy, Assistant City Manager, 480-312-7954, bmurphy@scottsdaleaz.gov
16. **Family Advocacy Center Grant – Approved on Consent.**
Request: Adopt **Resolution No. 12006** to authorize:
 1. The acceptance of a grant from the Office of the Arizona Attorney General in the amount of \$32,408 to purchase equipment and supplies specifically for the Family Advocacy Center.
 2. The Chief of Police, or designee, to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with the acceptance of the grant award.
 3. A budget transfer in the amount of \$32,408 from the FY 2020/21 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):** Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov

17. **[Audit Committee Recommendation for the McDowell Sonoran Preserve Commission Sunset Review – Approved on Consent.](#)**
Request: Adopt **Resolution No. 11985** accepting the Audit Committee’s recommendation and authorizing the continuation of the McDowell Sonoran Preserve Commission and retaining its existing seven-member size.
Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov
18. **[2020 Public Transportation Agency Safety Plan – Approved on Consent.](#)**
Request: Adopt **Resolution No. 11988** authorizing the approval of the 2020 Public Transportation Agency Safety Plan prepared by the Arizona Department of Transportation for small urban agencies, including the City of Scottsdale.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
19. **[One Arizona Opioid Settlement Memorandum of Understanding – Approved on Consent.](#)**
Request: Adopt **Resolution No. 12005** authorizing the City Manager and City Attorney, and/or their designees, to enter into the “*One Arizona Opioid Settlement Memorandum of Understanding*” to authorize the City to participate in collective settlement negotiations with the State of Arizona and its participating cities, counties, and towns against manufacturers, distributors, marketers, and dispensaries of opioids, and to provide that any settlement funds obtained as a result of that collective negotiation will be distributed according to the terms set forth in the agreement.
Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov
20. **[Fiscal Year 2020/21 Capital Improvement Plan Mid-Year Budget Adjustments – Approved on Consent.](#)**
Request: Adopt **Resolution No. 11984** authorizing FY 2020/21 Capital Improvement Plan mid-year budget adjustments.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
21. **[Monthly Financial Report – Approved on Consent.](#)**
Request: Accept the FY 2020/21 Monthly Financial Report as of September 2020.
Staff Contact(s): Sylvia Dlott, Acting Budget Director, 480-312-2419, sdlott@scottsdaleaz.gov
22. **[November 3, 2020 General Election Canvass – Approved on Consent,](#)**
Request: Adopt **Resolution No. 12013** as the official canvass of the City of Scottsdale November 3, 2020, General Election.
Staff Contact(s): Carolyn Jagger, City Clerk, 480-312-2411, cjagger@scottsdaleaz.gov

Adjournment – 5:35 P.M.