

SCOTTSDALE

CITY COUNCIL MEETING

MEETING NOTICE AND AGENDA



COUNCIL

David D. Ortega, Mayor
Tammy Caputi
Tom Durham
Betty Janik

Kathleen S. Littlefield
Linda Milhaven
Solange Whitehead

Tuesday, September 21, 2021

The City Hall Kiva Forum (Kiva) is open to the public during City Council meetings at a reduced capacity. Seating in the Kiva will be available on a first come, first served basis. Once capacity has been reached, individuals will be directed to a nearby location to view the televised meeting. The Mayor will announce the names of speakers in advance to give those attending the meeting from the nearby location sufficient time to enter the Kiva and make their comments in person. As seating in the Kiva becomes available, individuals waiting in the nearby location will be asked to come to City Hall.

City Council meetings are also televised on Cox Cable Channel 11 and streamed online at ScottsdaleAZ.gov (search "live stream") to allow the public to virtually attend, participate telephonically, 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 (October 5, 2021).

In-person or telephonic comment is being accepted on items on the Consent and Regular Agenda (Items 1 through 13). To sign up to speak on these items, please click [here](#).

Scottsdale citizens may also speak on items that are within the Council's jurisdiction but are not on the agenda, with a total of 15 minutes at the beginning and 15 minutes at the end of the meeting dedicated to comment on non-agendized items. To sign up to speak in person or telephonically on a non-agendized item that is within the Council's jurisdiction, please click [here](#).

Online Request to Speak forms for Consent, Regular, and Non-Agendized items must be submitted no later than 90 minutes before the start of the meeting and you must indicate whether you will be addressing the Council in person or telephonically.

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](#).

5:00 P.M.

Marked Agenda

REGULAR CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard



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

Tuesday, September 21, 2021

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Call to Order – 5:00 P.M.

Roll Call – All present

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 – Councilmember Durham

Mayor's Report – Mayor Ortega announced that the City, in partnership with Maricopa County Department of Public Health, will host a pop-up COVID-19 vaccination event at El Dorado Park Community Center on Thursday, September 23, 2021, from 2:30 p.m. to 6:00 p.m. The Pfizer vaccine and a limited number of Johnson & Johnson vaccines will be available. A second pop-up vaccination event is scheduled for Thursday, October 14, 2021, for those needing a second shot. Additional information can be located at www.scottsdaleaz.gov by searching "COVID-19".

Public Comment – Linda Brown expressed dissatisfaction with recent Historic Preservation Commission decisions, noting decisions by the Commission have been inconsistent.

Public Comment time is reserved for Scottsdale 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 [form](#) 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."**

MINUTES

Request: Approve the [Special Meeting Minutes of August 26, 2021](#); Executive Session Meeting Minutes of August 26, 2021; and [Regular Meeting Minutes of August 26, 2021](#).

– Vice Mayor Janik made a motion to approve the Special Meeting Minutes of August 26, 2021; Executive Session Meeting Minutes of August 26, 2021; and Regular Meeting Minutes of August 26, 2021. Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

CONSENT AGENDA ITEMS 1-12

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 Whitehead made a motion to approve Consent Agenda Items 1 through 12. Councilwoman Caputi seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

1. **[Boondocks Patio & Grill Liquor License \(50-LL-2021\)](#) – Approved on Consent.**

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an agent and acquisition of control change for an existing Series 6 (bar) State liquor license.

Location: 4341 N. 75th Street

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

2. **[Sonoran International Imports Liquor License \(64-LL-2021\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 4 (wholesaler) State liquor license for a new location and owner.
Location: 2950 N. 73rd Street, Suite A25
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**

3. **[Crosscut Canal Banks Land Use License Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12252** authorizing:
 1. Land Use License Agreement No. 2021-136-COS with the Salt River Project Agricultural Improvement and Power District for the continued use of various north and south banks of the canal between Indian School Road and south of McDowell Road.
 2. The City Manager, or designee, to execute any other documents and take such other actions as necessary to carry out the intent of this Resolution.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov**

4. **[Public and Event Spaces on Civic Center Plaza Construction Phase Services](#) **Contract – Approved on Consent.**
Request: Adopt **Resolution No. 12275** authorizing Construction Manager at Risk Contract No. 2021-151-COS with Willmeng Construction, Inc., in the amount of \$5,527,303.32, to provide construction phase services for Bond 2019 Project 1 – Replace Aging Infrastructure and Improve Public and Event Spaces on Civic Center Plaza.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov**

5. **[WestWorld State Land Purchase Fiscal Year \(FY\) Reimbursements](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12267** to authorize:
 1. The reimbursement to the General Fund in the amount of \$4,761,008.03 for the purchase of 10.3 acres of Arizona State land using Tourism Development Fund Ending Fund Balance in three annual payments in the amounts of \$1,587,003 in FY 2021/22; \$1,587,003 in FY 2022/23; and \$1,587,002.03 in FY 2023/24.
 2. A one-time waiver of Financial Policy 21A, which limits the use of the balance of remaining Tourism Development Fund revenues for multi-year annual commitments for tourism-related projects to \$600,000 per commitment.**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov**

6. **[Scottsdale ArtWalk Gold Palette Event](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12261** to authorize:
 1. Funding, not to exceed \$32,000, from the portion of the Fiscal Year 2021/22 Tourism Development Fund that is allocated toward event retention and development for the Scottsdale ArtWalk Gold Palette Event.
 2. New Event Funding Agreement No. 2021-148-COS with the Scottsdale Gallery Association.**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov**

7. **[Chihuly in the Desert Art, Architecture, and Nature Exhibit](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12262** to authorize:
 1. A Fiscal Year 2021/22 Tourism Development Fund operating contingency transfer in an amount not to exceed \$150,000 to the Tourism and Events Department operating budget to support the Chihuly in the Desert Art, Architecture, and Nature Exhibit.
 2. New Event Funding Agreement No. 2021-149-COS with the Frank Lloyd Wright Foundation.**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov**

8. [Prisoner Transport Services Intergovernmental Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12256** authorizing Agreement No. 2021-138-COS with the Town of the Paradise Valley for the purpose of providing prisoner transports to the Town of Paradise Valley Police Department.
Staff Contact(s): Jeff Walther, Chief of Police, 480-312-1900, jwalther@scottsdaleaz.gov

9. [Information Technology Infrastructure License and Services Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12283** authorizing Agreement No. 2016-082-COS-A2, an amendment to the license and master service agreement with Iron Mountain Data Centers, LLC, for backup storage of the city's electronic data files.
Staff Contact(s): Bianca Lochner, Chief Information Officer, 480-312-7615, blochner@scottsdaleaz.gov

10. [Audit Committee Recommendation for the Board of Adjustment Sunset Review](#) – **Approved on Consent.**
Request: Accept the Audit Committee's recommendation and authorize the continuation of the Board of Adjustment.
Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

11. [Audit Committee Recommendation for the Building Advisory Board of Appeals Sunset Review](#) – **Approved on Consent.**
Request: Accept the Audit Committee's recommendation and authorize the continuation of the Building Advisory Board of Appeals.
Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

12. [Monthly Financial Report](#) – **Approved on Consent.**
Request: Accept the Fiscal Year 2021/22 Monthly Financial Report as of July 2021.
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

REGULAR AGENDA **ITEM 13**

How the Regular Agenda Works: The Council takes action on each item on the Regular Agenda.

13. [Huckle Patio Wall Extension \(69-HP-2021\) Appeal](#)
Request: Applicant is appealing the Historic Preservation Commission decision to deny modifying the location of the existing wall in the East Pasadena Avenue frontage to increase the size of the enclosed yard of a townhouse.
Location: 5014 N. 78th Street (Villa Monterey Units 1-7 Historic District)
Presenter(s): Doris McClay, Senior Planner
Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov
– **Senior Planner Doris McClay gave a PowerPoint presentation on the appeal.**
– **Applicant Lori Huckle gave a presentation on her appeal.**
– **Councilwoman Littlefield made a motion to reverse the Historic Preservation Commission decision to deny and approve the application to modify the location of the existing wall in the East Pasadena Avenue frontage to increase the size of the enclosed yard of a townhouse. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.**

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 [form](#) 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 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): Ben Lane, City Clerk, 480-312-2411, blane@scottsdaleaz.gov

Mayor and Council Items – None

Adjourn the City Council Regular Meeting and Convene the City Council Work Study Session – 5:27 P.M.

– Vice Mayor Janik made a motion to adjourn the City Council Regular Meeting. Councilmember Durham seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.

CITY COUNCIL WORK STUDY SESSION

– City Council Work Study Session called to order at 5:32 P.M.

Roll Call – All present

Work Study Sessions: Work study sessions provide a less formal setting for the Mayor and Council to discuss specific topics, at length, with each other and City staff. Work study sessions provide an opportunity for staff to receive direction from the Council and for the public to observe these discussions.

Public Comment: To provide an opportunity for public input yet continue to maximize the amount of time available for the Council to have focused discussions, spoken comment (maximum of five speakers) is being accepted on the item(s) on tonight's work study session agenda. To sign up to speak, please click [here](#). **Request to speak forms must be submitted no later than 90 minutes before the start of the meeting. – None**

If you have thoughts or suggestions on the work study session item(s) you would like the Council to consider, you are encouraged to submit your written comment(s) electronically by clicking [here](#). Written comments that are submitted electronically at least 90 minutes before the meeting will be emailed to the Council and posted online prior to the meeting.

1. [Housing Affordability Working Group](#)

Request: Presentation, discussion, and possible direction to staff regarding the formation of a Housing Affordability Working Group.

Presenter(s): Shane Stone, Management Associate to the City Manager

Staff Contact(s): Jim Thompson, City Manager, 480-312-2800, jthompson@scottsdaleaz.gov

– Community Assistance Manager Irma Hollamby gave the PowerPoint presentation on the possible formation of a Housing Affordability Working Group.

– Councilmembers requested staff research the following topics and provide follow-up information to the Council:

- **Identification on the number of apartments versus condominiums in various zip codes and if we have a higher percentage of second homeowners that are filling these multi-family housing units, whether they are apartments or condominiums.**
- **Impacts of short-term rentals, and long-term rental incentives, on housing to reduce rent pressures.**
- **Determine other municipalities that have implemented similar programs that we can use for modelling and best practices purposes.**
- **Identification of multi-housing locations to serve the workforce where they can go to work, attend school, and shop conveniently in non-congested areas.**
- **Information on the percent of salary spent on housing.**
- **Explore build-to-rent residential housing options using federal grant funds.**
- **Data that would assist the Council in focusing on the issues to better identify solutions.**
- **Examine current housing supply and demand.**
- **Identify broader market forces that make residential housing expensive to assist the Council in providing an adequate supply of affordable housing for all income levels.**
- **Look at legal implications of local government-subsidized housing.**
- **Apply housing continuum terminology and guidelines to salaries to determine how many people can qualify for various categories.**
- **Look at legal implications of local governments mandating developers offered discounted rental rates to those living and working in Scottsdale.**
- **Research how the eviction process is impacting affordable housing.**
- **Explore building co-op apartments with government funding.**
- **Ensure sufficient infrastructure is in place for new housing.**
- **Work with regional partners to identify and provide solutions for affordable housing.**

2. [Old Town Character Infrastructure and Naming Discussion](#)

Request: Review and discuss:

1. The water, wastewater, and transportation infrastructure, sustainability, tourism, and economic development aspects of Old Town Scottsdale.
2. The naming of Downtown or Old Town as a means to provide consistency with the Tourism marketing/branding efforts for this area of the community.

Presenter(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director

Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov, Brian Biesemeyer, Water Resources Executive Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov, and Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov

– Planning, Economic Development, and Tourism Executive Director Randy Grant and Tourism and Events Director Karen Churchard gave PowerPoint presentations on the Old Town Character infrastructure and naming possibilities.

– Councilmembers made the following suggestions:

- Provide further information on questions related to benefits and costs of development, infrastructure needs in the Downtown area, and identification of the improvements paid for by developers.**
- Analyze impact fees to determine if the City is being reimbursed sufficiently, implement consistent structure for the fees, and be flexible in adjusting the fee schedule.**
- Continue to use the Downtown 2.0 plan as a guiding document.**
- Preserve the existing charm of Old Town, promote tourism, and protect merchants and galleries.**

There was Council consensus to retain the name “Old Town”.

Adjournment – 7:43 P.M.

– Vice Mayor Janik made a motion to adjourn. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Janik; and Councilmembers Caputi, Durham, Littlefield, Milhaven, and Whitehead voting in the affirmative.