

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, February 8, 2022

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 (February 22, 2022).

In-person or telephonic comment is being accepted on Items 1 through 18. 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

Call to Order – 5:00 P.M.

Roll Call – All present

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).

Pledge of Allegiance – Councilwoman Littlefield

Mayor's Report – Mayor Ortega announced that Monday, February 7, 2022 was the first day of the Phoenix Open. There will be great golf, live entertainment, and activities all week and the Mayor encouraged those interested to visit before the final day, which is Sunday, February 13, 2022. The focus is on Scottsdale and the Phoenix Open, and right afterwards, Super Bowl Sunday.

– Mayor Ortega invited everyone to the Scottsdale Arabian Horse Show at WestWorld which takes place from Thursday, February 17, 2022 through Sunday, February 27, 2022. It will have equestrian competitions and events known worldwide. Visitors can take a behind the scenes tour or attend demonstrations. The Scottsdale Police horse patrol is also in the vicinity and available for a meet and greet on Sunday, February 20, 2022.

– Mayor Ortega asked for a moment of silence to observe the passing of Scott Harkness, also known as Scotty, who was a wonderful long-time volunteer and former employee. He will be remembered by all who knew him as a kind-hearted, hard-working person who was always ready to help. He was a wonderful individual and will be missed greatly.

Public Comment – None

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."**

CONSENT AGENDA ITEMS 1-17

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.

– Councilmember Durham made a motion to approve Consent Agenda Items 1 through 17. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, Milhaven, and Whitehead voting in the affirmative.

1. **[Sante Liquor License \(105-LL-2021\)](#) – 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: 15507 N. Scottsdale Road, Suite 100

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

2. **[AJ's Fine Foods #90 Liquor License \(106-LL-2021 and 107-LL-2021\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) State liquor license and a Series 9 (liquor store) State liquor license for an existing location with a new owner.
Location: 31311 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
3. **[AJ's Fine Foods #75 Liquor License \(108-LL-2021\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9 (liquor store) State liquor license for an existing location with a new owner.
Location: 23251 N. Pima Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
4. **[AJ's Fine Foods #63 Liquor License \(109-LL-2021 and 114-LL-2021\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) State liquor license and a Series 9 (liquor store) State liquor license for an existing location with a new owner.
Location: 7141 E. Lincoln Drive
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
5. **[AJ's Fine Foods #118 Liquor License \(110-LL-2021\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9 (liquor store) State liquor license for an existing location with a new owner.
Location: 15031 N. Thompson Peak Parkway
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
6. **[Bashas' #7 Liquor License \(111-LL-2021\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9 (liquor store) State liquor license for an existing location with a new owner.
Location: 8035 E. Indian School Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
7. **[Bashas' #99 Liquor License \(112-LL-2021\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9 (liquor store) State liquor license for an existing location with a new owner.
Location: 10111 E. Bell Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
8. **[Bashas' #16 Liquor License \(113-LL-2021\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9 (liquor store) State liquor license for an existing location with a new owner.
Location: 8423 E. McDonald Drive
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
9. **[Dad's Modern Cocktails & Eatery Liquor License \(115-LL-2021\)](#) – **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: 7337 E. Shea Boulevard, Suite 105
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**

10. **[AJ's Fine Foods #173 Liquor License \(4-LL-2022\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9 (liquor store) State liquor license for an existing location with a new owner.
Location: 18271 N. Pima Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
11. **[Sereno Canyon Phase 4H Final Plat \(16-PP-2017#21\)](#) – **Approved on Consent.**
Request: Approve the final plat to replat Sereno Canyon Plat Phase 4H on ±6.65 acres of a 350-acre site, as per Phase 4 of the Sereno Canyon Community Phasing Plan and Final Plat to establish 42 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 N. 128th Street and E. Sereno Canyon Parkway)
Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov**
12. **[Legacy at DC Ranch Final Plat \(3-PP-2021\)](#) – **Approved on Consent.**
Request: Approve the final plat for a new residential subdivision comprised of 9 lots and associated tracts on a ±3.13-acre site with Single-Family Residential, Planned Community District (R1-7/PCD) zoning.
Location: Southeast corner of N. 92nd Street and Union Hills Drive
Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov**
13. **[Storm Water Engineering Services Contracts](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12380** authorizing the following one-year contract extensions in an amount not to exceed \$1,000,000 per contract for studies, design, construction documents, and construction administration for on-call storm water projects:
 1. Contract No. 2018-016-COS-A3 with J2 Engineering and Environmental Design, LLC
 2. Contract No. 2018-017-COS-A3 with Michael Baker Intl., Inc.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov**
14. **[Recyclable Materials Intergovernmental Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12370** authorizing Agreement No. 2022-013-COS with the Salt River Pima-Maricopa Indian Community and its division, Salt River Commercial Landfill Company, for the handling and processing of recyclable materials.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov**
15. **[Drinkwater Underpass Public Art Budget Transfer](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12382** authorizing a Fiscal Year 2021/22 Community & Economic Development, Planning & Development Department Special Programs Fund Operating Budget transfer in the amount of \$1,226,031 to the Drinkwater Underpass Public Art (DG03) capital project to be funded by the Downtown Cultural Trust funding source.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov**
16. **[Stetson Plaza Splash Pad Enhancement Budget Transfer](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 12390** authorizing a Fiscal Year 2021/22 Community & Economic Development, Planning & Development Department Special Programs Fund Operating Budget transfer in the amount of \$50,000 to the Stetson Plaza Splash Pad Enhancement (PH04) capital project to be funded by the Downtown Cultural Trust funding source.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov**

17. **Payment Acceptance for Habitat Improvements in the Preserve – Approved on Consent.**

Request: Adopt **Resolution No. 12395** to authorize:

1. Acceptance of a \$500,000 payment from Arizona Public Service (APS) and committing the funds for evaluation, design, invasive plant removal, restoration, and habitat improvements, including interpretive and educational display signage in areas of the Preserve, north of Dynamite Boulevard, in the general vicinity of the existing APS powerline corridors.
2. A Fiscal Year 2021/22 budget transfer in the amount of \$500,000 from the Special Programs Fund Appropriation Contingency to a newly created special programs center in the Community Services Division, Preserve Management Department to record related expenses.
3. The expenditure of the \$500,000 payment.

Staff Contact(s): William B. Murphy, Assistant City Manager, 480-312-7954, bmurphy@scottsdaleaz.gov

REGULAR AGENDA **ITEM 18**

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

18. **Greenbelt 88 Rezoning (15-ZN-2020)**

Requests:

1. Adopt **Ordinance No. 4522** approving a zoning district map amendment from Planned Neighborhood Center Planned Community District (PNC PCD) to Planned Unit Development (PUD), including a development plan with amended development standards for building setbacks for a mixed-use center with 238 multi-family dwelling units and approximately 29,000 square feet of commercial floor area on a ±7-acre site.
2. Adopt **Resolution No. 12281** declaring the document titled “*Greenbelt 88 Development Plan*” to be a public record.
3. Adopt **Resolution No. 12284** authorizing Development, Conditional Zoning & Reversion Agreement No. 2021-154-COS with Village Property Management, LLC.

Location: 3308 – 3370, 3388 N. Hayden Road

Presenter(s): Bryan Cluff, Principal Planner

Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov

– Principal Planner Bryan Cluff and Applicant Representative Jason Morris, with Withey Morris, PLC, gave PowerPoint presentations.

– Councilwoman Janik made a motion to:

1. **Adopt Ordinance No. 4522 approving a zoning district map amendment from Planned Neighborhood Center Planned Community District (PNC-PCD) to Planned Unit Development (PUD), including a development plan with amended development standards for building setbacks for a mixed-use center with approximately 29,000 square feet of commercial floor area on a ±7-acre site.**
2. **Adopt Resolution No. 12281 declaring the document titled “Greenbelt 88 Development Plan” to be a public record.**
3. **Adopt Resolution No. 12284 authorizing Development, Conditional Zoning & Reversion Agreement No. 2021-154-COS with Village Property Management, LLC.**

Subject to the following stipulations and amendments:

- A. **The maximum number of residential units shall not exceed 228.**
- B. **The fourth floor shall be reduced by an additional 30% from what is currently shown in the Development Plan with an emphasis for that reduction being along the frontage along Hayden and Osborn Roads.**
- C. **The flex space not be exclusively available to residents. (This was an accepted friendly amendment by Councilwoman Whitehead).**

With these amendments being made as required in the zoning case stipulations, development plan and development agreement.

Councilmember Milhaven seconded the motion, which carried 5/2, with Vice Mayor Caputi and Councilmembers Durham, Janik, Milhaven, and Whitehead voting in the affirmative and Mayor Ortega and Councilwoman Littlefield dissenting.

Public Comment – None

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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."**

CITIZEN PETITIONS

ITEM 19

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.

19. 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

ITEM 20

– Councilwoman Whitehead made a motion that the Council put on a future agenda, within four weeks, a Council discussion and possible action to appoint a citizen's committee to consider the continuation of the .2% Preserve tax that will be expanded to include perpetual maintenance funds for the McDowell Sonoran Preserve, the Indian Bend Wash Greenbelt, parks, and possible other city needs. Councilwoman Littlefield seconded the motion, which carried 6/1, with Mayor Ortega; Vice Mayor Caputi; and Councilmembers Durham, Janik, Littlefield, and Whitehead voting in the affirmative and Councilmember Milhaven dissenting.

20. Boards, Commissions, and Task Force Nominations (Note: Appointments scheduled for March 1, 2022)

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.

- Building Advisory Board of Appeals (two vacancies) – **Vice Mayor Caputi nominated Quentin Augspurger and Greg Barker.**

- Citizens' Bond Oversight Committee (two vacancies) – **Councilwoman Whitehead nominated Harry Clapeck and Mary Jane McCart and Councilmember Milhaven nominated Michael Hinz.**
- Environmental Advisory Commission (one vacancy) – **Councilmember Milhaven nominated Walter Cuculic, Councilwoman Littlefield nominated Ginia Wickersham, and Councilmember Durham nominated Sotiria Anagnostou.**
- Historic Preservation Commission (one vacancy) – **Mayor Ortega nominated Brin Sherrin and Councilwoman Janik nominated Gerald Conover.**
- Loss Trust Fund Board (one vacancy) – **Councilwoman Littlefield nominated Jacob Seltzer.**
- Parks and Recreation Commission (one vacancy) – **Councilwoman Janik nominated Judy Weiss and Vice Mayor Caputi nominated Kristen Parrish.**
- Transportation Commission (one vacancy) – **There were no applications received.**
- Veterans Advisory Commission (one vacancy) – **Councilwoman Janik nominated Andrew Edwards.**

Note: The only Council action to be taken on Item No. 20 is to select nominees for appointment consideration at a future Council meeting.

Adjournment – 7:59 P.M.

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