

SCOTTSDALE

CITY COUNCIL MEETING



***** AMENDED *** MEETING NOTICE AND AGENDA**

[REWORDED CONSENT ITEM No. 3; MOVED CONSENT ITEM No. 3 TO REGULAR ITEM No. 28A

COUNCIL

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

Kathleen S. Littlefield
Linda Milhaven
Solange Whitehead

Tuesday, August 24, 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 (August 26, 2021).

In-person or telephonic comment is being accepted on items on the Consent and Regular Agenda (Items 1 through 32). 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.

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

Roll Call

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

Mayor's Report

Public Comment

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 [Regular Meeting Minutes of June 22, 2021](#); [Work Study Session Minutes of June 22, 2021](#); [Special Meeting Minutes of July 1, 2021](#); Executive Session Minutes of July 1, 2021; [Regular Meeting Minutes of July 1, 2021](#); [Special Meeting Minutes of July 2, 2021](#); Executive Session Minutes of July 2, 2021; and [Regular Meeting Minutes of July 2, 2021](#).

CONSENT AGENDA ITEMS 1-28

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.

1. [7501 Camelback Liquor License \(36-LL-2021\)](#)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 6 (bar) State liquor license for a new location and owner.

Location: 7501 E. Camelback Road

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

2. [Gecko Grill Liquor License \(37-LL-2021\)](#)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 6 (bar) State liquor license for an existing location with a new owner.

Location: 7707 E. McDowell Road

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

CONSENT AGENDA

3. **Old Town Scottsdale Liquor License (38-LL-2021)**
(Moved to Regular Item No. 28A)
4. **[Slice Eat Liquor License \(42-LL-2021\)](#)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 (beer and wine store) State liquor license for an existing location with a new owner.
Location: 7111 E. Thomas Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
5. **[Koibito Poke Liquor License \(43-LL-2021\)](#)**
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: 8877 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
6. **[Cha Da Thai Liquor License \(44-LL-2021\)](#)**
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: 2765 N. Scottsdale Road, Suite 107
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
7. **[Kitchen 18 Liquor License \(45-LL-2021\)](#)**
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: 10211 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
8. **[Famiglia Liquor Licenses \(51-LL-2021 and 52-LL-2021\)](#)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) and Series 12 (restaurant) State liquor licenses for an existing location with a new owner.
Location: 17025 N. Scottsdale Road, Suite 140
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
9. **[Permanent Extension of Premise for Living Room Wine Cafe & Lounge \(7-EX-2021\)](#)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor License and Control for a permanent extension of premises for a Series 12 (restaurant) State liquor license to add liquor storage.
Location: 20751 N. Pima Road, Suite 120
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
10. **[Permanent Extension of Premise for Caliente Mexican Grill, LLC \(11-EX-2021\)](#)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor License and Control for a permanent extension of premises for a Series 12 (restaurant) State liquor license to add a new patio.
Location: 15600 N. Hayden Road, Suite 100
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

CONSENT AGENDA

11. [Christian Brothers Automotive Conditional Use Permit \(1-UP-2021\)](#)
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 12229** approving a Conditional Use Permit to allow for vehicle repair on a ±1.05-acre site with Central Business (C-2) zoning.
Location: 8700 E. Thomas Road
Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov
12. [Heliport for Ty Jenkins Conditional Use Permit \(4-UP-2021\)](#)
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 12231** approving a Conditional Use Permit for a new heliport on a ±1.2-acre site with Industrial Park (I-1) zoning.
Location: 15827 N. 80th Street
Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov
13. [Heliport for PEM Real Estate Group Conditional Use Permit \(5-UP-2021\)](#)
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 12230** approving a Conditional Use Permit for a new heliport on a ±1.2-acre site with Industrial Park (I-1) zoning.
Location: 15827 N. 80th Street
Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov
14. [Boulder Ranch Lot 37 Replat \(10-PP-2017#2\)](#)
Request: Approve the replat for Lot 37 and Tract Q in the Boulder Ranch subdivision with Single-Family District Environmentally Sensitive Lands (R1-43 ESL) zoning.
Location: 26903 N. Boulder Lane
Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov
15. [McLaren Scottsdale Rezoning \(2-ZN-2021\)](#)
Request: Adopt **Ordinance No. 4513** approving a zoning district map amendment from Industrial Park (I-1) and Industrial Park Conditional (I-1 (C)) to General Commercial (C-4) zoning on a ±3.4-acre site.
Location: 7881 E. Gray Road
Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov
16. [Fire Station 612 Architectural Services Contract and Municipal Use Master Site Plan](#)
Request: Adopt **Resolution No. 12225** to authorize:
 1. Architectural Services Contract No. 2021-121-COS with Arrington Watkins Architects in the amount of \$690,630 to provide design services for Bond 2019, Project 28 – Build a New Fire Station near Hayden Road and the Loop 101 to Improve Response Times.
 2. City staff to initiate a Municipal Use Master Site Plan for Fire Station 612.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

CONSENT AGENDA

17. [Scottsdale County Island Fire District Intergovernmental Agreement](#)
Request: Adopt **Resolution No. 12245** authorizing Intergovernmental Agreement No. 2021-133-COS with the Scottsdale County Island Fire District for the provision of fire protection services to the Scottsdale County Island Fire District.
Staff Contact(s): Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

18. [Fire Department Mutual Aid Agreement](#)
Request: Adopt **Resolution No. 12159** authorizing Agreement No. 2021-056-COS with Rural/Metro Fire Department, Inc., for mutual aid fire services.
Staff Contact(s): Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

19. [Flood Control Space/Water Control Plan Cost Sharing Agreement](#)
Request: Adopt **Resolution No. 12233** to authorize:
 1. Cost Sharing Agreement No. 2021-127-COS with Salt River Valley Water Users' Association, Salt River Project Agricultural Improvement and Power District, and other participating entities to obtain approval for the operation of the Flood Control Space in Modified Roosevelt Dam under a Temporary Deviation to the Water Control Plan.
 2. The Water Resources Executive Director, or designee, to execute any other documents and take such other actions as may be necessary to carry out the intent of this Resolution.**Staff Contact(s):** Brian Biesemeyer, Water Resources Executive Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov

20. [Pac-12 Venue Agreement](#)
Request: Adopt **Resolution No. 12247** to authorize:
 1. Venue Agreement No. 2021-134-COS with Pac-12 Conference for the use of Scottsdale Stadium and Indian School Park Baseball Facility for the Pac-12 men's baseball tournaments in 2022, 2023, and 2024.
 2. Funding in an amount not to exceed \$75,000 per year from the portion of the Tourism Development Fund that is allocated toward event retention and development for promoting the City through the tournaments contingent on Pac-12 providing marketing and tourism deliverables.
 3. A Fiscal Year 2021/22 Tourism Development Fund Operating Contingency Transfer in the amount of \$75,000 to the Tourism and Events Department Operating Budget for the first year of the Pac-12 baseball tournament's three-year event funding commitment.**Staff Contact(s):** William B. Murphy, Assistant City Manager, 480-312-7954, bmurphy@scottsdaleaz.gov

21. [Pre-Employment Medical Services Contract](#)
Request: Adopt **Resolution No. 12248** authorizing Professional Services Contract No. 2021-135-COS with Banner Occupational Health – Arizona, LLC, for independent pre-employment medical services.
Staff Contact(s): Donna Brown, Human Resources Director, 480-312-2615, dbrown@scottsdaleaz.gov

CONSENT AGENDA

22. [Trolley Preventative Maintenance Grant](#)

Request: Adopt **Resolution No. 12145** to authorize:

1. Grant Pass-Thru Agreement No. 2021-003-COS with the City of Phoenix for the acceptance of a Federal Transit Administration grant in the amount of \$277,394 for trolley preventative maintenance.
2. A budget transfer in the amount of \$277,394 from the adopted Fiscal Year 2021/22 Transportation and Streets Department's Transportation Fund to a newly created cost center to record the related grant activity.

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

23. [Healthy Forest Initiative Grant](#)

Request: Adopt **Resolution No. 12241** to authorize if awarded:

1. The acceptance in Fiscal Year (FY) 2021/22 the spending of the Healthy Forest Initiative Grant funds in the amount of \$350,000 over three, 12-month periods beginning in FY 2021/22.
2. A budget transfer in the amount of \$120,000 from the adopted Fiscal Year 2021/22 Future Grants Budget and/or Grant Contingency to a newly created cost center within the Fire Department's Operating Budget to record the related Healthy Forest Initiative Grant activity.
3. The 30% grant match requirement will be in-kind through hours of various staff members associated with the projects for the grant.
4. The Fire Chief, 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.

Staff Contact(s): Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

24. [DNA Capacity Enhancement and Backlog Reduction Program Formula Grant](#)

Request: Adopt **Resolution No. 12224** to authorize:

1. Contract No. 2021-120-COS with the United States Department of Justice, Office of Justice Programs accepting a DNA Capacity Enhancement and Backlog Reduction Program formula grant in the amount of \$250,025.
2. The Chief of Police, or designee, to execute Contract No. 2021-120-COS.
3. A budget transfer in the amount of \$250,025 from the adopted Fiscal Year 2021/22 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.

Staff Contact(s): Jeff Walther, Chief of Police, 480-312-1900, jwalther@scottsdaleaz.gov

25. [Airport Coronavirus Response Grant](#)

Request: Adopt **Resolution No. 12222** to authorize:

1. The Aviation Director to accept COVID-19 related federal grant funding from the Federal Aviation Administration under the Coronavirus Response and Relief Supplemental Appropriations Act in the amount of \$57,000.
2. The Aviation Director to accept COVID-19 related federal grant funding from the Federal Aviation Administration under the American Rescue Plan Act of 2021 in the amount of \$148,000.
3. A Contingency Budget Transfer in the amount of \$205,000 from the Fiscal Year 2021/22 Aviation Operating Reserve Budget to newly created cost centers to record related grant activity.
4. The City Manager and City Treasurer, or their respective designees, to carry out such actions and execute such documents as necessary to carry out the intent of this Resolution.

Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov

CONSENT AGENDA

26. [City Auditor's Fiscal Year \(FY\) 2021/22 Audit Plan](#)
Request: Approve the City Auditor's FY 2021/22 Audit Plan, as recommended by the Council's Audit Committee at its June 21, 2021 meeting.
Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov
27. [Audit Committee Recommendation for the Library Board Review](#)
Request: Adopt **Resolution No. 12221** accepting the Audit Committee's recommendation and authorizing the continuation of the Library Board.
Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov
28. [Monthly Financial Report](#)
Request: Accept the Fiscal Year 2020/21 Monthly Financial Report as of May 2021.
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

REGULAR AGENDA **ITEMS 28A-32**

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

- ***28A. [Old Town Scottsdale Liquor License \(38-LL-2021\)](#)
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 owner at a new location.
Location: 4439 N. Saddlebag Trail
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
29. [District at 9400 Shea Non-Major General Plan Amendment and Rezoning \(6-GP-2019 and 16-ZN-2019\)](#)
Requests:
1. Adopt **Resolution No. 12210** approving a Non-Major General Plan Amendment to the Scottsdale General Plan 2001 Conceptual Land Use Map from Commercial to Mixed-Use Neighborhoods on a ±11-acre site.
 2. Adopt **Ordinance No. 4511** approving a zoning district map amendment from Commercial Office Planned Community District (C-O PCD) and Highway Commercial Planned Community District (C-3 PCD) to Planned Unit Development Planned Community District (PUD PCD) zoning, including approval of a development plan with amended development standards on a ±11-acre site, to allow for a maximum of 219 new residential units.
 3. Adopt **Resolution No. 12211** declaring the document titled "9400 East Shea Boulevard Development Plan" to be a public record.
- Location:** South side of E. Shea Boulevard, east of N. 92nd Street
Presenter(s): Doris McClay, Senior Planner
Staff Contact(s): Randy Grant, Planning, Economic Development, and Tourism Executive Director, 480-312-2664, rgrant@scottsdaleaz.gov
30. [Old Town Bicycle Master Plan](#)
Request: Presentation, discussion, and possible direction to staff regarding the findings and recommendations of the Old Town Bicycle Master Plan.
Presenter(s): Mark Melnychenko, Transportation and Streets Director
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

REGULAR AGENDA

31. [Old Town Scottsdale Policy, Regulatory, and Guideline Update](#)

Request to initiate the following:

1. A Non-Major General Plan Amendment to the 2018 Old Town Scottsdale Character Area Plan.
2. A text amendment to the City of Scottsdale Zoning Ordinance (No. 455), to the Downtown (D), Downtown Overlay (DO), and Planned Block Development (PBD) zoning districts and other affected sections, as applicable.
3. An amendment to the Downtown Infill Incentive District.
4. Staff direction to update the Old Town Scottsdale Urban Design & Agricultural Guidelines as necessary by any corresponding amendments to the Old Town Scottsdale Character Area Plan, associated portions of the city's Zoning Ordinance, or the Downtown Infill Incentive District.

Presenter(s): Adam Yaron, Principal Planner and Brad Carr, Planning and Development Area Manager

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

32. [Public Hearing on Proposed Water and Wastewater Development Fees](#)

Request: Conduct a public hearing on proposed changes to water and wastewater development fees to be effective January 1, 2022.

Presenter(s): Brian Biesemeyer, Water Resources Executive Director

Staff Contact(s): Brian Biesemeyer, Water Resources Executive Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov

Public Comment

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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."**

Agenda continues on the following page

CITIZEN PETITIONS

ITEM 33

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.

33. Receipt of Citizen Petitions

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): Ben Lane, City Clerk, 480-312-2411, blane@scottsdaleaz.gov

Mayor and Council Items

Adjournment