

SCOTTSDALE

CITY COUNCIL MEETING



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

[MOVED CONSENT ITEM No. 4 TO MARCH 6, 2018]

COUNCIL

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Kathleen S. Littlefield

Linda Milhaven

Guy Phillips

David N. Smith

Tuesday, February 20, 2018

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 (March 6, 2018).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:18 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 – Councilwoman Littlefield

Invocation – Mayor Lane requested a moment of silence for the Parkland, Florida, Marjory Stoneman Douglas High School shooting victims and their families.

Mayor's Report – None

Presentations/Information Updates – Charros Executive Director Dennis Robbins and Todd Peterson presentation

- **Charros Annual Update**
Presenter(s): Dennis Robbins, Executive Director

Public Comment – Stanley Bronstein presented a video expressing concern about locating the Desert Discovery Center (Desert Edge) near Taliesin West. Sargent Van Berry commented on issues associated with bike sharing programs.

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

CONSENT AGENDA ITEMS 1-15

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.

– Vice Mayor Korte made a motion to approve Consent Agenda Items 1 through 15, absent Items 5 and 11, which were moved to the Regular Agenda, and continuing Item 3 to March 6, 2018, as requested by the applicant. Councilwoman Littlefield seconded the motion, which carried 7/0.

1. **Three Wise Men Liquor License (5-LL-2018) – 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: 7323 E. Shoeman Lane

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

2. **Waterview at Scottsdale Abandonment Correction (Related to 8-AB-2007) – Approved on Consent.**

Request: Adopt **Resolution No. 11022** amending prior Resolution No. 7671 to correct an error in the legal description for the East Alley Tract for property located near E. Camelback Road and N. 73rd Street.

Location: 4702 N. 73rd Street

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

3. **Optima Sonoran Village Abandonment (3-AB-2010#2) – Continued to March 6, 2018 at the request of applicant.**

Request: Adopt **Resolution No. 11024** authorizing the abandonment of the ten-foot right-of-way easement located along the south property line of a property with Downtown Regional Commercial Office – Type 2, Planned Block Development Overlay, Downtown Overlay (D/RCO-2 PBD DO) zoning.

Location: 6801 E. Camelback Road

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

***4. **Storyrock Abandonment and Development Agreement (4-AB-2017)**

(Moved to March 6, 2018.)

5. **Lounge Grocery Café Rezoning (19-ZN-2017)**

Request: Adopt **Ordinance No. 4332** approving a zoning district map amendment from Multiple-Family Residential, Downtown Overlay (R-5 DO) to Downtown/Downtown Multiple Use – Type 2 Downtown Overlay (D/DMU-2 DO) zoning on a .557±-acre site.

Location: 3703 N. 69th Street

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

– Presentations by Planner Ben Moriarity and Applicant Carol Garey.

– Vice Mayor Korte made a motion to adopt Ordinance No 4332. Councilwoman Littlefield seconded the motion, which carried 7/0.

6. **Fiscal Year 2017/18 Capital Improvement Plan Mid-Year Budget Adjustments – Approved on Consent.**
Request: Adopt **Resolution No. 11032** authorizing FY 2017/18 capital improvement plan mid-year budget adjustments.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
7. **On-Call Transportation Engineering Services Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 11008** authorizing the following one-year contract extensions in an amount not to exceed \$750,000 per contract for on-call transportation engineering services:
 1. Contract No. 2015-039-COS-A2 with Dibble & Associates Consulting Engineers, Inc., dba Dibble Engineering
 2. Contract No. 2015-040-COS-A2 with Gavan & Barker, Inc.
 3. Contract No. 2015-041-COS-A2 with Premier Engineering Corporation**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
8. **Airport Lease Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11011** authorizing Agreement No. 2016-028-COS-A1, the first amendment to the lease agreement with Gemini Air Group, Inc., for the lease of two corporate jet hangars at Scottsdale Airport.
Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov
9. **Aviation Business Center Lease Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11012** authorizing Agreement No. 2018-020-COS with Scottsdale West Holdings, LLC, for the lease of office space in the Aviation Business Center.
Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov
10. **Aviation Business Center Lease and Termination Agreements – Approved on Consent.**
Request: Adopt **Resolution No. 11006** to authorize:
 1. Lease Agreement No. 2018-015-COS with Volanti Restaurant and Lounge, LLC, for the lease of restaurant and office space in the Aviation Business Center.
 2. Termination of Lease Agreement Nos. 2016-030-COS-E1 and 2016-031-COS-E1 with MAZA Concepts, LLC, dba The Brick, which was never legally formed or recognized as a separate legal entity.**Staff Contact(s):** Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov
11. **Scottsdale Arts District Marketing Agreement**
Request: Adopt **Resolution No. 11033** authorizing Agreement No. 2018-028-COS with Scottsdale Gallery Association, in an amount not to exceed \$30,000, to produce and distribute the 2018 Scottsdale Arts District Guide.
Staff Contact(s): Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov
– Tourism and Events Director Karen Churchard presentation.
– Councilman Smith made a motion to adopt Resolution No. 11033, excluding the second and third paragraphs of Section 4, in Contract No. 2018-028-COS. Councilwoman Littlefield seconded the motion, which carried 4/3, with Mayor Lane, Vice Mayor Korte, and Councilwoman Milhaven dissenting.
– Vice Mayor Korte made an alternate motion to adopt Resolution No. 11033 as stated. Councilwoman Milhaven seconded the motion, which failed 2/5, with Mayor Lane and Councilmembers Klapp, Littlefield, Phillips, and Smith dissenting.
12. **Audit Committee Recommendation for the Development Review Board Sunset Review – Approved on Consent.**
Request: Adopt **Resolution No. 11025** accepting the Audit Committee’s recommendation and authorizing the continuation of the Development Review Board.
Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

13. [Audit Committee Recommendation for the Planning Commission Sunset Review – Approved on Consent.](#)
Request: Adopt **Resolution No. 11026** accepting the Audit Committee's recommendation and authorizing the continuation of the Planning Commission.
Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov
14. [Actuarial Professional Services Contract – Approved on Consent.](#)
Request: Adopt **Resolution No. 11035** authorizing Contract No. 2018-030-COS with The Howard E. Nyhart Company, Inc., in the amount of \$18,000, for financial statement actuarial services.
Staff Contact(s): Jeff Nichols, City Treasurer, 480-312-2364, jenichols@scottsdaleaz.gov
15. [Monthly Financial Report – Approved on Consent.](#)
Request: Accept the FY 2017/18 Monthly Financial Report as of December 2017.
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

REGULAR AGENDA ITEMS 16-19

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.**

16. [Associate City Judge Reappointment](#)
Request: Discuss, consider, and act on the potential reappointment of Statia Hendrix, Associate Judge, to a term of four years, as set forth in the City Code, to begin on March 9, 2018.
Presenter(s): Donna Brown, Human Resources Director
Staff Contact(s): Donna Brown, Human Resources Director, 480-312-2615, dbrown@scottsdaleaz.gov
– **Human Resources Director Donna Brown and Judicial Appointments Advisory Board Chair Bradley Astrowsky presentations.**
– **Councilwoman Milhaven made a motion to reappoint Statia Hendrix, Associate City Judge, to the term of four years, as set forth in the City ordinance, to begin March 9, 2018. Vice Mayor Korte seconded the motion, which carried 7/0.**
17. [Presiding Judge Reappointment](#)
Requests:
 1. Discuss, consider, and act on the potential reappointment, including terms of employment, of Joseph Olcavage, Presiding Judge, to a term of four years, as set forth in the City Code, to begin on March 9, 2018.
 2. If Judge Olcavage is reappointed, adopt **Resolution No. 11037** authorizing Employment Agreement No. 2018-032-COS with Joseph L. Olcavage.**Presenter(s):** Donna Brown, Human Resources Director
Staff Contact(s): Donna Brown, Human Resources Director, 480-312-2615, dbrown@scottsdaleaz.gov
– **Human Resources Director Donna Brown and Judicial Appointments Advisory Board Chair Bradley Astrowsky presentations.**
– **Vice Mayor Korte made a motion that Resolution No. 11037 be adopted reappointing Judge Olcavage as City Judge to another four-year term, beginning March 9, 2018, at an annual base salary of \$190,000 and that Contract No. 2018-032-COS setting forth the terms of his employment be approved with the inclusion of this annual base salary. Councilwoman Klapp seconded the motion, which carried 7/0.**

18. [Monthly Financial Update](#)

Request: Receive, discuss, and provide possible direction on the City Treasurer's monthly financial presentation as of January 2018.

Presenter(s): Jeff Nichols, City Treasurer

Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

– City Treasurer Jeff Nichols presentation.

19. [Council Capital Improvement Plan Subcommittee Recommendations](#)

Request: Presentation, discussion, and possible direction to staff regarding the Capital Improvement Plan Subcommittee recommendations to Council.

Presenter(s): Jeff Nichols, City Treasurer; Dave Lipinski, City Engineer

Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

– City Treasurer Jeff Nichols presentation.

– Councilmembers expressed support for potential funding options including General Obligation bonds, sales taxes, and stormwater fees. Some Councilmembers requested additional information related to quantification of projects and matching funds. Mayor Lane clarified the items will be brought back for discussion at a Work Study scheduled for March 27, 2018.

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.

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CITIZEN PETITIONS

ITEM 20

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.

20. **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

Mayor and Council Items – None

Adjournment – 7:52 P.M.