

SCOTTSDALE

CITY COUNCIL MEETING



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

[Reworded Item No. 13]

COUNCIL

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Kathleen S. Littlefield

Linda Milhaven

Guy Phillips

David N. Smith

Monday, July 2, 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 (July 3, August 28, or August 29, 2018).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:03 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 – Vice Mayor Phillips

Invocation – Mayor Lane asked for a moment of silence in consideration of the victims who were subject to a terrifying stabbing rampage in Boise, Idaho.

Mayor's Report – Mayor Lane congratulated City Auditor Sharron Walker and her staff for the Office receiving the Peer Review highest rating award for full compliance with government auditing standards for the three years reviewed, January 2015 through December 2017.

Presentations/Information Updates – None

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.



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

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 [Work Study Session Minutes of June 5, 2018](#); [Regular Meeting Minutes of June 12, 2018](#); and [Special Meeting Minutes of June 12, 2018](#).

– Vice Mayor Phillips made a motion to approve the Work Study Session Minutes of June 5, 2018; Regular Meeting Minutes of June 12, 2018; and Special Meeting Minutes of June 12, 2018. Councilwoman Klapp seconded the motion, which carried 7/0.

CONSENT AGENDA ITEMS 1-25

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.

– Councilwoman Littlefield made a motion to approve Consent Agenda Items 1 through 25, absent Items 13 and 14, which were moved to the regular agenda. Councilmember Korte seconded the motion, which carried 7/0.

- [Pima Dynamite Trailhead Municipal Use Master Site Plan \(2-UP-2018\)](#) – Approved on Consent.**
Request: Find that the municipal use master site plan criteria have been met and adopt **Resolution No. 11182** approving a Municipal Use Master Site Plan for the purpose of constructing an access trailhead area for the McDowell Sonoran Preserve on 6.3±-acres of a 273±-acre, City-owned site located at the northeast corner of N. Pima Road and E. Dynamite Boulevard, with Single-Family Residential District, Environmentally Sensitive Lands (R1-35/ESL and R1-70/ESL) zoning.
Location: 28175 N. Pima Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
- [Hafiz Abandonment \(3-AB-2018\)](#) – Approved on Consent.**
Request: Adopt **Resolution No. 11156** authorizing the abandonment of the 25-foot-wide right-of-way along the E. Cochise Road alignment for a property with Single-Family Residential District, Environmentally Sensitive Lands Overlay (R1-43 ESL) zoning.
Location: 13191 E. Cochise Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
- [APS Raintree Substation Abandonment \(6-AB-2018\)](#) – Approved on Consent.**
Request: Adopt **Resolution No. 11165** authorizing the abandonment of the 33-foot-wide General Land Office Patent Easements along the north, south, and east boundaries of Parcel No. 217-15-030B, excluding the area overlapped by the N. 90th Street right-of-way dedication, for an existing Arizona Public Service substation property with Industrial Park (I-1) zoning.
Location: 14724 N. 90th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

4. **Main Street Scottsdale Final Plat (6-PP-2017) – Approved on Consent.**

Request: Approve the final plat for a new 10-lot residential subdivision on a 2.6±-acre site with Downtown, Downtown Multiple Use – Type 2, Downtown Overlay (D/DMU-2 DO) zoning.

Location: Southeast corner of 69th Street and E. Main Street; and east of the northeast corner of N. 69th Street and E. 1st Street

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

5. **Canopy by Hilton-Oldtown Rezoning, Infill Incentive District, and Development Agreement (21-ZN-2017, 2-II-2017, and 5-DA-2018) – Approved on Consent.**

Requests:

1. Adopt **Ordinance No. 4350** approving a zoning district map amendment from Downtown/Office Commercial, Type 2, Downtown Overlay (D/OC-2 DO) zoning to Downtown/Downtown Multiple Use, Type 2, Planned Block Development, Downtown Overlay (D/DMU-2 PBD DO) zoning, with an Infill Incentive District and Development Plan, and approval of a Parking Master Plan for a parking reduction of 27 percent on a 1.229±-acre site located at 7142 E. 1st Street.
2. Adopt **Resolution No. 11184** declaring the document titled “*Canopy by Hilton Development Plan*” to be a public record.
3. Adopt **Resolution No. 11168** authorizing Development Agreement No. 2018-080-COS with ARC Scottsdale Holdings, LLLP.

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

6. **Planned Airpark Core Development District Text Amendment (2-TA-2018) – Approved on Consent.**

Requests:

1. Adopt **Ordinance No. 4356** approving a text amendment to the City of Scottsdale Zoning Ordinance No. 455, Section 5.4000. (Planned Airpark Core Development), and other applicable sections the Zoning Ordinance, to update specific names, purposes, criteria, property development standards, and bonus development standards.
2. Adopt **Resolution No. 11191** declaring the document titled “*Planned Airpark Core Development District Text Amendment*” to be a public record.

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

7. **56th Street and Carefree Highway Right-of-Way Annexation (1-AN-2018) – Approved on Consent.**

Requests:

1. Adopt **Ordinance No. 4348** approving the annexation of the 40-foot east-half of N. 56th Street from E. Olesen Road to E. Seven Palms Drive and the 55-foot north-half of E. Carefree Highway from N. 56th Street to N. 60th Street.
2. Adopt **Ordinance No. 4349** approving a zoning district map amendment change from Maricopa County (RU-43) zoning to City of Scottsdale Single-Family Residential (R1-43) zoning for the annexation parcels acquired in Ordinance No. 4348.

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

8. **Development Agreement Termination Notice (1-DA-2018) – Approved on Consent.**

Request: Adopt **Resolution No. 11172** authorizing Notice of Termination Agreement No.

1997-023-COS-A1 with BCB-WB Partners, LLC, regarding a previously developed 1.7±-acre property with Central Business District (C-2) zoning.

Location: 11107 N. Scottsdale Road

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

9. **On-Call Water Resources Engineering Services Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 11141** authorizing the following one-year contract extensions in an amount not to exceed \$750,000 per contract for water resources engineering services:
1. Contract No. 2014-075-COS-A4 with Carollo Engineers, Inc.
2. Contract No. 2014-076-COS-A3 with GHD, Inc.
3. Contract No. 2014-077-COS-A3 with Water Works Engineers, LLC
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
10. **Citywide Sewer Line Rehabilitation Construction Services Job Order Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 11150** authorizing the following one-year contract extensions in an amount not to exceed \$2,500,000 per contract for Citywide sewer line rehabilitation construction services:
1. Contract No. 2014-070-COS-A3 with Achen-Gardner Construction, LLC
2. Contract No. 2014-071-COS-A3 with Insituform Technologies, LLC
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
11. **Indian Bend Wash Master Plan Engineering Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 11125** to authorize:
1. Contract No. 2018-054-COS with J2 Engineering & Environmental Design, LLC, in the amount of \$330,293, for the Indian Bend Wash Master Plan from Thomas Road to McKellips Road.
2. The City Manager, or designee, to initiate an amendment to the existing Indian Bend Wash Municipal Use Master Site Plan.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
12. **Happy Valley Road Widening Engineering Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 11174** authorizing Contract No. 2018-083-COS with Ritoch-Powell and Associates, Inc., in the amount of \$618,010, for preliminary design engineering services for the widening of Happy Valley Road from Pima Road to Alma School Road.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
- ***13. **Granite Mountain and Fraesfield Trailheads Construction Phase Services Contract – Councilwoman Littlefield made a motion to approve Item 13. Councilman Smith seconded the motion, which carried 7/0.**
Request: Adopt **Resolution No. 11195** authorizing CM@Risk Contract No. 2018-095-COS with Valley Rain Construction Corporation in an amount not to exceed \$5,900,034.68 for construction phase services for the Granite Mountain and Fraesfield Trailheads construction project.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
14. **68th Street and Pima Road Bridges Preconstruction Phase Services Contract – Councilman Smith made a motion to approve Item 14. Councilmember Korte seconded the motion, which carried 7/0.**
Request: Adopt **Resolution No. 11199** authorizing CM@Risk Contract No. 2018-097-COS with FNF Construction, Inc., in the amount of \$214,834.32, to provide preconstruction phase services for the 68th Street Bridge Reconstruction project and the Pima Road Bridge crossing at the Arizona Canal project.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

15. [Design Phase Services Contract for Scottsdale Stadium Renovations Project](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 11166** authorizing Contract No. 2018-078-COS with Hunt Construction Group, Inc., in the amount of \$3,701,125, for design-build manager, design phase services for the Scottsdale Stadium Multi-Use Event Center as part of the Scottsdale Stadium Renovations project
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
16. [Professional Services Contract for Scottsdale Stadium Renovations Project](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 11167** authorizing Contract No. 2018-079-COS with Marc Taylor Inc. in the amount of \$1,253,113 to provide Owners Representative Services in support of capital project management staff for the design-build delivery of the Scottsdale Stadium Multi-Use Event Center as part of the Scottsdale Stadium Renovations project.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
17. [Fiscal Year 2018/19 Human Services General Fund Program Allocations](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 11185** approving the recommendations of the Human Services Commission and allocating funding in the amount of \$200,000 from the General Fund for FY 2018/19 human services programs; and authorizing the Mayor or Community Services Director, or designee, to execute individual contracts.
Staff Contact(s): Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
18. [Fiscal Year 2018/19 Scottsdale Cares Allocations](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 11186** approving the recommendations of the Human Services Commission and allocating funding in the amount of \$150,000 from the Scottsdale Cares Program for FY 2018/19 human services programs; and authorizing the Community Services Director, or designee, to execute individual contracts.
Staff Contact(s): Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
19. [Fiscal Year 2018/19 Salt River Pima Maricopa Indian Community Grant Funds](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 11188** approving the allocation of Salt River Pima Maricopa Indian Community tribal gaming grant funds in the amount of \$262,559 for FY 2018/19 programs and services benefitting the general public; and authorizing the Mayor to execute individual contracts.
Staff Contact(s): Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
20. [Fiscal Year 2018/19 Scottsdale Endowment Allocation](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 11187** approving the distribution of interest income from the Scottsdale Community Endowment Fund in the amount of \$6,600, and the Herbert R. Drinkwater Youth Services Fund in the amount of \$1,300, to the Foothills Community Foundation to support Scottsdale Public Library programs.
Staff Contact(s): Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
21. [Paiute Neighborhood Center Revocable License Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 11138** authorizing Agreement No. 2018-059-COS with Hirsch Academy to use space at the Paiute Neighborhood Center to operate a public charter school.
Staff Contact(s): Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov

22. **Herb Drinkwater Truck Loan Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11160** authorizing Agreement No. 2018-075-COS with Mark Raymond Drinkwater for the loan of former City of Scottsdale Mayor Herb Drinkwater’s 1929 Model A Ford pickup truck for public display at the McCormick-Stillman Railroad Park.
Staff Contact(s): Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
23. **Advanced Life Support Services Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11152** authorizing Agreement No. 2018-065-COS with the City of Tempe for advanced life support services.
Staff Contact(s): Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov
24. **University of Phoenix Stadium Security Services Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11175** authorizing Agreement No. 2018-084-COS with the City of Glendale for the provision of security and traffic control services by Scottsdale police officers at the University of Phoenix Stadium.
Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdale.gov
25. **Buildings and Building Regulations Code Amendment – Approved on Consent.**
Request: Adopt **Ordinance No. 4354** amending Scottsdale Revised Code, Chapter 31, Buildings and Building Regulations, Article XII, Violations and Penalties, by adding Sections 31-168 and 31-169.
Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov

REGULAR AGENDA ITEMS 26-29

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.**

26. **Old Town Character Area Plan Non-Major General Plan Amendment (1-GP-2018)**
Request: Adopt **Resolution No. 11181** to:
1. Approve a Non-Major General Plan Amendment to the Scottsdale General Plan 2001 to include the Old Town Character Area Plan.
 2. Declare the document titled “*Old Town Character Area Plan*” to be a public record.
 3. Amend the General Plan Character and Design Element, Character Areas Map; the General Plan Major General Plan Amendment, Character Area Criteria Map; and the General Plan Land Use Element Conceptual Land Use Map to include and designate the Old Town Character Area.
 4. Authorize the City Manager, or designee, to make the appropriate name changes to the Scottsdale General Plan 2001 and 2010 Southern Scottsdale Character Area Plan.
- Presenter(s):** Erin Perreault, Planning, Neighborhood and Transportation Manager
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
- Planning, Neighborhood and Transportation Manager Erin Perreault presentation.**
– Vice Mayor Phillips made a motion to adopt Resolution No. 11181, minus Policy AC 3.8. Councilmember Korte seconded the motion, which carried 7/0.

– **Councilman Smith made an alternate motion to adopt Resolution No. 11181, minus Policy AC 3.8, and limiting the application of Type 3 zoning to the Loloma site. The motion died for lack of a second.**

27. **Downtown, Downtown Overlay and PBD Districts Text Amendment (1-TA-2018)**

Requests:

1. Adopt **Ordinance No. 4355** approving a text amendment to the City of Scottsdale Zoning Ordinance No. 455, Section 5.3000. (Downtown), Section 6.1200. (Downtown Overlay), and Section 6.1300. (Planned Block Development Overlay District), and other applicable sections of the Zoning Ordinance to update specific names, purposes, criteria, property development standards, Cultural Improvements Program requirements, and bonus development standards.
2. Adopt **Resolution No. 11190** declaring the document titled “*Downtown, Downtown Overlay and PBD Districts Text Amendment*” to be a public record.

Presenter(s): Brad Carr, Principal Planner

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

– **Principal Planner Brad Carr presentation.**

– **Vice Mayor Phillips made a motion to adopt Ordinance No. 4355 and Resolution No. 11190. Councilwoman Klapp seconded the motion, which carried 7/0.**

28. **Fiscal Year 2018/19 Property Tax Levies**

Request: Adopt **Ordinance No. 4358** assessing the FY 2018/19 primary and secondary property tax levies and fixing the primary and secondary property tax rates.

Presenter(s): Judy Doyle, Budget Director

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

– **Budget Director Judy Doyle presentation.**

– **Councilmember Korte made a motion to adopt Ordinance No. 4358. Councilwoman Klapp seconded the motion, which carried 7/0.**

29. **Fiscal Year 2018/19 Streetlight Improvement District Property Tax Levy**

Request: Adopt **Ordinance No. 4353** assessing the FY 2018/19 streetlight improvement district property tax levy by district in accordance with Arizona Revised Statutes and the City Charter.

Presenter(s): Judy Doyle, Budget Director

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

– **Budget Director Judy Doyle presentation.**

– **Councilmember Korte made a motion to adopt Ordinance No. 4353. Vice Mayor Phillips seconded the motion, which carried 7/0.**

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.

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 30

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.

30. 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 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): Carolyn Jagger, City Clerk, 480-312-2411, cjagger@scottsdaleaz.gov

Mayor and Council Items – None

Adjournment – 6:29 P.M.