

SCOTTSDALE

CITY COUNCIL MEETING

MEETING NOTICE AND AGENDA



COUNCIL

W.J. "Jim" Lane, Mayor
Suzanne Klapp
Virginia L. Korte
Kathleen S. Littlefield

Linda Milhaven
Guy Phillips
David N. Smith

Tuesday, September 11, 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 (September 25, 2018).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:35 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 – Girl Scouts Troop 4; Troop Leader Holly Boynton

Invocation – Pastor Bruce Johnson, Scottsdale Presbyterian Church

Mayor's Report – Mayor Lane recognized the 17th Anniversary of 9/11 and asked that victims and their families be remembered.

Presentations/Information Updates – None

Public Comment – Teri Todd presented a citizen petition asking the City Council to reverse the Tourism Director's decision to cancel the City contract with Scottsdale Carriage. Tim Cavin asked to have a hearing to change the City's towing and impound code.

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 1-17**

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. 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.

– Councilmember Korte made a motion to approve Consent Agenda items 1 through 17. Vice Mayor Phillips seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Phillips; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Smith voting in the affirmative.

1. **[Buca Di Beppo Liquor License \(65-LL-2018\)](#) – **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 12 (restaurant) State liquor license.
Location: 3828 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**

2. **[Roka Akor Liquor License \(66-LL-2018\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 12 (restaurant) State liquor license.
Location: 7299 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**

3. **[Permanent Extension of Premises for Cold Beers & Cheeseburgers \(4-EX-2018\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for a Series 12 (restaurant) State liquor license for an existing location to expand into the adjoining building, including an additional patio.
Location: 4222 and 4218 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**

4. **[Permanent Extension of Premises for K O'Donnell's Sports Bar and Grill \(5-EX-2018\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for a Series 12 (restaurant) State liquor license for an existing location to expand the patio.
Location: 14850 N. Northsight Boulevard, Suite 100
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**

5. **[AT&T PHX01-026 Conditional Use Permit \(11-UP-2018\)](#) – **Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt **Resolution No. 11225** approving a Conditional Use Permit to install a new Type 4 Wireless Communication Facility on a replacement 31-foot-tall parking lot light pole located on a 2.29±-acre site with Downtown Office Residential Type-2, Planned Block Development, Downtown Overlay (D/OR-2 PBD DO) zoning.
Location: 7324 E. Indian School Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**

6. **Main St. Mixed-Use Rezoning (22-ZN-2017) – Approved on Consent.**
Request: Adopt **Ordinance No. 4363** approving a zoning district map amendment from Central Business, Downtown Overlay (C-2 DO) zoning to Downtown/Downtown Core Type-1, Downtown Overlay (D/DC-1 DO) zoning on a 12,110± square-foot site for a new three-story mixed-use building.
Location: 7103 E. Main Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
7. **Cable Television License Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11217** authorizing Agreement No. 2007-004-COS-A3 with Cox Communications Arizona, LLC, to extend the term of the agreement until March 15, 2020, and add additional terms.
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
8. **Sports Field Lighting Job Order Contract – Approved on Consent.**
Request: Adopt **Resolution No. 11208** authorizing Contract No. 2014-124-COS-A3 with Sellers & Sons, Inc., for a one-year contract extension for citywide sports field lighting.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
9. **Engineering Services Contract for Sewer Rehabilitation – Approved on Consent.**
Request: Adopt **Resolution No. 11214** authorizing Contract No. 2014-056-COS-A3 with Dibble & Associates Consulting Engineers, Inc., for a one-year contract extension for studies, design, construction documents, and construction administration for sewer rehabilitation projects throughout the City, as needed.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
10. **Engineering Services Contracts for Electrical Instruments and Controls Systems Design – Approved on Consent.**
Request: Adopt **Resolution No. 11224** authorizing the following two-year term contracts in an amount not to exceed \$2,000,000 per contract for professional services to provide consultation, design, and preparation of construction documents for electrical instruments and controls systems at various project locations throughout the City, as needed:
 1. Contract No. 2018-128-COS with Arcadis U.S., Inc.
 2. Contract No. 2018-129-COS with Brown and Caldwell, Inc.
 3. Contract No. 2018-130-COS with Black & Veatch Corporation**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
11. **Pool Construction Job Order Contract – Approved on Consent.**
Request: Adopt **Resolution No. 11234** authorizing Contract No. 2018-136-COS with Shasta Industries, Inc., for an initial two-year term in an amount not to exceed \$5,000,000 for pool construction projects throughout the City, as needed.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
12. **Fifth Avenue/Marshall Way Improvement District Termination of Easement – Approved on Consent.**
Request: Adopt **Resolution No. 11223** authorizing the Release and Termination of Easement No. 2018-161-COS with Park Fifth Avenue, LLC, associated with the 1991 Fifth Avenue/Marshall Way Improvement District Project No. I0004 regarding private property located at the southwest corner of 5th Avenue and Marshall Way.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

13. **Palomino Library Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11226** authorizing Agreement No. 2012-101-COS-A5 with the Scottsdale Unified School District No. 48 pertaining to the Palomino Library at Desert Mountain High School to extend the agreement through December 31, 2018.
Staff Contact(s): Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
14. **Automated Kiosks Code Amendment – Approved on Consent.**
Request: Adopt **Ordinance No. 4359** amending Scottsdale Revised Code Chapter 16, Licenses, Taxation and Miscellaneous Business Regulations, Article IX, Section 16-319 and adding Article XI, relating to the licensing and regulation of automated kiosks.
Staff Contact(s): Teresa Hogle, Business Services Manager, 480-312-2463, thogle@scottsdaleaz.gov
15. **Airport Delta Parking Apron Reconstruction Project – Approved on Consent.**
Request: Adopt **Resolution No. 11144** authorizing Construction Bid Award No. 18PB021 with Combs Construction Company, Inc., in the amount of \$2,230,591 for the reconstruction of the Airport Delta Parking Apron.
Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov
16. **Desert Mountain Parcel 19 Well Purchase Agreement and Escrow Instructions – Approved on Consent.**
Request: Adopt **Resolution No. 11242** authorizing Agreement No. 2017-075-COS-A1, the first amendment to the agreement with DM 19, LLC, to accommodate staggered closings subject to modified closing conditions.
Staff Contact(s): Brian Biesemeyer, Water Resources Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov
17. **Fire Department Urban Area Security Initiative Grant – Approved on Consent.**
Request: Adopt **Resolution No. 11236** to authorize:
 1. The acceptance of a FY 2018/19 Arizona Department of Homeland Security and Federal Emergency Management Agency Urban Area Security Initiative grant in the amount of \$39,000.
 2. The Fire Chief, or designee, to conduct all negotiations and to execute and submit all documents in connection with the grant.
 3. A budget transfer in the amount of \$39,000 from the adopted FY 2018/19 Future Grants Budget and/or Grant Contingency Budget and the creation of a new cost center to record the related grant activity.**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

Public Comment – None

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CITIZEN PETITIONS

ITEM 18

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.

18. **Receipt of Citizen Petitions – Vice Mayor Phillips made a motion to direct the City Manager to investigate the citizen petition submitted by Teri Todd, which asks the City Council to reverse the Tourism Director’s decision to cancel the City contract with Scottsdale Carriage, and prepare a written response to the Council with a copy to the petitioner. Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Phillips; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Smith voting in the affirmative.**

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 – 5:53 P.M.