

**SCOTTSDALE**

# **CITY COUNCIL MEETING**



## **\*\*\*AMENDED\*\*\* MEETING NOTICE AND AGENDA**

**[REWORDED CONSENT ITEM No. 11]**

### **COUNCIL**

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Kathleen S. Littlefield

Linda Milhaven

Guy Phillips

David N. Smith

**Tuesday, January 24, 2017**

*Unless an exception is made, or unless otherwise noted:*

*Citizens will be given three minutes to address the Council during the times set aside for public comment on Consent, Regular, or Mayor and Council items and during the open call to the public (Public Comment).*

*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 7, 2017).*

**5:00 P.M.**

**MARKED AGENDA**

### **CITY COUNCIL MEETING**

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Call to Order – 5:04 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 Littlefield**

**Invocation – Pastor Josh Newton, First Southern Baptist Church of Scottsdale**

**Mayor's Report – None**

**Presentations/Information Updates – Government Relations Director Brad Lundahl presentation.**

- [Appreciation of SRPMIC Tribal Council Gaming Grants](#)

**Presenter(s):** Brad Lundahl, Government Relations Director; William Murphy, Community Services Director

**Public Comment – Mark Stuart commented on his Save Our Preserve initiative petition.**

Citizens may complete one Request to Speak "Public Comment" card per night and submit it to the City Clerk. Public Comment time is reserved for citizen comment regarding non-agendized items. No official Council action can be taken on these items. 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](http://WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION)

## ADDED ITEMS

**Added Items:** Resolution No. 8223 requires that, with limited exceptions, the agenda language, the Council report, and any supporting material described as being attached to the Council report shall be made available to the public at least ten days prior to a scheduled Council meeting. Material that is not timely made requires a separate vote to consider whether the item will remain on the agenda or be continued to a future date.

### A1. Added Items

The supporting materials for Item No. 6 will be added to the agenda less than ten days prior to the meeting and will require a separate vote to remain on the agenda.

**Request:** Vote to accept the agenda as presented or to continue the added item(s) to the February 7, 2017 Council meeting.

**– Councilmember Korte made a motion to accept the agenda as presented. Councilwoman Klapp seconded the motion, which carried 7/0.**

## CONSENT AGENDA ITEMS 1-21

**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.

**– Councilman Phillips made a motion to approve Consent Agenda Items 1 through 21, absent Item 12, which was moved to the Regular Agenda. Councilwoman Klapp seconded the motion, which carried 7/0.**

- 1. [Loco Patron Mexican Brewery Liquor License \(107-LL-2016\)](#) – **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:** 14950 N. Northsight Boulevard

**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- 2. [Loco Patron Mexican Brewery Liquor License \(108-LL-2016\)](#) – **Approved on Consent.****

**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 3 (microbrewery) State liquor license for an existing location with a new owner.

**Location:** 14950 N. Northsight Boulevard

**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- 3. [Times Square Neighborhood Italian Restaurant Liquor License \(110-LL-2016\)](#) – **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:** 13901 N. 73<sup>rd</sup> Street, Suites 215-217

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

4. **The Place, Mike and Ronda's Restaurant Liquor License (1-LL-2017) – 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:** 20775 N. Pima Road, Suite Q-100  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
5. **Palo Verde Lane Final Plat (7-PP-2015) – Approved on Consent.**  
**Request:** Approve the final plat for an 8-lot residential subdivision with Single-Family Residential, Planned Residential District (R1-18 PRD) and Single-Family Residential, Planned Residential District (R1-35 PRD) zoning on 4.8± acres.  
**Location:** 7501 and 7503 E. Palo Verde Lane Dr.; and 5703 and 5755 N. Paradise View St.  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
6. **BCB Group Investments Rezoning (19-ZN-2002#5) – Approved on Consent.**  
**Requests:**
  1. Adopt **Ordinance No. 4297** approving a zoning district map amendment from Planned Community, Planned Regional Center (PCD PRC) District to Planned Community, Planned Regional Center, Planned Shared Development (PCD PRC PSD) District on a 10±-acre site.
  2. Adopt **Resolution No. 10675** authorizing Development Agreement No. 2017-001-COS with BCB Group Investment, LLC, and Scottsdale Crossroads Luxury Apartments, LLP.**Location:** Northeast corner of Scottsdale Road and Chauncey Lane  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
7. **Scottsdale Quarter - Block L & M Rezoning (18-ZN-2013#2) – Approved on Consent.**  
**Requests:**
  1. Adopt **Ordinance No. 4294** approving a zoning district map amendment to delete Stipulation No. 5 from the previously approved Zoning Case No. 18-ZN-2013 for Phase III Blocks L & M of Scottsdale Quarter, regarding the floor area for residential uses on a 23.52±-acre site, as well as site plan and density modifications in the Development Plan for Block L on a 6.07±-acre site.
  2. Adopt **Resolution No. 10682** declaring the document entitled "*Scottsdale Quarter - Block L Development Plan*" to be a public record.**Location:** Northwest corner of E. Butherus Drive and N. 73<sup>rd</sup> Street  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
8. **South Scottsdale Mixed-Use Rezoning (6-ZN-2016) – Approved on Consent.**  
**Requests:**
  1. Adopt **Ordinance No. 4280** approving a zoning district map amendment from Highway Commercial District (C-3) to Planned Unit Development District (PUD), including a development plan and amended development standards, on a 3.3±-acre site.
  2. Adopt **Resolution No. 10571** declaring the document entitled "*South Scottsdale Mixed-Use Development Plan*" to be a public record.**Location:** 2040 and 2042 N. Scottsdale Road  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
9. **Quail Crest Estates Rezoning (20-ZN-2016) – Approved on Consent.**  
**Request:** Adopt **Ordinance No. 4296** approving a zoning district map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-130 ESL) to Single-Family Residential, Environmentally Sensitive Lands (R1-70 ESL) zoning on a 16.7±-acre site.  
**Location:** 27077 N. 132<sup>nd</sup> Street  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

10. **Main Street Scottsdale Development Rezoning (21-ZN-2016) – Approved on Consent.**  
**Request:** Adopt **Ordinance No. 4293** approving a zoning district map amendment from Central Business, Downtown Overlay and Parking P-2; Passenger Vehicle Parking, Downtown Overlay (C-2 DO and P-2 DO) zoning to Downtown/Downtown Multiple Use – Type 2, Downtown Overlay (D/DMU-2 DO) zoning on a 1.94±-acre site.  
**Location:** Southeast corner of N. 69<sup>th</sup> Street and E. Main Street and approximately 95 feet east of the northeast corner of N. 69<sup>th</sup> Street and E. 1<sup>st</sup> Street  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
- \*\*\*11. **6922 Mixed Use Rezoning (23-ZN-2016) – Approved on Consent.**  
**Request:** At the request of the applicant, continue to February 21, 2017.  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
12. **Mustang Transit Phase 2 Project Construction Bid Award – Councilwoman Milhaven made a motion to adopt Resolution No. 10695 authorizing the construction bid award to Hunter Contracting in the amount of \$2,795,830.73. Councilmember Korte seconded the motion, which carried 6/1, with Councilman Phillips dissenting.**  
**Request:** Adopt **Resolution No. 10695** authorizing Construction Bid Award No. 17PB006 to Hunter Contracting Company, the lowest responsive bidder, at the unit price bid of \$2,795,830.73 for the construction of the Mustang Transit Phase 2 Project.  
**Location:** Vicinity of 90<sup>th</sup> Street between Mountain View Road and Shea Boulevard  
**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
13. **Salt River Project Outdoor Dining Land Use License Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 10688** authorizing Agreement No. 2017-010-COS with Salt River Project Agricultural Improvement and Power District for an existing patio area.  
**Location:** 7135 E. Camelback Road, Suite 101  
**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
14. **Salt River Project Land Use License Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 10693** authorizing Agreement No. 2017-021-COS with Salt River Project Agricultural Improvement and Power District for the continued use of the south bank of the Arizona Canal for storm drain purposes.  
**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
15. **Rassner Memorial Scottsdale Library Endowment Allocation – Approved on Consent.**  
**Request:** Adopt **Resolution No. 10683** authorizing the distribution of interest income in the amount of \$21,800 from the Rassner Memorial Scottsdale Library Endowment to the Scottsdale Public Library to support the educational and technological needs of young Scottsdale Public Library patrons, as recommended by the Library Board.  
**Staff Contact(s):** William Murphy, Community Services Director, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)
16. **Parada del Sol Parade Event – Approved on Consent.**  
**Request:** Adopt **Resolution No. 10690** to authorize:
  1. FY 2016/17 funding not to exceed \$64,400 from a portion of the Tourism Development Fund that is allocated toward event retention and development for the Parada del Sol Parade event.
  2. Event Funding Agreement No. 2017-018-COS with Parada del Sol Historic Parade.
  3. The exemption of the Parada del Sol Parade from obtaining a special event permit because it is an event organized in part by the City within the meaning of Scottsdale Revised Code Section 22-2(c).**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, [kchurchard@scottsdaleaz.gov](mailto:kchurchard@scottsdaleaz.gov)

17. [Scottsdale Museum of the West Management Agreement Amendment – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 10584** authorizing Agreement No. 2013-025-COS-A4 with Scottsdale Museum of the West, Inc., for finances, management duties, maintenance and utilities, and a gallery development and marketing project.  
**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, [kchurchard@scottsdaleaz.gov](mailto:kchurchard@scottsdaleaz.gov)
18. [WestWorld Paid Parking Vendor/Concession Agreement Consent to Assignment – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 10669** authorizing Agreement No. 2009-002-COS-A2 with Pro Em Party and Event Rentals, LLC, to Pro Em Operations, LLC.  
**Staff Contact(s):** Brian Dygert, WestWorld General Manager, 480-312-6825, [bdygert@scottsdaleaz.gov](mailto:bdygert@scottsdaleaz.gov)
19. [Independent Ethics Reviewers Professional Services Contracts – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 10685** authorizing the following professional services contracts to allow retired judges to serve as independent ethics reviewers, as required by Scottsdale Revised Code Section 2-57:
  1. Contract No. 2017-006-COS with Robert B. Donfeld
  2. Contract No. 2017-007-COS with Jay Davis**Staff Contact(s):** Bruce Washburn, City Attorney, 480-312-2405, [bwashburn@scottsdaleaz.gov](mailto:bwashburn@scottsdaleaz.gov)
20. [Preserve General Obligation Bonds Issuance – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 10674** providing for the negotiated sale and issuance of up to \$20 million principal amount of Preserve General Obligation bonds; providing the terms concerning the bonds; authorizing the City Treasurer to negotiate, execute and deliver certain agreements, including acceptance of the proposal for the purchase of the bonds; and appointing an initial bond registrar and paying agent for the bonds.  
**Staff Contact(s):** Jeff Nichols, City Treasurer, 480-312-2364, [jenichols@scottsdaleaz.gov](mailto:jenichols@scottsdaleaz.gov)
21. [Monthly Financial Report – Approved on Consent.](#)  
**Request:** Accept the FY 2016/17 Monthly Financial Report as of November 2016.  
**Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)

## **REGULAR AGENDA      ITEMS 22-25**

**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.**

22. [Palmeria Rezoning \(7-ZN-2016\)](#)  
**Request:** At the request of the applicant, continue to February 7, 2017.  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)  
**– Councilmember Korte made a motion to continue Item 22 to February 7, 2017. Councilman Phillips seconded the motion, which carried 7/0.**

23. [Thunderbird Field II Veterans' Memorial Donation and Maintenance Agreement](#)

**Requests:**

1. Adopt **Resolution No. 10607** authorizing Agreement No. 2016-167-COS with Thunderbird Field II Veterans' Memorial, Inc., to accept a donation of a Pre-World War II Stearman aircraft to be displayed at the new Aviation Business Center at Scottsdale Airport.
2. Direct staff on the desired City funding source for the design, installation, and construction costs of the memorial shade plaza and related display exhibit, which shall return to Council for final budget approval.

**Presenter(s):** Gary Mascaro, Aviation Director

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

**– Aviation Director Gary Mascaro presentation.**

**– Vice Mayor Littlefield made a motion to adopt Resolution No. 10607 authorizing Agreement No. 2016-167-COS with Thunderbird Field II Veterans' Memorial, Inc., and to direct staff to use tourism development funds as the most appropriate funding source for the design, installation, and construction costs of the memorial shade plaza and related aircraft display exhibit. Mayor Lane seconded the motion, which carried 6/1, with Councilman Smith dissenting.**

24. [Fiscal Year 2017/18 Projected Capital Improvement Plan](#)

**Request:** Presentation, discussion, and possible direction to staff regarding the FY 2017/18 projected Capital Improvement Plan.

**Presenter(s):** Dan Worth, Public Works Director

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

**– Public Works Director Dan Worth presentation.**

25. [Monthly Financial Update](#)

**Request:** Receive, discuss, and provide possible direction on the City Treasurer's monthly financial presentation as of November and December 2016.

**Presenter(s):** Jeff Nichols, City Treasurer

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

**– City Treasurer Jeff Nichols presentation.**

**Public Comment – None**

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## CITIZEN PETITIONS

### ITEM 26

**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.

26. **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](mailto:cjagger@scottsdaleaz.gov)

**Mayor and Council Items – Councilmember Korte made a motion to place on a future agenda a discussion regarding funding future CIP projects. Vice Mayor Littlefield seconded the motion, which carried 7/0.**

**Adjournment – 7:21 P.M.**