

SCOTTSDALE

CITY COUNCIL MEETING



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

[ADDED ITEM No. A1; REMOVED ITEM No. 1; REWORDED ITEM No. 21; AND ADDED ITEM No. 22]

COUNCIL

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

Linda Milhaven
Guy Phillips
Solange Whitehead

Tuesday, March 19, 2019

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 (April 2, 2019).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:05 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 Whitehead

Invocation – Pastor Xavier Salazar, Scottsdale Bible Church

Mayor's Report – Mayor Lane requested a moment of silence to reflect on the New Zealand shooting victims. Mayor Lane read a proclamation for Brain Injury Awareness Month.

Presentations/Information Updates – Water Resources Director Brian Biesemeyer and AMWUA Executive Director Warren Tenney presentations.

- **AMWUA 50th Anniversary Celebration Presentation**

Presenter(s): Brian Biesemeyer, Water Resources Director; Warren Tenney, AMWUA Executive Director

Public Comment – James Rice commented on vagrancy. Francien Randall expressed concern about the number of robberies occurring at her home. French Thompson asked the Council to protect Downtown by making sure developers supply enough parking for their developments. Bob Pejman commented on the lack of parking in Downtown and the City's in-lieu parking program. Kris Strauss spoke in support of Experience Scottsdale's tourism efforts.

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



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

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."**

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.

– Councilman Phillips made a motion to accept the agenda as presented. Councilwoman Klapp seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead voting in the affirmative.

***A1. Added Items

Regular Item No. 22 was added to the agenda on March 18, 2019.

Request: Vote to accept the agenda as presented or continue the added item(s) to the next scheduled Council meeting, which is March 26, 2019.

MINUTES

Request: Approve the [Special Meeting Minutes of February 19, 2019](#), and [Regular Meeting Minutes of February 19, 2019](#).

– Councilwoman Klapp made a motion to approve the Special Meeting Minutes of February 19, 2019, and Regular Meeting Minutes of February 19, 2019. Councilman Phillips seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead voting in the affirmative.

CONSENT AGENDA ITEMS 1-19

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 2 through 19. Councilman Phillips seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead voting in the affirmative.

***1. [92nd Street Café Liquor License \(12-LL-2019\)](#)

(Removed at the request of staff.)

2. [One Viktor Foxtrot Liquor License \(13-LL-2019\)](#) – Approved on Consent.

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 1 (In-state producer) State liquor license for new location and owner.

Location: 16044 N. 82nd Street, Suite B

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

3. **Buzz In Buzz Out Liquor License (14-LL-2019) – Approved on Consent.**
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: 8001 E. Roosevelt Street
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
4. **Spinato's Pizza Liquor License (16-LL-2019) – 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: 11108 N. Frank Lloyd Wright Boulevard, Suite E14
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
5. **Obon Sushi Bar Ramen Liquor License (17-LL-2019) – 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 a new location and owner.
Location: 7300 N. Via Paseo Del Sur
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
6. **Dog Haus Liquor License (18-LL-2019) – 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 a new location and owner.
Location: 15257 N. Scottsdale Road, Suite F1-155
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
7. **Paseo at Pinnacle Peak Final Plat (4-PP-2018) – Approved on Consent.**
Request: Approve the final plat for a new 55-lot residential subdivision on a 20-acre site, located at the northeast corner of N. Miller Road and E. Pinnacle Peak Road, with Single-Family Residential District, Planned Residential District, Environmentally Sensitive Lands (R1-10/PRD/ESL) zoning.
Location: 7676 E. Pinnacle Peak Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
8. **Sprint Mummy PH25XC142 Conditional Use Permit (32-UP-2003#3) – Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt
Resolution No. 11397 approving the renewal of a Conditional Use Permit for an existing Type 4 Wireless Communication Facility co-located inside two flagpoles with Multiple-Family Residential (R-5) zoning.
Location: 7609 E. Indian Bend Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
9. **Triple C Hangar Conditional Use Permit (18-UP-2018) – Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt
Resolution No. 11398 approving a Conditional Use Permit for an off-airport heliport near Scottsdale Airport located on a 0.77±-acre site with Industrial Park (I-1) zoning.
Location: 14818 N. 74th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

10. **Joy Ranch & Tonto National Forest Rezoning (16-ZN-2018) – Approved on Consent.**
Request: Adopt **Ordinance No. 4388** approving a zoning district map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-190 ESL) to Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning on a 77.6±-acre site.
Location: East of the northeast corner of Joy Ranch Road and Boulder View Drive
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
11. **McDowell Mountain Community Storage Rezoning (23-ZN-2018) – Approved on Consent.**
Request: Adopt **Ordinance No. 4387** approving a zoning district map amendment from Planned Convenience Center, Environmentally Sensitive Lands (PCoC ESL) to Neighborhood Commercial, Environmentally Sensitive Lands (C-1 ESL) zoning on a 4.7±-acre portion of Parcel K of the McDowell Mountain Ranch Development Plan (Case No. 74-ZN-92) and a parking reduction of 64% for an internalized community storage use.
Location: 10101 E. McDowell Mountain Ranch Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
12. **State Liquor License Notices of Acquisition of Control Code Amendment – Approved on Consent.**
Request: Adopt **Ordinance No. 4384** amending Scottsdale Revised Code Chapter 16, Licenses, Taxation and Miscellaneous Business Regulations, to add Section 16-190 to allow the City Manager, or designee, to provide a recommendation to the Arizona Department of Liquor License and Control either in favor of or against the acquisition of control notices within sixty days after the notice was received by the City from the State.
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
13. **Air Quality Monitoring Equipment Revocable License Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11395** authorizing Agreement No. 2019-033-COS with Maricopa County for the use of real property to install and maintain air quality monitoring equipment on City property.
Location: 2857 N. Miller Road
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
14. **Crossroads East Drainage and Public Works Infrastructure Preconstruction Phase Services – Approved on Consent.**
Requests:
 1. Adopt **Resolution No. 11404** authorizing CM@Risk Contract No. 2019-036-COS with Haydon Building Corporation in the amount of \$68,280 to provide preconstruction phase services for the Crossroads East Drainage and Public Works Infrastructure Project.
 2. Adopt **Resolution No. 11414** authorizing a FY 2018/19 CIP Contingency for Future Grants Budget Appropriation transfer in the amount of \$937,400 to the Crossroads East Flood Control Phase I Project (FB53) that will be funded by Arizona State Land Department Reimbursements made to date.**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
15. **Emergency Sheltering Facility Use Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11379** to authorize:
 1. Agreement No. 2019-029-COS with The American National Red Cross (Red Cross) to provide emergency and disaster-related services at Horizon Community Center.
 2. The Community Services Director, as the City's agent, to enter into future facility use agreements with Red Cross for other City facilities to be used for emergency, disaster-related activities.**Staff Contact(s):** Brent Olson, Emergency Manager, 480-312-1886, bolson@scottsdaleaz.gov

16. [WestWorld Event Agreement – Approved on Consent.](#)
Request: Adopt **Resolution No. 11394** authorizing Agreement No. 2014-028-COS-A1, the first amendment to the agreement with Region Seven International Arabian Horse Association to amend the stall rate for the April 2019 event.
Staff Contact(s): Brian Dygert, WestWorld General Manager, 480-312-6825, bdygert@scottsdaleaz.gov
17. [Bicycle and Pedestrian Safety Enforcement and Education Grant – Approved on Consent.](#)
Request: Adopt **Resolution No. 11405** to authorize:
1. Agreement No. 2019-037-COS with the Arizona Governor’s Office of Highway Safety to accept a grant in the amount of \$50,000 to support bicycle and pedestrian safety enforcement and education.
2. A budget transfer in the amount of \$50,000 from the 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): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov
18. [Public Safety Personnel Retirement System Pension Funding Policy – Approved on Consent.](#)
Request: Adopt **Resolution No. 11410** adopting the Public Safety Personnel Retirement System (PSPRS) Pension Funding Policy and accepting the City’s share of assets and liabilities under the PSPRS actuarial valuation report.
Staff Contact(s): Jeff Nichols, City Treasurer, 480-312-2364, jenichols@scottsdaleaz.gov
19. [Monthly Financial Report – Approved on Consent.](#)
Request: Accept the FY 2018/19 Monthly Financial Report as of January 2019.
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

REGULAR AGENDA ITEMS 20-22

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.**

20. [Monthly Financial Update](#)
Request: Receive, discuss, and provide possible direction on the City Treasurer’s monthly financial presentation as of February 2019.
Presenter(s): Jeff Nichols, City Treasurer
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov
– City Treasurer Jeff Nichols presentation.
- ***21. [Council Capital Improvement Plan Subcommittee Recommendations on the FY 2019/20 Capital Budget](#)
Request: Presentation, discussion, and possible direction to staff regarding the Capital Improvement Plan Subcommittee recommendations to Council on the FY 2019/20 Capital Budget. (This item will not include a presentation, discussion and possible direction to staff regarding a potential Bond 2019 program as a potential Bond 2019 program will be discussed during the March 26, 2019, City Council Work Study Session.)
Presenter(s): Dave Lipinski, City Engineer
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov
– City Engineer Dave Lipinski presentation.

*****22. Scottsdale Stadium Renovations Capital Project**

Requests:

1. Adopt **Resolution No. 11421** authorizing Memorandum of Understanding (MOU) No. 2019-050-COS with San Francisco Giants Baseball Club, LLC, and Scottsdale Charros, Inc., committing each of the parties to specific funding commitments for Phase 1 of the Scottsdale Stadium Renovations Capital Project (PE05). This MOU will bind the parties to the capital commitments and the outline of the basic terms for a final agreement of the facility uses and overall cost details with a new 25-year term and options for extensions.
2. Adopt **Resolution No. 11349** authorizing Design-Build Agreement No. 2019-006-COS with Hunt Construction Group in the amount of \$22,853,327 for Guaranteed Maximum Price 1 of Phase 1 of the Scottsdale Stadium Renovations Capital Project (PE05). This is the first of two construction services contracts for Phase 1 improvements for this project.
3. Adopt **Resolution No. 11368** authorizing a FY 2018/19 budget appropriation transfer totaling \$23,400,000 from the additional available budget appropriation in the adopted FY 2018/19 Capital Improvement Plan to the Scottsdale Stadium Renovations Capital Project (PE05) to be funded by the FY 2018/19 Tourism Development Fund carry-over undesignated, unreserved fund balance (\$5.0 million); from a contribution from the San Francisco Giants (\$2.5 million); and from Municipal Property Corporation Bonds that will be issued with the debt service payments supported by an annual allocation from the Tourism Development Fund and capital contributions from the San Francisco Giants and Scottsdale Charros (\$15.9 million).
4. Approve a one-time waiver of Financial Policy 21A, which limits the use of Tourism Development Funds to fund debt service for capital projects to \$600,000 per commitment.

Presenter(s): Bill Murphy, Community Services Director

Staff Contact(s): Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov; Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

– Community Services Director Bill Murphy presentation.

– Councilman Phillips made a motion to adopt Resolution No. 11421, Resolution No. 11349, and Resolution No. 11368, and approve a one-time waiver of Financial Policy 21A.

Councilwoman Klapp seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead voting in the affirmative.

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 23

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.

23. 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 – 6:42 P.M.