

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, May 1, 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 (May 22, 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 Korte

Invocation – Rabbi Ariel Shoshan

Mayor's Report – Mayor Lane read a proclamation in honor of Gathering Heroes Week.

Presentations/Information Updates – Presentation by Marine Corps Law Enforcement Foundation Representative John Bennett, Retired Air Force Colonel Charlie Black, and Marine Corps Scholarship Foundation Representative Kathleen Winn.

- **Gathering Heroes Update**
Presenter(s): Mike Phillips, Public Affairs Manager

Public Comment – Howard Myers, Kristie Lee Kinchen, and Jason Alexander commented on the Protect Our Preserve initiative efforts. Jeremy Whiteley expressed concern about the lack of recycling at his condominium.

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

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. 4 were 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 May 22, 2018, Council meeting.

– Vice Mayor Korte made a motion to accept the agenda as presented. Councilman Phillips seconded the motion, which carried 7/0.

MINUTES

Request: Approve the [Regular Meeting Minutes of April 10, 2018](#).

– Councilwoman Klapp made a motion to approve the Regular Meeting Minutes of April 10, 2018. Councilwoman Littlefield seconded the motion, which carried 7/0.

CONSENT AGENDA ITEMS 1-3

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 3. Councilwoman Littlefield seconded the motion, which carried 7/0.

1. [Safeway No. 197 Liquor License \(22-LL-2018\)](#) – **Approved on Consent.**

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a person transfer of a Series 9 (liquor store) with sampling privileges State liquor license for an existing location with a new owner.

Location: 11475 E. Via Linda

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

2. [Scottsdale Civic Center Mall \(Plaza\) Rezoning and Conditional Use Permits \(5-ZN-2017, 22-UP-1990#2, and 6-UP-2017\)](#) – **Approved on Consent.**

Requests:

1. Adopt **Ordinance No. 4341** approving a zoning district map amendment from Central Business Downtown Overlay (C-2 DO) and Highway Commercial Downtown Overlay (C-3 DO) zoning to Downtown/Downtown Civic Center – Type 2 Planned Block Development Overlay, Downtown Overlay (D/DCC-2 PBD DO) zoning and a development plan on a 23±-acre site, located at 3933 and 3939 N. Drinkwater Boulevard; 7333 E. Scottsdale Mall; 7373 and 7380 E. 2nd Street; and 7447 E. Indian School Road.
2. Adopt **Resolution No. 11086** declaring the document titled “*Scottsdale Civic Center Mall Development Plan*” to be a public record.
3. Find that the conditional use permit criteria have been met and adopt **Resolution No. 10516** approving a Municipal Use Master Site Plan to accommodate future improvements to the Scottsdale Civic Center Mall on a 12±-acre site with Central Business Downtown Overlay (C-2 DO) and Highway Commercial Downtown Overlay (C-3 DO) zoning, located at 3933 and 3939 N. Drinkwater Boulevard and 7333 E. Scottsdale Mall.

4. Find that the conditional use permit criteria have been met and adopt **Resolution No. 11084** approving a conditional use permit for Live Entertainment at the Scottsdale Center for the Performing Arts on a 1.95±-acre site with Central Business Downtown Overlay (C-2 DO) and Highway Commercial Downtown Overlay (C-3 DO) zoning, located at 7374 E. 2nd Street.

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

3. **Paiute Neighborhood Center ADA Bathroom Renovations – Approved on Consent.**

Requests:

1. Adopt **Resolution No. 11075** authorizing a FY 2017/18 CIP Future Grants contingency budget appropriation transfer, in the amount of \$135,000, and a FY 2017/18 CIP General Fund Contingency transfer, in the amount of \$5,400, to a newly created capital project titled Paiute Neighborhood Center ADA Bathroom Renovations to be funded by the FY 2017/18 Community Development Block Grant funds and the CIP General Fund.
2. Adopt **Resolution No. 11076** authorizing Architectural Services Contract No. 2018-046-COS with Dieterich Architectural Group, Inc., in the amount of \$19,910, for architectural services associated with bathroom renovations in Building 2 of the Paiute Neighborhood Center.

Staff Contact(s): Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov

REGULAR AGENDA **ITEM 4**

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.**

4. **November 6, 2018 Special Election Options**

Request: Presentation, discussion, and possible action on the following options to call a special election, to run concurrently with the November 6, 2018 General Election:

1. Adopt **Resolution No. 11124** authorizing and calling a special election for Tuesday, November 6, 2018, to submit to the qualified electors of the City of Scottsdale the question of authorizing an increase in the rate of transaction privilege and use taxes in the city by 0.15 percent (0.15%) to provide funds for transportation improvement projects, capital improvement projects, and operations and related costs. In no event shall any of the authorized funds be used for the construction of a desert discovery center or for the construction of any improvements in the McDowell Sonoran Preserve.
2. Adopt **Resolution No. 11092** ordering and calling a special election for Tuesday, November 6, 2018, to submit to the qualified electors of the City of Scottsdale a question authorizing the issuance and sale of \$350,000,000 principal amount of general obligation bonds. In no event shall any authorized bonds be used for the construction of a desert discovery center or for the construction of any improvements in the McDowell Sonoran Preserve.

Presenter(s): Dave Lipinski, City Engineer

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov; Jeff Nichols, City Treasurer, 480-312-2364, jenichols@scottsdaleaz.gov

– City Engineer Dave Lipinski presentation.

– Councilwoman Klapp made a motion to: (1) Adopt Resolution No. 11124 authorizing and calling a special election for Tuesday, November 6, 2018, to submit to the qualified electors of the City of Scottsdale the question of authorizing an increase in the rate of transaction privilege and use taxes in the city by 0.10 percent (0.10%) for a period of ten years to provide funds for transportation improvement projects and operations and related costs; and (2) direct staff to schedule a work study session in the fall for a presentation, discussion, and direction to staff on all the remaining capital projects and funding options, with the expectation that a

bond election would be scheduled for November 2019. Councilman Phillips seconded the motion, which carried 4/3, with Vice Mayor Korte and Councilmembers Milhaven and Smith dissenting.

– Councilmembers suggested:

- **Including in the voter information pamphlet an explanation of Arterial Life Cycle Projects (ALCP) and a list of the ALCP projects that the City anticipates completing using Prop 400 and sales tax monies, along with a statement that these projects will receive all possible priority.**
- **Using the current Citizen’s Bond Oversight Committee, or a newly-created commission, to review the ALCP projects as they are constructed to assure citizens the money is being spent as promised.**

Public Comment – None

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CITIZEN PETITIONS

ITEM 5

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.

5. 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

ITEM 6

6. Boards, Commissions, and Task Force Nominations (Note: Interviews and appointments scheduled for May 22, 2018)

How the Board and Commission Nomination Process Works: The Council will review applications submitted for the board and commission openings under consideration. From this applicant pool, the Council will select nominees for further consideration. While welcome to attend, applicants will be contacted if nominated and do not need to be present at the meeting to be considered for nomination.

Board of Adjustment (*two vacancies*) – **Mayor Lane nominated Michael Gonzales and Scott Johnson and Councilwoman Klapp nominated Jay Leopold.**

Environmental Quality Advisory Board (*one vacancy*) – **Councilwoman Klapp nominated Natalie Lazarr and Councilwoman Milhaven nominated David Abranovic.**

Historic Preservation Commission (*one architect or archaeologist vacancy*) – **Councilwoman Milhaven nominated Linda Davis and Councilman Phillips nominated Melissa Fedock.**

Judicial Appointments Advisory Board (*one Scottsdale bar representative vacancy*) – **No applications received.**

Library Board (*one vacancy*) – **Councilwoman Littlefield nominated Janet Smigielski, Councilman Smith nominated Monica Levens, and Vice Mayor Korte nominated Dana Rakinic.**

Loss Trust Fund Board (*one vacancy*) – **No applications received.**

McDowell Sonoran Preserve Commission (*two vacancies*) – **Councilman Phillips nominated Joseph Blankenship and Andrea Davis, Councilman Smith nominated Steve Dodd and Michael Mayer, Vice Mayor Korte nominated Tawana Parker, and Councilwoman Klapp nominated Ann Adams.**

Planning Commission (*one vacancy*) – **Councilman Smith nominated Paul Alessio and Councilwoman Littlefield nominated William Conti.**

Note: The only Council action to be taken on Item No. 6 is to select nominees for interviews and appointment consideration at a future Council meeting. No public comment will be taken on this item.

Adjournment – 6:49 P.M.