

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, April 10, 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 (April 24, 2018).

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 – Brownie Troop 1027, Leader Riley Palmer

Invocation – Pastor Ryan Heath, Scottsdale Bible Church

Mayor's Report – Mayor Lane asked for a moment of silence for those involved in the plane crash at Scottsdale Airport. Mayor Lane read a proclamation honoring the Week of the Young Child.

Presentations/Information Updates

- **I LOVE the Arts Video Contest Winner – Scottsdale Arts representative Natalie Marsh presentation**
Presenter(s): Erik Peterson, PHX Architecture
- **Experience Scottsdale Update – Experience Scottsdale President and CEO Rachel Sacco presentation**
Presenter(s): Rachel Sacco, President and CEO

Public Comment - Solange Whitehead provided an update on the Save Our Preserve initiative petition and commented on the Council's bond discussions. Mike Neeley thanked the City and Experience Scottsdale for supporting the Fiesta Bowl activities. Judy Allen expressed concern about property rights.



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

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."**

MINUTES

Request: Approve the [Special Meeting Minutes of March 6, 2018](#), and [March 20, 2018](#); [Regular Meeting Minutes of March 6, 2018](#), and [March 20, 2018](#); and Executive Session Minutes of March 6, 2018.

– Vice Mayor Korte made a motion to approve the Special Meeting Minutes of March 6, 2018, and March 20, 2018; Regular Meeting Minutes of March 6, 2018, and March 20, 2018; and Executive Session Minutes of March 6, 2018. Councilwoman Klapp seconded the motion, which carried 7/0.

CONSENT AGENDA ITEMS 1-18

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 18. Councilman Phillips seconded the motion, which carried 7/0.

1. [Loco Patron Liquor License \(4-LL-2018\)](#) – **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 and owner, new series type.
Location: 4228 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
2. [Pretty Please Lounge Liquor License \(10-LL-2018\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 6 (bar) State liquor license for an existing location with a new owner.
Location: 4426 N. Saddlebag Trail
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
3. [Crust Simply Italian Liquor License \(11-LL-2018\)](#) – **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: 8300 N. Hayden Road, Suite F100
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

4. [LemonShark Poke Liquor License \(12-LL-2018\)](#) – **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: 7325 E. Frank Lloyd Wright Boulevard, Suite 103
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
5. [Rubicon Deli Liquor License \(15-LL-2018\)](#) – **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: 14601 N. Scottsdale Road, Suite 110
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
6. [Juan Jaimes Tacos & Tequila Liquor License \(17-LL-2018\)](#) – **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: 20343 N. Hayden Road, Suite 120
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
7. [Winfield Hotel & Residences Rezoning, Infill Incentive District, and Abandonment \(7-ZN-2017, 1-IL-2017, and 3-AB-2017\)](#) – **Approved on Consent.**
Requests:
 1. Adopt **Ordinance No. 4337** approving an Infill Incentive District application and a Zoning District Map Amendment from Central Business, Downtown Overlay (C-2 DO), Central Business, Parking, Downtown Overlay, (C-2/P-3/DO) and Passenger Vehicle Parking, Downtown Overlay (P-2 DO) to Downtown/Downtown Multiple Use – Type 2, Planned Block Development, Downtown Overlay (D/DMU – Type 2 PBD DO) zoning with amended development standards; a development plan for a mixed use development containing 244± travel accommodation rooms and 26± dwelling units with a building height of 90 feet and a gross floor area ratio of 2.49±; and the use of a parking master plan on a 1.196±-acre site.
 2. Adopt **Resolution No. 11066** authorizing the abandonment of 1,620± square-feet of an alley abutting 4221 and 4223 N. Scottsdale Road and 4216 N. Winfield Scott Plaza, currently zoned Central Business/Downtown Overlay (C-2/DO).
 3. Adopt **Resolution No. 11068** declaring the document titled “Winfield Hotel & Residences Development Plan” to be a public record.
 4. Adopt **Resolution No. 11067** authorizing Development Agreement No. 2018-043-COS with 4221-Associates AZ, LLC.**Location:** 4221 and 4223 N. Scottsdale Road and 4216 N. Winfield Scott Plaza
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
8. [Sienna Hills Ph. 2 Non-Major General Plan Amendment, Rezoning, and Abandonment \(6-GP-2017, 15-ZN-2017, and 13-AB-2017\)](#) – **Approved on Consent.**
Requests:
 1. Adopt **Resolution No. 11064** approving a Non-Major General Plan Amendment to the Scottsdale General Plan 2001 Conceptual Land Use Map from Rural Neighborhoods to Suburban Neighborhoods on an 8±-acre site.
 2. Adopt **Ordinance No. 4336** approving a zoning district map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning to Single-Family Residential, Environmentally Sensitive Lands (R1-10 ESL) zoning on an 8±-acre site.
 3. Adopt **Resolution No. 11065** authorizing the abandonment of the entire 33-foot-wide General Land Office Patent Easements on Parcel Nos. 217-29-035 and 217-29-036A, currently zoned Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL).**Location:** North side of Shea Boulevard, west of the northwest corner of Shea Boulevard and 124th Street (Parcel Nos. 217-29-035 and 217-29-036A)
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

9. **[WaterView Abandonment \(1-AB-2018\) – Approved on Consent.](#)**
Request: Adopt **Resolution No. 11023** authorizing the abandonment of a 360± square-foot portion of an alleyway adjacent to 7300 E. Camelback Road and a 1,305± square-foot portion of an alleyway adjacent to 7254 E. Camelback Road, with Downtown/Downtown Multiple Use – Type 2, Planned Block Development, Downtown Overlay zoning.
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
10. **[Citywide Water Resources Underground Infrastructure Construction Services Job Order Contracts – Approved on Consent.](#)**
Request: Adopt **Resolution No. 11045** authorizing the following contract modifications for the second option year in an amount not to exceed \$5,000,000 per contract for water resources underground infrastructure construction services, as needed:
 1. Contract No. 2015-099-COS-A2 with Achen Gardner Construction, LLC
 2. Contract No. 2015-100-COS-A2 with B&F Contracting, Inc.**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
11. **[Citywide Civil/Site Work Construction Services Job Order Contracts – Approved on Consent.](#)**
Request: Adopt **Resolution No. 11046** authorizing the following contract modifications for the first option year in an amount not to exceed \$5,000,000 per contract for civil/site work construction services, as needed:
 1. Contract No. 2016-037-COS-A1 with DBA Construction, Inc.
 2. Contract No. 2016-038-COS-A1 with Nesbitt Contracting Co., Inc.**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
12. **[Knowing and Growing! Intellectual Property License Agreement – Approved on Consent.](#)**
Request: Adopt **Resolution No. 11044** authorizing Agreement No. 2018-033-COS with the Tempe Community Council, Inc., for use of the City's proprietary Knowing and Growing! Books Can© education program; and authorize the Library Director to enter into Intellectual Property License Agreements with other entities in the future.
Staff Contact(s): Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
13. **[Sodium Concentration Standards and Classes of Exceedence – Approved on Consent.](#)**
Request: Adopt **Resolution No. 11069** authorizing the Water Resources Division Director, or designee, to negotiate modifications to Sodium Concentration Standards and Classes of Exceedence regarding quality of non-potable water delivered by the City through the Reclaimed Water Distribution System.
Staff Contact(s): Brian Biesemeyer, Water Resources Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov
14. **[Regional Emergency Operations Management and Disaster Services Intergovernmental Agreement – Approved on Consent.](#)**
Request: Adopt **Resolution No. 11059** authorizing Agreement No. 2018-041-COS with Maricopa County for regional disaster and emergency services in an annual amount of \$13,000 for FY 2018/19, effective July 1, 2018.
Staff Contact(s): Brent Stockwell, Assistant City Manager, 480-312-7288, bstockwell@scottsdaleaz.gov
15. **[Old Town Scottsdale Trademark Licensing Agreement – Approved on Consent.](#)**
Request: Adopt **Resolution No. 11062** authorizing Agreement 2018-042-COS with Allen R. Pile, DBA Kactus Jock, to acquire from the City a three-year license for the right to use the Old Town Scottsdale Trademark for wholesale and retail purposes. In return for these rights, Allen R. Pile grants to the City ownership of the domain URL oldtownscottsdaleaz.com in perpetuity.
Staff Contact(s): Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov

16. [Support Arizona's Bid to Host Super Bowl LVII in 2023 – Approved on Consent.](#)
Request: Adopt **Resolution No. 11072** outlining the City's intent to support Arizona's Bid to the National Football League to host Super Bowl LVII in 2023 at the University of Phoenix Stadium in Glendale and other Official Events to take place in various cities throughout Metropolitan Phoenix.
Staff Contact(s): Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov
17. [Canal Convergence Funding – Approved on Consent.](#)
Request: Adopt **Resolution No. 11078** authorizing a FY 2017/18 Tourism Development Fund operating contingency transfer in the amount of \$240,000 to the Tourism and Events Department Operating Budget to support the November 2018 Canal Convergence events.
Staff Contact(s): Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov
18. [2017 Board and Commission Annual Report – Approved on Consent.](#)
Request: Receive the 2017 annual report approved by each publicly appointed board, commission, and working task force.
Staff Contact(s): Rachel Smetana, Mayor's Chief of Staff, 480-312-7806, rsmetana@scottsdaleaz.gov

REGULAR AGENDA ITEMS 19-20

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.**

19. [Public Hearing on Proposed Water and Wastewater Development Fees](#)
Request: Conduct a public hearing on proposed changes to water and wastewater development fees to be effective September 1, 2018.
Presenter(s): Brian Biesemeyer, Water Resources Director
Staff Contact(s): Brian Biesemeyer, Water Resources Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov
– Water Resources Director Brian Biesemeyer presentation.
– One public comment was received.
20. [Ryan Assisted Living Community Rezoning \(17-ZN-2017\)](#)
Request: Adopt **Ordinance No. 4335** approving a zoning district map amendment to amend the stipulations, including but not limited to, Nos. 1, 6, and 7 and the development standards from previous Case No. 36-ZN-1991#3 on a 5.9±-acre site with Central Business, Environmentally Sensitive Lands (C-2, ESL) zoning.
Location: 10455 E. Pinnacle Peak Parkway
Presenter(s): Meredith Tessier, Sr. Planner
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
– Senior Planner Meredith Tessier and Applicant Representative Bill Lally presentations.
– Councilwoman Klapp made a motion to adopt Ordinance No. 4335, approving a zoning district map amendment amending the stipulations and the development standards from the previous Case No. 36-ZN-1991#3. Councilwoman Milhaven seconded the motion, which carried 7/0.

Public Comment – None

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CITIZEN PETITIONS

ITEM 21

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.

21. 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 Items

– Councilman Smith made a motion to direct staff to agendize for the Special Council Meeting on April 17, 2018, discussion and possible adoption of an additional ballot question seeking voter approval for the City to issue and sell up to \$30 million of its bonds to provide up to 50% of the required funds for the Scottsdale stadium renovation project. Vice Mayor Korte seconded the motion, which failed 2/5, with Mayor Lane and Councilmembers Klapp, Littlefield, Milhaven, and Phillips dissenting.

– Councilman Smith made a motion to direct staff to agendize for the Special Council Meeting on April 17, 2018, discussion and possible adoption of an additional ballot question seeking voter approval for the City to issue and sell up to \$35 million of its bonds to provide up to 50% of the required funds to design, acquire, construct, approve, and furnish the Desert Discovery Center/Desert Edge. The motion died for lack of a second.

Adjournment – 6:52 P.M.