

# 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, August 28, 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 (August 29 or September 11, 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 – Daughters of the American Revolution Grand Canyon Chapter**

**Invocation – Pastor David Joynt, Valley Presbyterian Church**

**Mayor's Report – Mayor Lane requested a moment of silence to reflect on the loss of Arizona Senator John McCain. Mayor Lane asked that we remember Senator McCain's dedication, belief and love for the United States, and the sacrifices he made for our Country.**

**Presentations/Information Updates – None**

**Public Comment – Neighborhood Advisory commissioners Carol Miraldi and Rachel Putman reported on the Spirit of Scottsdale Awards Program. Darlene Peterson presented a citizen petition asking the City to prohibit vehicles having a gross weight exceeding 10,000 pounds, or having dual rear wheels exceeding 17" and a one-ton chassis, from parking in a residential lot.**

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](http://WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION)

## MINUTES

**Request:** Approve the [Special Meeting Minutes of June 19, 2018](#), and [July 3, 2018](#); [Regular Meeting Minutes of June 19, 2018](#), [July 2, 2018](#), and [July 3, 2018](#); and Executive Session Minutes of June 19, 2018, and July 3, 2018.

– **Councilmember Korte made a motion to approve the Special Meeting Minutes of June 19, 2018, and July 3, 2018; Regular Meeting Minutes of June 19, 2018, July 2, 2018, and July 3, 2018; and Executive Session Minutes of June 19, 2018, and July 3, 2018. 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.**

## CONSENT AGENDA      ITEMS 1-22

**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 Phillips made a motion to approve Consent Agenda Items 1 through 22, absent Item 2, which was moved to the Regular Agenda. 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.**

1. [Fire Station 616 Municipal Use Master Site Plan \(10-UP-2017\)](#) – **Approved on Consent.**

**Request:** Find that the conditional use permit criteria have been met and adopt

**Resolution No. 11211** approving a Municipal Use Master Site Plan for constructing a fire station on 3.3± acres of City-owned property with Single-Family District, Environmentally Sensitive Lands (R1-43/ESL) zoning.

**Location:** 10905 E. Loving Tree Lane

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

2. [Porters Building Conditional Use Permit \(6-UP-2018\)](#)

**Request:** Find that the conditional use permit criteria have been met and adopt

**Resolution No. 11215** approving a Conditional Use Permit for a Bar within a portion (Suite B) of an existing 2,900± square-foot building with Central Business District, Downtown Overlay, Historic Property (C-2 DO HP) zoning.

**Location:** 3944 N. Brown Avenue

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

– **Councilman Smith made a motion to approve the Conditional Use Permit for a period of five years for a bar within a portion (Suite B) of an existing 2,900± square-foot building with Central Business District zoning. Councilwoman Littlefield seconded the motion. No vote taken.**

– **Mayor Lane made an alternate motion to adopt Resolution No. 11215. Councilmember Korte seconded the motion, which carried 6/1, with Mayor Lane; Vice Mayor Phillips; and Councilmembers Klapp, Korte, Littlefield and Milhaven voting in the affirmative, and Councilman Smith dissenting.**

3. **Crown Castle Days Inn & Suites Type 4 Wireless Communication Facilities Conditional Use Permit (9-UP-2018) – Approved on Consent.**  
**Request:** Find that the conditional use permit criteria have been met and adopt **Resolution No. 11213** approving a Conditional Use Permit for two new Type 4 Alternative Concealment Wireless Communication Facilities in the design of two 65±-foot artificial palm trees on a 4.74±-acre site with Multiple-Family Residential, Planned Community District (R-5 PCD) zoning.  
**Location:** 7330 N. Pima Road  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
4. **The Promenade Replat (16-PP-2005#3) – Approved on Consent.**  
**Request:** Approve the re-plat of Tract F in the Promenade subdivision to create Lot 25 on a 3.12±-acre parcel with General Commercial District (C-4) zoning.  
**Location:** 7550 E. Paradise Lane  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
5. **Sereno Canyon Phase 4 Final Plat (16-PP-2017) – Approved on Consent.**  
**Request:** Approve the final plat for a new residential subdivision, including the improvement plans, for the 129±-acre Phase 4 development of the Sereno Canyon Community Plan.  
**Location:** Northwest corner of E. Pinnacle Peak Road and N. 128<sup>th</sup> Street  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
6. **Wolff Legacy Scottsdale Non-Major General Plan Amendment and Rezoning (7-GP-2017 and 23-ZN-2017) – Approved on Consent.**  
**Requests:**
  1. Adopt **Resolution No. 11212** approving a Non-Major General Plan Amendment to the Scottsdale General Plan 2001 Conceptual Land Use Map from Commercial to Office on a 14±-acre site.
  2. Adopt **Ordinance No. 4361** approving a zoning district map amendment from Industrial Park, Environmentally Sensitive Lands, Hillside District (I-1 ESL HD) and Central Business, Environmentally Sensitive Lands, Hillside District (C-2 ESL HD) to Commercial Office, Environmentally Sensitive Lands (C-O ESL) zoning on a 14±-acre site.**Location:** North and west of the northwest corner of E. Legacy Boulevard and N. Pima Road  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
7. **Spectrum – Camelback Rezoning (1-ZN-2018) – Approved on Consent.**  
**Request:** Adopt **Ordinance No. 4360** approving a zoning district map amendment from Service Residential (S-R) to Commercial Office (C-O) zoning on 3.92± acres of a 4.5±-acre site.  
**Location:** 8102 E. Camelback Road  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
8. **Wolff Senior Living – Indian Bend/Fire Station 603 Development Agreement (6-DA-2018) – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11057** authorizing Agreement No. 2018-038-COS with Revel Scottsdale Development, LLC, to memorialize an in-lieu payment in the amount of \$26,387 and maintenance responsibility from the property owner of 8225 E. Indian Bend Road for a new off-site sidewalk and pedestrian lighting located at 8191 E. Indian Bend Road, as stipulated in Case No. 13-ZN-2017.  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

9. **Site 42 – Reservoir Replacement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11200** authorizing Construction Bid Award No. 18PB023 with Currier Construction, Inc., the lowest responsive bidder, in the amount of \$1,528,564 for construction of the Site 42, One Million Gallon Reservoir Replacement.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
10. **Temporary Ballfield Fencing – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11220** authorizing a FY 2018/19 operating budget appropriation transfer in the amount of \$17,482 from the Community and Economic Development Division, Tourism and Events Department, to the Community Services Division, Parks and Recreation Department, to be funded by the Tourism Development Fund for youth sports field temporary, portable fencing and anchor system.  
**Staff Contact(s):** Bill Murphy, Community Services Director, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)
11. **Community Fishing Program Intergovernmental Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11142** authorizing Agreement No. 2018-061-COS with the Arizona Game and Fish Commission, in an amount not to exceed \$66,980 over the agreement's five-year term, to support a community fishing program at Chaparral Lake and Eldorado Pond.  
**Staff Contact(s):** Bill Murphy, Community Services Director, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)
12. **Regional Wireless Cooperative Intergovernmental Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11218** authorizing Agreement No. 2009-151-COS-A1 with the Regional Wireless Cooperative (RWC) to update the RWC's Governance Document.  
**Staff Contact(s):** Brad Hartig, Chief Information Officer, 480-312-7615, [bhartig@scottsdaleaz.gov](mailto:bhartig@scottsdaleaz.gov)
13. **Transit Services Intergovernmental Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11219** authorizing Agreement No. 2018-126-COS with the Regional Public Transportation Authority in the amount of \$307,802 for FY 2018/19 transit services.  
**Staff Contact(s):** Paul Basha, Transportation Director, 480-312-7651, [pbasha@scottsdaleaz.gov](mailto:pbasha@scottsdaleaz.gov)
14. **Treatment and Transportation of Central Arizona Project Water and Sale of Certain Franchise and Water System Assets Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11221** authorizing Agreement No. 1989-013-COS-A2 with the Carefree Water Company to provide additional points of delivery and a method for future revisions to the points of delivery.  
**Staff Contact(s):** Brian Biesemeyer, Water Resources Director, 480-312-5683, [bbiesemeyer@scottsdaleaz.gov](mailto:bbiesemeyer@scottsdaleaz.gov)
15. **Scottsdale Airport/Airpark Rates and Fees – Approved on Consent.**  
**Request:** Accept and consider all citizen comments at a public hearing regarding proposed aviation rates and fees and adopt **Resolution No. 11082** authorizing and approving adjustments to the *Scottsdale Airport/Airpark Rates and Fees Schedule*, effective October 1, 2018.  
**Staff Contact(s):** Gary Mascaro, Aviation Director, 480-312-7735, [gmascaro@scottsdaleaz.gov](mailto:gmascaro@scottsdaleaz.gov)
16. **DUI Enforcement and Education Grant – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11158** to authorize:
  1. Agreement No. 2018-066-COS with the DUI Abatement Council, administered by the State of Arizona, to accept a grant in the amount of \$50,000 to support DUI enforcement and education.
  2. A budget transfer in the amount of \$50,000 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):** Alan Rodbell, Chief of Police, 480-312-1900, [arodbell@scottsdaleaz.gov](mailto:arodbell@scottsdaleaz.gov)

17. **Edward Byrne Memorial Justice Assistance Grant – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11210** to authorize:
1. Acceptance of the 2017 Edward Byrne Memorial Justice Assistance Grant in the amount of \$30,935 to continue to partially fund a full-time property and evidence technician position.
  2. The Chief of Police, or designee, to execute any necessary documents or instruments in connection with the acceptance of the grant.
  3. A budget transfer in the amount of \$30,935 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](mailto:arodbell@scottsdaleaz.gov)
18. **Police Aide Position – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11216** authorizing the addition of one full-time police aide position (1.0 FTE) to the Police Department without increasing the general fund budget.  
**Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, [arodbell@scottsdaleaz.gov](mailto:arodbell@scottsdaleaz.gov)
19. **Human Resources Management Code Amendment – Approved on Consent.**  
**Request:** Adopt **Ordinance No. 4352** amending Scottsdale Revised Code, Chapter 14, Human Resources Management, Sections 14-81, 14-82, and 14-83.  
**Staff Contact(s):** Donna Brown, Human Resources Director, 480-312-2615, [dbrown@scottsdaleaz.gov](mailto:dbrown@scottsdaleaz.gov)
20. **Maricopa Association of Governments Annual Membership Dues – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11198** authorizing payment of annual membership dues in the amount of \$46,548 to the Maricopa Association of Governments for FY 2018/19.  
**Staff Contact(s):** Brad Lundahl, Government Relations Director, 480-312-2683, [blundahl@scottsdaleaz.gov](mailto:blundahl@scottsdaleaz.gov)
21. **Gila River Adjudication Legal Services Contract – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11197** authorizing Contract No. 2018-096-COS with Engelman Berger, P.C., in an amount not to exceed \$40,656.25 for the continued representation for FY 2018/19 in the Gila River General Stream Adjudication pursuant to Contract No. 2003-145-COS-A3 and authorizing the City Attorney to approve a one-year contract extension of Contract No. 2018-096-COS.  
**Staff Contact(s):** Bruce Washburn, City Attorney, 480-312-2405, [bwashburn@scottsdaleaz.gov](mailto:bwashburn@scottsdaleaz.gov)
22. **Audit Committee Recommendation for the Library Board Sunset Review – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11207** accepting the Audit Committee's recommendation and authorizing the continuation of the Library Board.  
**Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, [swalker@scottsdaleaz.gov](mailto:swalker@scottsdaleaz.gov)

## REGULAR AGENDA      ITEM 23

**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.**



23. [HV91 Rezoning \(24-ZN-2017\)](#)

**Request:** Adopt **Ordinance No. 4362** approving a zoning district map amendment from Single-Family Residential, Environmentally Sensitive Lands, Hillside District (R1-190 ESL HD) zoning to Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning for a new 17-lot subdivision on a 20±-acre site.

**Location:** Southwest corner of N. 91<sup>st</sup> Street and E. Happy Valley Road

**Presenter(s):** Meredith Tessier, Sr. Planner

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

– **Presentations from Senior Planner Meredith Tessier and Applicant Representative John Berry.**

– **Councilwoman Milhaven made a motion to adopt Ordinance No. 4362 approving a zoning district map amendment from Single-Family Residential, Environmentally Sensitive Lands, Hillside District (R1-190 ESL HD) zoning to Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning for a new 17-lot subdivision on a 20±-acre site located at the southwest corner of 91<sup>st</sup> Street and East Happy Valley Road. Councilmember Korte 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.**

**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 24

**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.

24. **Receipt of Citizen Petitions – Councilwoman Littlefield made a motion to direct the City Manager to investigate the citizen petition submitted by Darlene Petersen, which asks the City to prohibit vehicles having a gross weight exceeding 10,000 pounds, or having dual rear wheels exceeding 17" and a one-ton chassis, from parking in a residential lot, and prepare a written response to the Council, with a copy to the petitioner. 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.**

**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

### ITEM 25

**25. Boards, Commissions, and Task Force Nominations**  
**(Note: Interviews and appointments scheduled for September 11, 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.

Citizens' Bond Oversight Committee (*one vacancy*) – **Councilman Smith nominated Laraine Rodgers**

Human Relations Commission (*two vacancies*) – **Councilmember Korte nominated James Eaneman and Jennifer Martin, Mayor Lane nominated Howard Jones and Emily Hinchman, Councilwoman Klapp nominated Jackie Parks and Debra Behrendt, and Vice Mayor Phillips nominated Donna Reid**

Human Services Commission (*two vacancies*) – **Mayor Lane nominated Janice Eng and Andrew Song, Councilwoman Milhaven nominated Ashley Blaine, Councilwoman Littlefield nominated Patricia Nightingale, and Councilman Smith nominated Kanagaratanam Chinasamy**

Judicial Appointments Advisory Board (*one Scottsdale bar representative vacancy and one citizen representative vacancy*) – **Councilwoman Klapp nominated Courtney Brimacombe and John Gilbert, Councilwoman Milhaven nominated Mary Jo Barsetti and Robert Gruler, and Councilmember Korte nominated Susan Galpin-Tyree**

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

Neighborhood Advisory Commission (*one vacancy*) – **Councilwoman Milhaven nominated Jonathan Budwig, Councilwoman Littlefield nominated Kevin Maldonado, Councilman Smith nominated Amanda Nash, and Mayor Lane nominated John Baumer**

Tourism Development Commission (*one industry vacancy and one hotelier vacancy*) – **Councilwoman Littlefield nominated David Woods and Jeanne Alspaugh, Vice Mayor Phillips nominated Linda Dillenbeck, and Councilman Smith nominated Richard Newman**

Transportation Commission (*one vacancy*) – **Vice Mayor Phillips nominated John Deniston, Councilman Smith nominated Dwayne Guthrie, Councilmember Korte nominated Peggy Young, Mayor Lane nominated Kent Lall, Councilwoman Klapp nominated Brent Gayler, and Councilwoman Littlefield nominated David Dubner**

**Note:** The only Council action to be taken on Item No. 25 is to select nominees for interviews and appointment consideration at a future Council meeting. No public comment will be taken on this item.

**Adjournment – 6:19 P.M.**