

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, September 19, 2017

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 (October 10, 2017).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:06 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 Keith Matney, First Southern Baptist Church of Scottsdale

Mayor's Report – Mayor Lane asked everyone to keep the victims of the Mexico City earthquake in their prayers and thoughts. Mayor Lane read a proclamation in honor of Indigenous People's Day.

Presentations/Information Updates – None

Public Comment – None

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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

MINUTES

Request: Approve the [Regular Meeting Minutes of August 28, 2017](#) and [August 29, 2017](#).

– Councilmember Korte made a motion to approve the Regular Meeting Minutes of August 28, 2017 and August 29, 2017. Councilwoman Littlefield seconded the motion, which carried 7/0.

CONSENT AGENDA ITEMS 1-13

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 13. Vice Mayor Klapp seconded the motion, which carried 7/0.

1. [Cake Nightclub Liquor License \(69-LL-2017\)](#) – Vice Mayor Klapp made a motion to approve Cake Nightclub Liquor License 69-LL-2017 and forward 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. Councilmember Korte seconded the motion, which carried 6/1, with Councilman Smith dissenting.

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

2. [21 Degrees Cigar Liquor License \(70-LL-2017\)](#) – 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 7 (beer and wine bar) State liquor license for an existing location with a new owner.

Location: 9375 E. Shea Boulevard, Suite 175

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

3. [Nirvana Indian Cuisine Liquor License \(71-LL-2017\)](#) – 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: 14891 N. Northsight Boulevard, Suite 119

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

4. [Citywide Sports Field Lighting Job Order Contract Modification](#) – Approved on Consent.

Request: Adopt **Resolution No. 10866** authorizing Contract No. 2014-124-COS-A2 with Sellers & Sons, Inc., for a one-year contract extension and to increase the per job order limit to \$1,250,000 for Citywide sports field lighting.

Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

5. **Preserve Trails Design, Construction, Renovation and Rehabilitation Job Order Contract – Approved on Consent.**
Request: Adopt **Resolution No. 10888** authorizing Contract No. 2017-139-COS with Cuddy Mountain Trails Co., and Contract No. 2017-138-COS with American Conservation Experience, with each contract to have a maximum contract price of \$4,000,000 for the initial two-year term, for Preserve trails design, construction, renovation, and rehabilitation projects.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
6. **Arizona Canal Multi-Use Path License Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10903** authorizing Contract No. 2015-106-COS-A1 with Salt River Project Agricultural Improvement and Power District to correct the legal description and supplement the uses of the licensed property pertaining to the multi-use path from Chaparral Road to Indian Bend Wash.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
7. **Pima Road Improvement Projects – Approved on Consent.**
Request: Adopt **Resolution No. 10785** authorizing Agreement No. 2017-065-COS with Maricopa Association of Governments for project administration and reimbursement of eligible costs incurred by the City for Pima Road improvement projects.
Location: Krail Street to Chaparral Road
Staff Contact(s): Paul Basha, Transportation Director, 480-312-7651, pbasha@scottsdaleaz.gov
8. **Scottsdale Airport Transient Apron Reconstruction Project – Approved on Consent.**
Request: Adopt **Resolution No. 10811** authorizing Construction Bid Award No. 17PB027 in the amount of \$1,157,177.70 to Nesbitt Construction Co., Inc., for the reconstruction of the airport transient parking apron.
Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov
9. **Fun With Math & Science© Library Program Grant – Approved on Consent.**
Request: Adopt **Resolution No. 10889** to authorize:
 1. Acceptance of a FY 2017/18 Library Services and Technology Act grant from the Arizona State Library, Archives, and Public Records in the amount of \$61,600 for the Library's Fun With Math & Science© program.
 2. A budget transfer in the amount of \$61,600 from the adopted FY 2017/18 Future Grants and/or Grant Contingency Budget to a newly created cost center to record the related grant activity.
 3. The City to enter into Intellectual Property License Agreements with selected rural Arizona libraries.
 4. The Library Director to execute any other documents and take such other actions as are necessary to accept and administer the grant.**Staff Contact(s):** William Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
10. **Lost Dog Trailhead Overflow Parking Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10909** authorizing Agreement No. 2012-100-COS-A1 with Scottsdale Unified School District to amend and extend the use of parking spaces at Anasazi Elementary School for overflow parking on peak use days at the McDowell Sonoran Preserve Lost Dog Trailhead.
Staff Contact(s): William Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
11. **School Resource Officer Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10901** authorizing Agreement No. 2017-144-COS with Cave Creek Unified School District for the provision of a Scottsdale Police Officer to serve as a School Resource Officer.
Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdale.gov

12. **Fire Department Command Officers Training Grant Amendment – Approved on Consent.**
Request: Adopt **Resolution No. 10907** authorizing a budget transfer in the amount of \$140,015 from the FY 2017/18 Future Grants Budget and/or the Grant Contingency Budget to the current grant center to record the related grant activity.
Staff Contact(s): Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov
13. **Indian Bend Properties v. City of Scottsdale Settlement – Approved on Consent.**
Request: Adopt **Resolution No. 10912** to authorize:
1. The City to acquire title to Maricopa County Assessor Parcels Nos. 174-11-004H, 174-11-004J, and 174-11-003R and to pay Indian Bend Properties the sum of \$75,000.
 2. The City Treasurer to pay any outstanding real estate tax liabilities for the parcels in the approximate amount of \$35,000.
 3. A transfer of \$50,000 from the Special Programs Fund Inlet Golf Course Fund Operating Budget in Community Services to the Capital Improvement Plan (CIP) Budget.
 4. A transfer of \$60,000 from the adopted FY 2017/18 General Fund Capital Contingency Budget to a newly created CIP project to be titled Indian Bend Properties Parcels for the purchase of the real estate interests to be obtained therefrom.
 5. Settlement in the lawsuit against the City entitled *Indian Bend Properties v. City of Scottsdale, et al.*, filed in Maricopa County Superior Court CV2016-050916 and authorize the City Manager, City Treasurer, City Attorney, or designees, to execute documents and take actions as necessary.
- Staff Contact(s):** Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov

REGULAR AGENDA **ITEM 14**

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.**

14. **Wolf Springs Ranch Rezoning (28-ZN-2016)**
Requests:
1. Adopt **Ordinance No. 4319** approving a Zoning District Map Amendment on a 20±-acre site from Single-family Residential (R1-35) to Single-family Residential, Planned Residential Development (R1-18 PRD) zoning, including a Development Plan and Amended Development Standards.
 2. Adopt **Resolution No. 10877** declaring “Wolf Springs Ranch Development Plan” as a public record.
- Location:** 12475 N. 93rd Street, 12435 N. 93rd Street, 9320 E. Cactus Road, 9350 E. Cactus Road, 9370 E. Cactus Road, and 9390 E. Cactus Road
Presenter(s): Keith Niederer, Sr. Planner
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
– Senior Planner Keith Niederer and Applicant Representative Steven Voss presentations.
– Councilman Smith made a motion to adopt Ordinance No. 4319 and Resolution No. 10877 for the Wolf Springs Ranch rezoning. Councilmember Korte seconded the motion, which carried 7/0.

Public Comment – None

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CITIZEN PETITIONS

ITEM 15

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.

15. 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 – None

Adjournment – 6:14 P.M.