

SCOTTSDALE

CITY COUNCIL MEETING



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

[ADDED ITEM NOS. A1 AND 10A; REMOVED ITEM No. 12]

COUNCIL

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Kathleen S. Littlefield

Linda Milhaven

Guy Phillips

Solange Whitehead

Tuesday, April 2, 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 16, 2019).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:01 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 – Troop 1612, Troop Leader Lucy Rohani

Invocation – Azra Hussain, Islamic Speakers Bureau of Arizona

Mayor's Report – Mayor Lane presented proclamations honoring Volunteer Appreciation Week and Scottsdale Bike Month.

Presentations/Information Updates – Environmental Quality Advisory Board Members Tammy Bosse and Natalie Chrisman Lazarr presentation.

- **Environmental Quality Advisory Board Environmental Achievement Recognition Award**
Presenter(s): Tammy Bosse, Vice Chair; Natalie Chrisman Lazarr, Board Member

Public Comment – Alex McLaren commented on the Reata Wash flood control and Granite Reef capital improvement projects. Mike Nealy thanked the Council, city staff, and citizens for their contributions to the success of the Fiesta Bowl.

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.

– Councilmember Korte made a motion to accept the agenda as presented. Councilwoman Littlefield 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

Consent Item No. 10A was added to the agenda on April 1, 2019.

Request: Vote to accept the agenda as presented or continue the added item(s) to the next scheduled Council meeting, which is April 16, 2019.

MINUTES

Request: Approve the [Special Meeting Minutes of March 5, 2019](#); [Regular Meeting Minutes of March 5, 2019](#); and Executive Session Minutes of March 5, 2019.

– Councilmember Korte made a motion to approve the Special Meeting Minutes of March 5, 2019; Regular Meeting Minutes of March 5, 2019; and Executive Session Minutes of March 5, 2019. Councilwoman Whitehead 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 1-10A

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.

– Councilman Phillips made a motion to approve Consent Agenda Items 1 through 10A, absent Items 2 and 3, which were moved to the Regular Agenda. Councilwoman Whitehead 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. [M & M Ranch Conditional Use Permit \(12-UP-2016\)](#) – **Approved on the Consent Agenda.**

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

Resolution No. 11413 approving a Conditional Use Permit for a ranch use on a 5.0±-acre site with Single-Family Residential, Environmentally Sensitive Lands, Foothills Overlay (R1-190/ESL/FO) zoning.

Location: 8144 E. Via Dona Road

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

2. [Lot V on the Green Final Plat \(10-PP-2015\)](#)

Request: Approve the final plat for a 4-lot residential subdivision, within the existing *On the Green at Troon North* subdivision, with existing amended development standards, and a landscape plan, including walls, on a 0.70±-acre site with Resort/Townhouse Residential District, Environmentally Sensitive Lands (R-4R/ESL) zoning.

Location: 10299 E. White Feather Lane

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

– Senior Planner Jesus Murillo presentation.

– Councilwoman Littlefield made a motion to continue Item 2 to April 16, 2019.

Councilmember Korte seconded the motion, which carried 4/3, with Councilmembers Klapp, Korte, Littlefield, and Whitehead voting in the affirmative and Mayor Lane, Vice Mayor Milhaven, and Councilman Phillips dissenting.

3. [118th & Ranch Gate Rezoning \(15-ZN-2018\)](#)

Request: Adopt **Ordinance No. 4385** approving a zoning district map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-130 ESL) zoning to Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning on 64.4± acres and Open Space, Environmentally Sensitive Lands (O-S ESL) zoning on 4.2± acres of a 68.6±-acre site.

Location: Northeast corner of N. 118th Street and E. Ranch Gate Road

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

– Presentations from Senior Planner Jeff Barnes and Applicant Representative John Berry.

– Vice Mayor Milhaven made a motion to adopt Ordinance No. 4385 approving a zoning district map amendment. Councilmember Korte seconded the motion, which carried 5/2, with Mayor Lane, Vice Mayor Milhaven, and Councilmembers Klapp and Korte voting in the affirmative and Councilmembers Littlefield and Whitehead dissenting.

4. [Water Resources Underground Infrastructure Construction Services Job Order Contracts – Approved on Consent Agenda.](#)

Request: Adopt **Resolution No. 11392** authorizing the following contract modifications for the third option year in an amount not to exceed \$5,000,000 per contract for Citywide water resources underground infrastructure construction services:

1. Contract No. 2015-099-COS-A3 with Achen Gardner Construction, LLC
2. Contract No. 2015-100-COS-A3 with B&F Contracting, Inc.

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

5. [Civil/Site Work Construction Services Job Order Contracts – Approved on Consent Agenda.](#)

Request: Adopt **Resolution No. 11393** authorizing the following contract modifications for the second option year in an amount not to exceed \$5,000,000 per contract for Citywide civil/site work construction services:

1. Contract No. 2016-037-COS-A2 with DBA Construction, Inc.
2. Contract No. 2016-038-COS-A2 with Nesbitt Contracting Co., Inc.

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

6. [Hayden Road and Thomas Road Intersection Improvements – Approved on Consent Agenda.](#)

Request: Adopt **Resolution No. 11406** to authorize:

1. Construction Bid Award No. 18PB027 with AJP Electric, Inc., the lowest responsive bidder, in the amount of \$2,433,648.75 for the construction of Hayden Road and Thomas Road intersection improvements.
2. A FY 2018/19 CIP Budget Appropriation transfer in the amount of \$1,600,000 from the Miller Road Underpass at SR 101 Capital Project (SC03) to the Hayden/Thomas Safety Improvements Capital Project (TB57) to be funded by the Transportation 0.20% Sales Tax.

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

7. [Scottsdale Housing Annual Agency Plan – Approved on Consent Agenda.](#)
Request: Adopt **Resolution No. 11399** to authorize:
1. The FY 2019/20 Annual Agency Plan for the operation of, and to serve as the funding application for, the Housing Choice Voucher (HCV) Program, and authorize its submission to the U.S. Department of Housing and Urban Development (HUD).
2. The revised Administrative Plan and its submission to HUD.
3. The acceptance of HCV vouchers.
Staff Contact(s): Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
8. [WestWorld Event Agreement – Approved on Consent Agenda.](#)
Request: Adopt **Resolution No. 11353** authorizing Agreement No. 2019-010-COS with Jam On It Basketball Academy, Inc., to produce the Jam On It Basketball tournament at the WestWorld facility.
Staff Contact(s): Brian Dygert, WestWorld General Manager, 480-312-6825, bdygert@scottsdaleaz.gov
9. [WestWorld Event Agreement – Approved on Consent Agenda.](#)
Request: Adopt **Resolution No. 11356** authorizing Agreement No. 2019-015-COS with Alaska Events, Inc., dba Maricopa County Home Show, to hold two Maricopa County Home Shows each year, through October 2021, at the WestWorld facility.
Staff Contact(s): Brian Dygert, WestWorld General Manager, 480-312-6825, bdygert@scottsdaleaz.gov
10. [Master Equity Lease Agreement – Approved on Consent Agenda.](#)
Request: Adopt **Resolution No. 11419** authorizing Agreement No. 2019-048-COS with Enterprise FM Trust for the lease of vehicles for use by the Police Department.
Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdale.gov
- ***10A. [Bond Counsel Professional Services Contract – Approved on Consent Agenda.](#)
Request: Adopt **Resolution No. 11432** authorizing Contract No. 2019-051-COS with Ballard Spahr LLP for bond counsel services associated with the City's issuance of bonds and other capital financing.
Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov

REGULAR AGENDA ITEMS 11-12

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.**

11. [Public Hearing on the Biennial Certified Audit of Land Use Assumptions, Infrastructure Improvements Plan and Development Impact Fees](#)
Request: Hold a public hearing as required by Arizona Revised Statutes §9-463.05(G)(2) to solicit and receive public comment on Report 1903, City of Scottsdale *Biennial Certified Audit of Land Use Assumptions, Infrastructure Improvements Plan and Development Impact Fees (July 1, 2016 – June 30, 2018)* for the City's water and wastewater utilities.
Presenter(s): Sharron Walker, City Auditor
Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov
– **City Auditor Sharron Walker and Raftelis Senior Consultant Joe Williams presentations.**
– **City Attorney Bruce Washburn noted for the record that there were no requests to speak for the public hearing.**

***12. [Telecommunications Code Amendment](#)

(Removed at the request of staff.)

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.

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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."**

CITIZEN PETITIONS

ITEM 13

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.

13. **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 – 6:15 P.M.