

**SCOTTSDALE**

# **CITY COUNCIL MEETING**

**\*\*\* AMENDED \*\*\* REGULAR MEETING AND WORK STUDY SESSION**

## **NOTICE AND AGENDA**

**[ADDED CONSENT ITEM NO. 14A]**



### **COUNCIL**

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Kathleen S. Littlefield

Linda Milhaven

Guy Phillips

David N. Smith

**Tuesday, October 25, 2016**

*Unless an exception is made, or unless otherwise noted:*

*Citizens will be given three minutes to address the Council during the times set aside for public comment on Consent, Regular, or Mayor and Council items and during the open call to the public (Public Comment).*

*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 (November 14, 2016).*

**5:00 P.M.**

**MARKED AGENDA**

### **CITY COUNCIL MEETING**

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Call to Order – 5:02 P.M.**

**Roll Call – Councilwoman Milhaven absent.**

*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 454, Troop Leaders Jane Bils and Heather Phillips**

**Invocation – Mayor Lane asked for a moment of silence to reflect on the well-being of our Country and our City.**

**Mayor's Report – Mayor Lane recognized Rise of the Rest Startup Pitch Competition winner Neolight LLC, a Scottsdale neonatal medical technology company. Mayor Lane read a proclamation in honor of Red Ribbon Week.**

**Presentations/Information Updates – None**



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)

**Public Comment – Helen Began, Dorian Hernandez and Monserret Rosario spoke about the Alli Ortega Empty Bowls 2016 program sponsored by Scottsdale Arts.**

Citizens may complete one Request to Speak “Public Comment” card per night and submit it to the City Clerk. Public Comment time is reserved for citizen comment regarding non-agendized items. No official Council action can be taken on these items. 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.”**

## **CONSENT AGENDA      ITEMS 1-14A**

**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 1 through 14A, absent Item 4. Councilwoman Klapp seconded the motion, which carried 6/0.**

1. **[Twin Peaks Liquor License \(89-LL-2016\)](#) – 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:** 8787 E. Frank Lloyd Wright Boulevard  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
2. **[Permanent Extension of Premises for Bodega 13 \(5-EX-2016\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for a Series 12 (restaurant) State liquor license to expand the patio.  
**Location:** 8876 E. Pinnacle Peak Road, Suite 100  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
3. **[Permanent Extension of Premises for Virtu Honest Craft \(6-EX-2016\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for a Series 12 (restaurant) State liquor license for an existing location to expand the patio.  
**Location:** 3701 N. Marshall Way  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
4. **[Oasis Café Conditional Use Permit \(7-UP-2016\)](#) – Councilman Phillips made a motion to find that the conditional use permit criteria have been met and approve the Oasis Café Conditional Use Permit (7-UP-2016). Councilmember Korte seconded the motion, which carried 5/1, with Councilman Smith dissenting.**  
**Request:** Find that the conditional use permit criteria have been met and adopt  
**Resolution No. 10581** approving a Conditional Use Permit for a bar on a 4,241± square-foot site with Central Business/Parking District Downtown Overlay and Parking District Vehicle Parking Downtown Overlay (C-2/P-3 DO & P-2 DO) zoning.  
**Location:** 4441 N. Buckboard Trail  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

5. **[Azcentral.com Food & Wine Experience Event](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 10589** to authorize:
  1. FY 2016/17 funding not to exceed \$82,500 from the portion of the Tourism Development Fund that is allocated toward event retention and development for the Azcentral.com Food & Wine Experience event.
  2. New Event Funding Agreement No. 2016-156-COS with R Entertainment Company, LLC.**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, [kchurchard@scottsdaleaz.gov](mailto:kchurchard@scottsdaleaz.gov)**
  
6. **[Grand Prix of Scottsdale Event](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 10590** to authorize:
  1. FY 2016/17 funding not to exceed \$60,500 from the portion of the Tourism Development Fund that is allocated toward event retention and development for the Grand Prix of Scottsdale event.
  2. New Event Funding Agreement No. 2016-157-COS with Grand Prix Scottsdale, LLC.**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, [kchurchard@scottsdaleaz.gov](mailto:kchurchard@scottsdaleaz.gov)**
  
7. **[Brown Avenue Studio Revocable License Agreement](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 10563** authorizing Agreement No. 2016-163-COS with Scottsdale Cultural Council, Inc., d/b/a Scottsdale Arts, for the use of studio space.  
**Location:** 3806 N. Brown Avenue  
**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, [kchurchard@scottsdaleaz.gov](mailto:kchurchard@scottsdaleaz.gov)**
  
8. **[National Criminal History Improvement Program Grant Agreement](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 10591** to authorize:
  1. Agreement No. 2016-161-COS with the Arizona Criminal Justice Commission to accept a grant in the amount of \$234,000, with a \$26,000 in-kind match, for the National Criminal History Improvement Program.
  2. A budget transfer in the amount of \$234,000 from the FY 2016/17 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)**
  
9. **[WestWorld Special Land Use Permit](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 10609** authorizing Contract No. 2016-169-COS with the Arizona State Land Department to allow the City to permit the use of State Trust Land for special event production and event parking along the Loop 101 freeway corridor.  
**Staff Contact(s):** Brian Dygert, WestWorld General Manager, 480-312-6825, [bdygert@scottsdaleaz.gov](mailto:bdygert@scottsdaleaz.gov)**
  
10. **[Naming of the Amphitheater at the Brown's Ranch Trailhead](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 10610** authorizing the amphitheater at the Brown's Ranch Trailhead in the McDowell Sonoran Preserve to be named: "The Honorable Carolyn Allen Amphitheater."  
**Staff Contact(s):** Kroy Ekblaw, Preserve Director, 480-312-7064, [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov)**
  
11. **[Audit Committee Recommendation for the Human Services Commission Sunset Review](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 10586** accepting the Audit Committee's recommendation and authorizing continuation of the Human Services Commission.  
**Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, [swalker@scottsdaleaz.gov](mailto:swalker@scottsdaleaz.gov)**

12. [Audit Committee Recommendation for the Judicial Appointments Advisory Board Sunset Review – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 10587** accepting the Audit Committee’s recommendation and authorizing continuation of the Judicial Appointments Advisory Board.  
**Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, [swalker@scottsdaleaz.gov](mailto:swalker@scottsdaleaz.gov)
13. [Privette v. City of Scottsdale, et al., Settlement Agreement – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 10605** authorizing Agreement No. 2016-165-COS with Nilsene A. Privette in the amount of \$55,000 to settle Nilsene A. Privette’s negligence lawsuit against the City entitled *Privette v. City of Scottsdale, et al.*, Case No. CV2014-004032 currently pending in the Maricopa County Superior Court.  
**Staff Contact(s):** Bruce Washburn, City Attorney, 480-312-2405, [bwashburn@scottsdaleaz.gov](mailto:bwashburn@scottsdaleaz.gov)
14. [Monthly Financial Report – Approved on Consent.](#)  
**Request:** Accept the FY 2016/17 Monthly Financial Report as of August 2016.  
**Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)
- 14A. [Wayne E. Crenshaw v. Alexandria Wolfe, et al., Settlement – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 10624** authorizing the settlement of the property damage and injury claims of Alexandria and Matthew Wolfe entitled *Wayne E. Crenshaw v. Alexandria Wolfe, et al.*, filed in Maricopa County Superior Court, Case No. CV2016-000231; and authorizing waiver of the City’s statutory lien against third party recovery by Officer Wayne Crenshaw pursuant to A.R.S. § 23-1023(C) and waiving any future credit therefrom.  
**Staff Contact(s):** Bruce Washburn, City Attorney, 480-312-2405, [bwashburn@scottsdaleaz.gov](mailto:bwashburn@scottsdaleaz.gov)

## **REGULAR AGENDA**      **ITEM 15**

**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.**

15. [Monthly Financial Update](#)  
**Request:** Receive, discuss, and provide possible direction on the City Treasurer’s monthly financial presentation as of September 2016.  
**Presenter(s):** Jeff Nichols, City Treasurer  
**Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)  
**– City Treasurer Jeff Nichols presentation. Staff was asked to show the tax collected from the sale of food for home consumption as a separate line item.**

### **Public Comment – None**

Citizens may complete one Request to Speak “Public Comment” card per night and submit it to the City Clerk. Public Comment time is reserved for citizen comment regarding non-agendized items. No official Council action can be taken on these items. 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 16

**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.

#### 16. **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](mailto:cjagger@scottsdaleaz.gov)

#### **Mayor and Council Items – None**

#### **Adjournment – 6:01 P.M.**

### CITY COUNCIL WORK STUDY SESSION

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard  
(Immediately Following the Regular Meeting)

#### **Call to Order – 6:19 P.M.**

#### **Roll Call – Councilwoman Milhaven absent.**

*One or more members of the Council may be unable to attend the Council meeting in person, and may participate in telephonically, pursuant to A.R.S. §38-431(4).*

**Work Study Sessions:** Work study sessions provide a less formal setting for the Mayor and Council to discuss specific topics, at length, with each other and City staff. Work study sessions provide an opportunity for staff to receive direction from the Council and for the public to observe these discussions.

#### **Public Comment – None**

To provide an opportunity for public input, yet continue to maximize the amount of time available for the Council to have focused discussions, a total of fifteen minutes will be set aside at the beginning of each work study session for public comment on the agendized items. If you have thoughts or suggestions on the work study session items you would like the Council to consider, you are encouraged to complete a Written Comment card and submit your written comments to the City Clerk. The Clerk will ensure the Council receives your comments at various times throughout the evening.

#### 1. **[Zika and Other Mosquito-Borne Threat Preparedness](#)**

**Request:** Presentation, discussion, and possible direction to staff regarding the threat of Zika and other mosquito-borne illnesses within the City and the prevention, mitigation, and response to the potential threat.

**Presenter(s):** Brent Olson, Emergency Manager

**Staff Contact(s):** Brent Olson, Emergency Manager, 480-312-1886, [bolson@scottsdaleaz.gov](mailto:bolson@scottsdaleaz.gov)

**– Presentations by Emergency Manager Brent Olson; Maricopa County Department of Health Epizootologist Craig Levy; Environment Planner Sam Brown; Stormwater Project Manager Ashley Couch; and Parks and Recreation Director Reed Pryor. Staff will continue to update the Council and public about the progress being made to reduce the threat of mosquito-borne illnesses.**

#### **Adjournment – 7:46 P.M.**