

SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, FEBRUARY 9, 2016



CITY HALL KIVA
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251

CALL TO ORDER

Mayor W.J. "Jim" Lane called to order a Regular Meeting of the Scottsdale City Council at 5:09 P.M. on Tuesday, February 9, 2016, in the City Hall Kiva.

ROLL CALL

Present: Mayor W.J. "Jim" Lane, Vice Mayor David N. Smith, Councilmembers Suzanne Klapp, Virginia Korte, Kathleen S. Littlefield, Linda Milhaven, and Guy Phillips

Also Present: Acting City Manager Brian Biesemeyer, City Attorney Bruce Washburn, City Treasurer Jeff Nichols, City Auditor Sharron Walker, and City Clerk Carolyn Jagger

PLEDGE OF ALLEGIANCE – Daughters of the American Revolution, Grand Canyon Chapter

INVOCATION – Pastor Bruce Johnson, Scottsdale Presbyterian Church

MAYOR'S REPORT – None

PRESENTATION/INFORMATION UPDATES – None

PUBLIC COMMENT – None

ADDED ITEMS

A1. Added Items

The supporting materials for Item No. 17 will be added to the agenda less than ten days prior to the meeting and will require a separate vote to remain on the agenda.

Request: Vote to accept the agenda as presented or to continue the added item(s) to the February 23, 2016 Council meeting.

MOTION AND VOTE – ADDED ITEMS

Councilmember Korte made a motion to accept the agenda as presented. Vice Mayor Smith seconded the motion, which carried 6/1, with Councilman Phillips dissenting.

NOTE: MINUTES OF CITY COUNCIL MEETINGS AND WORK STUDY SESSIONS ARE PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ARIZONA REVISED STATUTES. THESE MINUTES ARE INTENDED TO BE AN ACCURATE REFLECTION OF ACTION TAKEN AND DIRECTION GIVEN BY THE CITY COUNCIL AND ARE NOT VERBATIM TRANSCRIPTS. DIGITAL RECORDINGS AND CLOSED CAPTION TRANSCRIPTS OF SCOTTSDALE CITY COUNCIL MEETINGS ARE AVAILABLE ONLINE AND ARE ON FILE IN THE CITY CLERK'S OFFICE.

MINUTES

Approve the Regular Meeting Minutes of January 11, 2016 and Special Meeting Minutes of January 11, 2016.

MOTION AND VOTE – MINUTES

Councilman Phillips made a motion to approve the Regular Meeting Minutes of January 11, 2016 and Special Meeting Minutes of January 11, 2016. Vice Mayor Smith seconded the motion, which carried 7/0.

CONSENT AGENDA

1. **Old Town Gringos Liquor License (124-LL-2015)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a person transfer of a Series 6 (bar) State liquor license for an existing location with a new owner.
Location: 4209 N. Craftsman Court
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
2. **Drop Axle Brewery Liquor License (1-LL-2016)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 3 (microbrewery) State liquor license for a new location and owner.
Location: 3008 N. Civic Center Plaza, Suite 100
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
3. **Aloft Scottsdale Liquor License (2-LL-2016)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 11 (hotel/motel) State liquor license for an existing location with a new owner.
Location: 4415 N. Civic Center Plaza
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
4. **Days Inn & Suites Scottsdale North Liquor License (3-LL-2016)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 11 (hotel/motel) State liquor license for an existing location with a new owner.
Location: 7330 N. Pima Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
5. **Firesky Resort & Spa Liquor License (4-LL-2016)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 6 (bar) State liquor license.
Location: 4925 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

6. Gallery Abandonment (6-AB-2015)

Request: Adopt **Resolution No. 10340** authorizing the abandonment of 30 feet of public utility and roadway easement along the west boundary of the property with Multiple-Family Residential (R-5) zoning.

Location: 3126 N. 71st Street

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

7. Gallery Final Plat (4-PP-2015)

Request: Approve a final plat for an 18-lot residential subdivision on a 1.1± acre site with Multiple-Family Residential (R-5) zoning.

Location: 3126 N. 71st Street

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

8. Capital Improvement Projects On-Call Intelligent Transportation Systems Engineering Services Contract

Request: Adopt **Resolution No. 10315** authorizing Contract No. 2016-006-COS with Kimley-Horn and Associates, Inc., in an amount not to exceed \$1,000,000 per annum for the planning and design of various intelligent transportation systems projects.

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

9. Paiute Park Playground Construction Bid Award

Request: Adopt **Resolution No. 10328** to authorize:

1. Construction Bid Award No. 16PB008 to Safe and Sound Playgrounds, the lowest responsive bidder, at the unit price bid of \$84,912.57 for construction of a new playground at Paiute Park.
2. A FY 2015/16 General Fund Capital Contingency Budget transfer in the amount of \$11,000 to Capital Project No. PB70B titled Paiute Park Playground Rehabilitation.

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

10. Papago Rotary Park Playground Construction Bid Award

Request: Adopt **Resolution No. 10329** to authorize:

1. Construction Bid Award No. 16PB009 to Safe and Sound Playgrounds, the lowest responsive bidder, at the unit price bid of \$99,940.81 for construction of a new playground at Papago Rotary Park.
2. A FY 2015/16 General Fund Capital Contingency Budget transfer in the amount of \$21,000 to Capital Project No. PB69B titled Papago Rotary Park Playground Rehabilitation.

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

- 11. Airport Pull Box Replacement Project Construction Bid Award**
Request: Adopt **Resolution No. 10303** to authorize:

 1. Construction Bid Award No. 16PB011 to Fortis Networks, Inc., the lowest responsive bidder, in the amount of \$68,608.98 for the construction of the airport pull box replacement project.
 2. A FY 2015/16 Airport-Future Grants Contingency Budget Appropriation transfer in the amount of \$45,000 to Aviation Capital Project No. AB58A (Replace Electrical Pull Boxes – Main Apron) to be funded by the Aviation Funds funding source.

Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov
- 12. Airport Runway 03 Erosion Protection/Wildlife Mitigation Project Construction Bid Award**
Request: Adopt **Resolution No. 10319** authorizing Construction Bid Award No. 16PB014 to Rummel Construction, Inc., the lowest responsive bidder, in the amount of \$392,535 for the construction of Airport Runway 03 erosion protection and wildlife mitigation project.
Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov
- 13. 2017 Snaffle Bit Futurity Event Bid Support**
Request: Adopt **Resolution No. 10348** authorizing City support for the bid for WestWorld to host the National Reined Cow Horse Association 2017 Snaffle Bit Futurity Event, including reasonably necessary venue services and no more than \$75,000 in direct dollar bed tax event funding, if WestWorld is chosen to host the event.
Staff Contact(s): Brian Dygert, WestWorld General Manager, 480-312-6825, bdygert@scottsdaleaz.gov; Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov
- 14. Fire Department Medical Director Professional Services Contract**
Request: Adopt **Resolution No. 10337** authorizing Contract No. 2016-016-COS with HonorHealth in an amount not to exceed \$36,000 for medical director services for the Fire Department.
Staff Contact(s): Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov
- 15. Biennial Certified Audit Professional Services Contract**
Request: Adopt **Resolution No. 10350** authorizing Contract No. 2016-019-COS with Raftelis Financial Consultants, Inc., in an amount not to exceed \$34,730 for the first biennial certified audit of the City's land use assumptions, infrastructure improvements plan, and development impact fees.
Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov
- 16. Monthly Financial Report**
Request: Accept the FY 2015/16 Monthly Financial Report as of November 2015.
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

16A. Bihn and Burbano v. City of Scottsdale Settlement Agreement

Request: Adopt **Resolution No. 10361** authorizing settlement in the amount of \$92,500 of Martin Bihn's negligence lawsuit against the City and \$130,000 for Kristine Burbano's negligence lawsuit against the City which are together entitled *Burbano and Bihn v. City of Scottsdale*, Case No. CV2014-002564, currently pending in the Maricopa County Superior Court.
Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov

MOTION AND VOTE – CONSENT AGENDA

Councilmember Korte made a motion to approve Consent Agenda items 1 through 16A. Vice Mayor Smith seconded the motion, which carried 7/0.

REGULAR AGENDA

17. BASIS Charter School Abandonment (11-AB-2015) and Development Agreement Requests:

1. Adopt **Resolution No. 10327** authorizing the abandonment of the 20-foot-wide 127th Street right-of-way from E. Cochise Drive north approximately 576 feet to E. Shea Boulevard; the 33-foot-wide General Land Office patent easements on the east and west sides and the north 13 feet of the 33-foot-wide General Land Office patent easement on the south side of the property located at 12730 E. Cochise Drive; and the 33-foot-wide General Land Office patent easement on the west side and the north 13 feet of the 33-foot-wide General Land Office patent easement on the south side of Parcel No. 217-32-010 at the southwest corner of E. Shea Boulevard and N. 128th Street for a new charter school with Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning.
2. Adopt **Resolution No. 10346** authorizing Development Agreement No. 2016-017-COS with BASIS Schools, Inc., outlining traffic mitigation measures and school operations for a new charter school located at the southwest corner of N. 128th Street and E. Shea Boulevard.

Presenter(s): Doris McClay, Planner

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

Continued to the February 23, 2016 City Council meeting at the request of the applicant.

MOTION AND VOTE – ITEM 17

Councilwoman Milhaven made a motion to continue Item 17 to February 23, 2016. Councilwoman Littlefield seconded the motion, which carried 7/0.

PUBLIC COMMENT – None

CITIZEN PETITIONS

18. Receipt of Citizen Petitions

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

No citizen petitions were received.

MAYOR AND COUNCIL ITEMS – None

ADJOURNMENT

The Regular City Council Meeting adjourned at 5:17 P.M.

SUBMITTED BY:



Carolyn Jagger
City Clerk

Officially approved by the City Council on

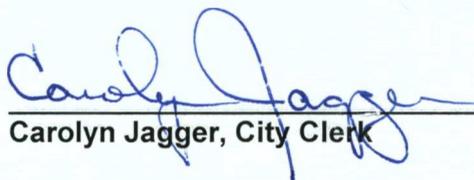
March 1, 2016

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the City Council of Scottsdale, Arizona held on the 9th day of February 2016.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 1st day of March 2016.



Carolyn Jagger, City Clerk