

SCOTTSDALE

CITY COUNCIL MEETING



AMENDED NOTICE AND AGENDA (SPECIAL MEETING/EXECUTIVE SESSION ADDED)

COUNCIL

Mary Manross, Mayor

Betty Drake

Wayne Ecton

W.J. "Jim" Lane

Robert W. Littlefield

Ron McCullagh

Kevin J. Osterman

Tuesday, April 4, 2006

***4:00 P.M.

CITY COUNCIL SPECIAL MEETING

MARKED AGENDA

Call to Order – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard – **4:02 PM**

Roll Call – **ALL PRESENT**

1. REQUEST FOR EXECUTIVE SESSION TO:
 - A. Discuss and consult with the attorneys and representatives of the public body for legal advice and to consider its position and instruct its representatives regarding negotiations for the purchase or disposition of real property located in the vicinity of WestWorld, including land recently acquired from the State Land Department. A.R.S. § 38-431.03(A)(3,7). Contacts: Deborah Robberson, City Attorney, 480-312-2405, drobberson@scottsdaleaz.gov; Roger Klingler, Deputy City Manager, 480-312-5830, rklingler@scottsdaleaz.gov.
2. MOTION TO RECESS INTO EXECUTIVE SESSION TO:
 - A. Discuss and consult with the attorneys and representatives of the public body for legal advice and to consider its position and instruct its representatives regarding negotiations for the purchase or disposition of real property located in the vicinity of WestWorld, including land recently acquired from the State Land Department.

Adjourn to Executive Session – **4:04 PM**

5:00 P.M.

CITY COUNCIL MEETING

Call to Order – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard – **5:06 PM**

Roll Call – **ALL PRESENT**

Pledge of Allegiance – **COUNCILMAN ECTON**

Invocation - **NONE**

Presentations/Information Updates

EnviroKidsFest 2006 Proclamation

Boards, Commissions, and Task Force Nominations: (Note: Interviews and Appointments Scheduled for April 25, 2006)

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 several 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.

Historic Preservation Commission (1 Historian, 1 Real Estate) – **YVONNE BOUTELL, NANCY DALLETT, DEEJAYE LOCKWOOD**

McDowell Sonoran Preserve Commission (3) – **JOEL FELDMAN, ERIK FILSINGER, RAND HUBBELL, CHRISTINE KOVACH, ARNOLD ROY**

Planning Commission (3) – **DAVID BARNETT, DONNA HARDIN, ERIC HESS, MICHAL JOYNER, JEFFREY SCHWARTZ**

Tourism Development Commission (1) – **KATE CAVALIERE, JANICE WIGHT**

Public Comment – SUSIE WHEELER PRESENTED TWO PETITIONS, ONE ADDRESSING NON-RESIDENTIAL USES IN NEIGHBORHOODS AND PARKING SPACES, THE OTHER ADDRESSING CHURCHES IN NEIGHBORHOODS AND USE PERMIT PROCESSES. DAVID RAJPUT PRESENTED A PETITION TO ADOPT AN AMENDED ORDINANCE REGARDING SEXUALLY ORIENTED BUSINESSES.

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "Public Comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

Approval of Minutes - OK - 7/0

SPECIAL MEETINGS

REGULAR MEETINGS

WORK STUDY SESSIONS

EXECUTIVE SESSIONS

[March 7, 2006](#)

[March 7, 2006](#)

CONSENT AGENDA ITEMS 1 - 12

How the Consent Agenda Works: The Council may take one vote to act on all items on the Consent Agenda, or may remove items for further discussion. Every interested citizen will have one opportunity to speak on any or all Consent Agenda items. If you wish to speak on these items, please complete a Comment Card for each topic you wish to address. **You will be given at least three minutes to speak on all the Consent Agenda items you wish to address. Additional time for multiple agenda items will be at the Mayor's discretion.**

After all speakers have finished, the City 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.

1. [Joyful Chinese Dining \(Restaurant\) Liquor License](#) – OK – C

Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license for an existing location.

Location: 9699 N. Hayden Road, Ste. #102

Reference: 11-LL-2006

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Customer Service Chief Officer, 480-312-2664, cpadian@scottsdaleaz.gov

CONSENT AGENDA

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2. **Cape of Good Hope Wine Company (Wholesaler) Liquor License – OK – C**
Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a series 4 (wholesaler) liquor license for a new location.
Location: 10456 N. 74th Street, Unit #2024
Reference: 12-LL-2006
Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Customer Service Chief Officer, 480-312-2664, cpadian@scottsdaleaz.gov

3. **Performance Enhancement Professionals Health Studio Conditional Use Permit – MOTION TO CONTINUE TO MAY 2, 2006 – OK – 7/0**
Requests:
 1. Approve a conditional use permit for a health studio in an existing 3,199+/- square foot suite located at 9319 N. 94th Way, Ste. #200, with Industrial Park, Planned Community District zoning.
 2. Adopt Resolution No. 6857 affirming the conditional use permit.**Location:** 9319 N. 94th Way, Ste. #200
Reference: 19-UP-2005
Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

4. **Canyon Residences at Silverleaf (DC Ranch Parcel T4B) Final Plat – OK – C**
Request: Approve a final plat for residential and commercial use located on a 12.8 +/- acre parcel east of Thompson Peak Parkway and Union Hills Drive.
Location: East of Thompson Peak Parkway and Union Hills Drive
Reference: 17-PP-2005
Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

5. **Smallwood Abandonment – OK – C**
Requests:
 1. Abandon the 20-foot-wide half street right-of-way for N. 122nd Street.
 2. Abandon a portion of the 40-foot-wide right-of-way, including the cul-de-sac and temporary turn around, for E. Pinnacle Vista Drive.
 3. Adopt Resolution No. 6859 vacating and abandoning a public right-of-way.**Location:** 12100 E. Pinnacle Vista Drive
Reference: 19-AB-2005
Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

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6. **Taliesin West Historic Property Overlay Zoning – MOTION TO APPROVE – OK 6/0 (KO ABSTAIN)**

Requests:

1. Request by Scottsdale Historic Preservation Commission, applicant, Frank Lloyd Wright Foundation, owner, to rezone approximately 10.6+/- acres of Taliesin West located at 12621 N. Frank Lloyd Wright Boulevard from Single Family Residential District, Environmentally Sensitive Lands (R1-35 ESL) to Single Family Residential District, Environmentally Sensitive Lands, Historic Property (R1-35 ESL HP) by adding the Historic Property overlay to the core buildings due to their historical significance, and to place Taliesin West on the Scottsdale Historic Register.
2. Adopt Ordinance No. 3667 affirming the zoning.

Location: 12621 N. Frank Lloyd Wright Boulevard

Reference: 21-ZN-2005 and 6-HP-2005

Staff Contacts: Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Robert Cafarella, Director of Preservation, 480-312-2577, rcafarella@scottsdaleaz.gov

7. **Historic Residential Exterior Rehabilitation Program and Agreement for 7308 E. Monte Vista Road Project – OK – C**

Request: Adopt Resolution No. 6860 authorizing the Mayor to execute Agreement No. 2006-023-COS for the purchase of a Conservation Easement by the City upon successful completion of the owner's roof project in the Town and Country Historic District in the maximum amount of \$5,000; and authorizing the Preservation Division to administer the Historic Residential Exterior Rehabilitation Program to acquire future conservation easements with funds not to exceed \$10,000 per residential project, based on a competitive application process and recommendations from the Historic Preservation Commission.

Related Policies, References:

- The Historic Preservation Ordinance (Ordinance No. 3242) approved by City Council in 1999 and Section 6.100 (HP) Historic Property Supplementary District.
- City Council adopted the Town and Country and Village Grove 1-6 historic districts in June 2005.
- In 2004 City Council approved the \$2 million Scottsdale Revitalization funding package, including \$200,000 for a historic district rehab program.

Staff Contact(s): Robert Cafarella, Director of Preservation, 480-312-2577, rcafarella@scottsdaleaz.gov

8. **Adoption of Adjusted Water, Water Resources and Sewer Development Fees – OK – C**

Request: Adopt Resolution No. 6863 and Ordinance No. 3663 amending Water Development, Water Resources Development, and Sewer Development fees for fiscal year 2006-07 effective July 3, 2006.

Staff Contact(s): David M. Mansfield, Water Resources General Manager 480-312-5681, dmansfield@scottsdaleaz.gov

9. **Adopt Notice of Intention to Increase Water and Sewer Rates and Fees and Establish the Date for a Public Hearing – OK – C**

Request: Adopt notice of intention to increase water and sewer rates and fees for fiscal year 2006/07 and establish May 15, 2006 as the date for a public hearing.

Staff Contact(s): David M. Mansfield, Water Resources General Manager, 480-312-5681, dmansfield@scottsdaleaz.gov

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10. Financial Statement Audit Services – OK – C

Request: Authorize the award of contract 2006-020-COS for the audit of the City's financial statements and related services to Cronstrom, Trbovich & Osuch, PC.

Related Policies, References:

- City Charter Article 6, Section 14, requires the City's financial statements to be audited annually by certified public accounts independent of the fiscal affairs of the City government or any of its officers.
- Auditing standards generally accepted in the United States of America as set forth by the American Institute of Certified Public Accountants, the standards for financial audits set forth in the U.S. General Accounting Office's Government Auditing Standards (2003), the provisions of the Single Audit Act of 1984 and the Single Audit Act Amendments of 1996, and the provisions of U.S. Office of Management and Budget (OMB) Circular A-133, Audits of State and Local Governments and Non-Profit Organizations.
- State of Arizona Uniform Expenditure Reporting System requirements (UERS) mandated by the A.R.S. §41-1279.07, with guidelines set forth by the Arizona Auditor General.
- State of Arizona Local Transportation Assistance Funds Expenditure requirements (LTAF) pursuant to A.R.S. §48-5103.
- State of Arizona Local Transportation Assistance Funds II Revenues and Expenditures (LTAF II) pursuant to A.R.S., Title 28, Chapter 24, Article 1, §28-8103.
- State of Arizona Highway User Revenue Fund Expenditure (HURF) requirement pursuant to A.R.S. §9-481.

Staff Contact(s): Craig Clifford, Chief Financial Officer, 480-312-2364 cclifford@scottsdaleaz.gov

11. Architectural Design Services for Renovations and Improvements at the Mustang and Civic Center Libraries – OK – C

Request: Authorize Architectural Design Services Contract No. 2006-016-COS with Durkin and Durkin Architects, LLC in the amount of \$132,640 for the design of renovations and improvements at Mustang and Civic Center libraries.

Staff Contact(s): Debra Baird, Community Services General Manager, 480-312-2480, dbaird@scottsdaleaz.gov

12. Police Radio Equipment – OK – C

Request: Adopt Resolution 6866 authorizing the City's Purchasing Director to purchase police radios from Motorola Inc., pursuant to Amendment 7 of the City of Phoenix Contract P-7288-05, in the amount of \$1,162,271.

Related Policies, References: City of Scottsdale Contract No. 2000-151-COS. This contract establishes the provisions governing Scottsdale's use of the Maricopa County Smart Zone radio network, and a hardware maintenance and support agreement with the County.

Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov; Brad Hartig, Chief Information Officer, 480-312-7615, bhartig@scottsdaleaz.gov

Regular Agenda begins on the following page

REGULAR AGENDA ITEMS 13 - 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 Comment Card for each topic you wish to address and submit it to the City Clerk. **You will be given at least three minutes to speak per item. Comment cards must be submitted before public testimony has begun on any regular agenda or public hearing item.**

13. Sereno Canyon (Crown Communities) Density Incentive – MOTION TO APPROVE WITH ADDITIONAL STIPULATIONS – OK – 7/0

Requests:

1. Approve a density incentive for the Crown Property development, zoned Single Family Residential District Environmentally Sensitive Lands (R1-130 ESL), to increase allowed dwelling units from 101 to 122 dwelling units with amended development standards on 330 +/- acres. This site is located at the east end of Alameda Road near N. 122nd Street (northeast corner of E. Pinnacle Peak Road alignment and N. 122nd Street alignment, north up to Happy Valley Road alignment).
2. Adopt Ordinance No. 3661 affirming the amended development standards.
3. Adopt Resolution No. 6826 affirming the density incentive.
4. Adopt Resolution No. 6854 authorizing the Mayor to execute the Development Agreement No. 2006-019-COS.

Location: 122nd Street and Alameda Road

Reference: 1-ZN-2005

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

14. Contribution Rates for Employee Health and Dental Benefits – MOTION TO APPROVE OPTION B – OK – 5/2 (JL, RM); MOTION TO APPROVE DESIGN PLAN CHANGES AS PRESENTED – OK – 5/2 (JL, RM)

Request: Adopt Resolution No. 6824 approving premium contribution rates and plan design changes (e.g., co-pays, deductibles) for employee health and dental benefit plans for FY 2006/07.

Related Policies, References:

- Scottsdale Revised Code Section 14-102 relating to the contribution of City funds for employee insurance benefits.
- Council Action dated 9/23/03 authorizing employee health care and life insurance benefits.
- Council Action dated 12/8/03 authorizing benefit plan documents, summary plan descriptions and contribution rates.
- Council Action dated 3/22/05 authorizing FY 2005/06 contribution rates.

Staff Contact(s): Neal Shearer, Assistant City Manager, 480-312-2604, nshearer@scottsdaleaz.gov; Craig Clifford, Chief Financial Officer, 480-312-2364, cclifford@scottsdaleaz.gov; Teri Traaen, Human Resources General Manager, 480-312-2615, ttraaen@scottsdaleaz.gov

MAYOR AND COUNCIL ITEM BEGINS ON THE FOLLOWING PAGE

City Manager's Report – **NONE**

City Council Item – **NONE**

15. **Legislative Update** – **BRIDGET SCHWARTZ-MANOCK**

Update: Provide updates to the City Council and receive possible direction regarding current and pending State legislative issues and policies.

Related Policies: Pursuant to the 2006 State Legislative Agenda adopted by the City Council on December 13, 2005

Staff Contact(s): Neal Shearer, Assistant City Manager, 480-312-2604, nshearer@scottsdaleaz.gov;
Bridget Schwartz-Manock, Intergovernmental Relations Director, 480-312-2423,
bschwartzmanock@scottsdaleaz.gov

Public Comment – NONE

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action will be taken on these items.

Adjournment – 8:51 PM