

**SCOTTSDALE**

# **CITY COUNCIL MEETING**



**\*\*\*THIRD AMENDED\*\*\* MEETING NOTICE AND AGENDA  
[ADDED ITEM No. A1; REMOVED CONSENT AGENDA ITEM No. 12; REWORDED  
CONSENT AGENDA ITEM No. 23 AND MOVED IT TO THE REGULAR AGENDA AFTER  
ITEM No. 24; REWORDED ITEM No. 24; AND ITEM No. 26 WITHDRAWN]**

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**COUNCIL**

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Robert W. Littlefield

Linda Milhaven

Guy Phillips

Dennis E. Robbins

**Tuesday, April 9, 2013**

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*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 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 either April 16 or April 30, 2013.*

**5:00 P.M.**

**MARKED AGENDA**

**CITY COUNCIL MEETING**

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Call to Order – 5:10 P.M.**

**Roll Call – All present, Councilwoman Milhaven participated telephonically.**

*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 – Brownie Troop 2729, Troop Leaders Lisa Settel and Wendy Fraiser**

**Invocation – Pastor Tom Sharda, Scottsdale Bible Church**

**Mayor's Report – Mayor Lane presented Police Communications Operations Manager Karen Sutherland with a proclamation in celebration of the City's police and fire dispatchers and 911 operators. Mayor Lane proclaimed April 9 as the 1st Annual Mayor's Day of Recognition for National Service. John Liffiton, Chair of the Arizona Council for International Visitors, accepted the proclamation.**

**City Manager's Report – 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).

## Presentations/Information Updates – None

**Public Comment – Ed Yankowski submitted a citizen’s petition asking the Council to agendize consideration of the Acting City Manager’s determination that BlueSky has met the stipulation in their zoning approval requiring that “on-site construction, above or below ground, excluding grading and excavation’ must begin within 24 months from the date of City Council’s approval in order to avoid initiating a process to revert back to the original zoning. John McLinden spoke in support of Ed Yankowski’s petition. Sydney Saperstein spoke in support of Ed Yankowski’s petition. Nancy Cantor, on behalf of the Greater Scottsdale Coalition, asked the City to review the liquor license application policies and procedures. Mark Stuart commented on gifting and exclusive use of public property.**

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 comments regarding non-agendized items. No official Council action can be taken on these items. **Speakers are limited to three minutes to address the Council during “Public Comment” time.**

## 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.

- \*\*\*A1. Added Items – Councilman Robbins moved to accept the agenda as presented. Vice Mayor Klapp seconded the motion, which carried 5/2, with Councilman Littlefield and Phillips dissenting.**

Because of changes to the exhibits to Resolution No. 9251 and Ordinance No. 4056 for Item No. 25 that occurred less than ten days prior to the meeting a separate vote is required to determine whether the item will remain on the agenda or will be continued.

**Request:** Vote to accept the agenda as presented or to continue Item No. 25 to either April 16 or April 30, 2013.

## MINUTES

**Request:** Approve the [Regular Meeting Minutes of February 26, 2013](#) and [March 5, 2013](#); [Special Meeting Minutes of March 5, 2013](#); and Executive Session Minutes of March 5, 2013.

**– Councilmember Korte moved to approve the Regular Meeting Minutes of February 26, 2013 and March 5, 2013; Special Meeting Minutes of March 5, 2013; and Executive Session Minutes of March 5, 2013. Vice Mayor Klapp seconded the motion, which carried 7/0.**

## CONSENT AGENDA ITEMS 1-22

**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. 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 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.

**– Vice Mayor Klapp moved to approve Consent Items 1 through 22, absent 12. Councilman Robbins seconded the motion, which carried 7/0.**

1. **Rowland and Co. Importers, Ltd. Liquor License (10-LL-2013) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a series 4 (wholesale) liquor license for a new location and owner.  
**Location:** 10456 N. 74<sup>th</sup> Street, Suite 3009  
**Staff Contact(s):** Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
2. **Stevie Mack's Sports Grill Liquor License (11-LL-2013) – Approved on Consent.**  
**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 with a new owner.  
**Location:** 4224 N. Craftsman Court  
**Staff Contact(s):** Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
3. **Holiday Inn Express Hotel and Suites Liquor License (12-LL-2013) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a person transfer of a series 7 (beer and wine bar) liquor license for an existing location with a new owner.  
**Location:** 3131 N. Scottsdale Road  
**Staff Contact(s):** Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
4. **Wine Warehouse Liquor License (13-LL-2013) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a person and location transfer of a series 7 (beer and wine bar) liquor license for a new location and owner.  
**Location:** 17025 N. Scottsdale Road, Suite 140  
**Staff Contact(s):** Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
5. **Wine Warehouse Liquor License (14-LL-2013) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a series 10 (beer and wine store) liquor license for a new location and owner.  
**Location:** 17025 N. Scottsdale Road, Suite 140  
**Staff Contact(s):** Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
6. **Whole Foods Market Liquor License (15-LL-2013) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for sampling privileges for a series 10 (beer and wine store) liquor license for an existing location and owner.  
**Location:** 8688 E. Raintree Drive  
**Staff Contact(s):** Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
7. **A Twisted Rose Liquor License (16-LL-2013) – Approved on Consent.**  
**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 with a new owner.  
**Location:** 15040 N. Northsight, Suite 104  
**Staff Contact(s):** Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

8. **[A Twisted Rose Liquor License \(17-LL-2013\)](#) – **Approved on Consent.****

**Request:** Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a series 13 (domestic farm winery) liquor license for an existing location with a new owner.

**Location:** 15040 N. Northsight, Suite 104

**Staff Contact(s):** Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

9. **[Permanent Extension of Premises for Ling and Louie's Asian Bar and Grill \(3-EX-2013\)](#) – **Approved on Consent.****

**Request:** Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for Ling and Louie's Asian Bar and Grill.

**Location:** 9397 E. Shea Boulevard, Suite 125

**Staff Contact(s):** Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

10. **[Water Resources Infrastructure Construction Services Contract Modification](#) – **Approved on Consent.****

**Request:** Adopt **Resolution No. 9350** authorizing the following job order contract modifications for the fourth option year for citywide water resources infrastructure construction services:

1. On-Call Engineering Services Contract No. 2010-034-COS-A3 with Achen Gardner Construction, LLC.
2. On-Call Engineering Services Contract No. 2010-035-COS-A3 with Quest Civil Constructors, Inc.

**Staff Contact(s):** Derek Earle, Acting Public Works Executive Director, 480-312-2776, [dearle@scottsdaleaz.gov](mailto:dearle@scottsdaleaz.gov)

11. **[Water Resources Treatment Construction Services Contract Modification](#) – **Approved on Consent.****

**Request:** Adopt **Resolution No. 9349** authorizing the following job order contract modifications for the fourth option year for citywide water resources treatment construction services:

1. On-Call Engineering Services Contract No. 2010-037-COS-A4 with Currier Construction, Inc.
2. On-Call Engineering Services Contract No. 2010-036-COS-A4 with MGC Contractors, Inc.

**Staff Contact(s):** Derek Earle, Acting Public Works Executive Director, 480-312-2776, [dearle@scottsdaleaz.gov](mailto:dearle@scottsdaleaz.gov)

\*\*\*12. **Southwest Waterline Upgrades Construction Bid Award**

(Item No. 12 was removed at the request of staff and will be brought back at a later date.)

13. **[Scottsdale-McDowell Transit Center Construction Bid Award](#) – **Approved on Consent.****

**Request:** Adopt **Resolution No. 9338** authorizing Construction Bid Award No. 11PB039 to Visus Engineering Construction, Inc., the lowest responsive bidder, at their unit price bid of \$1,238,000, for construction of the Scottsdale-McDowell Transit Center Project.

**Staff Contact(s):** Derek Earle, Acting Public Works Executive Director, 480-312-2776, [dearle@scottsdaleaz.gov](mailto:dearle@scottsdaleaz.gov)

14. **[Traffic Management Center Relocation Capital Improvement Project Budget Transfer](#) – **Approved on Consent.****

**Request:** Adopt **Resolution No. 9355** to authorize:

1. Creation of a new CIP project titled Traffic Management Center Relocation to record all related financial transactions.
2. Budget appropriation transfer totaling \$550,000 from project T0902, ITS/Signal System Upgrades, to the new CIP project to be funded by Transportation Sales Tax.

**Staff Contact(s):** Derek Earle, Acting Public Works Executive Director, 480-312-2776, [dearle@scottsdaleaz.gov](mailto:dearle@scottsdaleaz.gov)

15. **Public Safety Radio Intergovernmental Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 9351** authorizing Intergovernmental Agreement No. 2013-042-COS with the State of Arizona, Department of Public Safety (ADPS), for the installation and operation of municipal and public safety radio communications on ADPS properties and for the installation and operation of ADPS public safety radio communications equipment on City properties.  
**Staff Contact(s):** Alan Rodbell, Public Safety Executive Director, 480-312-1900, [arodbell@scottsdaleaz.gov](mailto:arodbell@scottsdaleaz.gov); Brad Hartig, Information Technology Executive Director, 480-312-7615, [bhartig@scottsdaleaz.gov](mailto:bhartig@scottsdaleaz.gov)
16. **Scottsdale Polo Championships Horses and Horsepower Event – Approved on Consent.**  
**Request:** Adopt **Resolution No. 9353** to authorize:
  1. Funding, not to exceed \$75,000, from the City portion of the bed tax allocated toward event development for the “Scottsdale Polo Championships: Horses and Horsepower” event.
  2. New Event Funding Agreement No. 2013-044-COS with Scottsdale Polo Championships, LLC.**Staff Contact(s):** Paul Katsenes, Community and Economic Development Executive Director, 480-312-2890, [pkatsenes@scottsdaleaz.gov](mailto:pkatsenes@scottsdaleaz.gov)
17. **Arizona Bike Week WestWorld Event Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 9362** authorizing Contract No. 2009-014-COS-A1, the first amendment to the WestWorld Event Agreement with FX Promotions, Inc., to use WestWorld Special Event Facilities for Arizona Bike Week.  
**Staff Contact(s):** Paul Katsenes, Community and Economic Development Executive Director, 480-312-2890, [pkatsenes@scottsdaleaz.gov](mailto:pkatsenes@scottsdaleaz.gov)
18. **Financial Statement Audit Contract Extension – Approved on Consent.**  
**Request:** Adopt **Resolution No. 9342** extending Contract No. 2011-044-COS with CliftonLarsonAllen, LLP for one additional year for financial statement audit services.  
**Staff Contact(s):** David N. Smith, City Treasurer, 480-312-2364, [dasmith@scottsdaleaz.gov](mailto:dasmith@scottsdaleaz.gov)
19. **Notice of Intention to Increase Water and Wastewater Rates and Fees – Approved on Consent.**  
**Request:** Adopt notice of intention to increase water and wastewater rates and fees for Fiscal Year 2013/14, and establish May 14, 2013 as the date for a public hearing.  
**Staff Contact(s):** Brian Biesemeyer, Water Resources Executive Director, 480-312-5683, [bbiesemeyer@scottsdaleaz.gov](mailto:bbiesemeyer@scottsdaleaz.gov)
20. **Settlement of Duffy v. City of Scottsdale – Approved on Consent.**  
**Request:** Adopt **Resolution No. 9360** authorizing settlement, in the amount of \$30,000 of Gerald Arthur Duffy’s negligence lawsuit against the City entitled *Duffy v. City of Scottsdale*, Case No. CV2011-014187, currently pending in the Superior Court of Maricopa County, Arizona.  
**Staff Contact(s):** Bruce Washburn, City Attorney, 480-312-2405, [bwashburn@scottsdaleaz.gov](mailto:bwashburn@scottsdaleaz.gov)
21. **2012 Boards, Commissions, and Working Task Force Annual Report – Approved on Consent.**  
**Request:** Receive the 2012 annual report approved by each publicly-appointed Board, Commission, and working Task Force.  
**Staff Contact(s):** J.P. Twist, Mayor’s Chief of Staff, 480-312-7806, [jptwist@scottsdaleaz.gov](mailto:jptwist@scottsdaleaz.gov)
22. **Council Committee and Subcommittee Appointments and Dissolution of the Water Subcommittee – Approved on Consent.**  
**Requests:**
  1. Confirm Mayor Lane’s City Council committee and subcommittee appointments for the Audit Committee, Economic Development Subcommittee, and WestWorld Subcommittee, as follows:
    - a. Audit Committee – Vice Mayor Klapp, Councilmembers Littlefield and Korte
    - b. Council Subcommittee on Economic Development – Mayor Lane, Councilmembers Milhaven and Robbins

- c. WestWorld Subcommittee – Mayor Lane, Councilmembers Phillips and Robbins
2. Confirm Mayor Lane’s recommendation to dissolve the Council Subcommittee on Water Issues.

**Staff Contact(s):** J.P. Twist, Mayor’s Chief of Staff, 480-312-7806, [jptwist@scottsdaleaz.gov](mailto:jptwist@scottsdaleaz.gov)

**\*\*\*23. November 5, 2013 Special General Obligation Bond Election**

(Item No. 23 was moved to the Regular Agenda after Item No. 24.)

## **REGULAR AGENDA      ITEMS 23-29**

**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 any regular agenda or public hearing item.**

**\*\*\*24. Neighborhood Street Vendors (Ice Cream Trucks) Code Amendment – Councilman Robbins moved to adopt Ordinance No. 4012 adding Article 21, Neighborhood Street Vendors, to Chapter 16 of the Scottsdale Revised Code; and permitting Article 21 of Chapter 16 to be referred to informally as “Leo’s Law.” Vice Mayor Klapp seconded the motion, which carried 5/2, with Councilmembers Littlefield and Phillips dissenting.**

**Request:** Adopt **Ordinance No. 4012** adding Article 21, Neighborhood Street Vendors, to Chapter 16 of the Scottsdale Revised Code; and permitting Article 21 of Chapter 16 to be referred to informally as “Leo’s Law.” This item was added to the agenda at the request of Mayor Lane, Vice Mayor Klapp, and Councilmembers Korte and Robbins.

**Presenter(s):** J.P. Twist, Mayor’s Chief of Staff

**Staff Contact(s):** J.P. Twist, Mayor’s Chief of Staff, 480-312-7806, [jptwist@scottsdaleaz.gov](mailto:jptwist@scottsdaleaz.gov)

**\*\*\*23. November 5, 2013 Special General Obligation Bond Election**

**– Mayor Lane moved to:**

**Adopt Resolution No. 9348 to:**

1. Order and call a special election for Tuesday, November 5, 2013, to submit to the qualified electors of the City the questions authorizing the issuance and sale of \$212,100,000 principal amount of General Obligation bonds; and
2. Approve Alternate A ballot language, which provides for each project’s name and cost to be listed in the ballot question and adds language that allows no more than ten percent (10%) of the total of the bond question amount to be reallocated among only the approved projects within the question.

**The motion died for lack of a second.**

**– Councilmember Korte moved to:**

**Adopt Resolution No. 9348 to:**

1. Order and call a special election for Tuesday, November 5, 2013, to submit to the qualified electors of the City the questions authorizing the issuance and sale of \$212,100,000 principal amount of General Obligation bonds; and
2. Approve Alternate B ballot language, which provides for each project’s name to be listed in the ballot question and restricts the use of the bond proceeds only to the projects listed within the question.

**Vice Mayor Klapp seconded the motion, which carried 4/3, with Mayor Lane and Councilmembers Littlefield and Phillips dissenting.**

– Councilmember Phillips made an alternate motion to continue the November 5, 2013 Special General Obligation Bond Election discussion until staff can come back with different strategies. Councilman Littlefield seconded the motion, which failed 2/5, with Mayor Lane; Vice Mayor Klapp; and Councilmembers Korte, Milhaven, and Robbins dissenting.

– Vice Mayor Klapp moved to call the question. Councilwoman Milhaven seconded the motion, which carried 7/0.

**Request:**

Adopt **Resolution No. 9348** to:

1. Order and call a special election for Tuesday, November 5, 2013, to submit to the qualified electors of the City the questions authorizing the issuance and sale of \$212,100,000 principal amount of General Obligation bonds; and
2. Approve the ballot language, which provides for each project's name and cost to be listed in the ballot question and restricts the use of the bond proceeds to only those projects and amounts listed.  
**OR**
  - A. Approve Alternate A ballot language, which provides for each project's name and cost to be listed in the ballot question and adds language that allows no more than ten percent (10%) of the total of the bond question amount to be reallocated among only the approved projects within the question.  
**OR**
  - B. Approve Alternate B ballot language, which provides for each project's name to be listed in the ballot question and restricts the use of the bond proceeds only to the projects listed within the question.

**Staff Contact(s):** Derek Earle, Acting Public Works Executive Director, 480-312-2776, [dearle@scottsdaleaz.gov](mailto:dearle@scottsdaleaz.gov)

25. **Las Aguas Rezoning (8-ZN-2012)**

– Councilman Littlefield moved to continue the Las Aguas Rezoning to May 7. Councilman Phillips seconded the motion, which failed 2/5, with Mayor Lane; Vice Mayor Klapp; and Councilmembers Korte, Milhaven, and Robbins dissenting.

– Councilman Robbins moved to adopt Resolution No. 9251 declaring “Las Aguas Development Plan Public Record” as a public record and adopt Ordinance No. 4056 approving a zoning district map amendment from Highway Commercial District (C-3) to Planned Unit Development (PUD) with Amended Development Standards; approving a Development Plan to construct 154 multi-family residential units; finding that the Planned Unit Development District criteria have been met; and determining that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan on a 5± gross acre site. Vice Mayor Klapp seconded the motion, which carried 5/2, with Councilmembers Littlefield and Phillips dissenting.

**Requests:**

1. Adopt **Resolution No. 9251** declaring “Las Aguas Development Plan Public Record” as a public record.
2. Adopt **Ordinance No. 4056** approving a zoning district map amendment from Highway Commercial District (C-3) to Planned Unit Development (PUD) with Amended Development Standards; approving a Development Plan to construct 154 multi-family residential units; finding that the Planned Unit Development District criteria have been met; and determining that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan on a 5± gross acre site.

**Location:** 6640 E. McDowell Road

**Presenter(s):** Kim Chafin, Senior Planner

**Staff Contact(s):** Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

- \*\*\*26. [Blue Sky Rezoning and Infill Incentive District \(65-ZN-1992#7A and 2-II-2010#2\)](#)  
(Item No. 26 withdrawn by applicant.)
27. [Proposed Fiscal Year 2013/14 Operating Budget and Capital Improvement Plan – Councilman Robbins moved to continue the Proposed Fiscal Year 2013/14 Operating Budget and Capital Improvement Plan presentation to April 16. Vice Mayor Klapp seconded the motion, which carried 7/0.](#)  
**Request:** Presentation, discussion, and possible Council direction to staff regarding the Proposed FY 2013/14 Operating Budget and Capital Improvement Plan.  
**Presenter(s):** David N. Smith, City Treasurer; Daniel Worth, Acting City Manager  
**Staff Contact(s):** David N. Smith, City Treasurer, 480-312-2364, [dasmith@scottsdaleaz.gov](mailto:dasmith@scottsdaleaz.gov); Daniel Worth, Acting City Manager, 480-312-2811, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
28. [Pedicab Code Amendment – Councilman Littlefield moved to Adopt Ordinance No. 4068 adding Article IX, Sections 17-339 through 17-360 to Chapter 17, Motor Vehicles and Traffic, of the Scottsdale Revised Code, for the regulation of pedicabs. Councilmember Korte seconded the motion, which carried 7/0.](#)  
**Request:** Adopt **Ordinance No. 4068** adding Article IX, Sections 17-339 through 17-360 to Chapter 17, Motor Vehicles and Traffic, of the Scottsdale Revised Code, for the regulation of pedicabs.  
**Presenter(s):** John Cocca, Assistant Chief  
**Staff Contact(s):** Alan Rodbell, Public Safety Executive Director, 480-312-1900, [arodbell@scottsdaleaz.gov](mailto:arodbell@scottsdaleaz.gov)  
**– Vice Mayor Klapp moved to hear Item 29, Residences at Scottsdale Quarter. Councilman Robbins seconded the motion, which carried 7/0.**
29. [Residences at Scottsdale Quarter, Block K \(12-ZN-2012\)](#)  
**– Councilman Littlefield moved to continue the Residences at Scottsdale Quarter case until May 7. Councilmember Phillips seconded the motion, which failed 5/2, with Mayor Lane; Vice Mayor Klapp; and Councilmembers Korte, Milhaven, and Robbins dissenting.**  
**– Mayor Lane moved to adopt Resolution No. 9354 declaring “Development Plan for Residences at Scottsdale Quarter” as a public record and adopt Ordinance No. 4075 approving the zoning map amendment and Development Plan, including amended development standards for building height up to 90 feet; finding that the Planned Regional Center (PRC) District criteria have been met; and determining that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan on a site with Planned Regional Center (PRC) zoning. Vice Mayor Klapp seconded the motion, which carried 5/2, with Councilmembers Littlefield and Phillips dissenting.**  
**Requests:**  
  1. Adopt **Resolution No. 9354** declaring “Development Plan for Residences at Scottsdale Quarter” as a public record.
  2. Adopt **Ordinance No. 4075** approving the zoning map amendment and Development Plan, including amended development standards for building height up to 90 feet; finding that the Planned Regional Center (PRC) District criteria have been met; and determining that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan on a site with Planned Regional Center (PRC) zoning.**Location:** Southwest corner of Greenway-Hayden Loop and N. 73<sup>rd</sup> Street  
**Presenter(s):** Bryan Cluff, Planner  
**Staff Contact(s):** Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

**Public Comment – John Washington submitted a citizen’s petition asking the Council to challenge the Water Department’s justification for anything but reductions in both water and sewer rates; demand that the proposed rate increase be withdrawn; and ask for full disclosure of their cost reduction program and their annual goals and progress to date, if such a plan exists.**

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 comments regarding non-agendized items. No official Council action can be taken on these items. **Speakers are limited to three minutes to address the Council during “Public Comment” time.**

## **CITIZEN PETITIONS                      ITEM 30**

**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.

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

**– Councilman Littlefield moved to agendize the citizen petition submitted by John Washington asking the Council to challenge the Water Department’s justification for anything but reductions in both water and sewer rates; demand that the proposed rate increase be withdrawn; and ask for full disclosure of their cost reduction program and their annual goals and progress to date, if such a plan exists. Councilmember Phillips seconded the motion, which failed 5/2, with Mayor Lane; Vice Mayor Klapp; and Councilmembers Korte, Milhaven, and Robbins dissenting.**

**– Councilmember Phillips moved to agendize the citizen petition submitted by Ed Yankowski asking the Council to agendize consideration of the Acting City Manager’s determination that BlueSky has met the stipulation in their zoning approval requiring that “on-site construction, above or below ground, excluding grading and excavation” must begin within 24 months from the date of City Council’s approval in order to avoid initiating a process to revert back to the original zoning. Councilman Littlefield seconded the motion, which carried 4/3, with Vice Mayor Klapp and Councilmembers Korte and Milhaven dissenting.**

**Mayor and Council Items – None**

**Adjournment – 10:42 PM**