

**SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, NOVEMBER 12, 2013**



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

CALL TO ORDER

Vice Mayor Virginia L. Korte called to order a Regular Meeting of the Scottsdale City Council at 5:01 P.M. on Tuesday, November 12, 2013, in the City Hall Kiva.

ROLL CALL

Present: Vice Mayor Virginia L. Korte
Councilmembers Suzanne Klapp, Robert W. Littlefield, Linda Milhaven, Guy Phillips, and Dennis E. Robbins

Absent: Mayor W.J. "Jim" Lane

Also Present: City Manager Fritz Behring, City Attorney Bruce Washburn, City Treasurer Jeff Nichols, City Auditor Sharron Walker, and City Clerk Carolyn Jagger

PLEDGE OF ALLEGIANCE – Girl Scout Troop 877, Leader Andrea Brugger

INVOCATION – Vice Mayor Korte requested a moment of silence for typhoon victims in Southeast Asia.

MAYOR'S REPORT – None

CITY MANAGER'S REPORT – None

PRESENTATIONS/INFORMATION UPDATES – None

PUBLIC COMMENT

- Kathy Littlefield commented on the November 5, 2013 Special Bond Election results.
- Sonnie Kirtley, Coalition of Greater Scottsdale, commented on the November 5, 2013 Special Bond Election results.

MINUTES

Request: Approve the Regular Meeting Minutes of October 8, 2013; Work Study Session Minutes of October 8, 2013; Special Meeting Minutes of October 22, 2013; and Regular Meeting Minutes of October 22, 2013.

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.

MOTION AND VOTE - MINUTES

Councilwoman Klapp made a motion to approve the Regular Meeting Minutes of October 8, 2013; Work Study Session Minutes of October 8, 2013; Special Meeting Minutes of October 22, 2013; and Regular Meeting Minutes of October 22, 2013. Councilman Robbins seconded the motion, which carried 6/0.

CONSENT AGENDA

- 1. Bronzopolitan Conditional Use Permit (11-UP-2013)**
Request: Adopt **Resolution No. 9555** approving a Conditional Use Permit for a bar use for a 1,186± square-foot tanning salon with Central Business (C-2) zoning, and finding that the conditional use permit criteria have been met.
Location: 15811 N. Frank Lloyd Wright Boulevard, Suite 125
Staff Contact(s): Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, rgrant@scottsdaleaz.gov
- 2. Bronzopolitan Liquor License (82-LL-2013)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a person and location transfer of a series 7 (beer and wine bar) State liquor license for a new location and owner.
Location: 15811 N. Frank Lloyd Wright Boulevard, Suite 125
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 3. Rim to Rim Wines Liquor License (94-LL-2013)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a series 4 (wholesale) State liquor license for a new location and owner.
Location: 8355 E. McDonald Drive, Suite F 107
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 4. Axis/Radius (aka Bottled Blonde and Livewire) Conditional Use Permit (17-UP-2012)**
Request: Adopt **Resolution No. 9490** approving a Conditional Use Permit for a bar in a 19,397± square-foot space, with Central Business District, Parking District, Downtown Overlay (C-2/P-3 DO and P-2 DO) zoning, and finding that the conditional use permit criteria have been met.
Location: 7320-7340 E. Indian Plaza
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 5. Bottled Blonde and Livewire Liquor License (95-LL-2013)**
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: 7340 E. Indian Plaza
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

6. Barro's Pizza Liquor License (96-LL-2013)

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: 14850 Frank Lloyd Wright Boulevard, Suite 107

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

7. Scottsdale Station Restaurant Liquor License (97-LL-2013)

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: 8220 N. Hayden Road, Suite C112

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

8. Arizona BBQ Shack Liquor License (98-LL-2013)

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: 8471 E. McDonald Drive

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

9. Ironwood Cancer and Research Centers Abandonment (2-AB-2013)

Request: Adopt **Resolution No. 9535** approving the abandonment of approximately 323± square-feet of public right-of-way along East Desert Cove Avenue with Industrial Park (I-1) zoning.

Location: 8880 E. Desert Cove Avenue

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

10. Capital Improvement and Facilities Projects On-Call Architectural Services Contracts

Request: Adopt **Resolution No. 9550** authorizing the following one-year contracts, with an option to extend for four additional one-year periods, for on-call architectural design services for capital improvement and facilities projects:

1. Contract No. 2013-173-COS with Holly Street Studio Architects.
2. Contract No. 2013-174-COS with Fucello Architects.

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

11. Site 71 Well and Booster Pump Station and Water Booster Pump Station 42B Construction Services Contract

Request: Adopt **Resolution No. 9552** to authorize:

1. CM@Risk Contract No. 2013-175-COS with MGC Contractors, Inc., in the amount of \$147,221, for design phase services for the Site 71 Well and the Booster Pump Station and Water Booster Pump Station 42B projects.
2. Budget transfers totaling \$5,000,000 from CIP project W9903, Booster Station Upgrades (\$3,100,000), and from CIP project W4708, Well Sites (\$1,900,000), to a newly created CIP Project titled Site 71 Well Site and Water Booster Station.

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

12. WestWorld Event Agreement

Request: Adopt **Resolution No. 9574** authorizing Contract No. 2009-139-COS-A1, the first amendment to an agreement with Goodguy Enterprises Inc., to use the WestWorld special event facilities for the Goodguy Car Show.

Staff Contact(s): Paul Katsenes, Community and Economic Development Executive Director, 480-312-2890, pkatsenes@scottsdaleaz.gov

13. DUI Task Force Grant

Request: Adopt **Resolution No. 9546** to authorize:

1. Agreement No. 2013-170-COS with the Arizona Governor's Office of Highway Safety to accept a grant in the amount of \$160,000 for DUI taskforce overtime and associated expenses.
2. Budget transfer from the adopted FY 2013/14 Future Grants Budget and/or the Grant Contingency Budget and the creation of a new cost center to record the related grant activity.

Staff Contact(s): Alan Rodbell, Public Safety Executive Director, 480-312-1900, arodbell@scottsdaleaz.gov

14. General Plan 2014 Task Force Additional Alternates

Request: Adopt **Resolution No. 9575** approving the appointment of additional persons to the Scottsdale General Plan 2014 Task Force Alternates list.

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

15. Monthly Financial Report

Request: Accept the FY 2013/14 Monthly Financial Report as of September 2013.

Staff Contact(s): Judy McIlroy, Budget Director, 480-312-2603, jmcilroy@scottsdaleaz.gov

MOTION AND VOTE - CONSENT AGENDA

Councilman Phillips made a motion to approve Consent Items 1 through 15. Councilwoman Klapp seconded the motion, which carried 6/0.

REGULAR AGENDA

16. Preserve Land Acquisition

Request: Provide direction to staff to initiate the process to determine whether to acquire 40 acres of land located approximately a half mile east of 128th Street and a quarter mile north of the extension of East Pinnacle Peak Road. This item was initiated by Councilman Phillips and added at the request of Vice Mayor Korte and Councilmembers Littlefield, Milhaven, and Robbins.

Strategic Projects/Preserve Director Kroy Ekblaw gave a PowerPoint presentation (attached) on the request to initiate the process to determine whether to acquire 40 acres of land for the Preserve.

Vice Mayor Korte opened public testimony.

Mike Mayer, Scottsdale citizen, spoke in support of the Preserve land acquisition.

Vice Mayor Korte closed public testimony.

MOTION AND VOTE - ITEM 16

Councilman Phillips made a motion to direct staff to initiate the process to determine whether to acquire 40 acres or more of land located approximately a half mile east of 128th Street and a quarter mile north of the extension of East Pinnacle Peak Road. Councilman Littlefield seconded the motion, which carried 4/2, with Councilmembers Klapp and Milhaven dissenting.

MAYOR AND COUNCIL

17. Request to Agendize a Discussion on General Fund Spending Cuts

Request: At the request of Councilman Littlefield, provide possible direction to staff to agendize: A discussion and possible direction to staff on general fund spending cuts that can be made immediately in order to fund the high priority public safety projects that were included in the recent City bond proposals.

MOTION AND VOTE - ITEM 17

Councilman Littlefield made a motion to direct staff to agendize a discussion and possible direction to staff on general fund spending cuts that can be made immediately in order to fund the high priority public safety projects that were included in the recent City bond proposals. Councilman Phillips seconded the motion, which failed 2/4, with Vice Mayor Korte and Councilmembers Klapp, Milhaven, and Robbins dissenting.

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

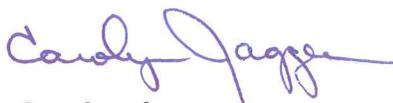
No citizen petitions were received.

MAYOR AND COUNCIL ITEMS – None

ADJOURNMENT

With no further business to discuss, the Regular Meeting adjourned at 5:53 P.M.

SUBMITTED BY:



**Carolyn Jagger
City Clerk**

Officially approved by the City Council on December 9, 2013

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 12th day of November 2013.

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

DATED this 9th day of December 2013.



Carolyn Jagger, City Clerk

Item 16

