

SCOTTSDALE

CITY COUNCIL MEETING



*****AMENDED*** MEETING NOTICE AND AGENDA**

[ADDED CONSENT ITEM No. 16A]

COUNCIL

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Robert W. Littlefield

Linda Milhaven

Guy Phillips

Dennis E. Robbins

Tuesday, September 9, 2014

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 (September 23, 2014).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:07 P.M.

Roll Call – All present.

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 1662; Troop Leader Jenny Leung

Invocation – Rabbi Jeremy Schneider, Temple Kol Ami

Mayor's Report – None

Presentations/Information Updates

- **[2014 Scottsdale Environmental Design Awards Presentation](#) – Environmental Initiatives Manager Tim Conner gave a brief background on the SEDA Program. Planning and Development Services Manager Steve Venker presented the 2014 Scottsdale Environmental Design Awards to project team members for the following projects: Bicycle Haus, North Scottsdale Park & Ride, and Simply Dentistry. A new Legacy Awards category established by the Awards Committee recognizes projects that are over 25 years in age. Legacy Awards were presented to project team members for the following projects: The Cattletrack Compound;**



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).

The Old Adobe Mission of Our Lady of Perpetual Help Roman Catholic Parish; The Scottsdale Medical Pavilion; and The First Church of Christ, Scientist.

Presenter(s): Tim Conner, Environmental Initiatives Manager; Steve Venker, Planning and Development Services Manager

- **[Announcement of Reappointment to Judicial Appointments Advisory Board](#) – Mayor Lane announced the Arizona Supreme Court’s reappointment of Judge Thomas L. LeClaire to the Scottsdale Judicial Appointments Advisory Board for a three-year term beginning October 1, 2014 and ending October 1, 2017.**

Mayor Lane will announce the Arizona Supreme Court’s reappointment of Judge Thomas L. LeClaire as a member of the Scottsdale Judicial Appointments Advisory Board for a three-year term beginning October 1, 2014 and ending October 1, 2017.

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.”**

MINUTES

Request: Approve the **[Regular Meeting Minutes of August 18, 2014.](#)**

– Councilmember Korte made a motion to approve the Regular Meeting Minutes of August 18, 2014. Councilwoman Klapp seconded the motion, which carried 7/0.

CONSENT AGENDA ITEMS 1-16A

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 Items 1 through 16A. Councilman Robbins seconded the motion, which carried 7/0.

1. **[Hyatt House Liquor License \(78-LL-2014\)](#) – **Approved on Consent.**
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.
Location: 4245 N. Drinkwater Boulevard
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
2. **[Hopdoddy Burger Bar Liquor License \(79-LL-2014\)](#) – **Approved on Consent.**
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 12 (restaurant) State liquor license.
Location: 11055 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**

3. **[Andaluza Final Plat \(17-PP-2013\)](#) – **Approved on Consent.**
Request: Approve a final plat for a 33-lot, single-family residential subdivision on an approximate 38-acre site located at the southeast corner of N. 84th Street and E. Hawknest Road.
Location: 8595 E. Hawknest Road and 35025 N. 84th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**
4. **[Princess Views Final Plat \(3-PP-2014\)](#) – **Approved on Consent.**
Request: Approve a final plat for a partial re-plat of Lot 1 of the Princess Views Subdivision and a partial re-plat of Lot 2 of the Fairmont Scottsdale Princess Golf Cottages to create Lot 1A of the Princess Views Subdivision.
Location: 7605 E. Hartford Drive
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**
5. **[Scottsdale Mountain Villas Final Plat \(5-PP-2014\)](#) – **Approved on Consent.**
Request: Approve a final plat for a 10-lot, single-family residential subdivision on an approximate 5-acre site.
Location: South side of E. Coyote Road, west of N. 135th Place
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**
6. **[Morning Vista Partial Abandonment \(1-AB-2013\)](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 9882** extending the time to fulfill the conditions of previously approved Resolution No. 9488 abandoning the northern twenty feet of the 40-foot E. Morning Vista Road right-of-way located along the southern boundary of parcel 216-70-003L, with Single-Family Residential District, Environmentally Sensitive Lands, Foothills Overlay (R1-190/ESL/FO) zoning.
Location: 8449 E. Dixileta Drive
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**
7. **[DC Ranch Parcel 1.1 Zoning Classifications \(54-ZN-1989#2L\)](#) – **Approved on Consent.**
Request: Adopt **Ordinance No. 4167** affirming zoning classifications, as approved in 54-ZN-1989#9 and 54-ZN-1989#10, for DC Ranch Parcel 1.1, as Planned Neighborhood Center, Planned Community District (PNC PCD) and Resort/Townhouse Residential, Planned Community District (R-4R PCD) zoning.
Location: Southeast corner of N. Pima Road and E. Legacy Boulevard
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**
8. **[Eilers Office Rezoning \(8-ZN-2014\)](#) – **Approved on Consent.**
Request: Adopt **Ordinance No. 4169** approving a zoning district map amendment from Multiple-Family Residential (R-5) to Service Residential (S-R) zoning, and finding that the proposed zoning district map amendment conforms with the adopted General Plan, on a 12,000± square-foot parcel.
Location: 2343 N. Hayden Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**
9. **[Miziolek Wall Hardship Exemption \(1-HE-2014\)](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 9838** approving a hardship exemption from the Environmentally Sensitive Lands Ordinance requirement of a 15-foot setback for walls from the side property line located along the eastern boundary of the property, with Single-Family Residential, Environmentally Sensitive Lands (R1-43/ESL) zoning.
Location: 8347 E. High Point Drive
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**

10. [Scottsdale Quarter Perimeter Exception \(1-PE-2009#2\) – Approved on Consent.](#)
Request: Adopt **Resolution No. 9879** authorizing Amended and Restated Development Agreement No. 2011-155-COS-A1, with SDQ Fee, LLC, Kierland Crossing, LLC, Crescent-SDQ III Venture, LLC, and SDQ III Fee, LLC, to approve a re-plat and an amendment to the existing perimeter exception plat and development agreement to adjust the lot line between blocks L and M, and to update the project development standards to be consistent with zoning application 18-ZN-2013.
Location: 15015, 15169, 15279, 15301, 15037, 15147, 15191, 15257, 15323, 15059, 15081, 15125, 15103, 15235, 15345, 15367, 15389, and 15411 N. Scottsdale Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
11. [Arizona Criminal Justice Commission Full-Service Forensic Crime Laboratory Grant – Approved on Consent.](#)
Request: Adopt **Resolution No. 9862** to authorize:
 1. Agreement No. 2014-133-COS with the Arizona Criminal Justice Commission to accept an Arizona Criminal Justice Full-Service Forensic Crime Laboratory grant in the amount of \$106,000 to continue funding a forensic scientist supervisor position.
 2. A budget transfer in the amount of \$106,000 from the adopted FY 2014/15 Future Grants Budget and/or the Grant Contingency Budget and the creation of a new cost center to record the related grant activities.**Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov
12. [Transit Vehicle Management System Support Services Intergovernmental Agreement – Approved on Consent.](#)
Request: Adopt **Resolution No. 9825** authorizing Intergovernmental Agreement No. 2014-089-COS with the City of Phoenix for the installation of equipment used for the purpose of monitoring vehicle location and activities for the City's 13 buses in the amount of \$45,562 for the period of September 1, 2014 through June 30, 2016.
Staff Contact(s): Paul Basha, Transportation Director, 480-312-7651, pbasha@scottsdaleaz.gov
13. [Transit Service Intergovernmental Agreement – Approved on Consent.](#)
Request: Adopt **Resolution No. 9816** to authorize:
 1. Intergovernmental Agreement No. 2013-047-COS-A2 with the Regional Public Transportation Authority in the total amount of \$1,111,161 for fixed route and express bus service and East Valley Dial-a-Ride service, and to accept a Federal Transit Administration "New Freedom" grant in the amount of \$100,000 (with a local match in the amount of \$100,000).
 2. A budget transfer in the amount of \$100,000 from the adopted FY 2014/15 Future Grants Budget and/or Grant Contingency Budget, and the creation of a new cost center to record the related grant activity. (The \$100,000 local match amount is included in the FY 2014/15 adopted Transportation Fund operating budget.)**Staff Contact(s):** Paul Basha, Transportation Director, 480-312-7651, pbasha@scottsdaleaz.gov
14. [Occupational Medical Treatment and Employment-Related Medical Testing Contract Modification – Approved on Consent.](#)
Request: Adopt **Resolution No. 9871** authorizing Contract Modification No. 2009-143-COS-A1 with Scottsdale Healthcare Corporate Health to extend the contract period from September 21, 2014 to January 31, 2015 for the provision of non-emergency medical treatment for work-related injuries (workers' compensation) and limited employment-related medical testing.
Staff Contact(s): Katherine Callaway, Risk Management Director, 480-312-7841, kcallaway@scottsdaleaz.gov

15. [Eldorado Park Lease Agreement – Approved on Consent.](#)
Request: Adopt **Resolution No. 9855** authorizing the Amended and Restated Existing Lease of Premises Agreement No. 1997-068-COS-A2 with the Boys & Girls Clubs of Greater Scottsdale Youth, LLC, at Eldorado Park.
Location: 2311 N. Miller Road
Staff Contact(s): William Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
16. [Towing Vehicles at Scottsdale Airport Code Amendment – Approved on Consent.](#)
Request: Adopt **Ordinance No. 4166** amending Scottsdale Revised Code, Chapter 17, Motor Vehicles and Traffic, Sections 17-108 and 17-129, related to towing vehicles at the Scottsdale Airport.
Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov
- ***16A. [August 26, 2014 Primary Election Canvass – Approved on Consent.](#)
Request: Adopt **Resolution No. 9877** as the official canvass of the City of Scottsdale August 26, 2014 Primary Election.
Staff Contact(s): Carolyn Jagger, City Clerk, 480-312-2411, cjagger@scottsdaleaz.gov

REGULAR AGENDA ITEMS 17-18

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.**

17. [Cake Nightclub In-Lieu Parking Credits \(2-IP-2014\)](#)
– Vice Mayor Phillips made a motion to adopt Resolution No. 9834 approving a request to participate in the In-Lieu Parking Program for ten in-lieu parking credits. Councilman Littlefield seconded the motion, which failed 3/4, with Mayor Lane and Councilmembers Klapp, Milhaven, and Robbins dissenting.
– Councilwoman Milhaven made a motion to agendize the item for a future date and to ask staff to bring the item back after they have finished their investigation of the open items. Councilwoman Klapp seconded the motion, which carried 7/0.
Request: Adopt **Resolution No. 9834** approving a request to participate in the In-Lieu Parking Program for ten in-lieu parking credits.
Location: 4426 N. Saddlebag Trail
Presenter(s): Brad Carr, Senior Planner
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
18. [Sierra Highlands Rezoning \(6-ZN-2014\) – Councilman Robbins made a motion to adopt Ordinance No. 4168 approving a zoning map amendment from Single-Family Residential, Environmentally Sensitive Lands \(R1-70/ESL\) to Single-Family Residential, Environmentally Sensitive Lands \(R1-43/ESL\) zoning; finding that the proposed zoning map amendment is consistent and conforms with the adopted General Plan; and adding Stipulation 10, to read as follows:](#)
TRAFFIC CALMING IMPROVEMENTS. Prior to issuance of a final Certificate of Occupancy for the first residence in the development, City staff and the area residents will cooperate to develop a traffic calming plan for North 84th Street adjacent to the site. The process to develop and approve the traffic calming device(s) shall be consistent with the City's Neighborhood Traffic Management Policy and Program. The developer shall be responsible

for fifty percent (50%) of the construction costs for any approved traffic calming improvement, but the developer's share shall not exceed thirty-five thousand dollars (\$35,000). The traffic calming improvement will be considered independent of the subdivision approval process and will not delay improvement plan approvals or plat approvals.

Councilwoman Milhaven seconded the motion, which carried 7/0.

Request: Adopt **Ordinance No. 4168** approving a zoning map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-70/ESL) to Single-Family Residential, Environmentally Sensitive Lands (R1-43/ESL) zoning, on a 40± acre site, and finding that the proposed zoning map amendment is consistent and conforms with the adopted General Plan, located at the northeast corner of N. 84th Street and E. Black Mountain Road.

Location: 8500 E. Black Mountain Road

Presenter(s): Jesus Murillo, Senior Planner

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

Public Comment – None

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CITIZEN PETITIONS

ITEM 19

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.

19. 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

Mayor and Council Items – None

Adjournment – 6:32 P.M.