

SCOTTSDALE

CITY COUNCIL MEETING

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



COUNCIL

W.J. "Jim" Lane, Mayor
Suzanne Klapp
Virginia L. Korte
Robert W. Littlefield

Linda Milhaven
Guy Phillips
Dennis E. Robbins

Tuesday, September 23, 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 (October 7, 2014).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:05 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 1873, Troop Leader Mary Nesbitt

Invocation – Pastor Bruce Johnson, Scottsdale Presbyterian Church

Mayor's Report

– Mayor Lane announced that Scottsdale received several awards at the recent Arizona Forward Association's Annual Environmental Excellence Awards ceremony. Vi at Silverstone received an Award of Merit for site development and landscape. Mike Nolan, on behalf of the McDowell Sonoran Conservancy, received top honors for environmental education through the Conservancy's innovative citizen-science program, which is administered by Melanie Tluczek. Brown's Ranch Trailhead won this year's Crescordia Award for site development of parks and trails. Mayor Lane recognized the contractors, led by Summit Construction, and Architect Phil Weddle, as well as City staff members Kroy Ekblaw, Liz Hildenbrand-Crossman, Scott Hamilton, Claire Miller, Robin Schweitzer, Robin Rodgers, Joe Mannino, and Michael Hansen, for their work on the project.



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).

– Mayor Lane read a proclamation in support of City employees and Scottsdale residents who serve our Country by serving in the National Guard and Reserves. He declared the week of September 22nd as National Employer in Support of the Guard and Reserve Week. Liaison Bill Mack accepted the proclamation.

Presentations/Information Updates – None

Public Comment – Joanne Handley reported on efforts to obtain the names of all Scottsdale military personnel who lost their lives in battle so that they could be memorialized. James Geiser reported on a project to create a memorial honoring Scottsdale military personnel who lost their lives in battle and asked for support in identifying a location for the memorial.

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 25, 2014](#).

– Councilman Robbins made a motion to approve the Regular Meeting Minutes of August 25, 2014. Councilmember Korte seconded the motion, which carried 7/0.

CONSENT AGENDA ITEMS 1-20

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.

– Vice Mayor Phillips made a motion to approve Consent Items 1 through 20. Councilwoman Klapp seconded the motion, which carried 7/0.

1. [Scottsdale Conference Resort Liquor License \(80-LL-2014\)](#) – **Approved on Consent.**
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: 7700 E. McCormick Parkway
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
2. [Jalapeno Inferno Market Street Liquor License \(81-LL-2014\)](#) – **Approved on Consent.**
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: 20825 N. Pima Road, Suite H-110
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

3. **[Laugh Factory Comedy Club Liquor License \(82-LL-2014\)](#) – **Approved on Consent.**
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 6 (bar) State liquor license for a new location and owner.
Location: 7000 E. Shea Boulevard, Suite H-1990
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
4. **[Southern Wine and Spirits of Arizona Liquor License \(83-LL-2014\)](#) – **Approved on Consent.**
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: 4248 N. Craftsman Court, Suite 100
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
5. **[SNG Wine Cellar Liquor License \(88-LL-2014\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 (beer and wine store) State liquor license for a new location and owner.
Location: 28170 N. Alma School Parkway, Suite 208
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov**
6. **[Ricky's Tacos and Beer Conditional Use Permit \(7-UP-2014\)](#) – **Approved on Consent.**
Request: Find that the conditional use permit criteria have been met and adopt
Resolution No. 9875 approving a Conditional Use Permit for live entertainment at an existing 3,200± square-foot restaurant with Central Business District, Parking District, Downtown Overlay (C-2/P-3 DO) zoning.
Location: 7323 E. Shoeman Lane
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**
7. **[124th and Shea Abandonment \(3-AB-2014\)](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 9848** abandoning those portions of General Land Office patent easements located along the N. 124th Place alignment, the N. 125th Street alignment, the N. 125th Place alignment, and E. Sahuaro Drive, within parcels 217-29-029, 217-29-030B, and 217-29-031, with proposed Single-Family Residential, Environmentally Sensitive Lands (R1-7 ESL) and Single-Family Residential, Environmentally Sensitive Lands, Planned Residential District (R1-18, ESL, PRD) zoning associated with Case No. 3-ZN-2014.
Location: Northeast corner of N. 124th Street and E. Shea Boulevard
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov**
8. **[124th and Shea Non-Major General Plan Amendment and Rezoning \(1-GP-2014 and 3-ZN-2014\)](#) – **Approved on Consent.**
Requests:
 1. Adopt **Resolution No. 9876** approving a Non-Major General Plan Amendment to the Scottsdale General Plan 2001 from the Rural Neighborhoods land use designation to the Suburban Neighborhoods land use designation on a 10± acre site for Case No. 1-GP-2014.
 2. Adopt **Ordinance No. 4165** approving a zoning district map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) to Single-Family Residential, Environmentally Sensitive Lands (R1-7 ESL) zoning; and finding that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan on a 10± acre site for Case No. 3-ZN-2014.
 3. Adopt **Resolution No. 9885** declaring “124th Street and Shea Boulevard Development Plan” as a public record.**

4. Adopt **Ordinance No. 4172** approving a zoning district map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) to Single-Family Residential, Environmentally Sensitive Lands, Planned Residential District (R1-18, ESL, PRD) and a Development Plan with Amended Development Standards; and finding that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan on a 5± acre site for Case No. 3-ZN-2014.
Location: Northeast corner of N. 124th Street and E. Shea Boulevard
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
9. **Eggstaff Residence Abandonment (6-AB-2014) – Approved on Consent.**
Request: Adopt **Resolution No. 9874** approving the abandonment of the 33-foot General Land Office patent easement on the east side of the parcel at 12750 E. Mountain View Road, with Single-Family Residential, Environmentally Sensitive Lands (R1-43, ESL) zoning.
Location: 12750 E. Mountain View Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
10. **Sports Field Lighting Job Order Contract – Approved on Consent.**
Request: Adopt **Resolution No. 9859** authorizing Job Order Contract No. 2014-124-COS with Sellers & Sons, Inc., for citywide sports field lighting.
Staff Contact(s): Daniel Worth, Public Works Executive Director, 480-312-5555, dworth@scottsdaleaz.gov
11. **Chaparral Road Right-of-Way Acquisition – Approved on Consent.**
Request: Adopt **Resolution No. 9893** authorizing the acquisition of right-of-way and temporary construction easements necessary to complete pedestrian and roadway improvements along Chaparral Road.
Location: Chaparral Road between 69th Place and Scottsdale Road
Staff Contact(s): Daniel Worth, Public Works Executive Director, 480-312-5555, dworth@scottsdaleaz.gov
12. **Real Estate Appraisal Professional Services Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 9890** authorizing the following professional services contracts to assist in establishing fair market value in the purchase and disposition of real property:
 1. Contract No. 2014-150-COS with Dennis L. Lopez & Associates, LLC
 2. Contract No. 2014-151-COS with Landpro Valuation, LLC
 3. Contract No. 2014-152-COS with Sell & Associates, Inc.**Staff Contact(s):** Daniel Worth, Public Works Executive Director, 480-312-5555, dworth@scottsdaleaz.gov
13. **Arizona Fall Championship WestWorld Event Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 9884** authorizing Contract No. 2014-146-COS with Arizona Quarter Horse Association to produce the Arizona Fall Championship event at the WestWorld facility.
Staff Contact(s): Paul Katsenes, 480-312-2890, Tourism and Events Director, pkatsenes@scottsdaleaz.gov
14. **Electrical Arc Flash and Safety Program Professional Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 9880** authorizing Professional Services Contract No. 2014-143-COS with Delta Systems Engineering, Inc., in an amount not to exceed \$745,438, to conduct an electrical arc flash hazard analysis throughout the City's water and wastewater systems and to develop an electrical safety program based on the National Fire Protection Association Standard for Electrical Safety in the Workplace.
Staff Contact(s): Christopher Hassert, Planning and Engineering Director, 480-312-5681, chassert@scottsdaleaz.gov

15. **Scottsdale Fashion Square Partnership Redevelopment Agreement Termination – Approved on Consent.**
Request: Adopt **Resolution No. 9780** authorizing Redevelopment Agreement Termination Notice No. 2014-072-COS with Scottsdale Fashion Square, LLC, to terminate the Scottsdale Fashion Square Redevelopment Agreement.
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
16. **Drug, Alcohol, and Violence Prevention Services Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 9861** authorizing Intergovernmental Agreement No. 2014-132-COS with Scottsdale Unified School District No. 48 to provide funding in the amount of \$238,000 for drug, alcohol, and violence prevention education and other student support services in Scottsdale schools for FY 2014/15.
Staff Contact(s): William Murphy, Community Services Director, 480-312-7954
bmurphy@scottsdaleaz.gov
17. **School Resource Officer Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 9868** authorizing Intergovernmental Agreement No. 2014-138-COS with Cave Creek Unified School District for the provision of a Scottsdale Police Officer to serve as a School Resource Officer.
Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdale.gov
18. **Pickett v. City of Scottsdale Settlement – Approved on Consent.**
Request: Adopt **Resolution No. 9886** authorizing settlement in the amount of \$25,000 for the purpose of settling *Pickett v. City of Scottsdale*, currently pending before the Industrial Commission of Arizona as Case No. 20141-290138.
Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov
19. **Water and Wastewater Development Fee Code Amendment – Approved on Consent.**
Requests:
 1. Adopt **Resolution No. 9873** declaring the document entitled “2014 Amendments to Water and Wastewater Development Fee Code” as a public record.
 2. Adopt **Ordinance No. 4170** amending Scottsdale Revised Code Chapter 49, Article III, Water and Wastewater Development Fees, to reflect miscellaneous text amendments, effective November 1, 2014.**Staff Contact(s):** Dave Petty, Water Resources Administrator, 480-312-5661, dpetty@scottsdaleaz.gov
20. **Monthly Financial Report – Approved on Consent.**
Request: Accept the FY 2014/15 Monthly Financial Report as of July 2014.
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

REGULAR AGENDA **ITEMS 21-24**

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.**

***Public Comment Note: Item Nos. 21, 22, and 23 will be presented together. Speakers will be given one opportunity to address the Council on one or more of these items.

21. [Arizona State Trust Land Development Agreement and Initiation of Rezoning Case](#) – Councilman Littlefield made a motion to: (1) Adopt Resolution No. 9881 authorizing Development Agreement No. 2014-144-COS with the Arizona State Land Department; and (2) initiate a rezoning case on 4,020± acres of State Trust Land. Councilmember Korte seconded the motion, which carried 7/0.
Requests: (1) Adopt Resolution No. 9881 authorizing Development Agreement No. 2014-144-COS with the Arizona State Land Department; and (2) initiate a rezoning case on 4,020± acres of State Trust Land.
Presenter(s): Kroy Ekblaw, Preserve Director
Staff Contact(s): Kroy Ekblaw, Preserve Director, 480-312-7064, kekblaw@scottsdaleaz.gov
22. [Initiation of Preserve Land Rezoning Application](#) – Councilwoman Milhaven made a motion to direct staff to initiate a rezoning application for 22,300± acres of City-owned lands located within the McDowell Sonoran Preserve Study Boundary to the Conservation Open Space zoning district. Councilwoman Klapp seconded the motion, which carried 7/0.
Request: Initiate a rezoning application for 22,300± acres of City-owned lands located within the McDowell Sonoran Preserve Study Boundary to the Conservation Open Space zoning district.
Presenter(s): Kroy Ekblaw, Preserve Director
Staff Contact(s): Kroy Ekblaw, Preserve Director, 480-312-7064, kekblaw@scottsdaleaz.gov
23. [Initiation of Conservation Open Space Text Amendment](#) – Councilmember Korte made a motion to direct staff to initiate a text amendment to Article VI., Supplementary Districts, Section 6.700, the Conservation Open Space zoning district, to promote consistency with the Preserve Ordinance No. 3321. Vice Mayor Phillips seconded the motion, which carried 7/0.
Request: Initiate a text amendment to Article VI., Supplementary Districts, Section 6.700, the Conservation Open Space zoning district, to promote consistency with the Preserve Ordinance No. 3321.
Presenter(s): Kroy Ekblaw, Preserve Director
Staff Contact(s): Kroy Ekblaw, Preserve Director, 480-312-7064, kekblaw@scottsdaleaz.gov
24. [Monthly Financial Update](#) – City Treasurer Jeff Nichols presentation
Request: Receive, discuss, and provide possible direction on the City Treasurer's monthly financial update as of August 2014.
Presenter(s): Jeff Nichols, City Treasurer
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

Public Comment – None

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CITIZEN PETITIONS

ITEM 25

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.

25. 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 agendaize 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 – 5:55 P.M.