

**SCOTTSDALE**

# **CITY COUNCIL MEETING**



## **\*\*\*AMENDED\*\*\* MEETING NOTICE AND AGENDA**

**[ADDED CONSENT ITEM No. 16A]**

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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, November 18, 2014**

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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 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 meetings (December 1 or 2, 2014).*

**5:00 P.M.**

**MARKED AGENDA**

### **CITY COUNCIL MEETING**

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Call to Order – 5:12 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 1402, Troop Leader Toby Fox and Mindy Corpstein**

**Invocation – Mayor Lane requested a moment of silence for the family of firefighter Bruce Pickett who recently passed away.**

### **Mayor's Report**

**– Mayor Lane announced that last week, during the Arizona Library Association Annual Conference, Scottsdale Public Library volunteer Paul Whitney was honored as volunteer of the year. Mayor Lane thanked Mr. Whitney for his volunteer service to Scottsdale and presented him with a certificate of appreciation.**

**– Mayor Lane announced that the City will host its Small Business Saturday celebration on November 29, on the waterfront in downtown Scottsdale. Citizens were encouraged to join in the festivities and support small businesses. Mayor Lane read a proclamation proclaiming Saturday, November 29 as Small Business Saturday.**



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).

Tuesday, November 18, 2014

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**Presentations/Information Updates – Charles Schwab Cup PGA Sales Manager Diane Frisch Presentation**

- **Charles Schwab Cup Championship Presentation**  
Presenter(s): Diane Frisch, PGA Sales Manager

**Public Comment – Mike Aloisi commented on public safety. Rosemary Preisel submitted a citizen's petition regarding parking in downtown Scottsdale. Kristen Packard, Don Edwards, and Alaina Beauoye commented on the lack of parking in downtown Scottsdale.**

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 October 21, 2014](#).

**– Councilman Robbins made a motion to approve the Regular Meeting Minutes of October 21, 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 Littlefield seconded the motion, which carried 7/0.**

1. [Rock & Vine Bar and Grill Liquor License \(103-LL-2014\)](#) – **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:** 8900 E. Pinnacle Peak Road, Suite B-1  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
2. [Cochise Estates Abandonment \(5-AB-2014\)](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 9924** approving the abandonment of the 33 feet of General Land Office easements along the perimeter of two 5± acre parcels located at the southeast corner of E. Shea Boulevard and N. 128<sup>th</sup> Street; and the abandonment of approximately 305 feet of the south 25 feet of E. Cochise Road right-of-way east of N. 128<sup>th</sup> Street.  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
3. [Service Residential \(S-R\) Text Amendment \(3-TA-2014\)](#) – **Approved on Consent.**  
**Request:** Adopt **Ordinance No. 4176** approving a text amendment to the City of Scottsdale Zoning Ordinance No. 455, to amend Article V. District Regulations, and Article X. Landscaping Requirements, for the purpose of updating regulations related to allowable land uses and development standards for the Service Residential (S-R) zoning district.  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

4. **[Income Property Management Expo WestWorld Event Agreement](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 9888** authorizing Contract No. 2014-148-COS with On the Edge Promotions, Inc., to produce the Income Property Management Expo event at the WestWorld facility.  
**Staff Contact(s):** Paul Katsenes, 480-312-2890, Tourism and Events Director, [pkatsenes@scottsdaleaz.gov](mailto:pkatsenes@scottsdaleaz.gov)**
5. **[International Sportsmen's Expo WestWorld Event Agreement](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 9889** authorizing Contract No. 2014-149-COS with Angler's Exposition, Inc., to produce the International Sportsmen's Expo event at the WestWorld facility.  
**Staff Contact(s):** Paul Katsenes, 480-312-2890, Tourism and Events Director, [pkatsenes@scottsdaleaz.gov](mailto:pkatsenes@scottsdaleaz.gov)**
6. **[Fiesta Bowl Museum Conditional Property Conveyance Agreement](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 9949** authorizing Contract No. 2006-140-COS-A1, the first amendment to the conditional property conveyance agreement with Fiesta Events, Inc., for conveyance of real property.  
**Location:** 7135 E. Camelback Road, Unit D-105  
**Staff Contact(s):** Paul Katsenes, 480-312-2890, Tourism and Events Director, [pkatsenes@scottsdaleaz.gov](mailto:pkatsenes@scottsdaleaz.gov)**
7. **[Brown Avenue Studio Revocable License Agreement](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 9953** authorizing Revocable License Agreement No. 2014-183-COS with Scottsdale Public Art, a division of the Scottsdale Cultural Council, Inc., for the use of a 1,388 square-foot studio space. **Location:** 3802 N. Brown Avenue; **Staff Contact(s):** Paul Katsenes, 480-312-2890, Tourism and Events Director, [pkatsenes@scottsdaleaz.gov](mailto:pkatsenes@scottsdaleaz.gov)**
8. **[Airport Operations Center Building Construction Bid Award](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 9918** to authorize:
  1. Construction Bid Award No. 14PB038 to Danson Construction, LLC, the lowest responsive bidder, in the amount of \$3,968,000, for the construction of the Airport Operations Center building.
  2. FY 2014/15 Airport-Future Grants Contingency Budget Appropriation transfer in the amount of \$1,900,000 to existing Aviation Capital Project No. A1201, Construct Airport Operations/Maintenance, to be funded by the Aviation Funds funding source.**Staff Contact(s):** Gary Mascaro, Aviation Director, 480-312-7735, [gmascaro@scottsdaleaz.gov](mailto:gmascaro@scottsdaleaz.gov)**
9. **[Fire Department Urban Area Security Initiative Grants](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 9955** to authorize:
  1. Terrorism Liaison Office Fire Grant No. 2014-189-COS with the Arizona Department of Homeland Security in the amount of \$26,500 for the purchase of vehicle communication equipment and expenses for personnel to attend training.
  2. CBRNE Fire Grant No. 2014-190-COS with the Arizona Department of Homeland Security in the amount of \$54,000 for the purchase of hazardous gas detection equipment and Advanced Hazardous Materials certification training.
  3. A budget transfer in the amount of \$80,500 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 activities.**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, [tshannon@scottsdaleaz.gov](mailto:tshannon@scottsdaleaz.gov)**
10. **[Family Self-Sufficiency Program Grant Agreement](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 9956** to authorize:
  1. Grant Agreement No. 2014-193-COS with the U.S. Department of Housing and Urban Development in the amount of \$68,107 for the Family Self-Sufficiency Program.
  2. The City Manager or designee to execute any award documents, agreements, amendments, certifications, or other documents and take such actions as are necessary for the acceptance and administration of the grant.**Staff Contact(s):** William Murphy, Community Services Director, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)**

11. **Community Development Block Grant Annual Action Plan Amendment – Approved on Consent.**  
**Request:** Adopt **Resolution No. 9936** authorizing an amendment to the Community Development Block Grant (CDBG) Annual Action Plan for FY 2014/15 to reprogram and reallocate the use of \$200,000 in CDBG funds from an approved activity to other eligible activities and the submittal of the amendment to the U.S. Department of Housing and Urban Development.  
**Staff Contact(s):** William Murphy, Community Services Director, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)
12. **Transportation Safety Zone Code Amendment – Approved on Consent.**  
**Requests:**
  1. Adopt **Ordinance No. 4177** adding Article XII, Sections 17-400 through 17-410 to Chapter 17, Motor Vehicles and Traffic, of the Scottsdale Revised Code for the regulation of Transportation Safety Zones.
  2. Adopt **Resolution No. 9960** establishing a transportation safety zone.**Staff Contact(s):** Paul Basha, Transportation Director, 480-312-7651, [pbasha@scottsdaleaz.gov](mailto:pbasha@scottsdaleaz.gov); Alan Rodbell, Chief of Police, 480-312-1900, [arodbell@scottsdaleaz.gov](mailto:arodbell@scottsdaleaz.gov)
13. **Project Administration and Reimbursement of Eligible Costs for Proposition 400 Funds Intergovernmental Agreements – Approved on Consent.**  
**Request:** Adopt **Resolution No. 9932** authorizing the following intergovernmental agreements with the Maricopa Association of Governments for project administration and reimbursement of eligible costs for Proposition 400 funds incurred by the City for four roadway improvement projects:
  1. Intergovernmental Agreement No. 2014-174-COS for the Pima Road: Via Linda to Via De Ventura Arterial Capacity Improvement Project.
  2. Intergovernmental Agreement No. 2014-175-COS for the Raintree Drive/Redfield Drive: Scottsdale Road to Hayden Road Arterial Capacity Improvement Project.
  3. Intergovernmental Agreement No. 2014-176-COS for the Raintree Drive Extension: 76<sup>th</sup> Place to Hayden Road Arterial Capacity Improvement Project.
  4. Intergovernmental Agreement No. 2014-177-COS for the Southbound Loop 101 Frontage Road Connections Project.**Staff Contact(s):** Paul Basha, Transportation Director, 480-312-7651, [pbasha@scottsdaleaz.gov](mailto:pbasha@scottsdaleaz.gov)
14. **Clark, et al., v. Spano, et al., Legal Services Contract – Approved on Consent.**  
**Request:** Adopt **Resolution No. 9963** authorizing Legal Services Contract No. 2014-012-COS-A2 with the law firm of Struck Wieneke & Love, in an amount not to exceed \$525,000, for the City's legal defense of *Clark, et al., v. Spano et al.*, Case No. CV2013-001476, currently pending in Maricopa County Superior Court.  
**Staff Contact(s):** Bruce Washburn, City Attorney, 480-312-2405, [bwashburn@scottsdaleaz.gov](mailto:bwashburn@scottsdaleaz.gov)
15. **Monthly Financial Report – Approved on Consent.**  
**Request:** Accept the FY 2014/15 Monthly Financial Report as of September 2014.  
**Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)
16. **2015 State Legislative Agenda – Approved on Consent.**  
**Request:** Consider the approval of the City of Scottsdale's 2015 State Legislative Agenda.  
**Staff Contact(s):** Brad Lundahl, Government Relations Director, 480-312-2683, [blundahl@scottsdaleaz.gov](mailto:blundahl@scottsdaleaz.gov)
- \*\*\*16A. **November 4, 2014 General Election Canvass – Approved on Consent.**  
**Request:** Adopt **Resolution No. 9972** as the official canvass of the City of Scottsdale November 4, 2014 General Election.  
**Staff Contact(s):** Carolyn Jagger, City Clerk, 480-312-2411, [cjagger@scottsdaleaz.gov](mailto:cjagger@scottsdaleaz.gov)

## **REGULAR AGENDA**      **ITEMS 17-20**

**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. **Public Parking Structure and Restrooms Lease and Option Agreement**  
– Councilman Robbins made a motion to deny Resolution No. 9941. Councilman Littlefield seconded the motion. No vote taken.  
– Mayor Lane made an alternate motion to continue Item 17 for 60 to 90 days. Councilwoman Klapp seconded the motion, which carried 4/3, with Vice Mayor Phillips and Councilmen Littlefield and Robbins dissenting.  
**Request:** Adopt **Resolution No. 9941** authorizing Lease and Option Agreement No. 2014-179-COS with Equity Partners Group, LLC, for the construction and operation of a public parking structure and restrooms on City property.  
**Location:** South of Stetson Drive, between Wells Fargo Avenue and Civic Center Plaza, and north and south of 6<sup>th</sup> Avenue, between Wells Fargo Avenue and Civic Center Plaza.  
**Presenter(s):** Derek Earle, City Engineer  
**Staff Contact(s):** Daniel Worth, Public Works Executive Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
  
18. **Indoor Vehicle Leasing, Sales, or Rental in I-1 Text Amendment (6-TA-2014)** – Councilman Robbins made a motion to continue Item 18 to December 1, 2014. Councilman Littlefield seconded the motion, which carried 7/0.  
**Request:** Adopt **Ordinance No. 4173** approving a text amendment to the City of Scottsdale Zoning Ordinance No. 455, to amend Table 5.1803 (Land Use Table) in the Industrial Park District (I-1) to allow indoor vehicle leasing, sales, or rental in conjunction with restoration services, without outdoor display; and finding that the proposed zoning text amendment is consistent and conforms with the adopted General Plan.  
**Presenter(s):** Greg Bloemberg, Planner  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
  
19. **Comprehensive Financial Policies and Governing Guidance)** – Councilman Robbins made a motion to adopt Resolution No. 9954 relating to Comprehensive Financial Policies and Governing Guidance as the formal guidelines for the City of Scottsdale’s FY 2015/16 financial planning and management. Councilmember Korte seconded the motion, which carried 7/0.  
**Request:** Adopt **Resolution No. 9954** relating to Comprehensive Financial Policies and Governing Guidance as the formal guidelines for the City of Scottsdale’s FY 2015/16 financial planning and management.  
**Presenter(s):** Jeff Nichols, City Treasurer  
**Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)
  
20. **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 October 2014.  
**Presenter(s):** Jeff Nichols, City Treasurer  
**Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)

**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.”**

## **CITIZEN PETITIONS**

### **ITEM 21**

**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.

21. **Receipt of Citizen Petitions – Vice Mayor Phillips made a motion to direct the City Manager to investigate the petition submitted by Rosemary Preisel regarding parking in downtown Scottsdale, and prepare a written response to the Council, with a copy to the petitioner. Councilman Littlefield seconded the motion, which carried 7/0.**

**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)

**Mayor and Council Items – Councilman Robbins made a motion to agendize a discussion regarding financial policies related to revitalization and any other special taxing districts, such as Community Facility Districts or Improvement Districts. Councilmember Korte seconded the motion, which carried 6/1, with Vice Mayor Phillips dissenting.**

**Adjournment – 7:04 P.M.**