

SCOTTSDALE

CITY COUNCIL MEETING

MEETING NOTICE AND AGENDA



COUNCIL

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

Linda Milhaven
Guy Phillips
David N. Smith

Tuesday, February 3, 2015

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 (February 17, 2015).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:04 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 – Junior Girl Scout Troop 1283, Troop Leaders Shelly Bream, Chamise Broucek, and Karen Treon

Invocation – Chaplain Ben Skelton, Pinnacle Church

Mayor's Report – Mayor Lane thanked the Arabian Horse Association of Arizona for their financial contribution to the City. Mayor Lane read a proclamation in honor of the Hashknife Pony Express and Parada del Sol Parade and Rodeo. The Mayor proclaimed February 2015 as Parada del Sol Month and every Wednesday in February as Western Wednesday.

Presentations/Information Updates – Human Services Specialist Daniel Morgan and Scottsdale Mayor's Youth Council President Preston Wylie presentations.

- **Scottsdale Mayor's Youth Council Update**
Presenter(s): Daniel Morgan, Human Services Specialist



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).

Public Comment – Darlene Petersen commented on the Parada del Sol Parade route. Scott Calev expressed concern about the City’s pollution and noise levels. Karen Treon, representing Yes to Children, thanked the voters for supporting the Scottsdale Public School override. Ryan McDonald submitted a citizen’s petition asking the Council to direct staff to draft an ordinance to prohibit the erection, construction or placement of any new cell towers (Type 1 or Type 2 antennas) within any Scottsdale City park or K-12 school. Nancy Cantor commented on the permitting process associated with recent Super Bowl events.

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 January 6, 2015](#) and [January 13, 2015](#).

–Councilmember Korte made a motion to approve the Regular Meeting Minutes of January 6, 2015 and January 13, 2015. Councilman Phillips seconded the motion, which carried 7/0.

CONSENT AGENDA ITEMS 1-23

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 Milhaven made a motion to approve Consent Items 1 through 23, absent Item 11, which was moved to the Regular Agenda. Councilmember Korte seconded the motion, which carried 7/0.

1. [Goldwater Brewing Co. Liquor License \(137-LL-2014\)](#) – **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 7 (beer and wine bar) State liquor license for an existing location and owner, new license series.
Location: 3608 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-2410, tcurtis@scottsdaleaz.gov
2. [Copperleaf Gastro Lounge Liquor License \(138-LL-2014\)](#) – **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: 4225 N. Craftsman Court
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-2410, tcurtis@scottsdaleaz.gov
3. [Blu Sushi Lounge & Grill Liquor License \(139-LL-2014\)](#) – **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: 23233 N. Pima Road, Suite G101
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-2410, tcurtis@scottsdaleaz.gov
4. [Fairmont Scottsdale Liquor License \(140-LL-2014\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an agent and acquisition of control change for an existing Series 6 (bar) State liquor license.
Location: 7575 E. Princess Drive
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-2410, tcurtis@scottsdaleaz.gov

5. **Chaparral Suites Hotel Liquor License (141-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 with a new owner.
Location: 5001 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-2410, tcurtis@scottsdaleaz.gov
6. **Granada Shop Liquor License (142-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 an existing location with a new owner.
Location: 5001 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-2410, tcurtis@scottsdaleaz.gov
7. **DC Ranch 2.3C Final Plat (7-PP-2012#2) – Approved on Consent.**
Request: Approve the final plat for a partial re-plat of a 15-lot townhouse subdivision on a 5.3-acre extension to the existing DC Ranch subdivision, zoned Single-Family Residential District, Planned Community District (R1-7, PCD).
Location: Northeast corner of N. Pima Road and E. Sierra Pinta Drive
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
8. **Arcadia Ridge Final Plat (1-PP-2014) – Approved on Consent.**
Request: Approve the final plat for a residential subdivision consisting of eight lots and three tracts on 2.15 acres, zoned Single-Family Residential District (R1-7).
Location: 6140 E. Osborn Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
9. **Citywide General Landscape Construction Services Job Order Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 9996** authorizing the following construction services job order contracts for Citywide general landscape services:
 1. Contract No. 2015-004-COS with Valley Rain Construction Corporation
 2. Contract No. 2015-005-COS with DBA Construction, Inc.**Staff Contact(s):** Daniel Worth, Public Works Executive Director, 480-312-5555, dworth@scottsdaleaz.gov
10. **Granite Reef Watershed Improvements Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10005** authorizing Intergovernmental Agreement No. 2015-019-COS with the Flood Control District of Maricopa County in the amount of \$3,500,000, of which the City's share is estimated at \$1,750,000, for right-of-way acquisition and design of the Granite Reef Watershed Drainage Improvements Project.
Staff Contact(s): Daniel Worth, Public Works Executive Director, 480-312-5555, dworth@scottsdaleaz.gov
11. **Arizona Bike Week WestWorld Event Agreement – Vice Mayor Milhaven made a motion to adopt Resolution No. 9950 authorizing Contract No. 2015-013-COS with FX Promotions, Inc. Councilmember Korte seconded the motion, which carried 5/2, with Councilmembers Littlefield and Smith dissenting.**
Request: Adopt **Resolution No. 9950** authorizing Contract No. 2015-013-COS with FX Promotions, Inc., to produce the Arizona Bike Week event at the WestWorld facility during the years 2015 through 2017.
Staff Contact(s): Paul Katsenes, Tourism and Events Director, 480-312-2890, pkatsenes@scottsdaleaz.gov

12. **[Parada del Sol Rodeo WestWorld Event Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 9917** authorizing Contract No. 2015-014-COS with Parada del Sol, Inc., to produce the Parada del Sol Rodeo at the WestWorld facility.
Staff Contact(s): Paul Katsenes, Tourism and Events Director, 480-312-2890, pkatsenes@scottsdaleaz.gov**
13. **[Scottsdale Professional Rodeo Cowboys Association Champions Challenge Event](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 10020** to authorize:
 1. Funding, not to exceed \$75,000 from the City portion of bed tax allocated towards one-time use for capital projects; events and event development; or administration and research for the Scottsdale Professional Rodeo Cowboys Association Champions Challenge.
 2. New Event Funding Agreement No. 2015-042-COS with Parada del Sol, Inc.**Staff Contact(s):** Paul Katsenes, Tourism and Events Director, 480-312-2890, pkatsenes@scottsdaleaz.gov**
14. **[GeoSuite Software Intergovernmental Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 10010** authorizing Intergovernmental Agreement No. 2015-021-COS with the City of Phoenix to share law enforcement data through the GeoSuite software platform.
Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov**
15. **[Fire Department Pre-Employment Medical Exams Intergovernmental Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 10021** authorizing Intergovernmental Agreement No. 2015-043-COS with the City of Phoenix for Fire Department pre-employment medical exams.
Staff Contact(s): Thomas Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov**
16. **[Ambulance Contract Extension](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 10013** authorizing Contract No. 2005-162-COS-A5, an amendment to the ambulance contract with Professional Medical Transport, Inc., for a two-year extension from February 17, 2015 to February 16, 2017, and amending certain other provisions of the contract.
Staff Contact(s): Thomas Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov**
17. **[Federal Transit Administrative Grant Intergovernmental Agreement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 9999** to authorize:
 1. Intergovernmental Agreement No. 2015-009-COS with the City of Phoenix to accept pass-through Federal Transit Administration AZ-90-X131 grant funds in the amount of \$285,307, with a local match amount of \$71,327, which is included in the FY 2014/15 service contract budget, for preventative maintenance on City-owned transit vehicles.
 2. A budget transfer in the amount of \$285,307 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):** Paul Basha, Transportation Director, 480-312-7651, pbasha@scottsdaleaz.gov**
18. **[Rental Credit for Aircraft Parking](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 10009** authorizing a one-month rental credit to all City-owned hangers, shades, and tie downs at the Scottsdale Airport due to Super Bowl 2015 impacts.
Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov**
19. **[Legal Services Contracts](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 10011** authorizing the following legal services contracts to provide outside legal services when necessary:
 1. Contract No. 2015-022-COS with the law firm of Broening, Oberg, Woods & Wilson, P.C.
 2. Contract No. 2015-023-COS with the law firm of Dickinson Wright PLLC
 3. Contract No. 2015-024-COS with the law firm of Gust Rosenfeld
 4. Contract No. 2015-025-COS with the law firm of Jones Skelton & Hochuli PLC**

5. Contract No. 2015-026-COS with the law firm of Righi Law Group
6. Contract No. 2015-027-COS with the law firm of Holloway Odegard & Kelly PC
7. Contract No. 2015-028-COS with the law firm of Sanders & Parks
8. Contract No. 2015-029-COS with the law firm of Jardine, Baker, Hickman & Houston
9. Contract No. 2015-030-COS with The Herzog Law Firm, P.C.
10. Contract No. 2015-031-COS with The Law Offices of Robert S. Murphy, LLC
11. Contract No. 2015-032-COS with the law firm of Udall Shumway
12. Contract No. 2015-033-COS with the law firm of Klein Doherty Lundmark Baberich & Lamont, PC
13. Contract No. 2015-034-COS with the law firm of Ryley Carlock & Applewhite
14. Contract No. 2015-035-COS with the law firm of Struck Wieneke & Love PLC
15. Contract No. 2015-036-COS with the law firm of Osborn Maledon PA
16. Contract No. 2015-037-COS with the law firm of Renaud Cook Drury Mesaros PA

Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov

20. Council Committee and Subcommittee Appointments – Approved on Consent.

Request: Confirm Mayor Lane’s City Council committee and subcommittee appointments for the Audit Committee, Economic Development Subcommittee, and WestWorld Subcommittee, as follows:

1. Audit Committee – Councilmembers Klapp, Korte, and Littlefield
2. Economic Development Subcommittee – Mayor Lane, Vice Mayor Milhaven, and Councilman Smith
3. WestWorld Subcommittee – Mayor Lane and Councilmembers Klapp and Phillips

Staff Contact(s): Rachel Smetana, Mayor’s Chief of Staff, 480-312-7806,

rsmetana@scottsdaleaz.gov

21. General Obligation Refunding Bond Issuance – Approved on Consent.

Request: Adopt **Resolution No. 10023** approving the sale of City of Scottsdale General Obligation Refunding Bonds, Series 2015, in an aggregate amount not to exceed \$165 million, and authorizing the negotiation, execution, and delivery of certain agreements by the City Treasurer.

Staff Contact(s): Jeff Nichols, City Treasurer, 480-312-2364, jenichols@scottsdaleaz.gov

22. Municipal Property Corporation Refunding Bond Issuance – Approved on Consent.

Request: Adopt **Resolution No. 10024** approving the sale of City of Scottsdale Municipal Property Corporation Refunding Bonds, Series 2015, in an aggregate amount not to exceed \$125 million, and authorizing the negotiation, execution, and delivery of certain agreements by the City Treasurer.

Staff Contact(s): Jeff Nichols, City Treasurer, 480-312-2364, jenichols@scottsdaleaz.gov

23. Monthly Financial Report – Approved on Consent.

Request: Accept the FY 2014/15 Monthly Financial Report as of November 2014.

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

REGULAR AGENDA ITEMS 24-26

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.**

24. All Balls Liquor License (136-LL-2014) – Councilman Smith made a motion to forward a recommendation of disapproval to the Arizona Department of Liquor Licenses and Control. Councilmember Korte seconded the motion, which carried 7/0.

Request: Consider forwarding a recommendation of disapproval to the Arizona Department of Liquor Licenses and Control for a person transfer of a Series 6 (bar) State liquor license for a new location and owner.

Location: 2040 N. Scottsdale Road

Presenter(s): Tim Curtis, Current Planning Director

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-2410, tcurtis@scottsdaleaz.gov

25. **Public Parking Structure and Restrooms Lease and Option Agreement – Vice Mayor Milhaven made a motion to move forward with Option C, (continue pending results of parking study). Councilwoman Klapp seconded the motion, which carried 7/0.**
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 6th Avenue, between Wells Fargo Avenue and Civic Center Plaza.
Presenter(s): Daniel Worth, Public Works Executive Director
Staff Contact(s): Daniel Worth, Public Works Executive Director, 480-312-5555, dworth@scottsdaleaz.gov
26. **Drought Management Plan Code Amendment – Councilwoman Klapp made a motion to adopt Resolution No. 10025 and Ordinance Nos. 4189 and 4190. Councilwoman Littlefield seconded the motion, which carried 7/0.**
Requests:
1. Adopt **Resolution No. 10025** declaring the document entitled “Drought Management Plan (2015-2019)” to be a public record.
2. Adopt **Ordinance No. 4189** amending portions of the Scottsdale Revised Code, Chapter 49, Article VII, Division II, Sections 49-255, 49-256, and 49-259(D).
3. Adopt **Ordinance No. 4190** establishing fines and penalties for violations of certain provisions of the Scottsdale Revised Code, Chapter 49, Waters, Sewers, and Sewer Disposal.
Presenter(s): Brian Biesemeyer, Water Resources Director
Staff Contact(s): Brian Biesemeyer, Water Resources Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov

MAYOR AND COUNCIL

ITEM 27

27. **Boards, Commissions, and Task Force Nominations (Note: Interviews and appointments scheduled for February 17, 2015)**

How the Board and Commission Nomination Process Works: The Council will review applications submitted for the board and commission openings under consideration. From this applicant pool, the Council will select nominees for further consideration. While welcome to attend, applicants will be contacted if nominated and do not need to be present at the meeting to be considered for nomination.

Airport Advisory Commission (*one vacancy*) – **Councilman Phillips nominated Robert Hobbi**
Board of Adjustment (*one vacancy*) – **Councilman Smith nominated Gary Donahoe, Councilmember Korte nominated Terry Mika, Councilwoman Klapp nominated Greg Mona**
Building Advisory Board of Appeals (*three vacancies*) – **Councilmember Korte nominated Warren Neiman**
Environmental Quality Advisory Board (*one vacancy*) – **Mayor Lane nominated Aliza Sabin, Councilwoman Klapp nominated Bruce Travers**
Historic Preservation Commission (*two vacancies*) – **Councilwoman Klapp nominated John Bamberl and Mark Hackbarth, Councilmember Korte nominated Laura Delahanty**
Human Relations Commission (*two vacancies*) – **Vice Mayor Milhaven nominated Ricoh Danielson and Allen Reed, Councilwoman Klapp nominated Lonny Ruben**
Judicial Appointments Advisory Board (*one Scottsdale citizen member vacancy*) – **Councilman Smith nominated Bill Crawford, Councilmember Korte nominated Stanley Morganstern, Councilwoman Littlefield nominated Allen Reed**
Loss Trust Fund Board (*three vacancies*) – **Councilman Phillips nominated Jim Stabilito**

McDowell Sonoran Preserve Commission (*two vacancies*) – **Councilman Smith nominated Con Englehorn and Robert Frost**

Parks and Recreation Commission (*one vacancy*) – **Councilwoman Klapp nominated Alper Adli, Councilmember Korte nominated Todd Davis, Councilwoman Littlefield nominated Paul Jasa, Councilman Phillips nominated Miguel Medrano**

Personnel Board (*one vacancy*) – **Councilwoman Klapp nominated Christopher McDermott, Vice Mayor Milhaven nominated Gary Donahoe, Mayor Lane nominated Eddie Smith**

Tourism Development Commission (*one Hotelier vacancy*) – **Councilwoman Klapp nominated David Scholefield**

Note: The only Council action to be taken on Item No. 27 is to select nominees for interviews and appointment consideration at a future Council meeting. No public comment will be taken on this item.

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 28

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.

- 28. Receipt of Citizen Petitions – Councilman Phillips made a motion to direct the City Manager to investigate the petition submitted by Ryan McDonald asking the Council to direct staff to draft an ordinance to prohibit the erection, construction or placement of any new cell towers (Type 1 or Type 2 antennas) within any Scottsdale City park or K-12 school, and prepare a written response to the Council, with a copy to the petitioner. Councilwoman Littlefield seconded the motion which carried 4/3, with Mayor Lane and Councilmembers Klapp and Korte dissenting.**

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 – 7:45 P.M.