

# SCOTTSDALE CITY COUNCIL MEETING

**\*\*\* AMENDED \*\*\* MEETING NOTICE AND AGENDA**  
**[ADDED CONSENT ITEM No. 22A AND REWORDED REGULAR ITEM No. 24]**



## **COUNCIL**

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

Linda Milhaven  
Guy Phillips  
David N. Smith

**Tuesday, March 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 (March 17, 2015).*

**5:00 P.M.**

**MARKED AGENDA**

## **CITY COUNCIL MEETING**

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Call to Order – 5:03 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 – Girl Scout Brownie Troop 4, Troop Leaders Holly Boynton and Danielle Davis**

**Invocation – Pastor Ethan Halliday, Camelback Christian Church**

**Mayor's Report – Mayor Lane reported on the friendly wager he had with City of Surprise Mayor Wolcott regarding the 2014 World Series. Mayor Wolcott sported Giants' orange and black colors to settle the bet. Mayor Lane thanked Mayor Wolcott for being such a great sport. Mayor Lane invited fans to attend Baseball City this weekend. The free event will feature baseball memorabilia, major league ballplayers, and hands-on activities.**

**Presentations/Information Updates – None**

**Public Comment – Carolyn Ziffrin provided additional signatures and a letter of support for a previously submitted citizen petition requesting a bus route extension. Eddie Gall, representing Scottsdale Leadership Class XXIX, invited everyone to attend a ribbon cutting ceremony at the Lost Dog Wash Trailhead on Saturday, March 28. Nancy Way spoke in support of extending bus service along a City route.**



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).

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 February 3, 2015](#) and the [Work Study Session Minutes of February 10, 2015](#).

**– Councilmember Korte made a motion to approve the Regular Meeting Minutes of February 3, 2015 and Work Study Session Minutes of February 10, 2015. Councilman Phillips seconded the motion, which carried 7/0.**

## CONSENT AGENDA      ITEMS 1-22A

**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 22A. Councilwoman Littlefield seconded the motion, which carried 7/0.**

1. [J Frev Enterprises Liquor License \(6-LL-2015\)](#) – **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:** 10760 N. 116<sup>th</sup> Street  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
2. [Squid Ink Sushi Bar Liquor License \(7-LL-2015\)](#) – **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:** 7318 E. Shea Boulevard, Suite 101  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
3. [Paris Nightclub Liquor License \(8-LL-2015\)](#) – **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:** 4280 N. Drinkwater Boulevard, Suite 100  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
4. [Holiday Inn & Suites Liquor License \(10-LL-2015\)](#) – **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 a new location and owner.  
**Location:** 14255 N. 87<sup>th</sup> Street  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)

5. **Bistro Du Lac Liquor License (11-LL-2015) – 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:** 8320 N. Hayden Road, Suite D101  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
6. **Lenero Mexican Grill Liquor License (12-LL-2015) – 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:** 10155 E. Via Linda, Suite H135  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
7. **Flower Child Liquor License (13-LL-2015) – 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:** 9890 N. 90<sup>th</sup> Street  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
8. **Scottsdale Beer Company Liquor License (15-LL-2015) – 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:** 8608 E. Shea Boulevard  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
9. **Scottsdale Beer Company Liquor License (16-LL-2015) – 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 3 (microbrewery) State liquor license.  
**Location:** 8608 E. Shea Boulevard  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
10. **Pacific Edge Wine & Spirits of Arizona Liquor License (18-LL-2015) – 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:** 7755 E. Gelding Drive, Suite 101  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
11. **The Bevvly Liquor License (19-LL-2015) – 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:** 4420 N. Saddlebag Trail, Suite 100  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
12. **Shalakhti Residence GLO Abandonment (9-AB-2014) – Approved on Consent.**  
**Request:** Adopt **Resolution No. 10002** authorizing the abandonment of the existing 33-foot General Land Office (GLO) Patent Easement along the west side, and the west 8 feet of the existing 33-foot GLO Patent Easement along the east side.  
**Location:** 10068 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)

13. **C-4 Text Amendment (1-TA-2015) – Approved on Consent.**  
**Request:** Adopt **Ordinance No. 4193** approving a text amendment to the City of Scottsdale Zoning Ordinance No. 455, to amend Article V. District Regulations, for the purpose of amending regulations of the General Commercial (C-4) zoning district to allow Day Care Center (with drop off or outdoor play area farther than 100 feet from a residential district).  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
14. **Broadstone Lincoln Perimeter Exception (2-PE-2014) – Approved on Consent.**  
**Requests:**
  1. Approve a 2-lot Perimeter Exception Final Plat and associated development agreement on 7.5± acres.
  2. Adopt **Resolution No. 10050** authorizing Development Agreement No. 2015-057-COS with Broadstone Lincoln, LLC, related to the Broadstone Lincoln Perimeter Exception Plat.**Location:** Northwest corner of Scottsdale Road and Lincoln Drive  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
15. **Pre-construction Design Phase Services Contract for the Harquahala Water Supply Project – Approved on Consent.**  
**Request:** Adopt **Resolution No. 10039** authorizing CM@Risk Contract No. 2015-049-COS with PCL Construction, Inc. in the amount of \$181,045 for pre-construction design phase services for the Harquahala Water Supply Project.  
**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
16. **Granite Mountain and Fraesfield Trailheads Architectural Services Contract – Approved on Consent.**  
**Request:** Adopt **Resolution No. 10040** authorizing Architectural Services Contract No. 2015-050-COS with Smith Group JJR, in the amount of \$193,660, to prepare site plans for the Granite Mountain and Fraesfield trailheads located in the McDowell Mountain Preserve.  
**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
17. **Public Housing Agency Plans – Approved on Consent.**  
**Request:** Adopt **Resolution No. 10019** to:
  1. Approve the Public Housing Agency Five Year Plan for FY 2015/19 and the Annual Plan for FY 2015/16 for the operation of the Housing Choice Voucher Program funded through the United States Department of Housing and Urban Development (HUD).
  2. Authorize changes to the Scottsdale Housing Agency's Administrative Plan, included in the Five Year and Annual Agency plans.
  3. Submit the Five Year Agency Plan and the Annual Plan to HUD.
  4. Accept additional Housing Choice Vouchers that may become available from HUD.
  5. Authorize the Community Assistance Manager to undertake and execute any further actions required.**Staff Contact(s):** William Murphy, Community Services Director, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)
18. **2016 Cynosport World Games WestWorld Event Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 9929** authorizing Contract No. 2015-015-COS, with United States Dog Agility Association, Inc., to produce the 2016 Cynosport World Games event at the WestWorld facility.  
**Staff Contact(s):** Paul Katsenes, Tourism and Events Director, 480-312-2890, [pkatsenes@scottsdaleaz.gov](mailto:pkatsenes@scottsdaleaz.gov)

19. [Regulated Garbage Services Compliance Agreement – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 10032** authorizing Compliance Agreement No. 2015-046-COS with the United States Department of Agriculture for regulated garbage services at Scottsdale Airport.  
**Staff Contact(s):** Gary Mascaro, Aviation Director, 480-312-7735, [gmascaro@scottsdaleaz.gov](mailto:gmascaro@scottsdaleaz.gov)
20. [Financial Statement Audit Services Contract – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 10045** authorizing Audit Services Contract No. 2015-052-COS with Heinfeld, Meech and Co., P.C., in the amount of \$88,380 to conduct the City's annual financial statement audit.  
**Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, [swalker@scottsdaleaz.gov](mailto:swalker@scottsdaleaz.gov)
21. [Oversize and Overweight Vehicles and Hauls Code Amendment – Approved on Consent.](#)  
**Request:** Adopt **Ordinance No. 4191** amending Chapter 17, Motor Vehicles and Traffic, of the Scottsdale Revised Code to revise general violation and penalty provisions, streamline permit requirements, and improve regulations related to oversize and overweight vehicles and hauls.  
**Staff Contact(s):** Paul Basha, Transportation Director, 480-312-7651, [pbasha@scottsdaleaz.gov](mailto:pbasha@scottsdaleaz.gov)
22. [Erica Rahn v. City of Scottsdale Legal Services Contract – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 10051** authorizing Legal Services Contract No. 2013-134-COS-A1 with the law firm of Ryley Carlock & Applewhite in an amount not to exceed \$25,000 for the City's legal defense of *Erica Rahn v. City of Scottsdale*, Case No. CV2012-017693, currently pending in Maricopa County Superior Court.  
**Staff Contact(s):** Bruce Washburn, City Attorney, 480-312-2405, [bwashburn@scottsdaleaz.gov](mailto:bwashburn@scottsdaleaz.gov)
- \*\*\*22A. [Ji Chen Claim Settlement – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 10053** authorizing settlement in the amount of \$82,185.28 for the claim brought by Ji Chen against the City of Scottsdale for property damage that occurred at the Chen residence.  
**Staff Contact(s):** Bruce Washburn, City Attorney, 480-312-2405, [bwashburn@scottsdaleaz.gov](mailto:bwashburn@scottsdaleaz.gov)

## REGULAR AGENDA      ITEMS 23-24

**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.**

23. [Artesia Rezoning \(2-ZN-2005#2\)](#)  
**Requests:**
1. Adopt **Ordinance No. 4187** to:
    - a. Approve a zoning district map amendment to amend a previously-approved development plan, including site plan, development standards, and stipulations for a 17± acre portion of the Multiple-Family Residential, Planned Community (R-5, P-C) zoned site to allow for reallocation in building height and increased density.
    - b. Amend the site plan for the Neighborhood Commercial, Planned Community (C-1, P-C) portion of the site along N. Scottsdale Road to improve access to the property; find that the Planned Community (P-C) zoning district criteria have been met; and determine that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan.

2. Adopt **Resolution No. 9989** declaring the document entitled “Artesia Development Plan” to be a public record.

**Location:** 7245 N. Scottsdale Road

**Presenter(s):** Meredith Tessier, Planner

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

– **Vice Mayor Milhaven made a motion to:**

1. **Adopt Ordinance No. 4187 to:**

- a. **Approve a zoning district map amendment to amend a previously-approved development plan, including site plan, development standards, and stipulations for a 17± acre portion of the Multiple-Family Residential, Planned Community (R-5, P-C) zoned site to allow for reallocation in building height and increased density, as amended to include the applicant’s proposed additional stipulation that “Buildings 4, 5 and 6 shall include both 2 and 3 story units while each corner unit at the southern end of such buildings shall be limited to 2 stories” and revising Stipulation No. 4 to reflect that the proposed number of units and maximum number of units is 655.**
- b. **Amend the site plan for the Neighborhood Commercial, Planned Community (C-1, P-C) portion of the site along N. Scottsdale Road to improve access to the property; find that the Planned Community (P-C) zoning district criteria have been met; and determine that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan.**

2. **Adopt Resolution No. 9989 declaring the document entitled “Artesia Development Plan” to be a public record.**

**Councilwoman Klapp seconded the motion, which carried 7/0.**

\*\*\*24.

#### **Miscellaneous Items for Proposed Fiscal Year 2015/16 Operating Budget**

**Request:** Presentation, discussion, and possible direction to staff on inclusion of the following items in the Proposed FY 2015/16 Operating Budget:

1. **National League of Cities membership – Government Relations Director Brad Lundahl presentation.**  
– **Vice Mayor Milhaven made a motion to include annual membership with the NLC in the FY 2015/16 proposed budget. Councilwoman Klapp seconded the motion, which carried 4/3, with Mayor Lane and Councilmembers Littlefield and Korte dissenting.**
2. **Greater Phoenix Economic Council membership – Economic Development Director Danielle Casey and Greater Phoenix Economic Council President & CEO Chris Camacho presentations.**  
– **Vice Mayor Milhaven made a motion to include annual membership with GPEC in the FY 2015/16 proposed budget. Councilmember Korte seconded the motion, which carried 7/0.**
3. **Police Officer Compensation – Strategic Initiatives Director Brent Stockwell presentation.**  
– **Councilmember Korte made a motion to direct staff to adopt the three percent fix and five percent step strategy for police compensation. Councilman Phillips seconded the motion, which carried 5/2, with Mayor Lane and Councilman Smith dissenting.**  
  
– **Vice Mayor Milhaven made a motion to direct staff to perform a similar rigorous analysis related to Fire Department compensation and what the history has been with other cities in terms of other employees. Councilwoman Littlefield seconded the motion, which carried 7/0.**
4. **Other Items – No other items were discussed.**

**Presenter(s):** Brad Lundahl, Government Relations Director; Danielle Casey, Economic Development Director; Brent Stockwell, Strategic Initiatives Director

**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 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 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 – None**

**Adjournment – 8:10 P.M.**