

SCOTTSDALE

CITY COUNCIL MEETING



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

[REWORDED CONSENT ITEM NO. 17 AND REMOVED MAYOR AND COUNCIL ITEM NO. 23]

COUNCIL

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

Linda Milhaven
Guy Phillips
David N. Smith

Tuesday, March 17, 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 (April 14, 2015).

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 – Councilmember Korte absent.

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 Junior Troop 700, Troop Leader Gina Keating

Invocation – Reverend Ryan Michael Hersch, Ascension Lutheran Church

Mayor's Report – Mayor Lane announced the 30th Annual Special Day for Special Kids on Saturday, March 21, 2015, at McCormick Stillman Railroad Park. Mayor Lane presented the Rotary Club with a proclamation to honor their sponsorship of the 30th Annual Special Day for Special Kids.

Presentations/Information Updates

- **APS Peak Solutions Rebate – APS Key Account Manager Patricia McLaughlin and Converge, Inc., Sales Executive Joel Fisher presentation.**
Presenter(s): Patricia McLaughlin, Key Account Manager, Arizona Public Service; and Joel Fisher, Sales Executive, Converge, Inc.



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 – Todd Becker, Neighborhood Advisory Commission Vice Chair, encouraged everyone to participate in the Spirit of Scottsdale Award nomination process.

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 [Special Meeting Minutes of February 17, 2015](#); [Regular Meeting Minutes of February 17, 2015](#); and [Work Study Minutes of February 24, 2015](#) and [March 2, 2015](#).

– Vice Mayor Milhaven made a motion to approve the Special Meeting Minutes of February 17, 2015; Regular Meeting Minutes of February 17, 2015; and Work Study Minutes of February 24, 2015 and March 2, 2015. Councilwoman Littlefield seconded the motion, which carried 6/0.

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.

– Councilwoman Klapp made a motion to approve Consent Agenda Items 1 through 20, absent Item 17, which was moved to the Regular Agenda. Vice Mayor Milhaven seconded the motion, which carried 6/0.

1. [Chipotle Mexican Grill No. 2478 Liquor License \(17-LL-2015\)](#) – **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 a new location and owner.
Location: 11015 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
2. [Pomo Pizzeria Napoletana Liquor License \(20-LL-2015\)](#) – **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 12 (restaurant) State liquor license.
Location: 8977 N. Scottsdale Road, Suite 502
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
3. [NM Café Liquor License \(21-LL-2015\)](#) – **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 7 (beer and wine bar) State liquor license for an existing location with a new owner.
Location: 6900 E. Camelback Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
4. [Kaleidoscope Liquor License \(22-LL-2015\)](#) – **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 a new location and owner.
Location: 6835 E. Camelback Road, Suite B03
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

5. **[Kaleidoscope Liquor License \(23-LL-2015\)](#) – 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 liquor store) State liquor license for a new location and owner.
Location: 6835 E. Camelback Road, Suite B03
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
6. **[Sauce Pizza & Wine Liquor License \(24-LL-2015\)](#) – 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 12 (restaurant) State liquor license.
Location: 7135 E. Camelback Road, Suite 160
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
7. **[Salvatore Vineyards Liquor License \(25-LL-2015\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 19 (tasting room) State liquor license for a new location and owner.
Location: 7064 E. 5th Avenue
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
8. **[Total Wine and More No. 1007 Liquor License \(26-LL-2015\)](#) – 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 9 (liquor store) State liquor license.
Location: 10320 N. Scottsdale Road, Suite 200B
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
9. **[Kale & Clover Mindful Kitchen Liquor License \(27-LL-2015\)](#) – 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: 20511 N. Hayden Road, Suite 100
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
10. **[Permanent Extension of Premises for Fired Pie \(2-EX-2015\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for a Series 12 (restaurant) State liquor license.
Location: 15425 N. Scottsdale Road, Suite 100
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
11. **[Zara Court Final Plat \(12-PP-2014\)](#) – Approved on Consent.**
Request: Approve the final plat for six, single-family residential lots on 1.4 acres with Single-Family Residential (R1-7) zoning.
Location: 8346 and 8354 E. Thomas Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
12. **[Eagle Feather Road Sewer Improvements Construction Bid Award](#) – Approved on Consent.**
Request: Adopt **Resolution No. 10034** authorizing Construction Bid Award 15PB018 to Axiom Contracting, LLC, the lowest responsive bidder, at the unit price bid of \$185,650 for construction of the Eagle Feather Road sewer improvements.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov

13. **Citywide Vertical Construction Services Job Order Contract Modification – Approved on Consent.**
Request: Adopt **Resolution No. 10030** authorizing Contract No. 2013-039-COS-A4 with Balfour Beatty Construction, LLC, for the third option year of the Citywide vertical construction services job order contract.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov
14. **3rd Avenue and North Craftsman Court Drainage Project Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10046** authorizing:
1. Contract No. 2015-053-COS with the Flood Control District of Maricopa County to allow partnership and cost share for the 3rd Avenue and North Craftsman Court Drainage Project.
2. A FY 2014/15 General Fund Capital Contingency Budget appropriation transfer in the amount of \$32,000 to a newly created capital project titled 3rd Avenue and North Craftsman Court Drainage Project to be funded by contributions being authorized under this intergovernmental agreement.
3. A budget transfer in the amount of \$28,000 from capital project Neighborhood Stormwater Management Improvements (YB05A) to the newly created capital project.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov
15. **Paradise Drive Storm Drain Project Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10047** authorizing:
1. Contract No. 2015-054-COS with the Flood Control District of Maricopa County to allow partnership and cost share for the Paradise Drive Storm Drain Project.
2. A FY 2014/15 General Fund Capital Contingency Budget appropriation transfer in the amount of \$230,000 to a newly created capital project titled Paradise Drive Storm Drain Project to be funded by contributions being authorized under this intergovernmental agreement.
3. A budget transfer in the amount of \$183,000 from capital project Neighborhood Stormwater Management Improvements (YB05A) to the newly created capital project.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov
16. **8525 East Pinnacle Peak Road Drainage Project Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10048** authorizing:
1. Contract No. 2015-055-COS with the Flood Control District of Maricopa County to allow partnership and cost share for the 8525 East Pinnacle Peak Road Drainage Project.
2. A FY 2014/15 General Fund Capital Contingency Budget appropriation transfer in the amount of \$27,000 to a newly created capital project titled 8525 East Pinnacle Peak Road Drainage Project to be funded by contributions being authorized under this intergovernmental agreement.
3. A budget transfer in the amount of \$34,000 from capital project Neighborhood Stormwater Management Improvements (YB05A) to the newly created capital project.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov
- ***17. **Transportation On-Call Engineering and Professional Services Contracts**
– Councilwoman Littlefield moved to approve Item 17, absent Resolution No. 10061. Councilman Philips seconded the motion. The motion was later withdrawn.
– Councilwoman Klapp moved to adopt Resolution Nos. 10060, 10061, 10062, 10063, 10064, 10065, 10066, 10067, 10068, 10069, 10070, 10071, and 10072. Vice Mayor Milhaven seconded the motion, which carried 6/0.
Request: Adopt the following resolutions authorizing transportation on-call engineering and professional services contracts in an amount not to exceed \$1,000,000 per term:
1. **Resolution No. 10060** authorizing Contract Nos. 2015-060-COS with EcoPlan Associates, Inc., and 2015-061-COS with Kimley-Horn and Associates, Inc., for environmental assessments.
2. **Resolution No. 10061** authorizing Contract Nos. 2015-062-COS with AECOM Technical Services, Inc., and 2015-063-COS with IBI Group US for high capacity transit analysis assistance.

CONSENT AGENDA

(Item No. 17 continued from the previous page)

3. **Resolution No. 10062** authorizing Contract Nos. 2015-064-COS with CivTech, Inc., and 2015-065-COS with Kimley-Horn and Associates, Inc., for street and path illumination analysis.
4. **Resolution No. 10063** authorizing Contract Nos. 2015-066-COS with Michael Baker Jr. Inc., 2015-067-COS with Burgess & Niple, Inc., and 2015-068-COS with Lee Engineering, LLC, for master transportation plan assistance.
5. **Resolution No. 10064** authorizing Contract Nos. 2015-069-COS with AECOM Technical Services, Inc., 2015-071-COS with J2 Engineering & Environmental Design, LLC, and 2015-072-COS with Lee Engineering, LLC, for multi-use paths and bicycle lanes design services.
6. **Resolution No. 10065** authorizing Contract Nos. 2015-073-COS with CivTech, Inc., 2015-074-COS with J2 Engineering & Environmental Design, LLC, and 2015-075-COS with Kimley-Horn and Associates, Inc., for multi-use paths and bicycle lanes planning services.
7. **Resolution No. 10066** authorizing Contract Nos. 2015-076-COS with Burgess & Niple, Inc., 2015-077-COS with Kimley-Horn and Associates, Inc., 2015-078-COS with Lee Engineering, LLC, and 2015-079-COS with Parsons Transportation Group, Inc., for neighborhood traffic management planning and design services.
8. **Resolution No. 10067** authorizing Contract Nos. 2015-080-COS with Michael Baker Jr. Inc., 2015-081-COS with Kimley-Horn and Associates, Inc., 2015-082-COS with Lee Engineering, LLC, and 2015-083-COS with Walker Parking Consultants/Engineers, Inc., for parking analysis services.
9. **Resolution No. 10068** authorizing Contract Nos. 2015-084-COS with AECOM Technical Services, Inc., and 2015-085-COS with CivTech, Inc., for traffic impact and parking analysis.
10. **Resolution No. 10069** authorizing Contract Nos. 2015-086-COS with Kittelson & Associates, Inc., 2015-087-COS with Kimley-Horn and Associates, Inc., and 2015-088-COS with Lee Engineering, LLC, for traffic operation analysis services.
11. **Resolution No. 10070** authorizing Contract Nos. 2015-089-COS with AECOM Technical Services, Inc., 2015-090-COS with Kimley-Horn and Associates, Inc., and 2015-091-COS with Lee Engineering, LLC, for traffic safety analysis services.
12. **Resolution No. 10071** authorizing Contract Nos. 2015-092-COS with AECOM Technical Services, Inc., 2015-093-COS with CivTech, Inc., and 2015-094-COS with Parsons Brinckerhoff Inc., for transit planning assistance.
13. **Resolution No. 10072** authorizing Contract Nos. 2015-096-COS with Burgess & Niple, Inc. and 2015-102-COS with Kimley-Horn and Associates, Inc. for transportation planning assistance.
Staff Contact(s): Paul Basha, Transportation Director, 480-312-7651, pbasha@scottsdaleaz.gov
18. **[2014 Board and Commission Annual Report – Approved on Consent.](#)**
Request: Receive the 2014 annual report approved by each publicly appointed board, commission, and working task force.
Staff Contact(s): Rachel Smetana, Mayor's Chief of Staff, 480-312-7806, rsmetana@scottsdaleaz.gov
19. **[Notice of Intention to Increase Water and Wastewater Rates and Fees – Approved on Consent.](#)**
Request: Adopt notice of intention to increase water and wastewater rates, increase miscellaneous water charges, and make housekeeping adjustments to Chapter 49 of the Scottsdale Revised Code for Fiscal Year 2015/16, and establish May 12, 2015, as the date for a public hearing.
Staff Contact(s): Brian Biesemeyer, Water Resources Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov
20. **[Monthly Financial Report – Approved on Consent.](#)**
Request: Accept the FY 2014/15 Monthly Financial Report as of January 2015.
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

REGULAR AGENDA ITEMS 21-22

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.**

21. **McDowell Corridor Building Permit Fee Modification – Councilman Phillips made a motion to adopt Resolution No. 9990. Councilwoman Klapp seconded the motion, which carried 6/0.**
Request: Adopt **Resolution No. 9990** establishing the McDowell Corridor Fee Schedule to allow for certain residential and commercial development related fees in the McDowell Corridor Revitalization Area to be temporarily modified for a two-year period and automatically terminate at the end of the two-year period.
Presenter(s): Kim Chafin, Senior Planner
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

22. **Monthly Financial Update – City Treasurer Jeff Nichols presentation.**
Request: Receive, discuss, and provide possible direction on the City Treasurer’s monthly financial presentation as of February 2015.
Presenter(s): Jeff Nichols, City Treasurer
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

MAYOR AND COUNCIL ITEM 23

- ***23. **Initiate Council Review of the Development Review Board’s February 19, 2015 Decision Regarding 35-DR-2014#2 (Fate Brewing Company Grain Storage Silo)**

(Removed at the request of Councilwoman Littlefield)

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 24

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.

24. 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 – 6:21 P.M.