

**SCOTTSDALE**

# **CITY COUNCIL MEETING**

## **MEETING NOTICE AND AGENDA**



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**COUNCIL**

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

Linda Milhaven  
Guy Phillips  
David N. Smith

**Tuesday, September 8, 2015**

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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 meeting (September 21, 2015).***

**5:00 P.M.**

**MARKED AGENDA**

**CITY COUNCIL MEETING**

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Call to Order – 5:00 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 1873, Troop Leader Mary Nesbit**

**Invocation – Mayor Lane requested a moment of silence in recognition of the 14<sup>th</sup> anniversary of the 9/11 tragedies.**

**Mayor's Report – Mayor Lane read a proclamation in honor of Anvita Gupta Day. Mayor Lane reported on Marine Week activities throughout the Valley and the unveiling of the Marine Mural at the Civic Center Library.**

**Presentations/Information Updates – Scottsdale Business Development Forum President Mark DeWane presentation.**

- **Check Presentation to Operation Fix-It**

**Presenter(s):** Mark DeWane, President of Scottsdale Business Development Forum

**Public Comment – Scott Calev expressed concern about the City's air pollution levels. French Thompson submitted a citizen petition asking the Council to direct the Special Events Committee to rescind the permit issued to the Artisan Market on the Canal Bank. Dana Close and Alyssa Tarkington thanked the Council for their support at a recent Coronado High School breakfast event.**



**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.”**

## **CONSENT AGENDA**      **ITEMS 1-9**

**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 Agenda Items 1 through 9. Vice Mayor Milhaven seconded the motion, which carried 7/0.**

1. **[Vinum 55 Scottsdale Liquor License \(83-LL-2015\)](#) – 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 and owner, new series.  
**Location:** 15220 N. 78<sup>th</sup> Way  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
2. **[Karsen’s Grill Liquor License \(84-LL-2015\)](#) – 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:** 7246 E. 1<sup>st</sup> Street, Suite 101  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
3. **[Brown’s Classic Autos Rezoning and Conditional Use Permits \(9-ZN-2015, 7-UP-2015, and 8-UP-2015\)](#) – Approved on Consent.**  
**Requests:**
  1. Adopt **Ordinance No. 4220** approving a zoning district map amendment, including an amendment to the Horseman’s Park PCD Development Plan (33-ZN-2000), to change the P-C comparable zoning from Industrial Park District (I-1) to Central Business District (C-2).
  2. Find that the conditional use permit criteria have been met, and adopt **Resolution No. 10212** approving a Conditional Use Permit for Vehicle Leasing, Rental, or Sales with Indoor Vehicle Display on a 1.7± acre site with a Planned Community District (P-C) comparable zoning of Central Business District (C-2/P-C) zoning.
  3. Find that the conditional use permit criteria have been met, and adopt **Resolution No. 10213** approving a Conditional Use Permit for Vehicle Repair on a 1.7± acre site with a Planned Community District (P-C) comparable zoning of Central Business District (C-2/P-C) zoning.
  4. Adopt **Resolution No. 10214** declaring the document entitled “Brown’s Classic Auto Development Plan” to be a public record.**Location:** 9024 E. Bahia Drive  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

4. **WestWorld Path and Trail Connections Project Engineering Services Contract – Approved on Consent.**  
**Request:** Adopt **Resolution No. 10226** authorizing Contract No. 2015-212-COS with Kimley Horn and Associates, Inc., in the amount of \$43,360 to provide design services for the WestWorld Path and Trails Connection project.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [daworth@scottsdaleaz.gov](mailto:daworth@scottsdaleaz.gov)
5. **Drug, Alcohol, and Violence Prevention Education Intergovernmental Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 10203** authorizing Agreement No. 2015-195-COS with Scottsdale Unified School District No. 48 in the amount of \$238,000 to fund drug, alcohol, and violence prevention education, and other student support services, in Scottsdale Schools for FY 2015/16.  
**Staff Contact(s):** William Murphy, Community Services Director, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)
6. **Federal Transit Administration Grant Intergovernmental Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 10224** to authorize:
  1. Agreement No. 2015-009-COS-A1 with the City of Phoenix for pass-through of Federal Transit Administration AZ-90-X131 grant funds in the amount of \$200,000, with a local match amount of \$200,000 from the Transportation Fund contained in the FY 2015/16 service contract budget, to offset the operating cost for service provided by the City of Phoenix for Routes 17 and 29.
  2. A budget transfer in the amount of \$200,000 from the adopted FY 2015/16 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](mailto:pbasha@scottsdaleaz.gov)
7. **Dillon Flight Test, Inc., Foreign Trade Zone Subzone – Approved on Consent.**  
**Request:** Adopt **Resolution No. 10228** to authorize:
  1. Support for the application on behalf of Dillon Flight Test, Inc., to have a portion of the property located at 8009 E. Dillon's Way designated as a Foreign-Trade Zone Subzone.
  2. Intergovernmental Agreement No. 2015-214-COS with the City of Phoenix related to supporting the application for establishment and operation of the Foreign-Trade Zone Subzone.**Staff Contact(s):** Danielle Casey, Economic Development Director, 480-312-7601, [dcasey@scottsdaleaz.gov](mailto:dcasey@scottsdaleaz.gov)
8. **State Lobbying Services Contract Modification – Approved on Consent.**  
**Request:** Adopt **Resolution No. 10219** authorizing Contract No. 2015-118-COS-A1 with the Aarons Company, LLC, to modify the automobile liability requirements and contract renewal date.  
**Staff Contact(s):** Brad Lundahl, Government Relations Director, 480-312-2683, [blundahl@scottsdaleaz.gov](mailto:blundahl@scottsdaleaz.gov)
9. **Erica Rahn v. City of Scottsdale Legal Fees – Approved on Consent.**  
**Request:** Adopt **Resolution No. 10231** authorizing the Risk Management Department to continue to pay the Law Firm of Holloway Odegard & Kelly, P.C. in an amount not to exceed a total maximum of \$110,000 pursuant to Contract No. 2015-027-COS (previously Contract No. 2011-013-COS with the Law Firm of Holloway Odegard Forrest & Kelly) for the 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)

## REGULAR AGENDA      ITEMS 10-11

**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.**

10. [National League of Cities Annual Membership Dues](#)

**Request:** Adopt **Resolution No. 10216** authorizing payment of annual membership dues for FY 2015/16 in the amount of \$12,468 to the National League of Cities.

**Presenter(s):** Brad Lundahl, Government Relations Director

**Staff Contact(s):** Brad Lundahl, Government Relations Director, 480-312-2683, [blundahl@scottsdaleaz.gov](mailto:blundahl@scottsdaleaz.gov)

– **Government Relations Director Brad Lundahl presentation.**

– **Councilwoman Klapp made a motion to adopt Resolution No. 10216 authorizing payment of annual membership dues for FY2015/16 in the amount of \$12,468 to the National League of Cities. Councilmember Korte seconded the motion, which carried 5/2, with Mayor Lane and Councilwoman Littlefield dissenting.**

11. [Desert Discovery Center Vendor Selection](#)

**Request:** Presentation, discussion, and possible direction to staff regarding negotiations on a scope of work with Desert Discovery Center Scottsdale, Inc., and possible direction to the City Treasurer to evaluate sources of funding for Phase 1 consulting services.

**Presenter(s):** Derek Earle, City Engineer

**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [daworth@scottsdaleaz.gov](mailto:daworth@scottsdaleaz.gov)

– **City Engineer Derek Earle presentation.**

– **Councilmember Korte made a motion to direct staff to move forward with contract negotiations with Desert Discovery Center Scottsdale, Inc., for the first phase of services for the DDC, and to direct the City Treasurer to review possible funding sources for the first phase of services. Vice Mayor Milhaven seconded the motion, which carried 5/2, with Councilmembers Littlefield and Phillips dissenting.**

**Public Comment – None**

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## CITIZEN PETITIONS      ITEM 12

**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.

12. **Receipt of Citizen Petitions**

– **Councilman Phillips made a motion to direct the City Manager to agendaize the petition submitted by French Thompson asking the Council to direct the Special Events Committee to rescind the permit issued to the Artisan Market on the Canal Bank, including recommendations for possible action. Councilwoman Littlefield seconded the motion, which carried 5/2 with Councilmembers Korte and Milhaven dissenting.**

– **Vice Mayor Milhaven made an alternate motion to direct the City Manager to agendaize the citizen petition submitted by French Thompson for the September 21, 2015 Work Study Session. The motion died for lack of a second.**

**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](mailto:cjagger@scottsdaleaz.gov)

## **MAYOR AND COUNCIL**

### **ITEM 13**

13. **Boards, Commissions, and Task Force Nominations (Note: Interviews and appointments scheduled for September 21, 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.

Board of Adjustment (*one vacancy*) – **Councilman Smith nominated Alex Roncancio, Councilmember Korte nominated Dana Belknap**

Building Advisory Board of Appeals (*one vacancy*) – **Councilman Smith nominated Ed Peaser**  
Development Review Board (*one vacancy*) – **Councilmember Korte nominated Prescott Smith, Mayor Lane nominated Doug Craig**

Environmental Quality Advisory Board (*one vacancy*) – **Mayor Lane nominated Ted Geisler, Councilmember Klapp nominated Dane Englert and Aliza Sabin, Councilwoman Littlefield nominated Steven Schlosser**

Human Relations Commission (*two vacancies*) – **Councilwoman Klapp nominated Janice Eng and Joseph Ettinger, Vice Mayor Milhaven nominated Allen Reed, Councilwoman Littlefield nominated Daria Lohman**

Human Services Commission (*two vacancies*) – **Vice Mayor Milhaven nominated Denny Brown and Marty Day, Councilwoman Littlefield nominated Janice Eng**

Loss Trust Fund Board (*one vacancy*) – **Councilman Phillips nominated Raymond Texiera**

McDowell Sonoran Preserve Commission (*one vacancy*) – **Councilman Smith nominated Cynthia Wenstrom, Vice Mayor Milhaven nominated Cassandra Jonkosky, Councilwoman Littlefield nominated Perry Becker**

Parks and Recreation Commission (*two vacancies*) – **Councilmember Korte nominated Virginia Harris and Miguel Medrano, Mayor Lane nominated Tom Gagen, Councilman Smith nominated Chris Thuman**

Transportation Commission (*one vacancy*) – **Mayor Lane nominated Jyme McLaren, Councilwoman Klapp nominated Pamela Iacovo, Councilwoman Littlefield nominated David Vaughn**

**Note:** The only Council action to be taken on Item No. 13 is to select nominees for interviews and appointment consideration at a future Council meeting. No public comment will be taken on this item.

**Adjournment – 7:01 P.M.**