SCOTTSDALE

CITY COUNCIL MEETING



Second AmendedMeeting Notice and Agenda

IREWORDED ITEM No. 7 AND REMOVED ITEM No. 81

COUNCIL

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

Linda Milhaven Guy Phillips Solange Whitehead

Tuesday, March 3, 2020

Unless an exception is made, or unless otherwise noted, 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, 2020).

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 - Chaparral High School Girls Soccer Team, four-time 6A State Champions

Invocation - Pastor Brooke Hellestrae, Scottsdale Bible Church

Mayor's Report – Mayor Lane highlighted a video of news from around the City that was played prior to the start of the meeting. He noted that the video will be updated every couple of weeks. Mayor Lane read a proclamation in honor of Scottsdale Arts Festival Month.

Presentations/Information Updates - None

Public Comment – Mike Merrill expressed concern about Discount Scottsdale Auto, which he believes is not in compliance with its Conditional Use Permit.

Public Comment time is reserved for citizens to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak card must be submitted together with the petition(s) before the Mayor announces the second Public Comment period. Speakers may address the Council once under Public Comment at the beginning or the end of the meeting, but not both. 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."

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).

FOR ADDITIONAL INFORMATION VISIT: WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION

MINUTES

Request: Approve the <u>Special Meeting Minutes of February 4, 2020</u>, and <u>February 11, 2020</u>; <u>Regular Meeting Minutes of February 4, 2020</u>; <u>Work Study Session Minutes of February 11, 2020</u>; and Executive Session Minutes of February 4, 2020.

- Councilmember Korte made a motion to approve the Special Meeting Minutes of February 4, 2020, and February 11, 2020; Regular Meeting Minutes of February 4, 2020; Work Study Session Minutes of February 11, 2020; and Executive Session Minutes of February 4, 2020. Councilman Phillips seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.

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 <u>not</u> 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 23, absent Item 8 which was removed at request of staff. Councilman Phillips seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.
- 1. <u>Caliente Mexican Grill Liquor License (14-LL-2020)</u> 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:** 15600 N. Hayden Road, Suite 100

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

2. Leghorns Liquor License (15-LL-2020) – 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:** 14601 N. Scottsdale Road, Suite 110

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

3. Cook & Craft Liquor License (16-LL-2020) – 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: 7306 E. Shea Boulevard

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

4. Indian Bend Wash Municipal Use Master Site Plan (9-UP-2019) – Approved on Consent.

Request: Find that the Municipal Use Master Site Plan criteria have been met and adopt Resolution No. 11719 approving a Municipal Use Master Site Plan for future improvements on a two-mile section of the Indian Bend Wash from Thomas Road to McKellips Road.

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

5. Anderson Residence Final Plat (5-PP-2019) – Approved on Consent.

Request: Approve the final plat for a new residential subdivision comprised of two-lots on a 3.5±-acre site with Single-Family Residential (R1-35) zoning located on the southeast corner of Cactus Road and 98th Street.

Location: 9845 E. Cactus Road

Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664,

rgrant@scottsdaleaz.gov

6. Papago Plaza Rezoning and Development Agreement (6-ZN-2018#2 and 8-DA-2019) – Approved on Consent.

Requests:

- Adopt Ordinance No. 4436 approving a zoning district map amendment from Planned Community District, Planned Regional Center (P-C PRC) zoning to Planned Community District, Planned Regional Center, Planned Shared Development (P-C PRC PSD) zoning to allow for a new four-lot subdivision on a 10±-acre site located at the southwest corner of N. Scottsdale Road and E. McDowell Road.
- Adopt Resolution No. 11692 authorizing Development Agreement No. 2020-016-COS with Papago Marketplace, LLC; CRP/AR McDowell Owner, LLC; Willie M. Yee G.C.E. Trust; and Scottsdale Hotel Investors, LLC.

Location: 7115 E. McDowell Road

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

***7. Bond 2019 Capital Improvement Projects Budget Transfers – Approved on Consent.

Request: Adopt **Resolution No. 11733** authorizing the following FY 2019/20 General Fund Capital Contingency Budget Appropriation Transfers for capital improvement projects to be funded by General Obligation Bond 2019 proceeds:

- 1. \$1,224,304 to a newly created capital project titled "24 Install High Efficiency Lighting at 4 Facilities" to fully fund this project.
- 2. \$4,000,000 to a newly created capital project titled "1 Replace Aging Infrastructure and Improve Public and Event Spaces on Civic Center Plaza" to partially fund this project.
- 3. \$960,298 to a newly created capital project titled "50 Renovate Arena at WestWorld to Provide Flexible Event Space" to fully fund this project.
- 4. \$701,532 to a newly created capital project titled "52 Expand Restrooms in WestWorld North Hall" to fully fund this project.
- 5. \$305,240 to a newly created capital project titled "6 Replace Emergency Power Source for Public Radio Network" to fully fund this project.
- 6. \$291,030 to a newly created capital project titled "9 *Install Fiber Optic Infrastructure to Reduce Operating Costs*" to partially fund this project.
- 7. \$342,000 to a newly created capital project titled "16 Replace the City's Obsolete Training Software" to partially fund this project.

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

***8. Recyclable Materials Intergovernmental Agreement

(Removed at the request of staff.)

9. <u>Wireless Communications Antenna Site Revocable License Agreement</u> – Approved on Consent.

Request: Adopt **Resolution No. 11667** authorizing Agreement No. 2020-006-COS with Sprint Spectrum L.P. permitting the continued operation of a wireless site on the northwest corner of Thunderbird Road and 92nd Street.

Location: 9170 E. Thunderbird Road

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

10. <u>Capital Improvement Projects Roundabout Specialist Engineering Services Contracts</u> – Approved on Consent.

Request: Adopt **Resolution No. 11720** authorizing the following one-year contract extensions for on-call roundabout specialist engineering services in an amount not to exceed \$250,000 per contract for design review, planning, analysis, and professional consultation pertaining to proposed roundabouts at various project locations throughout the City:

- 1. Contract No. 2017-032-COS-A2 with SE Ritchie Corp., dba Roundabouts & Traffic Engineering
- Contract No. 2017-035-COS-A2 with MTJ Engineering, LLC

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

11. <u>Capital Improvement Projects Water Resources Engineering Services Contracts</u> – Approved on Consent.

Request: Adopt **Resolution No. 11721** authorizing the following one-year contract extensions for on-call engineering services contracts for design review, planning, analysis, and professional consultation pertaining to proposed water resources projects at various project locations throughout the City:

- Contract No. 2017-030-COS-A2 with CDM Smith, Inc., in an amount not to exceed \$1,000,000.
- 2. Contract No. 2017-031-COS-A2 with Wilson Engineers, LLC, in an amount not to exceed \$1,500,000. **Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

12. Vertical/Facilities Construction Job Order Contracts - Approved on Consent.

Request: Adopt **Resolution No. 11722** authorizing the following one-year contract extensions in an amount not to exceed \$5,000,000 per contract for Citywide vertical/facilities construction projects:

- 1. Contract 2018-021-COS-A1 with Balfour Beatty Construction, LLC
- Contract 2018-022-COS-A1 with Builders Guild, Inc.
- 3. Contract 2018-023-COS-A1 with McCarthy Building Companies, Inc.

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

13. <u>Scottsdale Road and Palm Lane Pedestrian Hybrid Beacon Capital Project</u> – Approved on Consent. Request: Adopt Resolution No. 11668 to authorize:

- 1. The creation of the Scottsdale Road and Palm Lane Pedestrian Hybrid Beacon capital project.
- A FY 2019/20 Capital Contingency for Future Grants Budget Appropriation transfer in the amount of \$225,114 to the Scottsdale Road and Palm Lane Pedestrian Hybrid Beacon capital project to be funded by the Maricopa Association of Governments (MAG) Roadway Safety Program in the amount of \$185,114 and by a developer contribution from Trammell Crow Residential in the amount of \$40,000.
- 3. A FY 2019/20 capital budget transfer in the amount of \$49,886 from the Traffic Signal Construction (YG23) project to the Scottsdale Road and Palm Lane Pedestrian Hybrid Beacon project to be funded by the Transportation 0.2% Sales Tax.
- 4. Joint Agency Agreement No. 2020-007-COS with MAG for project administration and reimbursement of eligible costs incurred by the City for the Scottsdale Road and Palm Lane Pedestrian Hybrid Beacon capital project.

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

14. <u>Tennis Courts Resurfacing</u> – Approved on Consent.

Request: Adopt Resolution No. 11527 to authorize:

- A FY 2019/20 General Fund Capital Contingency Budget Appropriation transfer in the amount of \$3,547,104 to a newly created capital project titled "10 – Replace Tennis Court Surfaces at Indian School Park and Scottsdale Tennis Center" to be funded by General Obligation Bond 2019 proceeds in the amount of \$3,497,104 and a grant from the United States Tennis Association (USTA) in the amount of \$50,000.
- 2. The acceptance and expenditure of a grant from USTA in the amount of \$50,000 for the reconstruction of tennis courts at Scottsdale Ranch Park Tennis Center.
- 3. The Parks and Recreation Director to execute and submit all documents in connection with the grant.

Staff Contact(s): Reed Pryor, Parks and Recreation Director, 480-312-1011, rpryor@scottsdaleaz.gov

15. <u>Scoreboard Donation and Installation Agreement</u> – Approved on Consent.

Request: Adopt **Resolution No. 11715** authorizing Agreement No. 2020-042-COS with Scottsdale Aquatic Club, Inc., regarding the donation and installation of a new scoreboard at Cactus Aquatic and Fitness Center.

Staff Contact(s): Reed Pryor, Parks and Recreation Director, 480-312-1011, rpryor@scottsdaleaz.gov

16. <u>Scottsdale Stadium Fee Classification Information and Fee Schedule</u> – Approved on Consent.

Request: Adopt **Resolution No. 11736** authorizing a new fee classification information and fee schedule for Scottsdale Stadium, effective April 2, 2020.

Staff Contact(s): Reed Pryor, Parks and Recreation Director, 480-312-1011, rpryor@scottsdaleaz.gov

17. <u>WestWorld Event Agreement</u> – Approved on Consent.

Request: Adopt **Resolution No. 11727** authorizing Agreement No. 2015-012-COS-A1, the first amendment to the agreement with Arabian Horse Association of Arizona, to change event dates and establish a fee for IT services.

Staff Contact(s): Brian Dygert, WestWorld General Manager, 480-312-6825, bdygert@scottsdaleaz.gov

18. <u>WestWorld Food and Alcohol License and Marketing Agreement and Office License</u>

Agreement – Approved on Consent.

Request: Adopt **Resolution No. 11725** authorizing Agreement No. 2020-044-COS with National Western Capital Corporation.

Staff Contact(s): Brian Dygert, WestWorld General Manager, 480-312-6825, bdygert@scottsdaleaz.gov

19. Super Bowl LVII Sponsorship Agreement – Approved on Consent.

Request: Adopt Resolution No. 11644 authorizing Agreement No. 2020-040-COS with the Arizona Super Bowl Host Committee, Inc., and National Football League Properties, LLC, in an amount not to exceed \$1,212,401 to be made in four annual payments of \$303,100.25 beginning in FY 2019/20 from the Tourism Development Fund that is allocated toward events and event development.

Staff Contact(s): Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov

20. North General Aviation Executive Box Hangar Project Construction Services Contract – Approved on Consent.

Request: Adopt **Resolution No. 11695** authorizing CM@Risk Contract No. 2020-018-COS with Sun Eagle Corporation in the amount of \$4,092,924 to conduct construction phase services for the North General Aviation Executive Box Hangar Project at Scottsdale Airport. The total contract price for this project is \$4,257,944 to include a 5% City contingency in the amount of \$165,020.

Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov

21. Notice of Intention to Increase Water and Wastewater Rates – 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 FY 2020/21, and establish May 5, 2020, as the date for a public hearing.

Staff Contact(s): Brian Biesemeyer, Water Resources Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov

22. <u>Audit Committee Recommendation for the Airport Advisory Commission Sunset Review</u> – Approved on Consent.

Request: Adopt **Resolution No. 11716** accepting the Audit Committee's recommendation and authorizing the continuation of the Airport Advisory Commission.

Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

23. <u>Audit Committee Recommendation for the Transportation Commission – Paths and Trails</u>
Subcommittee Sunset Review – Approved on Consent.

Request: Adopt **Resolution No. 11717** accepting the Audit Committee's recommendation and authorizing the continuation of the Transportation Commission – Paths and Trails Subcommittee. **Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

REGULAR AGENDA ITEMS 24-25

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 <u>may</u> 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. Employee Medical Plans and Premiums

Request: Adopt **Resolution No. 11669** authorizing FY 2020/21 medical and dental plan contribution rates and plan benefit options.

Presenter(s): Lauran Beebe, Human Resources Manager

Staff Contact(s): Donna Brown, Human Resources Director, 480-312-2615,

dbrown@scottsdaleaz.gov

- Human Resources Manager Lauran Beebe presentation.
- Councilwoman Klapp made a motion to adopt Resolution No. 11669 authorizing FY 2020/21 medical and dental plan contribution rates and plan benefit options. Vice Mayor Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven; Phillips, and Whitehead voting in the affirmative.

25. City's Proposed Fiscal Year 2020/21 Rates and Fees

Request: Presentation, discussion, and possible direction to staff regarding the City's proposed FY 2020/21 rates and fees.

Presenter(s): Brian Biesemeyer, Water Resources Director; Dan Worth, Public Works Director; Gary Mascaro, Aviation Director; Randy Grant, Planning and Development Director; Bill Murphy, Community Services Director; Tom Shannon, Fire Chief; Alan Rodbell, Police Chief Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, idoyle@scottsdaleaz.gov

Presentations by Budget Director Judy Doyle, Water Resources Director Brian Biesemeyer,
 Public Works Director Dan Worth, Aviation Director Gary Mascaro, Planning and Development
 Director Randy Grant, Tourism and Events Director Karen Churchard, Community Services
 Director Bill Murphy, Fire Chief Tom Shannon, and Police Chief Alan Rodbell.

Public Comment - None

Public Comment time is reserved for citizens to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak card must be submitted together with the petition(s) before the Mayor announces the second Public Comment period. Speakers may address the Council once under Public Comment at the beginning or the end of the meeting, but not both. 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 26

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.

26. 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

MAYOR AND COUNCIL ITEM 27

27. Boards, Commissions, and Task Force Nominations (Note: Interviews and appointments scheduled for March 17, 2020)

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.

Building Advisory Board of Appeals (three vacancies) - No nominations.

Development Review Board (one vacancy) – Councilwoman Milhaven nominated Shakir Gushgari, Vice Mayor Littlefield nominated Andrea Davis, and Mayor Lane nominated Jeffrey Brand.

Human Services Commission (one vacancy) – Councilwoman Whitehead nominated Jayne Hubbard.

Industrial Development Authority (one vacancy) – No nominations.

Judicial Appointments Advisory Board (one vacancy) – Vice Mayor Littlefield nominated Brian Adamovich.

Library Board (two vacancies) – Councilman Phillips nominated Shiela Reyman and Sam Campana, Councilwoman Klapp nominated Freda Hartman, and Councilwoman Whitehead nominated Nicole Huser.

Parks and Recreation Commission (three vacancies) – Councilmember Korte nominated John Doering, Kurt Jones, and Susan McGarry.

Transportation Commission *(one vacancy)* – Mayor Lane nominated Karen Kowal, Councilwoman Klapp nominated Pamela Iacovo, and Councilman Phillips nominated Dave Dubner.

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.