

SCOTTSDALE

CITY COUNCIL MEETING



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

[ADDED REGULAR ITEM No. 16 AND MAYOR AND COUNCIL ITEM No. 17]

COUNCIL

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

Linda Milhaven
Guy Phillips
Dennis E. Robbins

Tuesday, November 12, 2013

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 either November 19 or November 20, 2013.

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:01 P.M.

Roll Call – Mayor Lane 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 Troop 877, Leader Andrea Brugger

Invocation – Vice Mayor Korte requested a moment of silence for typhoon victims in Southeast Asia.

Mayor's Report – None

City Manager's Report – None

Presentations/Information Updates – None

Public Comment – Kathy Littlefield commented on the November 5, 2013 Special Bond Election results. Sonnie Kirtley, Coalition of Greater Scottsdale, commented on the November 5, 2013 Special Bond Election results.

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 comments 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."**



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).

MINUTES

Request: Approve the [Regular Meeting Minutes of October 8, 2013](#); [Work Study Session Minutes of October 8, 2013](#); [Special Meeting Minutes of October 22, 2013](#); and [Regular Meeting Minutes of October 22, 2013](#).

– Councilwoman Klapp made a motion to approve the Regular Meeting Minutes of October 8, 2013; Work Study Session Minutes of October 8, 2013; Special Meeting Minutes of October 22, 2013; and Regular Meeting Minutes of October 22, 2013. Councilman Robbins seconded the motion which carried 6/0.

CONSENT AGENDA **ITEMS 1-15**

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.

– Councilman Phillips made a motion to approve Consent Items 1 through 15. Councilwoman Klapp seconded the motion, which carried 6/0.

- [Bronzmopolitan Conditional Use Permit \(11-UP-2013\) – Approved on Consent.](#)**
Request: Adopt **Resolution No. 9555** approving a Conditional Use Permit for a bar use for a 1,186± square-foot tanning salon with Central Business (C-2) zoning, and finding that the conditional use permit criteria have been met.
Location: 15811 N. Frank Lloyd Wright Boulevard, Suite 125
Staff Contact(s): Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, rgrant@scottsdaleaz.gov
- [Bronzmopolitan Liquor License \(82-LL-2013\) – Approved on Consent.](#)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a person and location transfer of a series 7 (beer and wine bar) State liquor license for a new location and owner.
Location: 15811 N. Frank Lloyd Wright Boulevard, Suite 125
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- [Rim to Rim Wines Liquor License \(94-LL-2013\) – 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: 8355 E. McDonald Drive, Suite F 107
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- [Axis/Radius \(aka Bottled Blonde and Livewire\) Conditional Use Permit \(17-UP-2012\) – Approved on Consent.](#)**
Request: Adopt **Resolution No. 9490** approving a Conditional Use Permit for a bar in a 19,397± square-foot space, with Central Business District, Parking District, Downtown Overlay (C-2/P-3 DO and P-2 DO) zoning, and finding that the conditional use permit criteria have been met.
Location: 7320-7340 E. Indian Plaza
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

5. **Bottled Blonde and Livewire Liquor License (95-LL-2013) – 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: 7340 E. Indian Plaza
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
6. **Barro's Pizza Liquor License (96-LL-2013) – 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: 14850 Frank Lloyd Wright Boulevard, Suite 107
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
7. **Scottsdale Station Restaurant Liquor License (97-LL-2013) – 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: 8220 N. Hayden Road, Suite C112
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
8. **Arizona BBQ Shack Liquor License (98-LL-2013) – 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: 8471 E. McDonald Drive
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
9. **Ironwood Cancer and Research Centers Abandonment (2-AB-2013) – Approved on Consent.**
Request: Adopt **Resolution No. 9535** approving the abandonment of approximately 323± square-feet of public right-of-way along East Desert Cove Avenue with Industrial Park (I-1) zoning.
Location: 8880 E. Desert Cove Avenue
Staff Contact(s): Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, rgrant@scottsdaleaz.gov
10. **Capital Improvement and Facilities Projects On-Call Architectural Services Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 9550** authorizing the following one-year contracts, with an option to extend for four additional one-year periods, for on-call architectural design services for capital improvement and facilities projects:
 1. Contract No. 2013-173-COS with Holly Street Studio Architects.
 2. Contract No. 2013-174-COS with Fucello Architects.**Staff Contact(s):** Daniel Worth, Public Works Executive Director, 480-312-5555, dworth@scottsdaleaz.gov
11. **Site 71 Well and Booster Pump Station and Water Booster Pump Station 42B Construction Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 9552** to authorize:
 1. CM@Risk Contract No. 2013-175-COS with MGC Contractors, Inc., in the amount of \$147,221, for design phase services for the Site 71 Well and the Booster Pump Station and Water Booster Pump Station 42B projects.
 2. Budget transfers totaling \$5,000,000 from CIP project W9903, Booster Station Upgrades (\$3,100,000), and from CIP project W4708, Well Sites (\$1,900,000), to a newly created CIP Project titled Site 71 Well Site and Water Booster Station.**Staff Contact(s):** Daniel Worth, Public Works Executive Director, 480-312-5555, dworth@scottsdaleaz.gov

12. **WestWorld Event Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 9574** authorizing Contract No. 2009-139-COS-A1, the first amendment to an agreement with Goodguy Enterprises Inc., to use the WestWorld special event facilities for the Goodguy Car Show.
Staff Contact(s): Paul Katsenes, Community and Economic Development Executive Director, 480-312-2890, pkatsenes@scottsdaleaz.gov
13. **DUI Task Force Grant – Approved on Consent.**
Request: Adopt **Resolution No. 9546** to authorize:
 1. Agreement No. 2013-170-COS with the Arizona Governor's Office of Highway Safety to accept a grant in the amount of \$160,000 for DUI taskforce overtime and associated expenses.
 2. Budget transfer from the adopted FY 2013/14 Future Grants Budget and/or the Grant Contingency Budget and the creation of a new cost center to record the related grant activity.**Staff Contact(s):** Alan Rodbell, Public Safety Executive Director, 480-312-1900, arodbell@scottsdaleaz.gov
14. **General Plan 2014 Task Force Additional Alternates – Approved on Consent.**
Request: Adopt **Resolution No. 9575** approving the appointment of additional persons to the Scottsdale General Plan 2014 Task Force Alternates list.
Staff Contact(s): Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, rgrant@scottsdaleaz.gov
15. **Monthly Financial Report – Approved on Consent.**
Request: Accept the FY 2013/14 Monthly Financial Report as of September 2013.
Staff Contact(s): Judy McIlroy, Budget Director, 480-312-2603, jmcilroy@scottsdaleaz.gov

REGULAR AGENDA **ITEM 16**

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.**

- ***16. **Preserve Land Acquisition – Councilman Phillips made a motion to direct staff to initiate the process to determine whether to acquire 40 acres or more of land located approximately a half mile east of 128th Street and a quarter mile north of the extension of East Pinnacle Peak Road. Councilman Littlefield seconded the motion, which carried 4/2, with Councilmembers Klapp and Milhaven dissenting.**
Request: Provide direction to staff to initiate the process to determine whether to acquire 40 acres of land located approximately a half mile east of 128th Street and a quarter mile north of the extension of East Pinnacle Peak Road. This item was initiated by Councilman Phillips and added at the request of Vice Mayor Korte and Councilmembers Littlefield, Milhaven, and Robbins.

MAYOR AND COUNCIL **ITEM 17**

- ***17. **Request to Agendize a Discussion on General Fund Spending Cuts – Councilman Littlefield made a motion to direct staff to agendize a discussion and possible direction to staff on general fund spending cuts that can be made immediately in order to fund the high priority public safety projects that were included in the recent City bond proposals. Councilman Phillips seconded the motion, which failed 2/4, with Vice Mayor Korte and Councilmembers Klapp, Milhaven, and Robbins dissenting.**

Request: At the request of Councilman Littlefield, provide possible direction to staff to agendize: A discussion and possible direction to staff on general fund spending cuts that can be made immediately in order to fund the high priority public safety projects that were included in the recent City bond proposals.

Note: The only Council action to be taken on Item No. 17 is a decision on whether to agendize the referenced matter at a future Council meeting. No public comment will be taken at this time.

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 comments 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 18

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.

18. 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 Items – None

Adjournment – 5:53 P.M.