

SCOTTSDALE

CITY COUNCIL MEETING

MEETING NOTICE AND AGENDA



COUNCIL

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

Linda Milhaven
Guy Phillips
David N. Smith

Tuesday, January 23, 2018

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 (February 13, 2018).

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 – 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 – Scottsdale Bobcats

Invocation – Pastor Ken Montgomery, Scottsdale Bible Church

Mayor's Report – Mayor Lane requested a moment of silence in remembrance of prominent Scottsdale developer Fred Unger.

Presentations/Information Updates – None

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."**



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

CONSENT AGENDA **ITEMS 1-24**

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 Korte made a motion to approve Consent Agenda Items 1 through 24, absent Items 7 and 14, which were moved to the Regular Agenda. Councilwoman Klapp seconded the motion, which carried 7/0.

1. [El Chameleon & Wadaa Street Tacos Liquor License \(101-LL-2017\)](#) – **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. Stetson Drive
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

2. [Lou Malnati's Pizzeria Liquor License \(103-LL-2017\)](#) – **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: 17787 N. Scottsdale Road, Building B
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

3. [El Dorado Bar & Grill Liquor License \(104-LL-2017\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 6 (bar) State liquor license for an existing location with a new owner.
Location: 8708 E. McDowell Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

4. [Teharu Sushi Liquor License \(105-LL-2017\)](#) – **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: 15801 N. Frank Lloyd Wright Boulevard, Suite 120
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

5. [Sprouts Farmers Market No. 39 Liquor License \(106-LL-2017\)](#) – **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 store) State liquor license for a new location and owner.
Location: 8787 N. Scottsdale Road, Suite 124
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

6. [Blind Dragon Liquor License \(107-LL-2017\)](#) – **Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an agent change for an existing Series 6 (bar) State liquor license.
Location: 7419 E. Indian Plaza
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

7. **The Outpost Conditional Use Permit (11-UP-2016)**

Request: Find that the conditional use permit criteria have been met and adopt

Resolution No. 11000 approving a Conditional Use Permit for a gas station on 2.25± acres of an 8.61±-acre site, with Planned Neighborhood Center, Environmentally Sensitive Lands Foothills Overlay (PNC/ESL/FO) zoning.

Location: 8738 E. Dynamite Boulevard

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

**– Presentations from Senior Planner Jesus Murillo and Applicant Representative Paul Gilbert.
– Councilwoman Klapp made a motion to find that the conditional use permit criteria have been met and to adopt Resolution No. 11000 for a gas station use on 2.25± acres, with Planned Neighborhood Center, Environmentally Sensitive Lands Foothills Overlay zoning, located at 8738 E. Dynamite Boulevard. Councilwoman Milhaven seconded the motion, which carried 5/2, with Councilmembers Littlefield and Phillips dissenting.**

8. **Rosewood 17 Abandonment (5-AB-2017) – Approved on Consent.**

Request: Adopt **Resolution No. 11003** authorizing the abandonment of the northern 15-foot portion of right-of-way, located along the north side of E. Hawknest Road, adjacent to Parcel No. 216-34-013C, with Single-Family Residential, Environmentally Sensitive Lands (R1-35 ESL) zoning.

Location: 8604 E. Hawknest Road

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

9. **Rosewood 17 Final Plat (8-PP-2017) – Approved on Consent.**

Request: Approve the final plat for a new 17-lot residential subdivision on a 21-acre site located on the northwest corner of E. Hawknest Road and N. 86th Street, with Single-Family Residential, Environmentally Sensitive Lands (R1-35 ESL) zoning.

Location: 8604 E. Hawknest Road

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

10. **Wilshire Place Abandonment (8-AB-2017) – Approved on Consent.**

Request: Adopt **Resolution No. 11004** authorizing the abandonment of 471± square feet of E. Wilshire Drive right-of-way and 518± square feet of alley right-of-way located along the northwestern and western boundaries of Parcel No. 129-05-010D, with Medium Density Residential (R-3) zoning.

Location: 7121 E. Wilshire Drive

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

11. **Lawrence Abandonment (9-AB-2017) – Approved on Consent.**

Request: Adopt **Resolution No. 10977** authorizing the abandonment of 630± square feet of right-of-way located along the southern boundary of E. Indian School Road, for a property with Single-Family Residential District (R1-7) zoning.

Location: 4013 N. 86th Street

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

12. **Lewis Abandonment (10-AB-2017) – Approved on Consent.**

Request: Adopt **Resolution No. 10984** authorizing the abandonment of a 33-foot GLO easement along the east and south boundaries of Parcel No. 217-32-017G, with Single-Family Residential Environmentally Sensitive Lands (R1-43 ESL) zoning.

Location: 12424 E. Cochise Drive

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

13. **Singh Residence Hardship Exemption (1-HE-2017) – Approved on Consent.**
Request: Adopt **Resolution No. 11010** approving a hardship exemption from the current Environmentally Sensitive Lands requirements pertaining to 15-foot setbacks for walls and fences from the side and rear property lines on a 47,312± square-foot property with Single-Family Residential, Environmentally Sensitive Lands (R1-43 ESL) zoning.
Location: APN 217-31-019F, southwest corner of E. Cochise Road and N. 130th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

14. **GLO Abandonment Process**
Request: Adopt **Resolution No. 11014** simplifying the GLO abandonment process by eliminating the requirement for written liability releases from owners, lenders, and tenants for the purpose of streamlining the GLO abandonment process.
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
– City Attorney Bruce Washburn presentation.
– Councilman Smith made a motion to adopt Resolution No. 11014 simplifying the GLO abandonment process by eliminating the requirement for written liability releases from owners, lenders, and tenants for the purpose of streamlining the GLO abandonment process. Vice Mayor Korte seconded the motion, which carried 7/0.

15. **Standard Terms for Wireless Communication Facilities in Public Rights-of-Ways – Approved on Consent.**
Request: Adopt **Resolution No. 11005** adopting the standard terms and conditions for antenna right-of-way license agreements for wireless communication facilities located within the public rights-of-way.
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

16. **WIFA FY 2018 Planning and Design Technical Assistance Grant – Approved on Consent.**
Request: Adopt **Resolution No. 10979** to authorize:
 1. Intergovernmental Agreement 2018-002-COS with the Water Infrastructure Finance Authority of Arizona (WIFA) to accept a Planning and Design Technical Assistance Grant, in the amount of \$35,000, to create an Alternative Stormwater Management Guidance Handbook for Low Impact Development and Green Infrastructure Technical Standards.
 2. A budget transfer in the amount of \$35,000 from the adopted FY 2017/18 Future Grants Budget and/or Grant Contingency Budget and the creation of a new cost center to record the related grant activity.
 3. The Office of Environmental Initiatives Manager to execute any other documents and take such other actions as are necessary to carry out the intent of Resolution No. 10979.**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov; Tim Conner, Office of Environmental Initiatives Manager, 480-312-7833, tconner@scottsdaleaz.gov

17. **On-Call Surveying Services Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 10986** authorizing the following one-year contract extensions in an amount not to exceed \$500,000 per contract for surveying services throughout the City:
 1. Contract No. 2015-006-COS-A2 with EPS Group, Inc.
 2. Contract No. 2015-007-COS-A2 with AZTEC Engineering Group, Inc.**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

18. **On-Call Electrical Engineering Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 10987** authorizing Contract No. 2013-185-COS-A4 with Kimley-Horn and Associates, Inc., in an amount not to exceed \$500,000 for a one-year contract extension for electrical engineering services at various locations throughout the City.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
19. **On-Call Structural Engineering Services Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 10988** authorizing the following one-year contract extensions in an amount not to exceed \$500,000 per contract for structural engineering services at various locations throughout the City:
 1. Contract No. 2014-001-COS-A4 with Caruso Turley Scott, Inc.
 2. Contract No. 2014-002-COS-A4 with Gannett Fleming, Inc.**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
20. **Shea Boulevard at 124th Street Project Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10993** to authorize:
 1. Agreement No. 2018-006-COS with Maricopa Association of Governments for project administration and reimbursement of eligible costs incurred by the City for Arterial Life Cycle Program (ALCP) funds for the Shea Boulevard at 124th Street capital project.
 2. A FY 2017/18 capital budget appropriation transfer in the amount of \$248,779 from the Trail Improvement Program capital project to the Shea Underpass Access at 124th Street capital project to replace a portion of the ALCP funding source with the Transportation Sales Tax funding source.**Staff Contact(s):** Paul Basha, Transportation Director, 480-312-7651, pbasha@scottsdaleaz.gov
21. **Raintree Drive: Hayden Road to Loop 101 Project Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10994** authorizing Agreement No. 2018-007-COS with Maricopa Association of Governments for project administration and reimbursement of eligible costs incurred by the City for the Raintree Drive: Hayden Road to Loop 101 capital project.
Staff Contact(s): Paul Basha, Transportation Director, 480-312-7651, pbasha@scottsdaleaz.gov
22. **Happy Valley Road: Pima Road to Alma School Road Project Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10995** to authorize:
 1. Agreement No. 2018-008-COS with Maricopa Association of Governments for project administration and reimbursement of Proposition 400 Regional Transportation Sales Tax funds for eligible costs incurred by the City for the Happy Valley Road: Pima Road to Alma School Road capital project.
 2. A FY 2017/18 budget appropriation transfer in the amount of \$1,000,000 from the Redfield Road: Raintree Drive to Hayden Road capital project to the Happy Valley Road: Pima Road to Alma School Road capital project to be funded by the Proposition 400 Regional Sales Tax funding source.**Staff Contact(s):** Paul Basha, Transportation Director, 480-312-7651, pbasha@scottsdaleaz.gov
23. **Amendments to 2018 State Legislative Agenda – Approved on Consent.**
Request: Accept the amendments to the City of Scottsdale's 2018 State Legislative Agenda.
Staff Contact(s): Brad Lundahl, Government Relations Director, 480-312-2683, blundahl@scottsdaleaz.gov
24. **Monthly Financial Report – Approved on Consent.**
Request: Accept the FY 2017/18 Monthly Financial Report as of November 2017.
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

REGULAR AGENDA ITEMS 25-26

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.**

25. [Public Hearing on Water and Wastewater Land Use Assumptions and Infrastructure Improvement Plans](#)

Request: Accept citizen comments regarding the proposed water and wastewater land use assumptions and infrastructure improvement plans related to the proposed changes to development fees.

Presenter(s): Brian Biesemeyer, Water Resources Director

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

– **Water Resources Director Brian Biesemeyer presentation.**

– **Mayor Lane opened the public hearing on the proposed water and wastewater land use assumptions, noted for the record that there were no requests to speak, and closed the public hearing.**

– **Mayor Lane opened the public hearing on the proposed infrastructure improvement plans, noted for the record that there were no requests to speak, and closed the public hearing.**

26. [Monthly Financial Update](#)

Request: Receive, discuss, and provide possible direction on the City Treasurer's monthly financial presentation as of November and December 2017.

Presenter(s): Jeff Nichols, City Treasurer

Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

– **Presentations from City Treasurer Jeff Nichols and City Engineer Dave Lipinski.**

Public Comment – Bradley Tweit expressed concern about roof rats.

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CITIZEN PETITIONS ITEM 27

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.

27. 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

ITEM 28

28. [Ethics Refresher Training](#)

On May 2, 2006, the Scottsdale City Council adopted Resolution No. 6879 and Ordinance No. 3675 establishing the City of Scottsdale Public Service Ethics Program and a Code of Ethical Behavior related to elected and appointed officials, which became effective July 1, 2006. The City's Ethics Program and the Code require that the Councilmembers receive annual ethics training.

This ethics training for the City Council will include the following components:

1. A discussion of the requirements of the Code of Ethical Behavior that are most frequently implicated in the Councilmembers' activities.
2. An update on any changes that might have occurred in the last year relating to the Code of Ethical Behavior.
3. An opportunity for Councilmembers to raise any issues of particular concern to them.

The training session is instructional and informational. No public business will be considered; however, City Councilmembers may engage in discussion about ethics issues as part of this training session.

Presenter(s): Bruce Washburn, City Attorney

Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov

– City Attorney Bruce Washburn presentation.

Adjournment – 6:46 P.M.