

**SCOTTSDALE**

# **CITY COUNCIL MEETING**



## **\*\*\* AMENDED \*\*\* MEETING NOTICE AND AGENDA**

**[ITEM No. 23 CONTINUED]**

### **COUNCIL**

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Kathleen S. Littlefield

Linda Milhaven

Guy Phillips

Solange Whitehead

**Tuesday, February 19, 2019**

*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 5, 2019).*

**5:00 P.M.**

**MARKED AGENDA**

### **CITY COUNCIL MEETING**

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Call to Order – 5:06 P.M.**

**Roll Call – All present, City Manager Jim Thompson 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 – Councilwoman Littlefield**

**Invocation – Associate Pastor Ryan Heath, Scottsdale Bible Church**

**Mayor's Report – Mayor Lane congratulated the Coronado Don's Soccer Team for winning the 3A championship.**

**Presentations/Information Updates – Experience Scottsdale President and CEO Rachel Sacco presentation.**

- **Experience Scottsdale Update**  
**Presenter(s):** Rachel Sacco, President and CEO

**Public Comment – Dan Richards expressed appreciation for the City's partnership with the Scottsdale Aquatic Club. Ann Gazzaniga commented on the Coronado Golf Course poles and netting. French Thompson spoke about the Museum Square project and parking issues.**

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](http://WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION)

## **CONSENT AGENDA      ITEMS 1-22**

**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 Littlefield made a motion to approve Consent Agenda Items 1 through 22. Councilwoman Klapp seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead voting in the affirmative.**

1. **[Ling & Louie’s Asian Bar & Grill Liquor License \(4-LL-2019\)](#) – 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:** 9397 E. Shea Boulevard, Suite 125  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
2. **[Merkin Vineyards Old Town Liquor License \(6-LL-2019\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) State liquor license for an existing location with a new owner and new license series.  
**Location:** 7133 E. Stetson Drive, Suite 4  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
3. **[Nobu Liquor License \(7-LL-2019\)](#) – 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:** 7014 E. Camelback Road, Suite 1170  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
4. **[Obon Sushi & Bar & Ramen Liquor License \(8-LL-2019\)](#) – 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:** 15059 N. Scottsdale Road, Suite J1-195  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
5. **[Permanent Extension of Premises for Classic Cooking \(1-EX-2019\)](#) – 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 for an existing location to expand into the adjoining suite.  
**Location:** 10411 E. McDowell Mountain Ranch Road, Suite 110  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
6. **[AT&T WCF549 – Giants Complex Club Sar Conditional Use Permit \(14-UP-2012#2\)](#) – Approved on Consent.**  
**Request:** Find that the conditional use permit criteria have been met and adopt **Resolution No. 11378** approving a Conditional Use Permit for an existing Type 4 Alternative Concealment Wireless Communication Facility co-located on an existing 60-foot-tall artificial palm tree, including associated ground-mounted equipment, with Open Space (OS) zoning.  
**Location:** 8045 E. Camelback Road  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

7. **[Verizon PHO Pima & McDonald Conditional Use Permit \(7-UP-2018\)](#) – **Approved on Consent.**  
**Request:** Find that the conditional use permit criteria have been met and adopt  
**Resolution No. 11345** approving a Conditional Use Permit for a new Type 4 Alternative Concealment Wireless Communication Facility, concealed within a 60-foot-tall artificial broadleaf tree, including associated ground-mounted equipment, with Highway Commercial (C-3) zoning.  
**Location:** 8465 E. McDonald Drive  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)**
8. **[Safari – Phase II Rezoning \(65-ZN-1992#10\)](#) – **Approved on Consent.**  
**Requests:**
  1. Adopt **Ordinance No. 4383** approving a zoning district map amendment from Downtown/Regional Commercial Office – Type 2, Planned Block Development, Downtown Overlay (D/RCO-2 PBD DO) zoning, to Downtown/Downtown Regional Use – Type 3, Planned Block Development, Downtown Overlay (D/DRU-3 PBD DO) zoning, including approval of a new development plan with specific property development standards on a 2±-acre site.
  2. Adopt **Resolution No. 11376** declaring the document titled “*Development Plan for Safari – Phase II*” to be a public record.**Location:** 4735 N. Scottsdale Road  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)**
9. **[Public Art Easement](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 11362** authorizing the Public Works Director to accept a public art easement from Motorola Solutions, Inc., for the continued placement of public art and to execute any other documents necessary to carry out the intent of this resolution.  
**Location:** 5985 N. Cattletrack Road  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)**
10. **[Raintree Drive Extension Project Preconstruction Phase Services Contract](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 11358** authorizing CM@Risk Contract No. 2019-019-COS with Achen-Gardner Construction, LLC, in the amount of \$361,945, for pre-construction phase services for the Raintree Drive Extension Project from Scottsdale Road to Hayden Road.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)**
11. **[Thomas Groundwater Treatment Facility Preconstruction Phase Services Contract](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 11382** authorizing CM@Risk Contract No. 2019-031-COS with Archer Western Construction, LLC, in the amount of \$348,622, for preconstruction phase services for the Thomas Groundwater Treatment Facility.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)**
12. **[Transportation Engineering Services Contracts](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 11363** authorizing the following one-year contract extensions, in an amount not to exceed \$750,000 per contract, for on-call transportation engineering services:
  1. Contract No. 2015-039-COS-A3 with Dibble & Associates Consulting Engineers, Inc., dba Dibble Engineering
  2. Contract No. 2015-040-COS-A3 with Gavan & Barker, Inc.
  3. Contract No. 2015-041-COS-A3 with Premier Engineering Corporation**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)**
13. **[Intelligent Transportation Systems Engineering Services Contract](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 11364** authorizing Contract No. 2016-006-COS-A2 with Kimley-Horn and Associates, Inc., for a one-year contract extension, in an amount not to exceed \$1,000,000, for on-call intelligent transportation system engineering services.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)**

14. **General Landscape Construction Services Job Order Contracts – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11365** authorizing the following one-year contract extensions, in an amount not to exceed \$2,000,000 per contract, for Citywide general landscape construction services:
  1. Contract No. 2015-004-COS-A3 with Valley Rain Construction Corporation
  2. Contract No. 2015-005-COS-A3 with DBA Construction, Inc.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
  
15. **Scottsdale Stadium Economic Impact Analysis – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11381** authorizing Contract No. 2019-030-COS with the Arizona Board of Regents, for and on behalf of Arizona State University and its L. William Seidman Research Institute, in the amount of \$23,992.80, for an economic impact analysis of improvements to Scottsdale Stadium.  
**Staff Contact(s):** Bill Murphy, Community Services Director, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)
  
16. **Integrated Water Resources Master Plan Professional Services Contract – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11377** authorizing Contract No. 2019-027-COS with Carollo Engineers, Inc., in an amount not to exceed \$2,300,000, for engineering services related to updating the Integrated Water Resources Master Plan.  
**Staff Contact(s):** Brian Biesemeyer, Water Resources Director, 480-312-5683, [bbiesemeyer@scottsdaleaz.gov](mailto:bbiesemeyer@scottsdaleaz.gov)
  
17. **Mutual Aid Intergovernmental Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11374** authorizing Agreement 2019-026-COS among the members of the Arizona Water and Wastewater Agency Response Network to provide for mutual aid in responding to water and wastewater emergencies.  
**Staff Contact(s):** Brian Biesemeyer, Water Resources Director, 480-312-5683, [bbiesemeyer@scottsdaleaz.gov](mailto:bbiesemeyer@scottsdaleaz.gov)
  
18. **WestWorld Event Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11354** authorizing Agreement No. 2019-011-COS with LaMesa RV Center, Inc., to produce six RV Shows at the WestWorld facility during the summer of 2019.  
**Staff Contact(s):** Brian Dygert, WestWorld General Manager, 480-312-6825, [bdygert@scottsdaleaz.gov](mailto:bdygert@scottsdaleaz.gov)
  
19. **Proposition 202 Grant Funds Acceptance – Approved on Consent.**  
**Requests:**
  1. Adopt **Resolution No. 11380** authorizing Agreement No. 2019-014-COS-A1, the first amendment to the grant agreement with Ak-Chin Indian Community and Reigning Grace Ranch, to increase the grant amount by \$37,671 for a new total award of \$87,671.
  2. A budget transfer in the amount of \$37,671 from the adopted FY 2018/19 Grant Contingency and/or the Future Grants Budget to a newly created cost center assigned to record the grant activity.**Staff Contact(s):** Brad Lundahl, Government Relations Director, 480-312-2683, [blundahl@scottsdaleaz.gov](mailto:blundahl@scottsdaleaz.gov)
  
20. **Financial Statement Audit Professional Services Contract – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11375** authorizing a one-year extension of Contract No. 2015-052-COS with Heinfeld, Meech & Co., P.C., in an amount not to exceed \$99,500, for the audit of the City's FY 2018/19 financial statements and related services.  
**Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, [swalker@scottsdaleaz.gov](mailto:swalker@scottsdaleaz.gov)

21. [Risk Management Code Amendment and Declaration of Trust for City of Scottsdale, Arizona Self-Insured Loss Trust Fund](#) – **Approved on Consent.**

**Requests:**

1. Adopt **Ordinance No. 4382** amending Scottsdale Revised Code, Chapter 2, Administration, Section 2-174, to increase the Risk Management Director’s administrative settlement authority to \$20,000.
2. Adopt **Resolution No. 11383** authorizing Contract No. 2012-144-COS-A1 to amend the Declaration of Trust for City of Scottsdale, Arizona Self-Insured Loss Trust Fund “Trust” to comply with Ordinance No. 4382; to make minor administrative and clerical changes, including that non-enterprise subrogation recoveries must be refunded to the Trust; and to further authorize the Risk Management Director to compromise and lower workers’ compensations liens against third-party settlements or payments in order to facilitate additional cost recoveries in consultation with the City Attorney when doing so is in the best interest of the Trust.

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

22. [Monthly Financial Report](#) – **Approved on Consent.**

**Request:** Accept the FY 2018/19 Monthly Financial Report as of December 2018.

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

## **REGULAR AGENDA            ITEMS 23-25**

**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 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.**

\*\*\*23. [The Maverick Mural \(58-DR-2018\)](#)

(Continued at the request of the applicant.)

24. [Monthly Financial Update](#)

**Request:** Receive, discuss, and provide possible direction on the City Treasurer’s monthly financial presentation as of January 2019.

**Presenter(s):** Jeff Nichols, City Treasurer

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

– **City Treasurer Jeff Nichols presentation.**

25. [Scottsdale City Flag](#)

**Request:** Adopt **Resolution No. 11386** authorizing the adoption of a new official Scottsdale City flag.

**Presenter(s):** Kelly Corsette, Communications and Public Affairs Director

**Staff Contact(s):** Kelly Corsette, Communications and Public Affairs Director, 480-312-2336, [kcorsette@scottsdaleaz.gov](mailto:kcorsette@scottsdaleaz.gov)

– **Communications and Public Affairs Director Kelly Corsette presentation.**

– **Councilwoman Korte made a motion to adopt Resolution No. 11386 authorizing the adoption of a new official Scottsdale City Flag. Vice Mayor Milhaven seconded the motion, which carried 4/3, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Korte and Whitehead voting in the affirmative; and Councilmembers Klapp, Littlefield, and Phillips dissenting.**



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

**Mayor and Council Items – Councilwoman Korte made a motion to direct staff to prepare a status report on the Coronado Golf Club netting and poles and agendize for Council review on the next available agenda. Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead voting in the affirmative.**

**Adjournment – 6:23 P.M.**