

**SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JANUARY 15, 2019**



**CITY HALL KIVA
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251**

CALL TO ORDER

Mayor W.J. "Jim" Lane called to order a Regular Meeting of the Scottsdale City Council at 5:03 P.M. on Tuesday, January 15, 2019, in the City Hall Kiva.

ROLL CALL

Present: Mayor W.J. "Jim" Lane; Vice Mayor Guy Phillips; and Councilmembers Suzanne Klapp, Virginia L. Korte, Kathleen S. Littlefield, Linda Milhaven, and Solange Whitehead

Also Present: City Manager Jim Thompson, Acting City Attorney Sherry Scott, City Treasurer Jeff Nichols, City Auditor Sharron Walker, and City Clerk Carolyn Jagger

PLEDGE OF ALLEGIANCE – Boy Scout Troop 45, Troop Leader Natalee Phleger

INVOCATION – Minister Brooke Hellestrae, Scottsdale Bible Church

MAYOR'S REPORT

Mayor Lane requested a moment of silence to honor SRPMIC Officer Clayton Townsend, who was killed in the line of duty.

PRESENTATIONS/INFORMATION UPDATES – Rescheduled to March 5, 2019.

- **Scottsdale Arts Update**
Presenter(s): Gerd Wuestemann, Scottsdale Arts President and CEO

PUBLIC COMMENT

- Stuart Graff commented on the positive impact Scottsdale Experience has had on Taliesin West.
- David Ortega reported on the trespassing violations that have occurred during the installation of The Maverick Mural (58-DR-2018).

NOTE: MINUTES OF CITY COUNCIL MEETINGS AND WORK STUDY SESSIONS ARE PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ARIZONA REVISED STATUTES. THESE MINUTES ARE INTENDED TO BE AN ACCURATE REFLECTION OF ACTION TAKEN AND DIRECTION GIVEN BY THE CITY COUNCIL AND ARE NOT VERBATIM TRANSCRIPTS. DIGITAL RECORDINGS AND CLOSED CAPTION TRANSCRIPTS OF SCOTTSDALE CITY COUNCIL MEETINGS ARE AVAILABLE ONLINE AND ARE ON FILE IN THE CITY CLERK'S OFFICE.

ADDED ITEMS

A1. Added Items

Consent Item No. 20A was added to the agenda on January 10, 2019.

Request: Vote to accept the agenda as presented or continue the added item(s) to the next scheduled Council meeting, which is February 5, 2019.

MOTION AND VOTE – ADDED ITEMS

Councilmember Korte made a motion to accept the agenda as presented. Councilwoman Klapp seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Phillips; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Whitehead voting in the affirmative.

CONSENT AGENDA

1. Generations at Pinnacle Peak Liquor License (87-LL-2018)

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: 23733 N. Scottsdale Road

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

2. Clayton on the Park Liquor License (89-LL-2018)

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 and owner, new license series.

Location: 7343 E. Scottsdale Mall, Suite 1

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

3. BATL Backyard Axe Throwing League Liquor License (90-LL-2018)

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 a new location and owner.

Location: 7919 E. Thomas Road, Suite 103

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

4. Humble Pie Pizza Wine & Spirits Liquor License (91-LL-2018)

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: 6149 N. Scottsdale Road, Suite A1

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

5. Provisions Liquor License (92-LL-2018)

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 new location and owner.

Location: 3703 N. 69th Street, Suite 1

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

- 6. Cold Beers & Cheeseburgers Liquor License (93-LL-2018)**
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: 8624 E. Shea Boulevard
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 7. Permanent Extension of Premises for Desert Mountain Club (11-EX-2018)**
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 14 (private club) State liquor license for an existing location to add a new adjacent golf course and clubhouse.
Location: 10333 E. Rockaway Hills Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 8. Verizon PHO Pima & McDonald Conditional Use Permit (7-UP-2018)**
Request: At the request of the applicant, continue to a date to be determined.
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
- 9. Verizon PHO Firebank Conditional Use Permit (17-UP-2018)**
Request: At the request of the applicant, continue to a date to be determined.
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
- 10. JLB Partners - The McDowell Rezoning (12-ZN-2018)**
Requests:
 1. Adopt **Ordinance No. 4381** approving a zoning district map amendment from Highway Commercial, Conditional (C-3 C) to Planned Unit Development (PUD) zoning, including adoption of a development plan and amended development standards, for residential floor area ratio, building setbacks, and building setbacks on a 12.3±-acre site.
 2. Adopt **Resolution No. 11343** declaring the document titled "*The McDowell Development Plan*" to be a public record.**Location:** 6601 E. McDowell Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
- 11. Public Safety Radio Site Intergovernmental Agreement**
Request: Adopt **Resolution No. 11332** authorizing Agreement No. 2009-074-COS-A1 with Scottsdale Unified School District No. 48 to extend the term of the agreement for an additional five years for a public safety radio site at Desert Mountain High School.
Location: 12575 E. Via Linda
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

- 12. Engineering Services Contracts for Structural Design Services**
Request: Adopt **Resolution No. 11303** authorizing the following on-call engineering services contracts for an initial two-year term in an amount not to exceed \$1,500,000 per contract for structural design services:
1. Contract No. 2019-003-COS with Horrocks Engineers, Inc.
 2. Contract No. 2019-004-COS with Point Engineers, LLC
 3. Contract No. 2019-005-COS with Gannett Fleming, Inc.
- Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
- 13. Engineering Services Contracts for Surveying Services**
Request: Adopt **Resolution No. 11340** authorizing the following one-year contract extensions for on-call engineering services in an amount not to exceed \$500,000 per contract for surveying services throughout the City:
1. Contract No. 2015-006-COS-A3 with EPS Group, Inc.
 2. Contract No. 2015-007-COS-A3 with AZTEC Engineering Group, Inc.
- Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
- 14. Paiute Neighborhood Center ADA Bathroom Renovation Project**
Request: Adopt **Resolution No. 11333** authorizing Construction Bid Award No. 19PB005 with Doege Development, LLC, the lowest responsive bidder, in the amount of \$127,612 for construction services associated with renovations of the bathrooms located at Building 2 of the Paiute Neighborhood Center.
- Staff Contact(s):** Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
- 15. Paiute Neighborhood Center Revocable License Agreement**
Request: Adopt **Resolution No. 11324** authorizing Agreement No. 2018-059-COS-A1, the first amendment to the agreement with Hirsch Academy: A Challenge Foundation Academy (Hirsch) regarding the use of space at the Paiute Neighborhood Center to operate a public charter school, recognizing the security deposit previously paid by Hirsch to the City, and specifying the conditions of its return to Hirsch.
- Staff Contact(s):** Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
- 16. Unmanned Aerial System Package Grant**
Request: Adopt **Resolution No. 11348** to authorize:
1. Agreement No. 2019-001-COS with the Governor's Office of Highway Safety to accept a grant in the amount of \$31,746 to purchase an unmanned aerial system package to assist with accident investigations.
 2. A budget transfer in the amount of \$31,746 from the FY 2018/19 Future Grants Budget and/or Grant Contingency Budget and the creation of a new cost center to record the related grant activity.
- Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov
- 17. Claims and Litigation**
Request: Adopt **Resolution No. 11360** authorizing the City Attorney, in the context of ongoing or threatened litigation in which the City and/or one or more of its employees is a party, to bring claims against existing parties in the litigation or to add parties to the litigation by bringing claims against them as the City Attorney determines is necessary to protect the interests of the City.
- Staff Contact(s):** Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov

18. Monthly Financial Report

Request: Accept the FY 2017/18 Monthly Financial Report as of June 2018 (fiscal year-end).

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

19. Monthly Financial Report

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

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

20. Monthly Financial Report

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

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

20A. Stadium Facilities Capital Improvement Funds for Decking

Request: Adopt **Resolution No. 11370** to authorize:

1. The use of up to \$80,000 from the Stadium Facilities Capital Improvement Fund for construction of decking in the left-field area and south of the building at Gate A of Scottsdale Stadium to expand the concession area, improve pedestrian flow, and assess the design during the 2019 Spring Training Season for proposed future improvements.

2. A FY 2018/19 General Fund Operating Contingency Budget Appropriation transfer of up to \$80,000 to the Community Services Division Operating Budget to be funded by the Stadium Capital Improvement Fund.

Staff Contact(s): Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov

MOTION AND VOTE – CONSENT AGENDA

Vice Mayor Phillips made a motion to approve Consent Agenda Items 1 through 20A. Councilwoman Klapp seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Phillips; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Whitehead voting in the affirmative.

PUBLIC COMMENT – None

CITIZEN PETITIONS

21 Receipt of Citizen Petitions

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

No citizen petitions were received.

MAYOR AND COUNCIL ITEMS

- 22. Ordinance Regulating the Use of Handheld Communication Devices While Driving**
Request: At the request of Councilwoman Klapp, direct the City Manager to agendize a presentation, discussion, and possible action on an ordinance to regulate the use of handheld communication devices by all drivers driving in the City of Scottsdale.

MOTION AND VOTE – ITEM 22

Councilwoman Klapp made a motion to direct the City Manager to agendize a presentation, discussion, and possible action on an ordinance to regulate the use of handheld communication devices by all drivers driving in the City of Scottsdale. Vice Mayor Phillips seconded the motion, which carried 6/1, with Mayor Lane; Vice Mayor Phillips; and Councilmembers Klapp, Korte, Littlefield, and Whitehead voting in the affirmative and Councilwoman Milhaven dissenting.

ADJOURNMENT

The Regular City Council Meeting adjourned at 5:22 P.M.

SUBMITTED BY:



Carolyn Jagger
City Clerk

Officially approved by the City Council on February 5, 2019

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the City Council of Scottsdale, Arizona held on the 15th day of January 2019.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 5th day of February 2019.



Carolyn Jagger, City Clerk