

**SCOTTSDALE**

# **CITY COUNCIL MEETING**



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

**[REMOVED ADDED ITEMS No. A1 AND MOVED CONSENT ITEM No. 3 TO MARCH 29, 2016]**

### **COUNCIL**

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

Linda Milhaven  
Guy Phillips  
David N. Smith

**Tuesday, March 15, 2016**

*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 the next scheduled Council meeting (March 22, 2016).*

**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**

*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 Andre Wadsworth, Impact Church**

**Mayor's Report – Mayor Lane announced that the Arizona VEX IQ Robotics State Championship Elementary Division, Hohokam Traditional School's robotic team, Talon, has qualified for the 2016 VEX IQ World Competition in April. Coach Mike Peabody introduced the team, who gave a brief demonstration, and asked the public for financial support to send the team to the World Competition.**

**Presentations/Information Updates – Scottsdale Cultural Council President and CEO Neale Perl presentation**

- **Scottsdale Cultural Council Activities Update**  
Presenter(s): Neale Perl, President and CEO

**Public Comment – None**

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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).

**\*\*\* ADDED ITEMS**  
(REMOVED)

## MINUTES

**Request:** Approve the [Regular Meeting Minutes of February 23, 2016](#) and [Work Study Session Minutes of February 16, 2016](#).

– **Councilman Phillips made a motion to approve the Regular Meeting Minutes of February 23, 2016 and Work Study Session Minutes of February 16, 2016. Councilwoman Klapp seconded the motion, which carried 7/0.**

## CONSENT AGENDA ITEMS 1-11

**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 11, absent Item 3, which is being continued to April 5, and Item 9, which was moved to the Regular Agenda. Councilwoman Klapp seconded the motion, which carried 7/0.**

1. [Albertson's No. 197 Liquor License \(14-LL-2016\)](#) – **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 9S (liquor store with sampling privileges) State liquor license for an existing location with a new owner.

**Location:** 11475 E. Via Linda

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

2. [Palo Verde Homes Abandonment \(12-AB-2015\)](#) – **Approved on Consent.**

**Request:** Adopt **Resolution No. 10364** authorizing the abandonment of an existing half cul-de-sac, consisting of 3,180± square feet, located along N. Paradise View Street at the southwest boundary of Parcel No. 173-04-008, with Single-Family Residential (R1-43) zoning.

**Location:** 5703 N. Paradise View Street

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

**\*\*\*3.** [Impact Church/Sunrise Luxury Living Perimeter Exception \(1-PE-2015\)](#)

(Item No. 3 is being moved to March 29, 2016, at the request of staff.) – **Moved to April 5, 2016.**

4. [Acquisition of Road Right-of-Way – 1st Street](#) – **Approved on Consent**

**Request:** Adopt **Resolution No. 10334** authorizing the acquisition of road right-of-way and temporary construction easements to complete roadway improvements.

**Location:** Along the south side of 1<sup>st</sup> Street between Goldwater Boulevard and 69<sup>th</sup> Street

**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)

5. [Acquisition of Road Right-of-Way – 59th and Quail Track Drive](#) – **Approved on Consent.**

**Request:** Adopt **Resolution No. 10359** authorizing the purchase of existing road right-of-way at the northwest corner of 59<sup>th</sup> Street and Quail Track Drive.

**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)

6. **Citywide Vertical Construction Services Job Order Contract Modification – Approved on Consent.**  
**Request:** Adopt **Resolution No. 10378** authorizing Contract No. 2013-039-COS-A5 with Balfour Beatty Construction, LLC, for the fourth option year of the Citywide vertical construction services job order contract.  
**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
7. **National Cutting Horse Association Western National Championship Event Bid Support – Approved on Consent.**  
**Request:** Adopt **Resolution No. 10373** authorizing City support for the WestWorld bid to host the 2017 and 2018 National Cutting Horse Association Western National Championship Event, including reasonably necessary revenue services, and no more than \$60,000 in direct dollar bed tax event funding, if WestWorld is chosen to host this event.  
**Staff Contact(s):** Brian Dygert, WestWorld General Manager, 480-312-6825, [bdygert@scottsdaleaz.gov](mailto:bdygert@scottsdaleaz.gov); Karen Churchard, Tourism and Events Director, 480-312-2890, [kchurchard@scottsdaleaz.gov](mailto:kchurchard@scottsdaleaz.gov)
8. **Chaparral Pool Thermal Pool Covers Grant Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 10375** authorizing Agreement No. 2016-035-COS with the Tourism and Sports Authority, d/b/a The Arizona Sports and Tourism Authority, to accept a reimbursement grant in the amount of approximately \$27,000 to cover 47% of the cost of thermal pool covers at Chaparral Pool.  
**Staff Contact(s):** William Murphy, Community Services Director, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)
9. **Wastewater Treatment and Capacity Agreement – Councilwoman Milhaven made a motion to adopt Resolution No. 10367 authorizing Agreement No. 1996-058-COS-A1 with Liberty Utilities. Councilmember Korte seconded the motion, which carried 7/0.**  
**Request:** Adopt **Resolution No. 10367** authorizing Agreement No. 1996-058-COS-A1 with Liberty Utilities to accept and treat wastewater from within the service area of the Black Mountain Sewer Corporation.  
**Staff Contact(s):** David Petty, Acting Water Resources Director, 480-312-5683, [dpetty@scottsdaleaz.gov](mailto:dpetty@scottsdaleaz.gov)
10. **Notice of Intention to Increase Water and Wastewater Rates and Fees – 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 2016/17, and establish May 17, 2016, as the date for a public hearing.  
**Staff Contact(s):** David Petty, Acting Water Resources Director, 480-312-5683, [dpetty@scottsdaleaz.gov](mailto:dpetty@scottsdaleaz.gov)
11. **Monthly Financial Report – Approved on Consent.**  
**Request:** Accept the FY 2015/16 Monthly Financial Report as of January 2016.  
**Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)

## **REGULAR AGENDA**      **ITEMS 12-13**

**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.**

### **12. Special Events Ordinance**

**Requests:**

1. Adopt **Ordinance No. 4242** adding Articles I through VI to Chapter 22 of the Scottsdale Revised Code pertaining to events and amending Chapter 47, Article IV, Division 1 of the Scottsdale Revised Code pertaining to use of right-of-way.
2. Adopt **Resolution No. 10381** to:
  - a. Declare the document entitled "Addition of Articles I through VI to Chapter 22 of the Scottsdale Revised Code and Amendments to Chapter 47, Article IV, Division 1 of the Scottsdale Revised Code" to be a public record.
  - b. Direct the Planning Commission to hold a public hearing and make a recommendation to the City Council on the proposed repeal of the special events provisions from the Zoning Ordinance.

**Presenter(s):** Karen Churchard, Tourism and Events Director

**Staff Contact(s):** Brent Stockwell, Assistant City Manager, 480-312-7288,

[bstockwell@scottsdaleaz.gov](mailto:bstockwell@scottsdaleaz.gov); Karen Churchard, Tourism and Events Director, 480-312-2890,

[kchurchard@scottsdaleaz.gov](mailto:kchurchard@scottsdaleaz.gov)

**– Tourism and Events Director Karen Churchard presentation.**

**– Mayor Lane made a motion to adopt Ordinance No. 4242 adding Articles I through VI to Chapter 22 of the Scottsdale Revised Code pertaining to events, and amending Chapter 47, Article IV, Division 1 of the Scottsdale Revised Code pertaining to use of right-of-way. Councilmember Korte seconded the motion. No vote taken.**

**– Vice Mayor Smith made an alternate motion to adopt Ordinance No. 4242 and Resolution No. 10381 with the following modifications: (1) Any time the word "event" is used add the adjective "special" in front of it; (2) amend Section 22-7(a) to read, "An event shall not occur more than 10 consecutive days or 24 days during the calendar year, and, of the 24 calendar days per year, no more than 10 total days in any calendar quarter, unless otherwise provided by this Chapter"; and (3) amend Section 22-7(b) to read, "An art-related event shall not be approved by the event administrator in the area of Downtown Scottsdale, as defined in the Downtown Character Area Plan, if it conflicts with a scheduled Thursday night ArtWalk." Councilwoman Klapp seconded the motion, which carried 6/1, with Councilwoman Milhaven dissenting.**

**– Councilmember Korte made an amended motion to the alternate motion that Section 22-7(a) remain "An event shall not occur more than 10 consecutive or 24 total days during the period of January 1 through March 31, and no more than 30 consecutive days or 48 total days during the calendar year unless otherwise provided in this Chapter." The motion died for lack of a second.**

### **13. Monthly Financial Update – City Treasurer Jeff Nichols presentation.**

**Request:** Receive, discuss, and provide possible direction on the City Treasurer's monthly financial presentation as of February 2016.

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

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

**Public Comment – None**

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## **CITIZEN PETITIONS**

### **ITEM 14**

**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.

**14. 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 – Councilman Phillips made a motion to direct staff to come back to Council with a resolution that we only use our public safety chaplains to do the City invocations. The motion died for lack of a second.**

**Adjournment – 8:28 P.M.**