

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

Monday, January 8, 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 (January 23, 2018).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:05 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 – Cub Scout Troop 344

Invocation – Pastor Joel Sancavidge, Scottsdale Bible Church

Mayor's Report – Mayor Lane noted the passing of Bill Mack, a member of the Scottsdale Charros and active community member.

Presentations/Information Updates – Brian Biesemeyer, Scottsdale Water Director; Joel Fisher, Itron; Patricia McLaughlin, Arizona Public Service and Kathleen Prendergast presentation.

- **APS Peak Solutions Rebate**

Presenter(s): Joel Fisher, Itron; Patricia McLaughlin, Arizona Public Service; Kathleen Prendergast, Pinnaclewest

Public Comment – Sandra Schenkat commented on the Experience Scottsdale visitor guide. Stanley Bronstein expressed concern about locating the Desert Discovery Center (Desert Edge) near Taliesin West. Don Chiappetti reported on the February 10, 2018 Parada del Sol, and challenged City departments to submit entries for the parade. Dan Semenchuk presented three citizen petitions requesting: 1) Action against the Marshall Way Entry Feature (15-DR-2017), including not spending more time and money on the project; 2) decommissioning the City's public art installation "Swale"; and 3) decommissioning "Scottsdale Public Art" and restoring the decision-making process for the City's public art to Scottsdale citizens.



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

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."**

MINUTES

Request: Approve the [Special Meeting Minutes of November 28, 2017](#), [December 4, 2017](#), and [December 5, 2017](#); [Regular Meeting Minutes of November 28, 2017](#), and [December 5, 2017](#); [General Plan Amendment Meeting Minutes of December 4, 2017](#); and Executive Session Minutes of December 4, 2017, and December 5, 2017.

– Vice Mayor Korte made a motion to approve the Special Meeting Minutes of November 28, 2017, December 4, 2017, and December 5, 2017; Regular Meeting Minutes of November 28, 2017, and December 5, 2017; General Plan Amendment Meeting Minutes of December 4, 2017; and Executive Session Minutes of December 4, 2017, and December 5, 2017. Councilwoman Littlefield seconded the motion, which carried 7/0.

CONSENT AGENDA ITEMS 1-20

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 20, absent Item 18, which was moved to the Regular Agenda, and changing the date of continuance on Item 11 to February 13, 2018. Councilwoman Littlefield seconded the motion, which carried 7/0.

1. [Blu Burger Grille Liquor License \(91-LL-2017\)](#) – **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: 32409 N. Scottsdale Road, Suite 109

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

2. [Caribbean Palm Restaurant and Bar Liquor License \(93-LL-2017\)](#) – **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: 1334 N. Scottsdale Road

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

3. **Killer Burger Liquor License (94-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: 6953 N. Hayden Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
4. **Denny's No. 6476 Liquor License (95-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: 7605 E. McDowell Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
5. **Qwik Chinese Bistro Liquor License (96-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: 9030 E. Via Linda, Suite 100
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
6. **Sip Coffee and Beer Kitchen Liquor License (97-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: 7306 E. Shea Boulevard
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
7. **Oak & Steel Fine Wines, LLC Liquor License (98-LL-2017) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 4 (wholesaler) State liquor license for an existing location with a new owner.
Location: 26520 N. Alma School Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
8. **Fry's Marketplace No. 125 Liquor License (99-LL-2017) – 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.
Location: 10450 N. 90th Street
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
9. **Tallyho Cocktail Lounge Liquor License (100-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: 8479 E. McDonald Drive
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
10. **Hampton Inn & Suites No. 154 Liquor License (102-LL-2017) – 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 a new location and owner.
Location: 10101 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

11. **Storyrock Abandonment (4-AB-2017) – Approved on Consent (date of continuance changed to February 13, 2018).**
Request: At the request of the applicant, continue to January 23, 2018.
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
12. **2009 Downtown Plan Update – Approved on Consent.**
Request: Initiate a Non-Major General Plan Amendment to update the 2009 Downtown Plan.
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
13. **Watershed Planning Grant – Approved on Consent.**
Request: Adopt **Resolution No. 10978** to authorize:
 1. Acceptance of a Watershed Planning Program Grant from the Arizona Department of Environmental Quality in the amount of \$44,407.31 to develop the initial phases of establishing a regional alternative stormwater guidance handbook.
 2. A budget transfer in the amount of \$44,407 from the adopted FY 2017/18 Future Grants and/or Grant Contingency budget to a newly created operating cost center to record the related grant activity.
 3. The Office of Environmental Initiatives Manager, as an agent of the City, to act as necessary to accept and administer the grant.**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
14. **Advanced Traffic Signal Control Cabinets Phase II Budget Transfer – Approved on Consent.**
Request: Adopt **Resolution No. 10989** authorizing a FY 2017/18 Grants Capital Contingency Budget Appropriation transfer in the amount of \$770,400 to a newly created Capital Improvement Project to be titled Advanced Traffic Signal Control Cabinets Phase II, and to be funded by a federal grant from Congestion Mitigation and Air Quality (\$678,960) and the Capital Transportation Sales Tax (\$91,440).
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
15. **Arizona Public Service Photovoltaic Systems Revocable License Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10916** authorizing Agreement No. 2017-149-COS with Arizona Public Service Company (APS) for the continued installation and operation of APS photovoltaic systems at the North Corporation Yard and Scottsdale Water Campus.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
16. **Salt River Project Outdoor Dining Land Use License Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10991** authorizing Agreement No. 2018-004-COS with Salt River Project Agricultural Improvement and Power District for an existing patio area.
Location: 7134 E. Camelback Road, Suite 200
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
17. **Scottsdale Culinary Festival – Approved on Consent.**
Request: Adopt **Resolution No. 10996** to authorize:
 1. Funding not to exceed \$75,000 per year, beginning in FY 2017/18 for three years, from the portion of the Tourism Development Fund that is allocated toward event retention and development for the Scottsdale Culinary Festival.
 2. A one-time waiver of the program qualification criteria, adopted by Resolution No. 10870, that to receive multi-year community event funding the event must exceed forty years in Scottsdale.
 3. New Event Funding Agreement No. 2018-009-COS with Scottsdale League for the Arts for a three-year term.**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov

18. [Hardcover Pictorial Cityscape Book](#) – Vice Mayor Korte made a motion to approve Item 18. Councilwoman Littlefield seconded the motion, which carried 6/1, with Councilman Smith dissenting.
Request: Adopt Resolution No. 10999 authorizing Contract No. 2018-014-COS with Lammert, Inc., dba HPN Books, for the publication of a hardcover pictorial cityscape book on the City of Scottsdale.
Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov; Kelly Corsette, Communications and Public Affairs Director, 480-312-2336, kcorsette@scottsdaleaz.gov
19. [Monthly Financial Report](#) – Approved on Consent.
Request: Accept the FY 2017/18 Monthly Financial Report as of October 2017.
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov
20. [Monthly Financial Report](#) – Approved on Consent.
Request: Accept the FY 2016/17 Monthly Financial Report as of June 2017 (fiscal year-end).
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

REGULAR AGENDA ITEMS 21-22

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.**

21. [Statewide Nondiscrimination Statute](#)
Request: Approve a letter to the Arizona State Legislature expressing support for an update to Arizona's nondiscrimination statute to be inclusive of sexual orientation and gender identity. This item was added to the agenda at the request of Mayor Lane; Vice Mayor Korte; and Councilmembers Klapp, Littlefield, Milhaven, Phillips, and Smith.
Presenter(s): Brad Lundahl, Government Relations Director
Staff Contact(s): Jim Thompson, City Manager, 480-312-2811, jthompson@scottsdaleaz.gov
– Government Relations Director Brad Lundahl presentation.
– Vice Mayor Korte made a motion to approve a letter to the Arizona State Legislature expressing support for an update to Arizona's nondiscrimination statute to be inclusive of sexual orientation and gender identity. Councilwoman Milhaven seconded the motion, which carried 6/1, with Councilman Phillips dissenting.
22. [Scottsdale's Response to Opioid Crisis](#)
Request: Presentation, discussion, and possible direction to staff regarding opioid/drug issues in the City, including the implications of the Governor's declaration of a public health emergency, and the adequacy of the City's response to address the issue, as well as possible interventions and solutions.
Presenter(s): Thomas Shannon, Fire Chief; Alan Rodbell, Chief of Police; Bill Murphy, Community Services Director
Staff Contact(s): Thomas Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov
– Presentations by Chief of Police Alan Rodbell, Fire Chief Tom Shannon, and Community Services Director Bill Murphy.

Public Comment – None

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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 23

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.

23. **Receipt of Citizen Petitions – The Council accepted the petitions submitted by Dan Semenchuk requesting: 1) Action against the Marshall Way Entry Feature (15-DR-2017), including not spending more time and money on the project; 2) decommissioning the City's public art installation "Swale"; and 3) decommissioning "Scottsdale Public Art" and restoring the decision-making process for the City's public art to Scottsdale citizens. No action was taken on the 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

MAYOR AND COUNCIL

ITEMS 24-25

24. [Initiate City Council Review of the Development Review Board's December 7, 2017, Decision Regarding 15-DR02017 \(Marshall Way Entry Feature\)](#)

Request: At the request of Vice Mayor Korte, consider whether to initiate a formal City Council review of the Development Review Board's December 7, 2017, decision, which denied approval of the site plan for the location of the Marshall Way entry feature and lighting near the northwest corner of East Indian School Road and North Marshall Way.

– Vice Mayor Korte made a motion to initiate a formal City Council review of the Development Review Board's December 7, 2017, decision, which denied approval of the site plan for the location of the Marshall Way entry feature and lighting near the northwest corner of East Indian School Road and North Marshall Way. Councilman Smith seconded the motion, which carried 6/1, with Councilwoman Littlefield dissenting.

Note: The only Council action to be taken on Item No. 24 is a decision on whether to initiate a formal City Council review of the Development Review Board's December 7, 2017, decision regarding 15-DR-2017 (Marshall Way Entry Feature), which would then be scheduled for a future Council meeting. Therefore, no public comment will be taken at this time.

Councilman Phillips made a motion to direct the City Manager to look into the numerous complaints that the City has received regarding the rental bikes that have been placed around the City and to report back to the Council at a council meeting ASAP on possible solutions, including giving consideration to voluntary reduction in numbers by the bike rental companies and regulatory action and enforcement by the City. Mayor Lane seconded the motion, which carried 5/2, with Vice Mayor Korte and Councilwoman Milhaven dissenting.

25. Boards, Commissions, and Task Force Nominations (Note: Interviews and appointments scheduled for January 23, 2018)

How the Board and Commission Nomination Process Works: The Council will review applications submitted for the board and commission openings under consideration. From this applicant pool, the Council will select nominees for further consideration. While welcome to attend, applicants will be contacted if nominated and do not need to be present at the meeting to be considered for nomination.

Airport Advisory Commission (*one vacancy*) – **Councilman Smith nominated Elizabeth Kaplan and Councilman Phillips nominated Michael Gonzalez.**

Board of Adjustment (*one vacancy*) – **Councilman Phillips nominated Gary Donahoe.**

Building Advisory Board of Appeals (*one vacancy*) – **No nominations**

Environmental Quality Advisory Board (*one vacancy*) – **Councilwoman Littlefield nominated Natalie Lazarr, Councilwoman Klapp nominated Stephanie Clark, Mayor Lane nominated Anthony Coletta, and Councilman Smith nominated David Abranovic.**

Historic Preservation Commission (*one archaeologist vacancy*) – **Councilwoman Milhaven nominated Ben Brosseau.**

Judicial Appointment Advisory Board (*one citizen vacancy*) – **Councilwoman Klapp nominated Stanley Morganstern.**

Adjournment – 7:15 P.M.