

**SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, FEBRUARY 3, 2015**



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

CALL TO ORDER

Mayor W.J. "Jim" Lane called to order the Regular Meeting of the Scottsdale City Council at 5:04 P.M. on Tuesday, February 3, 2015, in the City Hall Kiva.

ROLL CALL

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

Also Present: City Manager Fritz Behring
City Attorney Bruce Washburn
City Treasurer Jeff Nichols
City Auditor Sharron Walker
City Clerk Carolyn Jagger

PLEDGE OF ALLEGIANCE – Junior Girl Scout Troop 1283, Troop Leaders Shelly Bream, Chamise Broucek, and Karen Treon

INVOCATION – Chaplain Ben Skelton, Pinnacle Church

MAYOR'S REPORT

Mayor Lane thanked the Arabian Horse Association of Arizona for their financial contribution to the City.

Mayor Lane read a proclamation in honor of the Hashknife Pony Express and Parada del Sol Parade and Rodeo. The Mayor proclaimed February 2015 as Parada del Sol Month and every Wednesday in February as Western Wednesday.

PRESENTATION/INFORMATION UPDATES

Human Services Specialist Daniel Morgan and Scottsdale Mayor's Youth Council President Preston Wylie provided an update on the Scottsdale Mayor's Youth Council activities.

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.

PUBLIC COMMENT

- Darlene Petersen commented on the Parada del Sol Parade route.
- Scott Calev expressed concern about the City's pollution and noise levels.
- Karen Treon, representing Yes to Children, thanked the voters for supporting the Scottsdale Public School override.
- Ryan McDonald submitted a citizen's petition (attached) asking the Council to direct staff to draft an ordinance to prohibit the erection, construction or placement of any new cell towers (Type 1 or Type 2 antennas) within any Scottsdale City park or K-12 school.
- Nancy Cantor commented on the permitting process associated with recent Super Bowl events.

MINUTES

Request: Approve the Regular Meeting Minutes of January 6, 2015 and January 13, 2015.

MOTION AND VOTE – MINUTES

Councilmember Korte made a motion to approve the Regular Meeting Minutes of January 6, 2015 and January 13, 2015. Councilman Phillips seconded the motion, which carried 7/0.

CONSENT AGENDA

- 1. Goldwater Brewing Co. Liquor License (137-LL-2014)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a person transfer of a Series 7 (beer and wine bar) State liquor license for an existing location and owner, new license series.
Location: 3608 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-2410, tcurtis@scottsdaleaz.gov
- 2. Copperleaf Gastro Lounge Liquor License (138-LL-2014)**
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: 4225 N. Craftsman Court
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-2410, tcurtis@scottsdaleaz.gov
- 3. Blu Sushi Lounge & Grill Liquor License (139-LL-2014)**
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: 23233 N. Pima Road, Suite G101
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-2410, tcurtis@scottsdaleaz.gov

- 4. Fairmont Scottsdale Liquor License (140-LL-2014)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an agent and acquisition of control change for an existing Series 6 (bar) State liquor license.
Location: 7575 E. Princess Drive
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-2410, tcurtis@scottsdaleaz.gov
- 5. Chaparral Suites Hotel Liquor License (141-LL-2014)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 11 (hotel/motel) State liquor license for an existing location with a new owner.
Location: 5001 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-2410, tcurtis@scottsdaleaz.gov
- 6. Granada Shop Liquor License (142-LL-2014)**
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 an existing location with a new owner.
Location: 5001 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-2410, tcurtis@scottsdaleaz.gov
- 7. DC Ranch 2.3C Final Plat (7-PP-2012#2)**
Request: Approve the final plat for a partial re-plat of a 15-lot townhouse subdivision on a 5.3-acre extension to the existing DC Ranch subdivision, zoned Single-Family Residential District, Planned Community District (R1-7, PCD).
Location: Northeast corner of N. Pima Road and E. Sierra Pinta Drive
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
- 8. Arcadia Ridge Final Plat (1-PP-2014)**
Request: Approve the final plat for a residential subdivision consisting of eight lots and three tracts on 2.15 acres, zoned Single-Family Residential District (R1-7).
Location: 6140 E. Osborn Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
- 9. Citywide General Landscape Construction Services Job Order Contracts**
Request: Adopt **Resolution No. 9996** authorizing the following construction services job order contracts for Citywide general landscape services:
1. Contract No. 2015-004-COS with Valley Rain Construction Corporation
2. Contract No. 2015-005-COS with DBA Construction, Inc.
Staff Contact(s): Daniel Worth, Public Works Executive Director, 480-312-5555, dworth@scottsdaleaz.gov

10. Granite Reef Watershed Improvements Intergovernmental Agreement

Request: Adopt **Resolution No. 10005** authorizing Intergovernmental Agreement No. 2015-019-COS with the Flood Control District of Maricopa County in the amount of \$3,500,000, of which the City's share is estimated at \$1,750,000, for right-of-way acquisition and design of the Granite Reef Watershed Drainage Improvements Project.
Staff Contact(s): Daniel Worth, Public Works Executive Director, 480-312-5555, dworth@scottsdaleaz.gov

11. Arizona Bike Week WestWorld Event Agreement

Item 11 was moved to the Regular Agenda at the request of Councilman Smith (see Page 6).

12. Parada del Sol Rodeo WestWorld Event Agreement

Request: Adopt **Resolution No. 9917** authorizing Contract No. 2015-014-COS with Parada del Sol, Inc., to produce the Parada del Sol Rodeo at the WestWorld facility.
Staff Contact(s): Paul Katsenes, Tourism and Events Director, 480-312-2890, pkatsenes@scottsdaleaz.gov

13. Scottsdale Professional Rodeo Cowboys Association Champions Challenge Event

Request: Adopt **Resolution No. 10020** to authorize:

1. Funding, not to exceed \$75,000 from the City portion of bed tax allocated towards one-time use for capital projects; events and event development; or administration and research for the Scottsdale Professional Rodeo Cowboys Association Champions Challenge.
2. New Event Funding Agreement No. 2015-042-COS with Parada del Sol, Inc.

Staff Contact(s): Paul Katsenes, Tourism and Events Director, 480-312-2890, pkatsenes@scottsdaleaz.gov

14. GeoSuite Software Intergovernmental Agreement

Request: Adopt **Resolution No. 10010** authorizing Intergovernmental Agreement No. 2015-021-COS with the City of Phoenix to share law enforcement data through the GeoSuite software platform.

Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov

15. Fire Department Pre-Employment Medical Exams Intergovernmental Agreement

Request: Adopt **Resolution No. 10021** authorizing Intergovernmental Agreement No. 2015-043-COS with the City of Phoenix for Fire Department pre-employment medical exams.

Staff Contact(s): Thomas Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

16. Ambulance Contract Extension

Request: Adopt **Resolution No. 10013** authorizing Contract No. 2005-162-COS-A5, an amendment to the ambulance contract with Professional Medical Transport, Inc., for a two-year extension from February 17, 2015 to February 16, 2017, and amending certain other provisions of the contract.

Staff Contact(s): Thomas Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

17. Federal Transit Administrative Grant Intergovernmental Agreement

Request: Adopt **Resolution No. 9999** to authorize:

1. Intergovernmental Agreement No. 2015-009-COS with the City of Phoenix to accept pass-through Federal Transit Administration AZ-90-X131 grant funds in the amount of \$285,307, with a local match amount of \$71,327, which is included in the FY 2014/15 service contract budget, for preventative maintenance on City-owned transit vehicles.
2. A budget transfer in the amount of \$285,307 from the adopted FY 2014/15 Future Grants Budget and/or the Grant Contingency Budget and the creation of a new cost center to record the related grant activities.

Staff Contact(s): Paul Basha, Transportation Director, 480-312-7651,
pbasha@scottsdaleaz.gov

18. Rental Credit for Aircraft Parking

Request: Adopt **Resolution No. 10009** authorizing a one-month rental credit to all City-owned hangers, shades, and tie downs at the Scottsdale Airport due to Super Bowl 2015 impacts.

Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735,
gmascaro@scottsdaleaz.gov

19. Legal Services Contracts

Request: Adopt **Resolution No. 10011** authorizing the following legal services contracts to provide outside legal services when necessary:

1. Contract No. 2015-022-COS with the law firm of Broening, Oberg, Woods & Wilson, P.C.
2. Contract No. 2015-023-COS with the law firm of Dickinson Wright PLLC
3. Contract No. 2015-024-COS with the law firm of Gust Rosenfeld
4. Contract No. 2015-025-COS with the law firm of Jones Skelton & Hochuli PLC
5. Contract No. 2015-026-COS with the law firm of Righi Law Group
6. Contract No. 2015-027-COS with the law firm of Holloway Odegard & Kelly PC
7. Contract No. 2015-028-COS with the law firm of Sanders & Parks
8. Contract No. 2015-029-COS with the law firm of Jardine, Baker, Hickman & Houston
9. Contract No. 2015-030-COS with The Herzog Law Firm, P.C.
10. Contract No. 2015-031-COS with The Law Offices of Robert S. Murphy, LLC
11. Contract No. 2015-032-COS with the law firm of Udall Shumway
12. Contract No. 2015-033-COS with the law firm of Klein Doherty Lundmark Baberich & Lamont, PC
13. Contract No. 2015-034-COS with the law firm of Ryley Carlock & Applewhite
14. Contract No. 2015-035-COS with the law firm of Struck Wieneke & Love PLC
15. Contract No. 2015-036-COS with the law firm of Osborn Maledon PA
16. Contract No. 2015-037-COS with the law firm of Renaud Cook Drury Mesaros PA

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

20. Council Committee and Subcommittee Appointments

Request: Confirm Mayor Lane's City Council committee and subcommittee appointments for the Audit Committee, Economic Development Subcommittee, and WestWorld Subcommittee, as follows:

1. Audit Committee – Councilmembers Klapp, Korte, and Littlefield
2. Economic Development Subcommittee – Mayor Lane, Vice Mayor Milhaven, and Councilman Smith
3. WestWorld Subcommittee – Mayor Lane and Councilmembers Klapp and Phillips

Staff Contact(s): Rachel Smetana, Mayor's Chief of Staff, 480-312-7806,
rsmetana@scottsdaleaz.gov

21. General Obligation Refunding Bond Issuance

Request: Adopt **Resolution No. 10023** approving the sale of City of Scottsdale General Obligation Refunding Bonds, Series 2015, in an aggregate amount not to exceed \$165 million, and authorizing the negotiation, execution, and delivery of certain agreements by the City Treasurer.

Staff Contact(s): Jeff Nichols, City Treasurer, 480-312-2364, jenichols@scottsdaleaz.gov

22. Municipal Property Corporation Refunding Bond Issuance

Request: Adopt **Resolution No. 10024** approving the sale of City of Scottsdale Municipal Property Corporation Refunding Bonds, Series 2015, in an aggregate amount not to exceed \$125 million, and authorizing the negotiation, execution, and delivery of certain agreements by the City Treasurer.

Staff Contact(s): Jeff Nichols, City Treasurer, 480-312-2364, jenichols@scottsdaleaz.gov

23. Monthly Financial Report

Request: Accept the FY 2014/15 Monthly Financial Report as of November 2014.

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

MOTION AND VOTE – CONSENT AGENDA

Vice Mayor Milhaven made a motion to approve Consent items 1 through 23, absent Item 11, which was moved to the Regular Agenda. Councilmember Korte seconded the motion, which carried 7/0.

REGULAR AGENDA

11. Arizona Bike Week WestWorld Event Agreement

Request: Adopt **Resolution No. 9950** authorizing Contract No. 2015-013-COS with FX Promotions, Inc., to produce the Arizona Bike Week event at the WestWorld facility during the years 2015 through 2017.

Staff Contact(s): Paul Katsenes, Tourism and Events Director, 480-312-2890, pkatsenes@scottsdaleaz.gov

Tourism and Events Director Paul Katsenes gave a presentation on the proposed Arizona Bike Week event agreement.

MOTION AND VOTE – ITEM 11

Vice Mayor Milhaven made a motion to adopt Resolution No. 9950 authorizing Contract No. 2015-013-COS with FX Promotions, Inc. Councilmember Korte seconded the motion, which carried 5/2, with Councilmembers Littlefield and Smith dissenting.

24. All Balls Liquor License (136-LL-2014)

Request: Consider forwarding a recommendation of disapproval to the Arizona Department of Liquor Licenses and Control for a person transfer of a Series 6 (bar) State liquor license for a new location and owner.

Location: 2040 N. Scottsdale Road

Presenter(s): Tim Curtis, Current Planning Director

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-2410, tcurtis@scottsdaleaz.gov

Current Planning Director Tim Curtis gave a PowerPoint presentation (attached) on the liquor license application and conditional use permit criteria.

Applicant Elliott Glasser responded to questions regarding his application.

MOTION AND VOTE – ITEM 24

Councilman Smith made a motion to forward a recommendation of disapproval to the Arizona Department of Liquor Licenses and Control. Councilmember Korte seconded the motion, which carried 7/0.

25. Public Parking Structure and Restrooms Lease and Option Agreement

Request: Adopt **Resolution No. 9941** authorizing Lease and Option Agreement No. 2014-179-COS with Equity Partners Group, LLC, for the construction and operation of a public parking structure and restrooms on City property.

Location: South of Stetson Drive, between Wells Fargo Avenue and Civic Center Plaza, and north and south of 6th Avenue, between Wells Fargo Avenue and Civic Center Plaza.

Presenter(s): Daniel Worth, Public Works Executive Director

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

Public Works Director Dan Worth gave a PowerPoint presentation (attached) on the proposed lease option agreement and staff's efforts to improve parking in the downtown area.

MOTION AND VOTE – ITEM 25

Vice Mayor Milhaven made a motion to move forward with Option C (continue pending results of parking study). Councilwoman Klapp seconded the motion, which carried 7/0.

26. Drought Management Plan Code Amendment

Requests:

1. Adopt **Resolution No. 10025** declaring the document entitled "Drought Management Plan (2015-2019)" to be a public record.
2. Adopt **Ordinance No. 4189** amending portions of the Scottsdale Revised Code, Chapter 49, Article VII, Division II, Sections 49-255, 49-256, and 49-259(D).
3. Adopt **Ordinance No. 4190** establishing fines and penalties for violations of certain provisions of the Scottsdale Revised Code, Chapter 49, Waters, Sewers, and Sewer Disposal.

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 gave a PowerPoint presentation (attached) on the proposed drought management plan code amendment.

MOTION AND VOTE – ITEM 26

Councilwoman Klapp made a motion to adopt Resolution No. 10025 and Ordinance Nos. 4189 and 4190. Councilwoman Littlefield seconded the motion, which carried 7/0.

MAYOR AND COUNCIL

27. **Boards, Commissions, and Task Force Nominations (Note: Interviews and appointments scheduled for February 17, 2015)**

Airport Advisory Commission (*one vacancy*) – Councilman Phillips nominated Robert Hobbi.

Board of Adjustment (*one vacancy*) – Councilman Smith nominated Gary Donahoe, Councilmember Korte nominated Terry Mika, Councilwoman Klapp nominated Greg Mona.

Building Advisory Board of Appeals (*three vacancies*) – Councilmember Korte nominated Warren Neiman.

Environmental Quality Advisory Board (*one vacancy*) – Mayor Lane nominated Aliza Sabin, Councilwoman Klapp nominated Bruce Travers.

Historic Preservation Commission (*two vacancies*) – Councilwoman Klapp nominated John Bamberl and Mark Hackbarth, Councilmember Korte nominated Laura Delahanty.

Human Relations Commission (*two vacancies*) – Vice Mayor Milhaven nominated Ricoh Danielson and Allen Reed, Councilwoman Klapp nominated Lonny Ruben.

Judicial Appointments Advisory Board (*one Scottsdale citizen member vacancy*) – Councilwoman Littlefield nominated Allen Reed, Councilman Smith nominated Bill Crawford, Councilmember Korte nominated Stanley Morganstern.

Loss Trust Fund Board (*three vacancies*) – Councilman Phillips nominated Jim Stabilito.

McDowell Sonoran Preserve Commission (*two vacancies*) – Councilman Smith nominated Con Englehorn and Robert Frost.

Parks and Recreation Commission (*one vacancy*) – Councilmember Korte nominated Todd Davis, Councilwoman Klapp nominated Alper Adli, Councilwoman Littlefield nominated Paul Jasa, Councilman Phillips nominated Miguel Medrano.

Personnel Board (*one vacancy*) – Mayor Lane nominated Eddie Smith, Councilwoman Klapp nominated Christopher McDermott, Vice Mayor Milhaven nominated Gary Donahoe.

Tourism Development Commission (*one Hotelier vacancy*) – Councilwoman Klapp nominated David Scholefield .

PUBLIC COMMENT – None

CITIZEN PETITIONS

28. 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

MOTION AND VOTE – CITIZEN PETITION

Councilman Phillips made a motion to direct the City Manager to investigate the petition submitted by Ryan McDonald asking the Council to direct staff to draft an ordinance to prohibit the erection, construction or placement of any new cell towers (Type 1 or Type 2 antennas) within any Scottsdale City park or K-12 school, and prepare a written response to the Council, with a copy to the petitioner. Councilwoman Littlefield seconded the motion which carried 4/3, with Mayor Lane and Councilmembers Klapp and Korte dissenting.

MAYOR AND COUNCIL ITEMS

ADJOURNMENT

The Regular City Council Meeting adjourned at 7:45 P.M.

SUBMITTED BY:



Carolyn Jagger
City Clerk


Officially approved by the City Council on March 3, 2015

C E R T I F I C A T E

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 3rd day of February 2015.

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

DATED this 3rd day of March 2015.



Carolyn Jagger, City Clerk

Item 24

136-LL-2014

Request:

**City Council recommendation to the State for
a Series 6 (bar) liquor license at 2040 N.
Scottsdale Rd.**

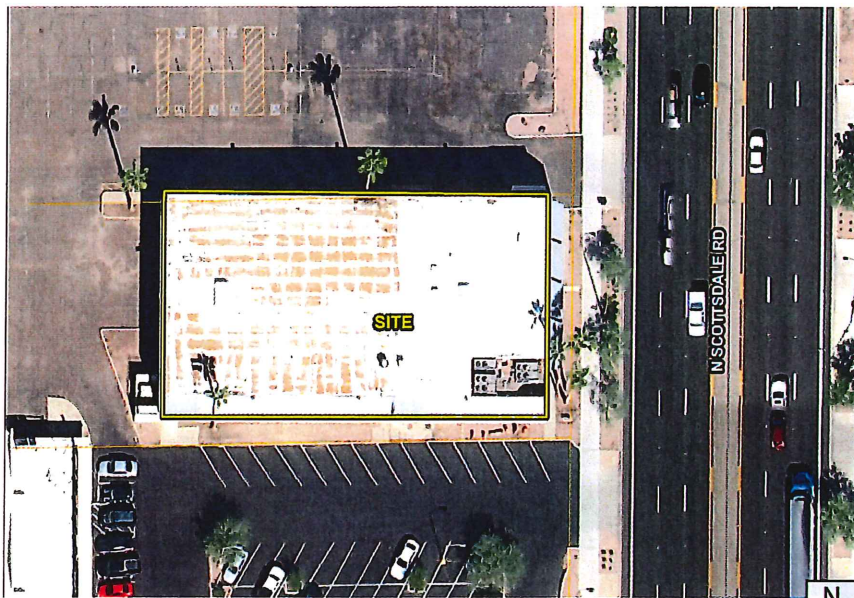
(Approval, Disapproval, No Recommendation)



CONTEXT AERIAL

136-LL-2014





CLOSE AERIAL

136-LL-2014



136-LL-2014

Issues:

- Establishment is designed and intended to operate as a bar
- The C-3 Zoning District allows bars as a Conditional Use
- There is no Conditional Use Permit (CUP) for a bar at this location
- Applicant has declined to seek a CUP in support of this application
- A CUP provides the analysis for the City to determine compatibility
- 12 State Criteria for issuing license (best interest of community)
- History

136-LL-2014

History:

- 2003: Previous bar at this location closed
- 2004: City started requiring a CUP for all new bars
- 2004: City Council recommended disapproval to new bar liquor license because no associated CUP proposed
- 2007: City Council recommended disapproval to new bar liquor license because the associated CUP was incomplete
- No bar operations at this location since 2003

136-LL-2014

Staff Recommendation: Disapproval of the Series 6 (bar) liquor License based on the finding that the following State criteria currently have not been met.

- **Criterion #3:** Obtain all necessary permits.
- **Criterion #7:** Determine effect on vehicular traffic.
- **Criterion #8:** Determine compatibility within one mile.
- **Criterion #9:** Determine the effect or impact on the activities of businesses or the residential neighborhood that may be affected.
- **Criterion #11:** Compare the hours of operation of the proposed premises to the hours of operation of the existing businesses.

A CUP would determine if the characteristics of the proposed bar would meet the State criteria.

136-LL-2014

Next Steps:

- **The City Council's recommendation will be forwarded to the State for their consideration.**
- **If the Liquor License is approved by the State, a CUP will still be required prior to commencing bar operations.**

Item 25

Lease and Option Agreement

Stetson/6th Avenue Parking Lots



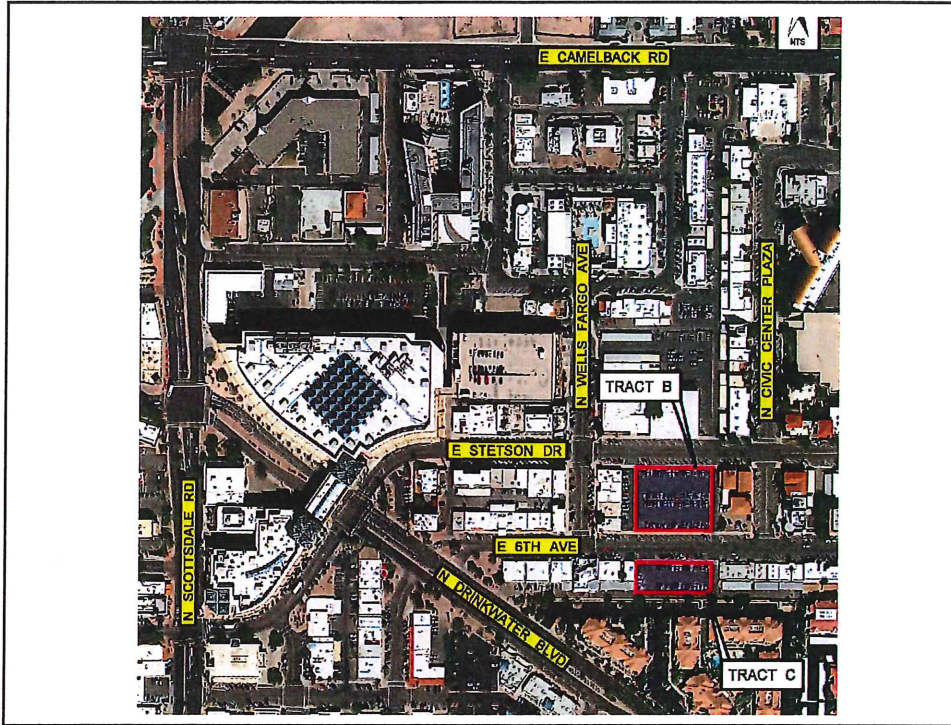
City Council

February 3, 2015

Purpose of Tonight's Request

Consider authorizing a Lease and Option agreement with Equity Partners Group, LLC for the construction of a public parking structure and public restroom facilities on two city parcels south of Stetson Drive in the northeast quadrant of downtown.





History

- Land originally deeded to city in 1959 (south parcel) and 1962 (north parcel)
- Zoned “Parking District 2, Downtown Overlay”
- RFP issued in October, 2012 for construction of parking structure and public restroom
 - No responses received
- Parking garage included in unsuccessful 2013 bond election (\$8.0M)
- New RFP reissued in 2014
 - 150 parking spaces minimum
 - Restroom optional
 - Minimum of \$100,000 option exercise amount



Response to 2014 RFP

- One response received from Equity Partners Group, LLC
- Respondent proposes:
 - 175 public parking spaces
 - Public restroom facility
 - Option exercise payment: \$100,000
- Respondent provided proper RFP deposit (\$100,000)
- Respondent provided proper affidavit
- Respondent provided signed *Lease and Option Agreement (LOA)*
- Additional development proposal material provided by respondent but is NOT considered part of response



Key Elements of LOA Agreement

- Key Performance Dates (keyed on approval date):
 - Term of agreement: 30 years
 - Commencement deadline: 18 months
 - Commencement of structure: 27 months
 - Open to public: 36 months
 - Final completion: 48 months (12 month extension possible)
- Security Deposit: \$100,000
- Construction security (LOC): \$250,000
- Rent Payments:
 - \$2,100/month for initial 48 months
 - \$6,300/month after completion deadline
(escalated at 10% annually thereafter)
- Option Exercise Payment: \$100,000



Other Business Points

- Lessee takes full risk of zoning and other entitlements
- Lessee maintains the existing parking lots until construction commences
- City retains a permanent easement for parking spaces
- City may regulate the parking spaces (e.g. time restrict)
- Lessee shall actively discourage tenant parking in public spaces with signs, fines or other methods
- All operation and maintenance of the facility (both public and private portions) is the responsibility of the lessee – city has not agreed to provide any operating costs



Downtown Parking Initiatives

- Short term
 - Increased 3-hour restrictions in 3rd Ave Garage
 - Early morning closure of Stetson surface lot
 - Galleria tenant shuttle from other garages
- Long term
 - Parking Study, 8-9 months
 - Will evaluate wide range of options: Other funding for a structure, parking districts, paid parking, etc



Possible Actions

- Option A: Approve the lease/option agreement
 - Effective immediately
 - Tenant begins entitlement process at their risk
- Option B: Disapprove the lease/option agreement
 - Continue with parking study
 - Similar lease/option arrangement may or may not be possible in future; may need a separate contracting process
- Option C: Continue pending results of parking study
 - Continue with parking study
 - Similar lease/option arrangement may or may not be possible in future; may need a separate contracting process



Questions/Discussion



Item 26

Scottsdale Drought Management Plan 2015-2019 Overview

*Brian K. Biesemeyer, PE
Water Resources Director
February 3, 2015*

What is a Drought Management Plan?

- A plan to help manage:
 - A water shortage that occurs when supply is reduced to a level that cannot support existing demands
 - An interruption of supply (due to natural or man made circumstances) that is outside the control of the city and may cause water shortages



Goal of the Drought Management Plan

The goal of Scottsdale's Drought Management Plan is to maintain the health, safety and economic well-being of the community to the maximum extent possible during an episode of reduced water supply availability.

Scottsdale's Drought Management Plan

- Current plan adopted by Council in 2003
- Revised plan designed to be reviewed at least every five years
- Revised plan links drought stages to responses and offers the flexibility to address diverse factors influencing supply and demand
- Elevates approval of the more severe stages of the plan to the City Council

Scottsdale's Revised Drought Management Plan

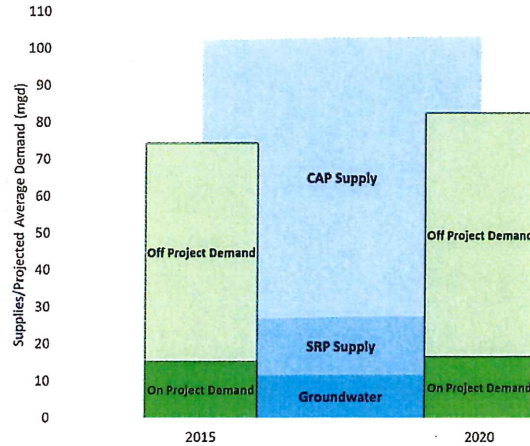
- Drought Management Plan (DMP) Sections
 - Supply and Demand
 - Drought Management Team
 - Stages and Responses

Supply and Demand

- Sources of Supply
 - Central Arizona Project (Colorado River)
 - 81,110 AF/year or 72.4 million gallons per day
 - Salt River Project (Salt and Verde Rivers)
 - 18,213 AF/year or 16.3 million gallons per day
 - Groundwater (Recharged/Sustainable Recovery)
 - 12,000 AF/year or 10.7 million gallons per day
- Demand
 - 2014 - 75,800 AF or 67.7 million gallons per day
 - 2013 – 76,400 AF or 68.2 million gallons per day

Forecast Supply in Relation to Demand

- Scottsdale has ample supplies to meet demands under current supply conditions



Drought Management Team

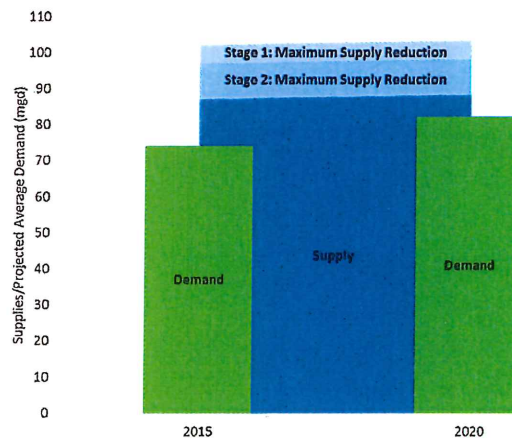
- Team's responsibilities include
 - Evaluate the severity of the drought and its impact on Scottsdale
 - Coordination and communication internally and externally
 - Recommend action to the City Manager
 - Oversight of the action plan and its effectiveness
- Team members
 - Water Resources Director (lead)
 - Water Resources staff
 - Communications staff
 - Legal staff
 - Community Services staff
 - Public Works staff



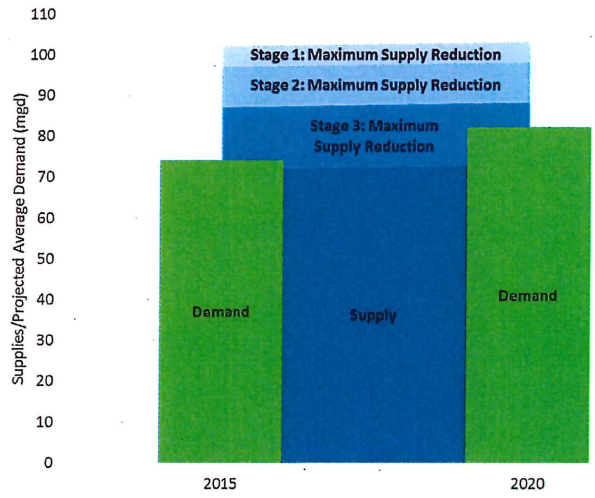
Drought Stages

- Depend on triggers and available supply
- Drought levels prompt increasing responses
 - Stage 1 – Minimum Water Shortage (0 – 5 mgd)
 - Stage 2 – Moderate Water Shortage (5 – 15 mgd)
 - Stage 3 – Severe Water Shortage (15 – 30 mgd)
 - Stage 4 – Critical Water Shortage (>30 mgd)
- Authority to declare and authorize drought levels
 - Stage 1: City Manager
 - Stages 2 - 4: City Council

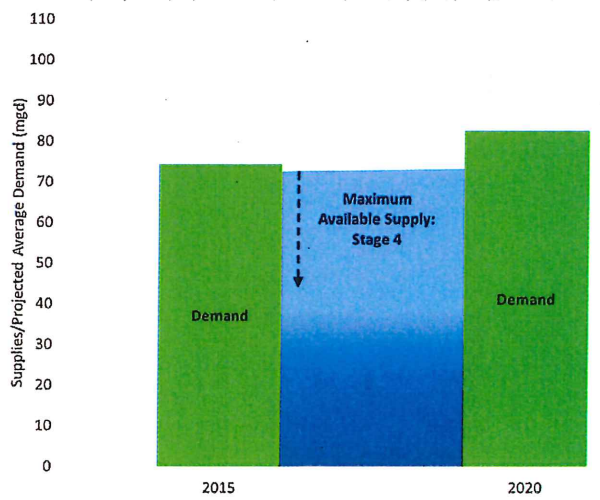
Stage 1 (Minimum) and Stage 2 (Moderate)



Stage 3 (Severe)



Stage 4 (Critical)



Drought Responses

- Public Outreach – Website updates, Council Announcements, Press Releases, etc.
- Supply-side Management-
 - The City has a substantial number of groundwater credits that can be used to offset reduced surface water allocations for a fixed period of time
- Demand-side Management
 - In stages 3 and 4, the City may impose water use restrictions.

Drought Responses – Demand Reductions

Stage	Water Shortage	Required Demand Reduction
1	Minimum	NA
2	Moderate	NA
3	Severe	Up to 11%
4	Critical	Up to 60%

Scottsdale's Drought Management Plan

The goal of the Drought Management Plan is to maintain the health, safety and economic well-being of the community to the maximum extent possible during an episode of reduced water supply availability.

Staff's Recommendation

Adopt Resolution No. 10025 and Ordinance No. 4189 amending the Drought Management Plan section of the City Water Conservation Code, which includes new and updated text, and Ordinance No. 4190, establishing fines and penalties for violations of certain provisions of Chapter 49, Scottsdale Revised Code.

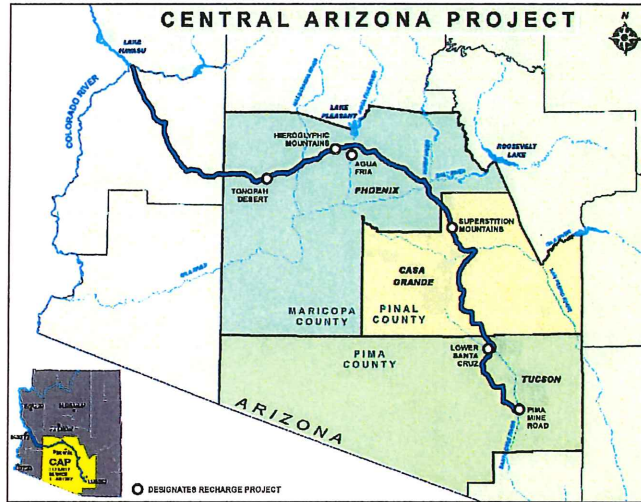
Questions

Possible Demand Response Options

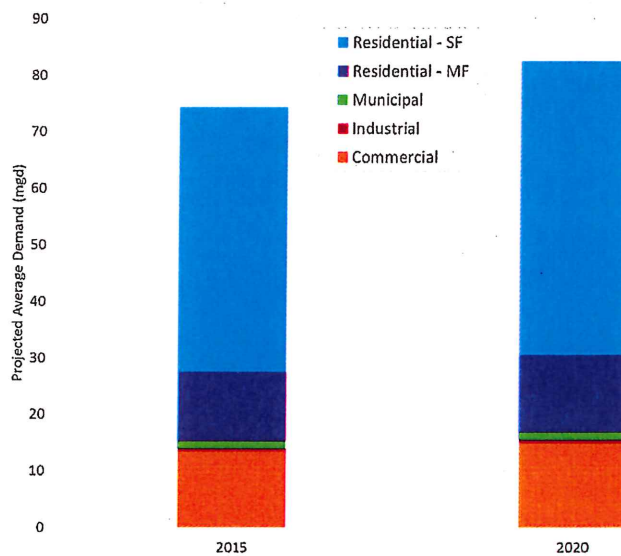
Customer Class	Response Options	Stage 1	Stage 2	Stage 3	Stage 4
Residential	A Enforce landscape watering restrictions		x	x	x
	B Limit/Prohibit overseeding for a winter lawn		Limit/Prohibit	Prohibit	Prohibit
	C Limit maximum number of watering days per week and the duration of watering time		3 days/week (odd/even)	2 days/week (odd/even)	No turf irrigation
	D Limit/prohibit installation of new sod, seeding, and/or other landscaping				Prohibit
	E Enforce restrictions on spraying of impervious surfaces		x	x	x
	F Prohibit vehicle washing			Prohibit	Prohibit
	G Turn off ornamental fountains		x	x	x
	H Promote conservation with respect to operation and maintenance of swimming pools (cover, leak repair)	x	x	x	x
	I Educate customers on indoor/outdoor water saving techniques	x	x	x	x

Establish Triggering Levels

- Triggers are influenced by impacts to wholesalers
 - Colorado River deliveries impacting CAP
 - Salt and Verde watersheds impacting SRP



Projected Average Demands by Customer Class



PETITION

PETITION


February 3rd, 2015

I, Ryan McDonald, a citizen of the State of Arizona and Resident of the City of Scottsdale, do hereby petition the Scottsdale City Council to direct their staff to draft an ordinance prohibiting the erection, construction or placement of any new Cell Towers (Type 1 or Type 2 Antennas) within any Scottsdale City Park or K-12 School. The cell towers are unsightly eye sores and destroy the peaceful tranquility and intended uses of these facilities. Alternate sites can be found for such private business devices.

 2/3/15

Ryan McDonald

8608 E Gail Rd, Scottsdale, AZ 85260

 2.3.2015

Dana McDonald

8608 e Gail Rd, Scottsdale, AZ 85260