

**SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 8, 2015**



**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 5:00 P.M. on Tuesday, September 8, 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: Acting City Manager Brian Biesemeyer
City Attorney Bruce Washburn
City Treasurer Jeff Nichols
City Auditor Sharron Walker
City Clerk Carolyn Jagger

PLEDGE OF ALLEGIANCE – Junior Girl Scout Troop 1873, Leader Mary Nesbit

INVOCATION – Mayor Lane requested a moment of silence in recognition of the 14th anniversary of the 9/11 tragedies.

MAYOR'S REPORT

Mayor Lane read a proclamation in honor of Anvita Gupta Day.

Mayor Lane reported on Marine Week activities throughout the Valley and on the unveiling of the Marine Mural at the Civic Center Library.

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.

PRESENTATION/INFORMATION UPDATES

- **Check Presentation to Operation Fix-It**

Presenter(s): Mark DeWane, President of Scottsdale Business Development Forum

Scottsdale Business Development Forum President Mark DeWayne presented a check to the City for Operation Fix-It.

PUBLIC COMMENT

- Scott Calev expressed concern about the City's air pollution levels.
- French Thompson submitted a citizen petition (attached) asking the Council to direct the Special Events Committee to rescind the permit issued to the Artisan Market on the Canal Bank.
- Dana Close and Alyssa Tarkington thanked the Council for their support at a recent Coronado High School breakfast event.

CONSENT AGENDA

1. **Vinum 55 Scottsdale Liquor License (83-LL-2015)**

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 series.

Location: 15220 N. 78th Way

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

2. **Karsen's Grill Liquor License (84-LL-2015)**

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: 7246 E. 1st Street, Suite 101

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

3. **Brown's Classic Autos Rezoning and Conditional Use Permits (9-ZN-2015, 7-UP-2015, and 8-UP-2015)**

Requests:

1. Adopt **Ordinance No. 4220** approving a zoning district map amendment, including an amendment to the Horseman's Park PCD Development Plan (33-ZN-2000), to change the P-C comparable zoning from Industrial Park District (I-1) to Central Business District (C-2).
2. Find that the conditional use permit criteria have been met, and adopt **Resolution No. 10212** approving a Conditional Use Permit for Vehicle Leasing, Rental, or Sales with Indoor Vehicle Display on a 1.7± acre site with a Planned Community District (P-C) comparable zoning of Central Business District (C-2/P-C) zoning.
3. Find that the conditional use permit criteria have been met, and adopt **Resolution No. 10213** approving a Conditional Use Permit for Vehicle Repair on a 1.7± acre site with a Planned Community District (P-C) comparable zoning of Central Business District (C-2/P-C) zoning.
4. Adopt **Resolution No. 10214** declaring the document entitled "Brown's Classic Auto Development Plan" to be a public record.

Location: 9024 E. Bahia Drive

- 4. WestWorld Path and Trail Connections Project Engineering Services Contract**
Request: Adopt **Resolution No. 10226** authorizing Contract No. 2015-212-COS with Kimley Horn and Associates, Inc., in the amount of \$43,360 to provide design services for the WestWorld Path and Trails Connection project.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov
- 5. Drug, Alcohol, and Violence Prevention Education Intergovernmental Agreement**
Request: Adopt **Resolution No. 10203** authorizing Agreement No. 2015-195-COS with Scottsdale Unified School District No. 48 in the amount of \$238,000 to fund drug, alcohol, and violence prevention education, and other student support services, in Scottsdale Schools for FY 2015/16.
Staff Contact(s): William Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
- 6. Federal Transit Administration Grant Intergovernmental Agreement**
Request: Adopt **Resolution No. 10224** to authorize:

 1. Agreement No. 2015-009-COS-A1 with the City of Phoenix for pass-through of Federal Transit Administration AZ-90-X131 grant funds in the amount of \$200,000, with a local match amount of \$200,000 from the Transportation Fund contained in the FY 2015/16 service contract budget, to offset the operating cost for service provided by the City of Phoenix for Routes 17 and 29.
 2. A budget transfer in the amount of \$200,000 from the adopted FY 2015/16 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
- 7. Dillon Flight Test, Inc., Foreign Trade Zone Subzone**
Request: Adopt **Resolution No. 10228** to authorize:

 1. Support for the application on behalf of Dillon Flight Test, Inc., to have a portion of the property located at 8009 E. Dillon's Way designated as a Foreign-Trade Zone Subzone.
 2. Intergovernmental Agreement No. 2015-214-COS with the City of Phoenix related to supporting the application for establishment and operation of the Foreign-Trade Zone Subzone.

Staff Contact(s): Danielle Casey, Economic Development Director, 480-312-7601, dcasey@scottsdaleaz.gov
- 8. State Lobbying Services Contract Modification**
Request: Adopt **Resolution No. 10219** authorizing Contract No. 2015-118-COS-A1 with the Aarons Company, LLC, to modify the automobile liability requirements and contract renewal date.
Staff Contact(s): Brad Lundahl, Government Relations Director, 480-312-2683, blundahl@scottsdaleaz.gov
- 9. Erica Rahn v. City of Scottsdale Legal Fees**
Request: Adopt **Resolution No. 10231** authorizing the Risk Management Department to continue to pay the Law Firm of Holloway Odegard & Kelly, P.C. in an amount not to exceed a total maximum of \$110,000 pursuant to Contract No. 2015-027-COS (previously Contract No. 2011-013-COS with the Law Firm of Holloway Odegard Forrest & Kelly) for the legal defense of *Erica Rahn v. City of Scottsdale*, Case No. CV2012-017693, currently pending in Maricopa County Superior Court.
Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov

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MOTION AND VOTE – CONSENT AGENDA

Councilmember Korte made a motion to approve Consent items 1 through 9. Vice Mayor Milhaven seconded the motion, which carried 7/0.

REGULAR AGENDA

10. National League of Cities Annual Membership Dues

Request: Adopt **Resolution No. 10216** authorizing payment of annual membership dues for FY 2015/16 in the amount of \$12,468 to the National League of Cities.

Presenter(s): Brad Lundahl, Government Relations Director

Staff Contact(s): Brad Lundahl, Government Relations Director, 480-312-2683,
blundahl@scottsdaleaz.gov

Government Relations Director Brad Lundahl gave a PowerPoint presentation (attached) on the National League of Cities membership.

MOTION AND VOTE – ITEM 10

Councilwoman Klapp made a motion to adopt Resolution No. 10216 authorizing payment of annual membership dues for FY2015/16 in the amount of \$12,468 to the National League of Cities. Councilmember Korte seconded the motion, which carried 5/2, with Mayor Lane and Councilwoman Littlefield dissenting.

11. Desert Discovery Center Vendor Selection

Request: Presentation, discussion, and possible direction to staff regarding negotiations on a scope of work with Desert Discovery Center Scottsdale, Inc., and possible direction to the City Treasurer to evaluate sources of funding for Phase 1 consulting services.

Presenter(s): Derek Earle, City Engineer

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555,
daworth@scottsdaleaz.gov

City Engineer Derek Earle gave a PowerPoint presentation (attached) on the Desert Discovery Center vendor selection process.

Mayor Lane opened public testimony.

The following expressed concern about the Desert Discovery Center:

- Howard Myers, Scottsdale resident
- Chris Schaffner, Coalition of Greater Scottsdale
- Bob Littlefield, Scottsdale resident

Mayor Lane closed public testimony.

MOTION AND VOTE – ITEM 11

Councilmember Korte made a motion to direct staff to move forward with contract negotiations with Desert Discovery Center Scottsdale, Inc., for the first phase of services for the DDC, and to direct the City Treasurer to review possible funding sources for the first phase of services. Vice Mayor Milhaven seconded the motion, which carried 5/2, with Councilmembers Littlefield and Phillips dissenting.

PUBLIC COMMENT – None

CITIZEN PETITIONS

12. 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 agendaize 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 – CITIZEN PETITION

Councilman Phillips made a motion to direct the City Manager to agendaize the petition submitted by French Thompson asking the Council to direct the Special Events Committee to rescind the permit issued to the Artisan Market on the Canal Bank, including recommendations for possible action. Councilwoman Littlefield seconded the motion.

ALTERNATE MOTION – CITIZEN PETITION

Vice Mayor Milhaven made an alternate motion to direct the City Manager to agendaize the citizen petition submitted by French Thompson for the September 21, 2015 Work Study Session. The motion died for lack of a second.

VOTE ON ORIGINAL MOTION – CITIZEN PETITION

The Council vote on the motion to direct the City Manager to agendaize the petition submitted by French Thompson asking the Council to direct the Special Events Committee to rescind the permit issued to the Artisan Market on the Canal Bank, including recommendations for possible action carried 5/2, with Councilmembers Korte and Milhaven dissenting.

MAYOR AND COUNCIL ITEMS

13. Boards, Commissions, and Task Force Nominations (Note: Interviews and appointments scheduled for September 21, 2015)

Board of Adjustment (*one vacancy*) – Councilman Smith nominated Alex Roncancio and Councilmember Korte nominated Dana Belknap

Building Advisory Board of Appeals (*one vacancy*) – Councilman Smith nominated Ed Peaser

Development Review Board (*one vacancy*) – Councilmember Korte nominated Prescott Smith and Mayor Lane nominated Doug Craig

Environmental Quality Advisory Board (*one vacancy*) – Mayor Lane nominated Ted Geisler, Councilmember Klapp nominated Dane Englert and Aliza Sabin, and Councilwoman Littlefield nominated Steven Schlosser

Human Relations Commission (*two vacancies*) – Councilwoman Klapp nominated Janice Eng and Joseph Ettinger, Vice Mayor Milhaven nominated Allen Reed, and Councilwoman Littlefield nominated Daria Lohman

Human Services Commission (*two vacancies*) – Vice Mayor Milhaven nominated Denny Brown and Marty Day and Councilwoman Littlefield nominated Janice Eng

Loss Trust Fund Board (*one vacancy*) – Councilman Phillips nominated Raymond Texiera

McDowell Sonoran Preserve Commission (*one vacancy*) – Councilman Smith nominated Cynthia Wenstrom, Vice Mayor Milhaven nominated Cassandra Jonkosky, and Councilwoman Littlefield nominated Perry Becker

Parks and Recreation Commission (*two vacancies*) – Councilmember Korte nominated Virginia Harris and Miguel Medrano, Mayor Lane nominated Tom Gagen, and Councilman Smith nominated Chris Thuman

Transportation Commission (*one vacancy*) – Mayor Lane nominated Jyme McLaren, Councilwoman Klapp nominated Pamela Iacovo, and Councilwoman Littlefield nominated David Vaughn

ADJOURNMENT

The Regular City Council Meeting adjourned at 7:01 P.M.

SUBMITTED BY:



Carolyn Jagger
City Clerk

Officially approved by the City Council on October 6, 2015

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 8th day of September 2015.

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

DATED this 6th day of October 2015.



Carolyn Jagger, City Clerk

Item 10

National League of Cities

September 8, 2015

National League of Cities

- The National League of Cities (NLC) is a nationwide trade organization representing the Nation's cities, towns, and villages.
- NLC has approximately 1600 dues paying members.
- Membership privileges are extended to elected officials and staff of each member city.
- Non-members may still attend conferences but cannot be members of policy committees.

National League of Cities

- Services provided by the NLC include:
 - Advocate for cities and towns in Washington D.C., through lobbying and grassroots campaigns.
 - Provide a networking forum for locally elected officials.
 - Provide leadership training and education programs.

National League of Cities

- Annual dues for FY2015 /16 are \$12,468.
- Previous years
 - 2010/11: \$12,468
 - 2011/12: \$12,468
 - 2012/13: \$12,468
 - 2013/14: \$12,468
 - 2014/15: \$12,468

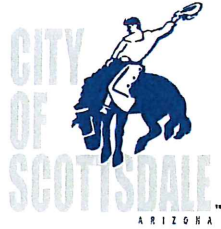
National League of Cities

Option A: Approve Resolution No. 10216, authorizing payment of National League of Cities membership dues for FY2015/16 in the amount of \$12,468.

Option B: Do not authorize payment of membership dues for FY2015/16. This would require the City to terminate its membership with the National League of Cities and seek to replace services provided by the NLC from existing City resources.

Item 11

Desert Discovery Center
RFQ Status Update and Request for Direction



City Council – September 8, 2015

Purpose of Presentation

- Discuss the RFQ issued for operator/manager of the facility and the single response received
- Request direction from Council:
 - *To consider moving forward with contract negotiations with Desert Discovery Center Scottsdale, Inc.*
 - *To review possible funding sources for first phase services*



Direction Received March 24th

Work Study Session

- Issue a Request for Qualifications (RFQ) for an owner/operator for the DDC
 - Issued May 13th / Responses July 16th
- Use the process utilized for the Scottsdale Museum of the West as a template for moving the DDC forward
 - Same basic process though it will require additional, intermediate steps due to the complexity of the project

3



Request for Qualifications

Key Elements

- Anticipated four "Steps" for development of the DDC
- Provided a draft of possible scope of services anticipated for each of the four steps
- Provided criteria for evaluation of qualifications of the respondent (point system)
- Did not include design services for an architect – that will be a separate, future solicitation
- Allows flexibility to contract for later steps of work with the same respondent

4



Request for Qualifications

Anticipated Steps to Develop Facility

Step 1: Prepare Vision and Preliminary Plan
(proposed work product)

- Program vision, updated mission statement, project goals
- Programming analysis and recommendations
- Draft business plan
- Review of partner organizations to assist in project development
- Legal and regulatory issues related to site selection
- Fundraising efforts and contributions for Step One

5



Request for Qualifications

Anticipated Steps to Develop Facility

Step 1: Prepare Vision and Preliminary Plan



Step 2: 30% Project Development *(future work product)*

- Finalize Vision document, business plan and fundraising plan
- Finalize programming recommendations
- Select partners and/or key staff necessary
- Resolution of legal & regulatory issues on site selection
- Provide conceptual layout, exhibits and site plan
- Process a Municipal Use Master Site Plan (MUMSP) (if reqd)
- Initiate public outreach plan

5



Request for Qualifications

Anticipated Steps to Develop Facility

- Project development up to 100% plans ("shovel ready")
- Partnerships with organizations for capital contributions.
- Facilitate exhibit design work and educational components
- Assist with public involvement throughout site planning process
- Undertake fundraising plan for capital contributions
- Detailed fundraising plans for project operational support



Step 3: 100% Project Development (*future work product*)



7

Request for Qualifications

Anticipated Steps to Develop Facility

- Establish an organizational structure for operation
- Establish partnerships with organizations for operating support
- Provide final exhibit design and construction resources
- Coordinate and consult with contractors during construction
- Coordinate opening and marketing
- Operate and manage facility



Step 4: Construction and Operation (*future work product*)

8

Request for Qualifications

Anticipated Steps to Develop Facility

Step 1: Prepare Vision and Preliminary Plan (*proposed*)



Step 2: 30% Project Development (*future*)



Step 3: 100% Project Development (*future*)



Step 4: Construction and Operation (*future*)

9



Request for Qualifications

Scoring Criteria

- | | |
|---|------------|
| • General Information | 25 Points |
| • Experience and Qualifications | 75 Points |
| • Experience of Key Personnel | 75 Points |
| • Approach to analyzing the Phase II DDC study | 300 Points |
| • Plan for evaluating and selecting partner organizations | 200 Points |
| • Ability to generate direct financial contributions | 150 Points |
| • Ability to operate and maintain facility | 150 Points |
| • Local Knowledge | 25 Points |

Total Points Available: 1000

10



Response Received

- Single response received from Desert Discovery Center Scottsdale, Inc.
- Response complies with requirements of RFQ
- Response was graded an average of 895 points out of a possible 1000 points by the review panel
- Review panel recommends moving forward with contract negotiations

11



Discussion

Requested direction from Council:

- *Direction on moving forward with contract negotiations with Desert Discovery Center Scottsdale, Inc. for the first phase of services for the DDC*
- *Consider directing Treasurer to review possible funding sources for the first phase of services*

Next steps:

- *Staff to negotiate with DDCS for scope of services*
- *Establish initial scope of work budget estimate*
- *Prepare recommendations for funding sources*
- *Return to Council with appropriate action(s)*

12

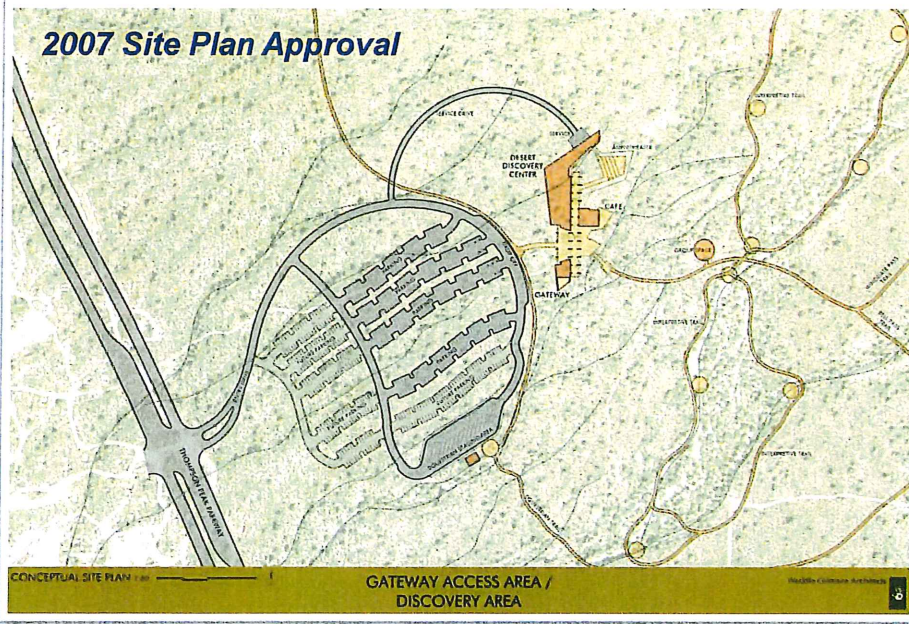


Additional Slides

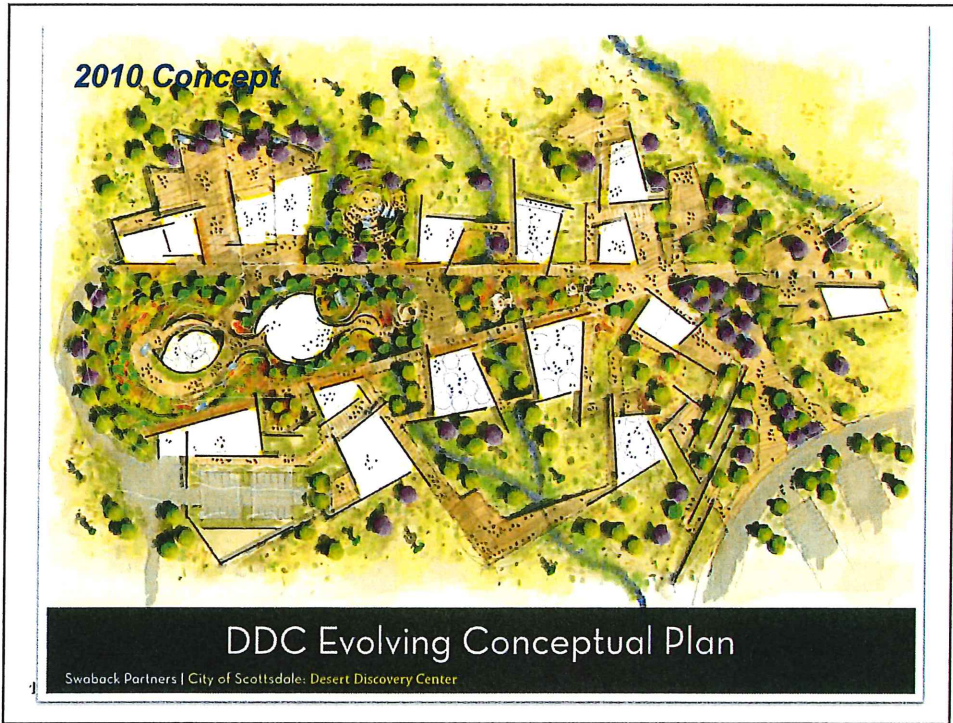
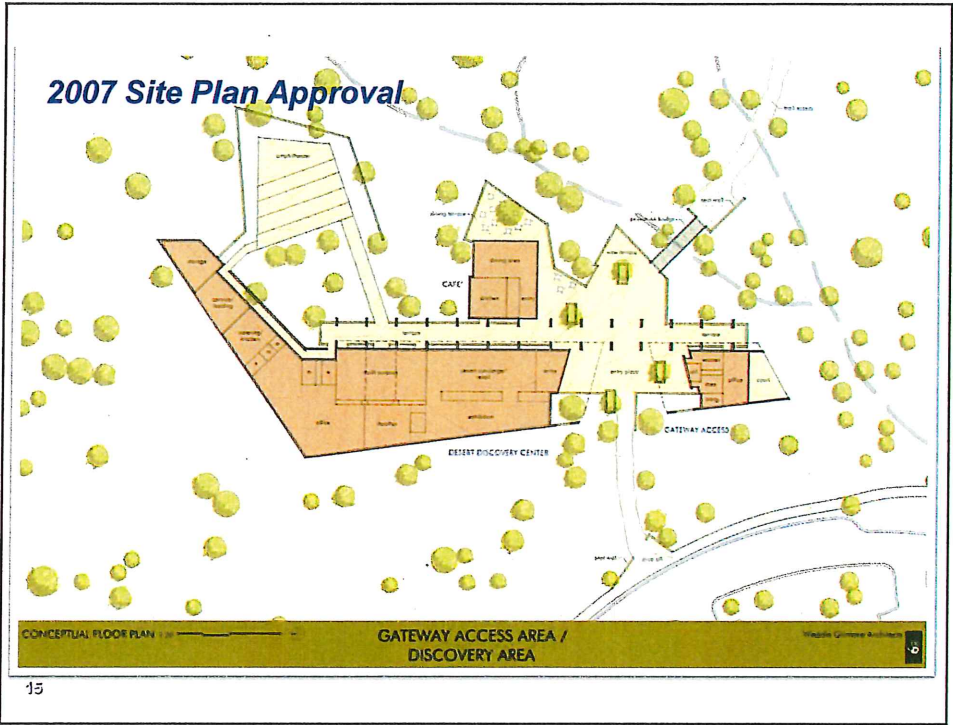
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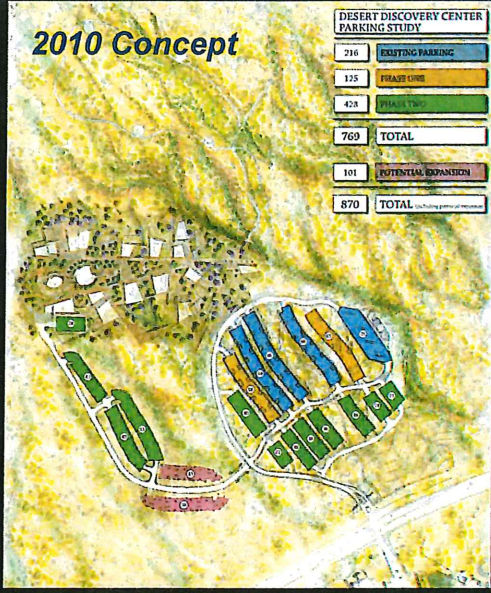
2007 Site Plan Approval



14



2010 Concept




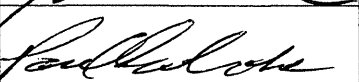


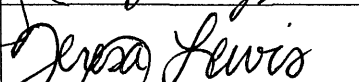
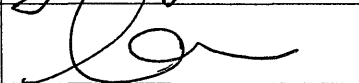
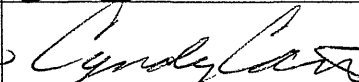
DESERT DISCOVERY CENTER PARKING STUDY	
716	EXISTING PARKING
125	PHASE ONE
428	PHASE TWO
769	TOTAL
101	POTENTIAL EXPANSION
870	TOTAL (including potential expansion)

DDC Conceptual Parking Plan

Swaback Partners | City of Scottsdale: Desert Discovery Center

We the undersigned residents, business owners, and concerned parties in Scottsdale petition the Scottsdale City Council to direct the Special Events Committee to immediately rescind the permit recently issued to Artisan Markets on the Canal Bank, for the following reasons:

1. The Special Event Committee has no authority under the current ordinance to grant Permits on public property such as canal bank, Fifth Avenue and Craftsman Court;
2. The granting of this permit for a mere \$159 fee for twice a week during seven (7) months constitutes a gift, which is prohibited by the City Charter and the Arizona State Constitution;
3. This permit will negatively impact surrounding businesses, which is a violation of the current Special Events policy.

Date	Printed Name	Signature	Contact Postal Address (Business name, Street Address)
Sept 4, 2015	French Thompson		7148 East Main Street French Designer Jeweler, Scottsdale
9/4/15	PAUL EUBANKS		7103 E MAIN ST SCOTTSDALE GALLERY RUSSIA
9/4/15	MAY H. BRENNAN		7156 E. MAIN ST SCOTTSDALE (Brennan)
9/4/15	JANE PHILLIPS		7525 E. COOLIDGE ST. SCOTTSDALE, AZ 85251
9-4-15	TERESA LEWIS		4168 N. Marshall Way Scottsdale 85251 Touchstone Gallery
9/4/15	Veronica Graftios		4201 North Marshall way Scottsdale, AZ 85251
9/8/15	Cyndy Carstens		CARSTEN'S FINE ART 85251 7077 E. MAIN STR #5 SCOTTSDALE, AZ

2015 SEP - 8 AM 11:36

OFFICE OF THE CITY CLERK

