

SCOTTSDALE CITY COUNCIL  
REGULAR MEETING MINUTES  
TUESDAY, SEPTEMBER 20, 2016



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 5:01 P.M. on Tuesday, September 20, 2016, in the City Hall Kiva.

**ROLL CALL**

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

Also Present: Acting City Manager Brad Hartig, City Attorney Bruce Washburn, City Treasurer Jeff Nichols, City Auditor Sharron Walker, and City Clerk Carolyn Jagger

**PLEDGE OF ALLEGIANCE** – Lights on Afterschool, Parks and Recreation Manager Kira Peters

**INVOCATION** – Pastor Joe Gordon, Scottsdale Bible Church

**MAYOR'S REPORT** – None

**PRESENTATIONS**

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

Scottsdale Cultural Council President and CEO Neale Perl gave a PowerPoint presentation (attached) on the Scottsdale Arts activities.

**PUBLIC COMMENT** – None

**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. 13A was added to the agenda on September 15, 2016.

**Request:** Vote to accept the agenda as presented or continue the added item(s) to the October 10, 2016 Council meeting.

## **MOTION AND VOTE – ADDED ITEMS**

Councilmember Korte made a motion to accept the agenda as presented. Councilwoman Milhaven seconded the motion, which carried 7/0.

## **MINUTES**

Request: Approve the Regular Meeting Minutes of August 30, 2016, and August 31, 2016; Work Study Session Minutes of August 30, 2016; Special Meeting Minutes of August 31, 2016; and Executive Session Minutes of August 31, 2016.

## **MOTION AND VOTE – MINUTES**

Vice Mayor Littlefield made a motion to approve the Regular Meeting Minutes of August 30, 2016, and August 31, 2016; Work Study Session Minutes of August 30, 2016; Special Meeting Minutes of August 31, 2016; and Executive Session Minutes of August 31, 2016. Councilman Phillips seconded the motion, which carried 7/0.

## **CONSENT AGENDA**

### **1. Smashburger No. 1402 Liquor License (80-LL-2016)**

**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 12 (restaurant) State liquor license.

**Location:** 15801 N. Frank Lloyd Wright Boulevard, Suite 100

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

### **2. Smashburger No. 1404 Liquor License (81-LL-2016)**

**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 12 (restaurant) State liquor license.

**Location:** 2805 N. Scottsdale Road, Suite 100

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

### **3. Farm & Craft Liquor License (82-LL-2016)**

**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 12 (restaurant) State liquor license.

**Location:** 4302 N. Scottsdale Road

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

- 4. Boondocks Patio & Grill Outdoor Dining Revocable License Agreement**  
**Request:** Adopt **Resolution No. 10564** authorizing Agreement No. 2016-147-COS with Mal & Flip, LLC, for an outdoor dining patio on City right-of-way.  
**Location:** 4341 N. 75<sup>th</sup> Street  
**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
- 5. Preserve Trails Construction Services Job Order Contract Modifications**  
**Request:** Adopt **Resolution No. 10553** authorizing the following job order contract modifications for the fifth option year of the preserve trails construction services contracts:  
1. Contract No. 2012-136-COS-A3 with Okanogan Trail Construction, Inc.  
2. Contract No. 2012-137-COS-A3 with YRU Contracting, Inc.  
**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
- 6. Citywide Sports Field Lighting Job Order Contract Modification**  
**Request:** Adopt **Resolution No. 10557** authorizing Contract No. 2014-124-COS-A1 with Sellers & Sons, Inc., for a one-year contract extension for Citywide sports field lighting.  
**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
- 7. Scottsdale Stadium Architectural Services Contract**  
**Request:** Adopt **Resolution No. 10466** authorizing Contract No. 2016-080-COS with Populous, Inc., in the amount of \$244,524 for master planning services for Scottsdale Stadium and two off-site minor league practice facilities.  
**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
- 8. Old Town Scottsdale Farmers Market Revocable License Agreement**  
**Request:** Adopt **Resolution No. 10552** authorizing Agreement No. 2016-143-COS with Farmers Market Support Services, LLC, to hold the Old Town Scottsdale Farmers Market.  
**Location:** Southwest corner of 1<sup>st</sup> Street and Brown Avenue  
**Staff Contact(s):** [Karen Churchard](mailto:kchurchard@scottsdaleaz.gov), Tourism and Events Director, 480-312-2890, [kchurchard@scottsdaleaz.gov](mailto:kchurchard@scottsdaleaz.gov)
- 9. Forensic Laboratory Services Intergovernmental Agreement**  
**Request:** Adopt **Resolution No. 10541** authorizing Agreement No. 2016-141-COS with Salt River Pima-Maricopa Indian Community (SRPMIC) for the provision of providing forensic laboratory services to SRPMIC.  
**Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, [arodbell@scottsdaleaz.gov](mailto:arodbell@scottsdaleaz.gov)
- 10. Arizona Criminal Justice Commission's Full-Service Crime Laboratory Grant**  
**Request:** Adopt **Resolution No. 10555** to authorize:  
1. The Chief of Police, or designee, to apply for and accept, if awarded, the 2016 Arizona Criminal Justice Commission's Full-Service Crime Laboratory grant in the amount of \$100,000 to continue funding a forensic scientist supervisor position.  
2. If the grant is awarded, a budget transfer in the amount of \$100,000 from the FY 2016/17 Future Grants Budget and/or the 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](mailto:arodbell@scottsdaleaz.gov)

- 11. Fire SCBA Replacement Budget Transfer**  
**Request:** Adopt **Resolution No. 10576** authorizing a FY 2016/17 General Fund Capital Contingency Budget Appropriation transfer in an amount not to exceed \$1,500,000, and the creation of a new CIP project titled Fire SCBA Replacement funded by the General Fund operating budget unreserved fund balance for the costs associated with the replacement purchase of Fire Department Self Contained Breathing Apparatus and related equipment.  
**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821,  
[tshannon@scottsdaleaz.gov](mailto:tshannon@scottsdaleaz.gov)
- 12. On-Call Engineering Services Contract for Water and Water Reclamation Facilities**  
**Request:** Adopt **Resolution No. 10542** authorizing Contract No. 2016-142-COS with Hazen and Sawyer, P.C., in an amount not to exceed \$150,000 to provide process control related professional services for water and water reclamation facilities.  
**Staff Contact(s):** David Petty, Acting Water Resources Director, 480-312-5661,  
[dpetty@scottsdaleaz.gov](mailto:dpetty@scottsdaleaz.gov)
- 13. National League of Cities Annual Membership Dues**  
**Request:** Adopt **Resolution No. 10551** authorizing payment of annual membership dues for FY 2016/17 in the amount of \$12,468 to the National League of Cities.  
**Staff Contact(s):** Brad Lundahl, Government Relations Director, 480-312-2683,  
[blundahl@scottsdaleaz.gov](mailto:blundahl@scottsdaleaz.gov)
- 13A. Fiscal Year 2016/17 Organization Strategic Plan**  
**Request:** Adopt **Resolution No. 10579** adopting the organizational priorities for FY 2016/17 and directing staff to implement the priorities and to provide regular updates on the progress of implementing these priorities.  
**Staff Contact(s):** Brent Stockwell, Assistant City Manager, 480-312-7288,  
[bstockwell@scottsdaleaz.gov](mailto:bstockwell@scottsdaleaz.gov)

#### **MOTION AND VOTE – CONSENT AGENDA**

Councilmember Korte made a motion to approve Consent Agenda Items 1 through 13A. Vice Mayor Littlefield seconded the motion, which carried 7/0.

#### **REGULAR AGENDA**

- 14. Model Aircraft (Drones) Ordinance**  
**Request:** Adopt **Ordinance No. 4276** amending and adding regulations to Chapters 20 and 21 of the Scottsdale Revised Code regarding the operation of model aircraft (drones) in City parks and the McDowell Sonoran Preserve.  
**Presenter(s):** William Murphy, Community Services Director  
**Staff Contact(s):** William Murphy, Community Services Director, 480-312-7954,  
[bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)

Community Services Director William Murphy gave a PowerPoint presentation (attached) on the proposed model aircraft code amendments.

Mayor Lane opened public testimony.

Bill Mar, Scottsdale resident, spoke on behalf of the Drone User Group and asked for permission to operate in airspace over the Preserve.

Mayor Lane closed public testimony.

#### **MOTION AND VOTE – ITEM 14**

Councilman Phillips made a motion to adopt Ordinance No. 4276. Councilmember Korte seconded the motion, which carried 7/0.

**PUBLIC COMMENT** – None

#### **CITIZEN PETITIONS**

##### **15. 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](mailto:cjagger@scottsdaleaz.gov)

No citizen petitions were received.

#### **MAYOR AND COUNCIL ITEMS**

##### **16. Request to Agendize a Discussion on the City's Preparedness Plans for Dealing with the Zika Virus**

**Request:** At the request of Councilman Smith, direct staff to agendize: "A presentation, discussion and possible direction to staff regarding the City's preparedness plans for dealing with the Zika virus, including, as applicable, eliminating standing water from City property, options for reducing mosquitos and mosquito breeding areas, and public outreach."

#### **MOTION AND VOTE – ITEM 16**

Councilman Smith made a motion to direct staff to agendize a presentation, discussion, and possible direction to staff regarding the City's preparedness plans for dealing with the Zika virus, including, as applicable, eliminating standing water from City property; options for reducing mosquitos and mosquito breeding areas; public outreach; and a discussion with the Bureau of Land Management on what possible things the City can do, including a capital project to alleviate this problem in the future. Vice Mayor Littlefield seconded the motion, which carried 7/0.

**ADJOURNMENT**

The Regular City Council Meeting adjourned at 5:34 P.M.

**SUBMITTED BY:**



**Carolyn Jagger  
City Clerk**

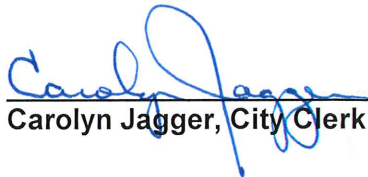
Officially approved by the City Council on October 10, 2016

## 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 20<sup>th</sup> day of September 2016.

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

**DATED** this 10<sup>th</sup> day of October 2016.

  
\_\_\_\_\_  
Carolyn Jagger, City Clerk

**arts**  
**scottsdale**

scottsdale center for the performing arts  
scottsdale museum of contemporary art  
scottsdale public art

Fall 2016 Update

Neale Perl  
President & CEO

ScottsdaleArts.org




Water Mark  
Indian Bend Wash  
by Laura Haddad and Tom Drugan

**arts**  
**scottsdale**

ScottsdaleArts.org



scottsdale center for the performing arts  
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scottsdale public art




2016-17 SEASON GUIDE

scottsdale

scottsdale center for the performing arts  
scottsdale museum of contemporary art  
scottsdale public art

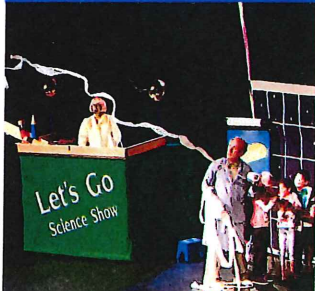
**arts**  
**scottsdale**

education & outreach



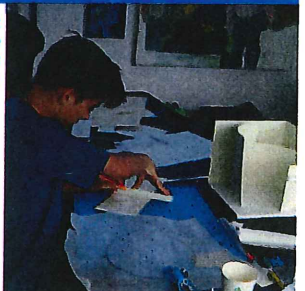
**arts**  
**scottsdale**

education & outreach



Teens:  
*Future Architects*  
October 14

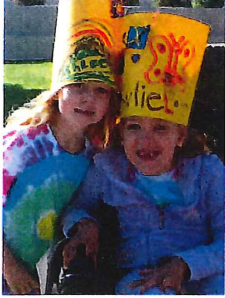
Student  
Matinee:  
*Let's Go Science*  
September 23





arts  
scottsdale

education & outreach



Arts & Access:

A Celebration of the Arts for Children with Disabilities  
November 8

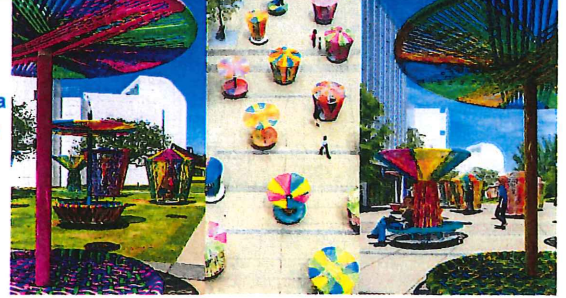
Detour Company Theatre  
January 6 - 8



arts  
scottsdale

scottsdale public art

Los Trompos  
by Hector Esrawe  
and Ignacio Cadena  
November - January



arts  
scottsdale

scottsdale public art

Gallery @ The Library  
Scottsdale Civic Center

Summer 2016  
Nathaniel Lewis Presents:  
The Catacombs of Professor McGee

Total attendance: 33,228



arts  
scottsdale

scottsdale museum of contemporary art

Great Press!



arts  
scottsdale

scottsdale museum  
of contemporary art

Fall Opening Celebration at  
SMoCA  
October 14

*Push Comes to Shove:  
Women and Power*

*Architecture + Art:  
Everything Falls into Place  
When It Collapses*



Foreground: Santiago Borja, *Untitled*, 2016, plywood and balsa wood, 24 x 24 x 20 inches. © Santiago Borja. Courtesy of the artist.  
Background: Lon Magagnoli, *Case Grande*, 1914, 2000 (copy), 1914, oil on canvas. Collection of the Scottsdale Museum of Contemporary Art. Request of the Estate of Mr. and Mrs. Dale B. Williams. 1990.001.02. Photo by Clivia Warden.

arts  
scottsdale

scottsdale museum  
of contemporary art

Presented in partnership with:

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SCOTTSDALE Office of  
Diversity

Scottsdale Human Relations Commission

LEGHO  
LAW OFFICES



out  
@smoca

October 27

arts  
scottsdale

scottsdale center for  
the performing arts



Warsaw  
Philharmonic  
November 3

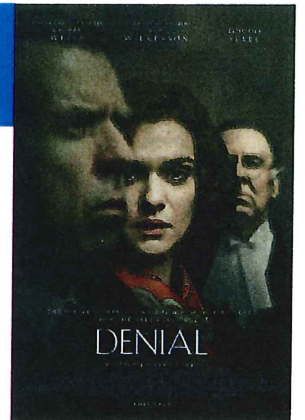
Seong-Jin Cho  
Winner - 2015  
Chopin International Piano  
Competition

arts  
scottsdale

scottsdale center for  
the performing arts

SCOTTSDALE  
INTERNATIONAL  
FILM  
FESTIVAL

October 6-10



arts  
scottsdale

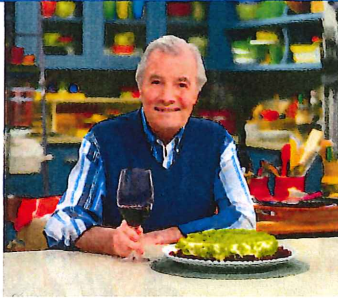
scottsdale center for  
the performing arts



Piaf! The Show  
October 22

discoveryseries  
France

Jacques Pépin  
March 24



arts  
scottsdale

scottsdale center for the performing arts  
scottsdale museum of contemporary art  
scottsdale public art

Thank you for our  
partnership and your  
support!

[ScottsdaleArts.org](http://ScottsdaleArts.org)

Brazilian Day Festival  
Saturday, September 24  
2 – 10 p.m.  
Scottsdale Civic Center Mall



Item 14

## Unmanned Aircraft Systems Sept. 2016

Amendment to Chapter 20, Parks Recreation  
and Cultural Affairs and Chapter 21 McDowell  
Sonoran Preserve of the Scottsdale Revised  
Code

Bill Murphy– Community Services Director  
Jeff Walther – Assistant Chief - Uniformed  
Services - Scottsdale Police Department

## Background

- ◎ State of Arizona 2016 legislation session approved Senate Bill 1449 which outlines how a city, town or county can enact or adopt ordinances or rules that regulate the model aircraft.
- ◎ It does allow for prohibiting take off/landings on public parks/preserves if other areas in the city available for this use.

## Delete from both Parks and Preserve Ordinance

- ⊙ Current language- Parks Ordinance Chapter 20 Article 111 Section 20-31 subsection (b)(16)
  - Gas powered model airplanes and incendiary model rockets are prohibited.
- ⊙ Amended language-
  - Incendiary model rockets are prohibited
- ⊙ Current language- Preserve Ordinance Chapter 21 Article 111 Section 21-12 subsection (b)(22)
  - Gas powered model airplanes and incendiary model rockets are prohibited in the preserve.
- ⊙ Amended language-
  - Incendiary model rockets are prohibited. The regulation of model aircraft in the preserve is governed by Chapter 20, Article IX of the Scottsdale Revised Code.

## Addition of Article in Chapter 20

- ⊙ Model Aircraft Operation in City Parks and Preserve
  - Provides definitions
  - Prohibited Operations
    - No person shall operate a model aircraft to takeoff or land in a city park or the Preserve where the director has prohibited such operations. The director may prohibit such operation in certain parks and the preserve provided there is at least one other park or preserve within the city that is available for model aircraft operation. The list of prohibited locations shall be on file with the city clerk

## Prohibited Locations (Sept. 2016)

- McDowell Sonoran Preserve
- Pinnacle Peak Park and Trailhead
- Mescal Park
- Stonegate Park

## Exceptions

- This prohibited operation does not apply to city police personnel or other law enforcement officers, fire department personnel and other city employees in the course of their official duties.
- Others authorized by the city for inspection, repair, maintenance work or other city related business with authorized by the director.

## Penalties

- ◎ First violation is a petty offense (\$50-\$300)
- ◎ Second or subsequent within one year is a class two misdemeanor (not less than \$300)

## Schedule for Ordinance Amendment

- ◎ McDowell Sonoran Preserve Commission information item - July 14, 2016
- ◎ Scottsdale Parks and Recreation Commission action item and approved on September 7, 2016
- ◎ City Council – September 20, 2016
- ◎ If adopted would be in effect October 20

**RECOMMENDED  
COUNCIL ACTION**

**Model Aircraft (Drone) Operation in  
City Parks and Preserve Ordinance.**

Adopt Ordinance No. 4276, amending and adding regulations to Chapters 20 and 21 of the Scottsdale Revised Code regarding operation of model aircraft (drones) in City parks and the McDowell Sonoran Preserve.