

SCOTTSDALE CITY COUNCIL  
REGULAR MEETING MINUTES  
TUESDAY, MAY 1, 2018



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 5:03 P.M. on Tuesday, May 1, 2018, in the City Hall Kiva.

**ROLL CALL**

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

Also Present: City Manager Jim Thompson, City Attorney Bruce Washburn, City Treasurer Jeff Nichols, City Auditor Sharron Walker, and City Clerk Carolyn Jagger

**PLEDGE OF ALLEGIANCE** – Vice Mayor Korte

**INVOCATION** – Rabbi Ariel Shoshan

**MAYOR'S REPORT**

Mayor Lane read a proclamation in honor of Gathering Heroes Week.

**PRESENTATIONS/INFORMATION UPDATES**

- **Gathering Heroes Update**  
**Presenter(s):** Mike Phillips, Public Affairs Manager

Marine Corps Law Enforcement Foundation Representative John Bennett, Retired Air Force Colonel Charlie Black, and Marine Corps Scholarship Foundation Representative Kathleen Winn gave a presentation.

**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**

- Howard Myers commented on the Protect Our Preserve initiative efforts.
- Jeremy Whiteley expressed concern about the lack of recycling at his condominium.
- Kristie Lee Kinchen commented on the Protect Our Preserve initiative efforts.
- Jason Alexander commented on the Protect Our Preserve initiative efforts.

## **ADDED ITEMS**

### **A1. Added Items**

The supporting materials for Item No. 4 were added to the agenda less than ten days prior to the meeting and will require a separate vote to remain on the agenda.

**Request:** Vote to accept the agenda as presented or to continue the added item(s) to the May 22, 2018, Council meeting

## **MOTION AND VOTE – ADDED ITEMS**

Vice Mayor Korte made a motion to accept the agenda as presented. Councilman Phillips seconded the motion, which carried 7/0.

## **MINUTES**

**Request:** Approve the Regular Meeting Minutes of April 10, 2018.

## **MOTION AND VOTE – MINUTES**

Councilwoman Klapp made a motion to approve the Regular Meeting Minutes of April 10, 2018. Councilwoman Littlefield seconded the motion, which carried 7/0.

## **CONSENT AGENDA**

### **1. Safeway No. 197 Liquor License (22-LL-2018)**

**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a person transfer of a Series 9 (liquor store) with sampling privileges State liquor license for an existing location with a new owner.

**Location:** 11475 E. Via Linda

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

### **2. Scottsdale Civic Center Mall (Plaza) Rezoning and Conditional Use Permits (5-ZN-2017, 22-UP-1990#2, and 6-UP-2017)**

**Requests:**

1. Adopt **Ordinance No. 4341** approving a zoning district map amendment from Central Business Downtown Overlay (C-2 DO) and Highway Commercial Downtown Overlay (C-3 DO) zoning to Downtown/Downtown Civic Center – Type 2 Planned Block Development Overlay, Downtown Overlay (D/DCC-2 PBD DO) zoning and a development plan on a 23±-acre site, located at 3933 and 3939 N. Drinkwater Boulevard; 7333 E. Scottsdale Mall; 7373 and 7380 E. 2<sup>nd</sup> Street; and 7447 E. Indian School Road.

2. Adopt **Resolution No. 11086** declaring the document titled "*Scottsdale Civic Center Mall Development Plan*" to be a public record.
3. Find that the conditional use permit criteria have been met and adopt **Resolution No. 10516** approving a Municipal Use Master Site Plan to accommodate future improvements to the Scottsdale Civic Center Mall on a 12±-acre site with Central Business Downtown Overlay (C-2 DO) and Highway Commercial Downtown Overlay (C-3 DO) zoning, located at 3933 and 3939 N. Drinkwater Boulevard and 7333 E. Scottsdale Mall.
4. Find that the conditional use permit criteria have been met and adopt **Resolution No. 11084** approving a conditional use permit for Live Entertainment at the Scottsdale Center for the Performing Arts on a 1.95±-acre site with Central Business Downtown Overlay (C-2 DO) and Highway Commercial Downtown Overlay (C-3 DO) zoning, located at 7374 E. 2<sup>nd</sup> Street.

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

### 3. **Paiute Neighborhood Center ADA Bathroom Renovations**

#### **Requests:**

1. Adopt **Resolution No. 11075** authorizing a FY 2017/18 CIP Future Grants contingency budget appropriation transfer, in the amount of \$135,000, and a FY 2017/18 CIP General Fund Contingency transfer, in the amount of \$5,400, to a newly created capital project titled Paiute Neighborhood Center ADA Bathroom Renovations to be funded by the FY 2017/18 Community Development Block Grant funds and the CIP General Fund.
2. Adopt **Resolution No. 11076** authorizing Architectural Services Contract No. 2018-046-COS with Dieterich Architectural Group, Inc., in the amount of \$19,910, for architectural services associated with bathroom renovations in Building 2 of the Paiute Neighborhood Center.

**Staff Contact(s):** Bill Murphy, Community Services Director, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)

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

Vice Mayor Korte made a motion to approve Consent Agenda Items 1 through 3. Councilwoman Littlefield seconded the motion, which carried 7/0.

## **REGULAR AGENDA**

### 4. **November 6, 2018 Special Election Options**

**Request:** Presentation, discussion, and possible action on the following options to call a special election, to run concurrently with the November 6, 2018 General Election:

1. Adopt **Resolution No. 11124** authorizing and calling a special election for Tuesday, November 6, 2018, to submit to the qualified electors of the City of Scottsdale the question of authorizing an increase in the rate of transaction privilege and use taxes in the city by 0.15 percent (0.15%) to provide funds for transportation improvement projects, capital improvement projects, and operations and related costs. In no event shall any of the authorized funds be used for the construction of a desert discovery center or for the construction of any improvements in the McDowell Sonoran Preserve.

2. Adopt **Resolution No. 11092** ordering and calling a special election for Tuesday, November 6, 2018, to submit to the qualified electors of the City of Scottsdale a question authorizing the issuance and sale of \$350,000,000 principal amount of general obligation bonds. In no event shall any authorized bonds be used for the construction of a desert discovery center or for the construction of any improvements in the McDowell Sonoran Preserve.

**Presenter(s):** Dave Lipinski, City Engineer

**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [daworth@scottsdaleaz.gov](mailto:daworth@scottsdaleaz.gov); Jeff Nichols, City Treasurer, 480-312-2364, [jenichols@scottsdaleaz.gov](mailto:jenichols@scottsdaleaz.gov)

City Engineer Dave Lipinski gave a PowerPoint presentation (attached) on the November 6, 2018 Special Election options.

Mayor Lane opened public testimony.

- Howard Myers, Scottsdale resident, spoke in support of a sales tax increase.
- Alex McLaren, Scottsdale resident, spoke in support of general obligation bonds.
- Copper Phillips, Coalition of Greater Scottsdale, spoke in support of a sales tax increase and general obligation bonds.
- Louise Lamb, Scottsdale resident, spoke in support of general obligation bonds, with the addition of a \$30M project for the Scottsdale Stadium improvements.
- Jason Rose, representing the Automobile Dealers Association, asked the Council to limit the sales tax increase to the first \$10,000 of a purchase.

Mayor Lane closed public testimony.

#### **MOTION AND VOTE – ITEM 4**

Councilwoman Klapp made a motion to: (1) Adopt Resolution No. 11124 authorizing and calling a special election for Tuesday, November 6, 2018, to submit to the qualified electors of the City of Scottsdale the question of authorizing an increase in the rate of transaction privilege and use taxes in the city by 0.10 percent (0.10%) for a period of ten years to provide funds for transportation improvement projects and operations and related costs; and (2) direct staff to schedule a work study session in the fall for a presentation, discussion, and direction to staff on all the remaining capital projects and funding options, with the expectation that a bond election would be scheduled for November 2019. Councilman Phillips seconded the motion, which carried 4/3, with Vice Mayor Korte and Councilmembers Milhaven and Smith dissenting.

Councilmembers suggested:

- Including in the voter information pamphlet an explanation of Arterial Life Cycle Projects (ALCP) and a list of the ALCP projects that the City anticipates completing using Prop 400 and sales tax monies, along with a statement that these projects will receive all possible priority.
- Using the current Citizen's Bond Oversight Committee, or a newly-created commission, to review the ALCP projects as they are constructed to assure citizens the money is being spent as promised.

**PUBLIC COMMENT – None**

## CITIZEN PETITIONS

### 5. 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](mailto:cjagger@scottsdaleaz.gov)

No citizen petitions were received.

## MAYOR AND COUNCIL ITEMS

### 6. Boards, Commissions, and Task Force Nominations (Note: Interviews and appointments scheduled for May 22, 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.

Board of Adjustment (*two vacancies*) – Mayor Lane nominated Michael Gonzales and Scott Johnson and Councilwoman Klapp nominated Jay Leopold.

Environmental Quality Advisory Board (*one vacancy*) – Councilwoman Klapp nominated Natalie Lazarr and Councilwoman Milhaven nominated David Abranovic.

Historic Preservation Commission (*one architect or archaeologist vacancy*) – Councilwoman Milhaven nominated Linda Davis and Councilman Phillips nominated Melissa Fedock.

Judicial Appointments Advisory Board (*one Scottsdale bar representative vacancy*) – No applications received.

Library Board (*one vacancy*) – Councilwoman Littlefield nominated Janet Smigielski, Councilman Smith nominated Monica Levens, and Vice Mayor Korte nominated Dana Rakinic.

Loss Trust Fund Board (*one vacancy*) – No applications received.

McDowell Sonoran Preserve Commission (*two vacancies*) – Councilman Phillips nominated Joseph Blankenship and Andrea Davis, Councilman Smith nominated Steve Dodd and Michael Mayer, Vice Mayor Korte nominated Tawana Parker, and Councilwoman Klapp nominated Ann Adams.

Planning Commission (*one vacancy*) – Councilman Smith nominated Paul Alessio and Councilwoman Littlefield nominated William Conti.

**ADJOURNMENT**

The Regular City Council Meeting adjourned at 6:49 P.M.

**SUBMITTED BY:**



**Carolyn Jagger**  
City Clerk


Officially approved by the City Council on May 22, 2018

### 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 1<sup>st</sup> day of May 2018.

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

**DATED** this 22<sup>nd</sup> day of May 2018.

  
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Carolyn Jagger, City Clerk

**ITEM 4**

**November 6, 2018  
Special Election Options**

**City Council Meeting  
May 1, 2018**

**November 6, 2018 Special Election Options:**

Option 1

Adopt Resolution No. 11124 authorizing and calling a special election for Tuesday, November 6, 2018, to submit to the qualified electors of the City of Scottsdale the question of authorizing an increase in the rate of transaction privilege and use taxes in the city by 0.15 percent (0.15%) to provide funds for transportation improvement projects, capital projects, and operations and related costs.

Option 2

Adopt Resolution No. 11092 ordering and calling a special election for Tuesday, November 6, 2018, to submit to the qualified electors of the City of Scottsdale a question authorizing the issuance and sale of \$350,000,000 principal amount of general obligation bonds.



## **Option 1: Resolution 11124**

Calls a Special Election for November 6, 2018, for the purpose of submitting to the voters one question requesting a 0.15% sales tax increase for:

- Transportation improvement projects, capital projects, and operations and related costs.

In no event shall any of the authorized funds be used for the construction of a desert discovery center or for the construction of any improvements in the McDowell Sonoran Preserve.

## **Option 2: Resolution 11092**

Calls a Special Election for November 6, 2018, for the purpose of submitting to the voters one question requesting \$350,000,000 in General Obligation Bonds for:

- Libraries, Parks and Recreational Facilities and Improvements
- Public Parking
- Municipal Facilities
- Technology Improvements
- Streets and Transportation Facilities and Improvements
- Stormwater and Flood Control Improvements
- Public Safety – Fire Facilities and Improvements
- Public Safety – Police Facilities and Improvements

Allows for the establishment, or continuance of, a resident bond oversight committee.

In no event shall any of the authorized funds be used for the construction of a desert discovery center or for the construction of any improvements in the McDowell Sonoran Preserve.

## **November 6, 2018 Special Election Options:**

### Option 1

Adopt Resolution No. 11124 authorizing and calling a special election for Tuesday, November 6, 2018, to submit to the qualified electors of the City of Scottsdale the question of authorizing an increase in the rate of transaction privilege and use taxes in the city by 0.15 percent (0.15%) to provide funds for transportation improvement projects, capital projects, and operations and related costs.

### Option 2

Adopt Resolution No. 11092 ordering and calling a special election for Tuesday, November 6, 2018, to submit to the qualified electors of the City of Scottsdale a question authorizing the issuance and sale of \$350,000,000 principal amount of general obligation bonds.

**Questions?**