

13. Montacino McDowell Mountain Final Plat

Request: Approve the Final Plat for 28 residential lots with amended development standards on a 7.226 acre parcel.

Location: 330' west of the southwest corner of Shea Boulevard and 124th Street

Reference: 10-PP-2003

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Tim Curtis, Project Coordination Manager, 480-312-4210, tcurtis@scottsdaleaz.gov

Mayor Manross opened public testimony.

Leon Spiro, 7814 E Oberlin Wy, 85262, requested a staff presentation. Mayor Manross reminded Mr. Spiro that the item was on the Consent Agenda. She urged Mr. Spiro to make his comments for the record. Mr. Spiro stated his belief that the Council was acting illegally in these types of cases and pointed out what he considered to be a flaw in the subdivision plan regarding access from Cochise Street.

Mayor Manross closed public testimony.

14. Pink Pony Restaurant Historic Property Overlay

Requests:

1. Consider a request to rezone from Central Business District Downtown Overlay (C-2 DO) to Central Business District, Downtown Overlay, Historic Property (C-2 DO HP) for the Pink Pony Restaurant (.2 +/- acre parcel) at 3831 N. Scottsdale Road and to place the property on the Scottsdale Historic Register.
2. Consider adopting Ordinance No. 3562 affirming the rezoning.

Location: 3831 N. Scottsdale Road

Reference: 19-ZN-2003/5-HP-2003

Staff Contact(s): Robert J. Cafarella, Director, Preservation Division, 480-312-2577, rcafarella@scottsdaleaz.gov; Don Meserve, Preservation Planner, 480-312-2523, dmeserve@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

15. Sugar Bowl Restaurant Historic Property Overlay

Requests:

1. Consider a request to rezone from Central Business District, Downtown Overlay (C-2 DO) to Central Business District, Downtown Overlay, Historic Property (C-2 DO HP) for the Sugar Bowl Restaurant (.13 +/- acre parcel) at 3935 and 4005 N. Scottsdale Road and to place the property on the Scottsdale Historic Register.
2. Consider adopting Ordinance No. 3563 affirming the rezoning.

Location: 3935 and 4005 N. Scottsdale Road

Reference: 20-ZN-2003/6-HP-2003

Staff Contact(s): Robert J. Cafarella, Director, Preservation Division, 480-312-2577, rcafarella@scottsdaleaz.gov; Don Meserve, Preservation Planner, 480-312-2523, dmeserve@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

Councilman Ortega congratulated the owners of the Pink Pony and Sugar Bowl for becoming part of the Scottsdale Historic Register.

16. Scottsdale National 30-Acre Rezoning

Requests:

1. To rezone from Single-Family Residential, Environmentally Sensitive Lands District (R1-190 ESL) to Single Family Residential, Environmentally Sensitive Lands District (R1-190 ESL and R1-70 ESL) on 30 +/- acre property located at the southeast corner of Rio Verde Drive and 136th Street.
2. Consider adopting Ordinance No. 3564 affirming the rezoning.

Location: East Rio Verde Drive/136th Street (Southeast corner)

Reference: 2-ZN-2004

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Kurt Jones, Current Planning Director, 480-312-2524, kjones@scottsdaleaz.gov

17. McKnight and Main Office/Residential Building Rezoning

Requests:

1. To rezone from Single-Family Residential District, Downtown Overlay (R1-7 DO) to Service Residential District, Downtown Overlay (S-R DO) on a .25 +/- acre parcel located at 7539 McKnight Avenue.
2. To consider adopting Ordinance No. 3566 affirming the rezoning.

Location: 7539 E. McKnight Avenue

Reference: 4-ZN-2004

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Greg Williams, Senior Planner, 480-312-4205, gwilliams@scottsdaleaz.gov

18. Code Enforcement Text Amendment Extending Administrative Citation Authority for Zoning Ordinance Violations

Requests:

1. To approve a Text Amendment to amend Ordinance 455 (Zoning Ordinance) Article I., Administration and Procedures, Section 1.1400. Violation and Penalty to allow for Administrative penalties for violations of the Zoning Ordinance.
2. To adopt Ordinance No. 3565 affirming the above Text Amendment.

Location: City-wide

Reference: 3-TA-2004

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Raun Keagy, Neighborhood Services Director, 480-312-2373, rkeagy@scottsdaleaz.gov

Councilman Silverman expressed his pleasure at seeing the amendment come forward as it would help tremendously in correcting many code violations.

19. Construction Bid Award for Sidewalk Improvements - Phase III

Request: Authorize Construction Bid Award No. 04PB056 for construction of wheelchair ramps in existing sidewalks and new concrete sidewalks and associated work to Carson Construction, Inc., the lowest responsive bidder, at their lump sum bid of \$139,994.

Related Policies, References: The Sidewalk Element of the General Plan supports increasing the level of service for pedestrians through completion of the City's system of sidewalk and wheelchair ramps.

Staff Contact(s): Al Dreska, Municipal Services General Manager, 480-312-5555, adreska@scottsdaleaz.gov; Chris Perkins, Public Works Project Coordinator, 480-312-7845, cperkins@scottsdaleaz.gov

20. Construction Bid Award for Roadway Capacity Improvements

Request: Authorize Construction Bid Award No. 04PB051 for construction of Roadway Capacity Improvements at Four Separate Locations to JMH Company, LTD, the lowest responsive bidder, at their unit price bid of \$254,655.10.

Staff Contact(s): Al Dreska, Municipal Services General Manager, 480-312-5555, adreska@scottsdaleaz.gov; Chris Perkins, Public Works Project Coordinator, 480-312-7845, cperkins@scottsdaleaz.gov

21. Architectural Services Contract for Scottsdale Center for the Arts Renovations

Request: Authorize Architectural Services Contract 2004-030-COS with John Douglas Architecture & Planning, in the total amount of \$115,849 to prepare construction documents for facility improvements at the Scottsdale Center for the Arts

Staff Contact(s): Al Dreska, Municipal Services General Manager, 480-312-5555, adreska@scottsdaleaz.gov; Bill Peifer, Sr. Project Manager, 480-312-2367, bpeifer@scottsdaleaz.gov

22. Hirsch Electronics Sole Source Designation Product

Request: Authorize the designation of Hirsch Electronics manufactured software and equipment as a sole source product for future solicitations for electronic, card-key access control installations at City facilities.

Related Policies, References: Administrative Regulation 100: Access to Facilities

Staff Contact(s): Alan A. Rodbell, Police Chief, 480-312-5310, arodbell@scottsdaleaz.gov; Marc Eisen, Director Homeland Security, 480-312-7999, meisen@scottsdaleaz.gov; Monroe Warren, Purchasing Director, 480-312-5705, mwarren@scottsdaleaz.gov; Dave Petty, Water and Wastewater Operations Director, 480-312-5661, dpetty@scottsdaleaz.gov

23. Construction Bid Award for Well 23 Site Improvements and Transmission Main and Shea Boulevard and 65th Place Area Water Distribution System Improvements

Request: Authorize Construction Bid Award No. 04PB073 to Blucor Contracting, Inc., the lowest responsive bidder, at their unit price bid of \$921,756.

Related Policies, References:

- a. Contract Modification to Engineering Services Contract No. 2000-198A-COS with David Evans and Associates, Inc. for the design of Water Distribution Systems Improvements on December 10, 2001.
- b. Contract Modification to Engineering Services Contract No. 2002-030A-COS with CSA Engineering, Inc. for the design of waterline replacement projects on March 17, 2003.
- c. Construction Bid Award No. 04PB025 with Garney Companies for the Arsenic Removal Water Treatment Facility at Well Site 32, located at 11606 N. 64th Street on February 17, 2004.

Staff Contact(s): Al Dreska, Municipal Services General Manager, 480-312-5555, adreska@scottsdaleaz.gov; Alison Tymkiw, Sr. Project Manager, 480-312-7985,

atymkiw@scottsdaleaz.gov; Joe Gross, Water Resources Director, 480-312-5628,
jgross@scottsdaleaz.gov

MOTION AND VOTE – CONSENT AGENDA ITEMS 1-23

COUNCILMAN SILVERMAN MOVED FOR APPROVAL OF CONSENT AGENDA ITEMS 1-23, AND SPECIFICALLY USE PERMIT CASE NUMBERS 4-UP-2004 (ITEM 8), 1-UP-2004 (ITEM 11), AND 5-UP-2004 (ITEM 12), FINDING THAT THE USE PERMITS COMPLY WITH THE USE PERMIT CRITERIA AS SET OUT IN THE STAFF REPORT. COUNCILMAN ORTEGA SECONDED THE MOTION, WHICH CARRIED 7/0.

REGULAR AGENDA ITEM 24

24. Solicit public testimony on the Proposed FY 2004/05 Operating Budget and Capital Improvement Plan.

Request: The City Council receives public input relative to the Proposed FY 2004/05 Operating Budget and Capital Improvement Plan.

Staff Contact(s): Craig Clifford, Financial Services General Manager, 480-312-2364, cclifford@scottsdaleaz.gov; Art Rullo, Budget Director, 480-312-2335, arullo@scottsdaleaz.gov

Mr. Clifford reviewed the FY 2004/05 Proposed Budget and requested Council direction in order for staff to prepare documents for the tentative budget adoption on May 17, 2004.

Mayor Manross opened public testimony.

Darlene Petersen, 7327 E Wilshire Dr, 85257, requested that some of the money allocated to the Cultural Council be stipulated for bringing the symphony orchestra back to the Center for the Arts.

Lyle Wurtz, 6510 E Palm Ln, 85257, questioned expenditures for the preserve and stated his belief that there could be a danger of increased property taxes.

Mayor Manross asked Ms. Dolan to comment on the number of police officers needed for the preserve.

Ms. Dolan said eight new officers would be allocated for all city parks and the preserve replacing some positions, which were eliminated a couple years ago due to budget constraints. As access to the preserve was made available, the parks and preserve police unit would add those areas to their workloads.

Ms. Dolan further discussed the GO Bonds, saying the city would not issue any bonds or go into debt any further than what sales tax projections would support.

Mr. Clifford added that it has been stated over and over again in the city's financial statements that the city has no intention of raising property taxes. Only sales tax will be used to pay debt service.