

CITY COUNCIL REPORT



Meeting Date: July 10, 2023
 General Plan Element: ***Character & Design***
 General Plan Goal: ***Maximize the potential of public art to enrich resident's and visitor's lives***

ACTION

Adopt Resolution No. 12885 authorizing FY 2023/24 Budget Appropriation and Cash Transfers for newly created Arizona Canal Bank Improvements Capital Improvement Plan (CIP) project.

Adopt Resolution No. 12885 authorizing:

- 1) A FY 2023/24 Old Town Improvements Capital Contingency Budget Appropriation transfer of up to \$1,600,000 to a newly created CIP project to be titled Arizona Canal Bank Improvements to be funded by the Downtown Cultural Trust Operating Fund and Old Town/Downtown Special Improvements CIP Fund.
- 2) A FY 2023/24 cash transfer of up to \$900,000 from the Downtown Cultural Trust Operating Fund to the Arizona Canal Bank CIP Project and up to \$700,000 from the Old Town/Downtown Special Improvements CIP Fund to the Arizona Canal Bank CIP Project.

BACKGROUND

Per Section 7.1001-7.1006 of the Zoning Ordinance, The Downtown Cultural Trust is a subset of the Cultural Improvement Program. The Cultural Improvement Program applies to private development projects in zoning districts requiring a contribution. The Downtown Cultural Trust receives contributions generated by the valuation of private development projects in the downtown area that choose not to commission and install original artwork in their projects. These funds may only be used for the cost of artwork on property in the downtown area.

On June 21, 2016, as part of the WaterView Mixed Use Development case (19-ZN-2015), the City Council approved a development agreement (Contract No. 2016-064-COS), and both the zoning case stipulations and the development agreement identify two projects to be funded in part by the developer's required Cultural Improvements Program contributions. These two projects are the Arizona Canal Bank Improvements and the Canal Bridge. This action addresses the first project (Arizona Canal Bank Improvements), as this is associated with Phase 1 of the adjacent development project, the WaterView Apartments. The second project, the Canal Bridge, which is more closely associated with Phase 2 of the development project, which will either be a hotel or an additional multi-family project. Additional Cultural Improvement Program contributions will be made at the time of the development of Phase 2 of the project with the additional contribution amount yet to be determined. Because the Cultural Improvements Program contribution for Phase 2 has not yet

been received, full funding for the Phase 2 portion of the project is not yet available. Both the city and Scottsdale Arts are coordinating on these improvements which were both declared to be "Artwork" within the meanings of City Code.

The Arizona Canal Bank Improvements project will include a multi-use path on the canal bank and landscape improvements. When the project is completed, neighborhood residents will have improved path access for walking and cycling and the current barren dirt canal bank will be improved with landscaping, which aligns with the development agreement approved by City Council. The total funding for this project is \$1,600,000.

ANALYSIS & ASSESSMENT

Recent Staff Action

City staff has worked reviewed initial conceptual plans for the path improvements and has estimated the project cost at \$1,600,000 to complete the path and landscape improvement.

RESOURCE IMPACTS

Available funding

The required appropriation to cover the new project creation exists in the city's adopted FY 2023/24 Old Town/Downtown Special Improvements Capital Contingency Fund. The required cash is available in the Downtown Cultural Trust Operating Fund and in the Old Town/Downtown Special Improvements CIP Fund.

Staffing, Workload Impact

CPM project management staff will be responsible for administration of this project.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach

Adopt Resolution No. 12885 authorizing:

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- 2) A FY 2023/24 cash transfer of up to \$900,000 from the Downtown Cultural Trust Operating Fund to the Arizona Canal Bank CIP Project and up to \$700,000 from the Old Town/Downtown Special Improvements CIP Fund to the Arizona Canal Bank CIP Project.

Proposed Next Steps:

Upon City Council approval, CPM will begin procurement for design of the project.

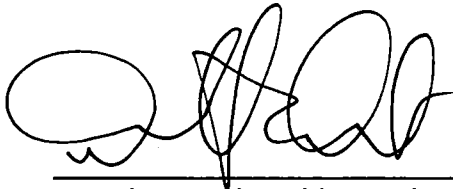
RESPONSIBLE DEPARTMENT(S)

Public Works Division, Capital Project Management

STAFF CONTACT(S)

Alison Tymkiw, City Engineer, atymkiw@scottsdaleaz.gov

APPROVED BY



Daniel J. Worth, Public Works Director
(480) 312-5555, dworth@scottsdaleaz.gov

6-26-23

Date



Judy Doyle, Budget Director
(For Financial Policies Compliance and Budget Appropriation)
(480) 312-2603, jdoyle@scottsdaleaz.gov

6-26-2023

Date

ATTACHMENTS

1. Resolution No. 12885
2. Location Map

RESOLUTION NO. 12885

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA AUTHORIZING 1) A FY 2023/24 OLD TOWN IMPROVEMENTS CAPITAL CONTINGENCY BUDGET APPROPRIATION TRANSFER OF UP TO \$1,600,000 TO A NEWLY CREATED CIP PROJECT TO BE TITLED ARIZONA CANAL BANK IMPROVEMENTS TO BE FUNDED BY THE DOWNTOWN CULTURAL TRUST OPERATING FUND AND OLD TOWN/DOWNTOWN SPECIAL IMPROVEMENTS CIP FUND AND 2) A FY 2023/24 CASH TRANSFER OF UP TO \$900,000 FROM THE DOWNTOWN CULTURAL TRUST OPERATING FUND TO THE ARIZONA CANAL BANK CIP PROJECT AND UP TO \$700,000 FROM THE OLD TOWN/DOWNTOWN SPECIAL IMPROVEMENTS CIP FUND TO THE ARIZONA CANAL BANK CIP PROJECT.

WHEREAS, the City desires to establish a new capital project for the Arizona Canal Bank Improvements project ("the Project"); and

WHEREAS, Section 2 of Ordinance No. 4502 allows expenditures to be made from budget contingencies and reserves upon recommendation of the City Manager and approval of the City Council; and

WHEREAS, the City Manager recommends the budget adjustments described in Section 1 of this Resolution;

WHEREAS, funding is available for the Project from the Downtown Cultural Trust Operating Fund and the Old Town/Downtown Special Improvements CIP Fund

BE IT RESOLVED by the Council of the City of Scottsdale as follows:

Section 1. The City Council hereby authorizes: 1) a FY 2023/24 Old Town Improvements Capital Contingency Budget Appropriation transfer of up to \$1,600,000 to a newly created CIP project to be titled Arizona Canal Bank Improvements to be funded by the Downtown Cultural Trust Operating Fund and Old Town/Downtown Special Improvements CIP Fund and 2) a FY 2023/24 cash transfer of up to \$900,000 from the Downtown Cultural Trust Operating Fund and up to \$700,000 from the Old Town/Downtown Special Improvement CIP Fund to the Arizona Canal Bank Improvements project.

PASSED AND ADOPTED by the City Council of the City of Scottsdale this _____ day of _____ 2023.

CITY OF SCOTTSDALE
an Arizona municipal corporation

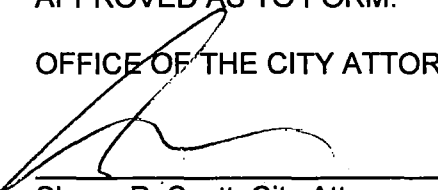
ATTEST:

Ben Lane, City Clerk

David D. Ortega, Mayor

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY



Sherry R. Scott, City Attorney

By: Eric Anderson, Senior Assistant City Attorney



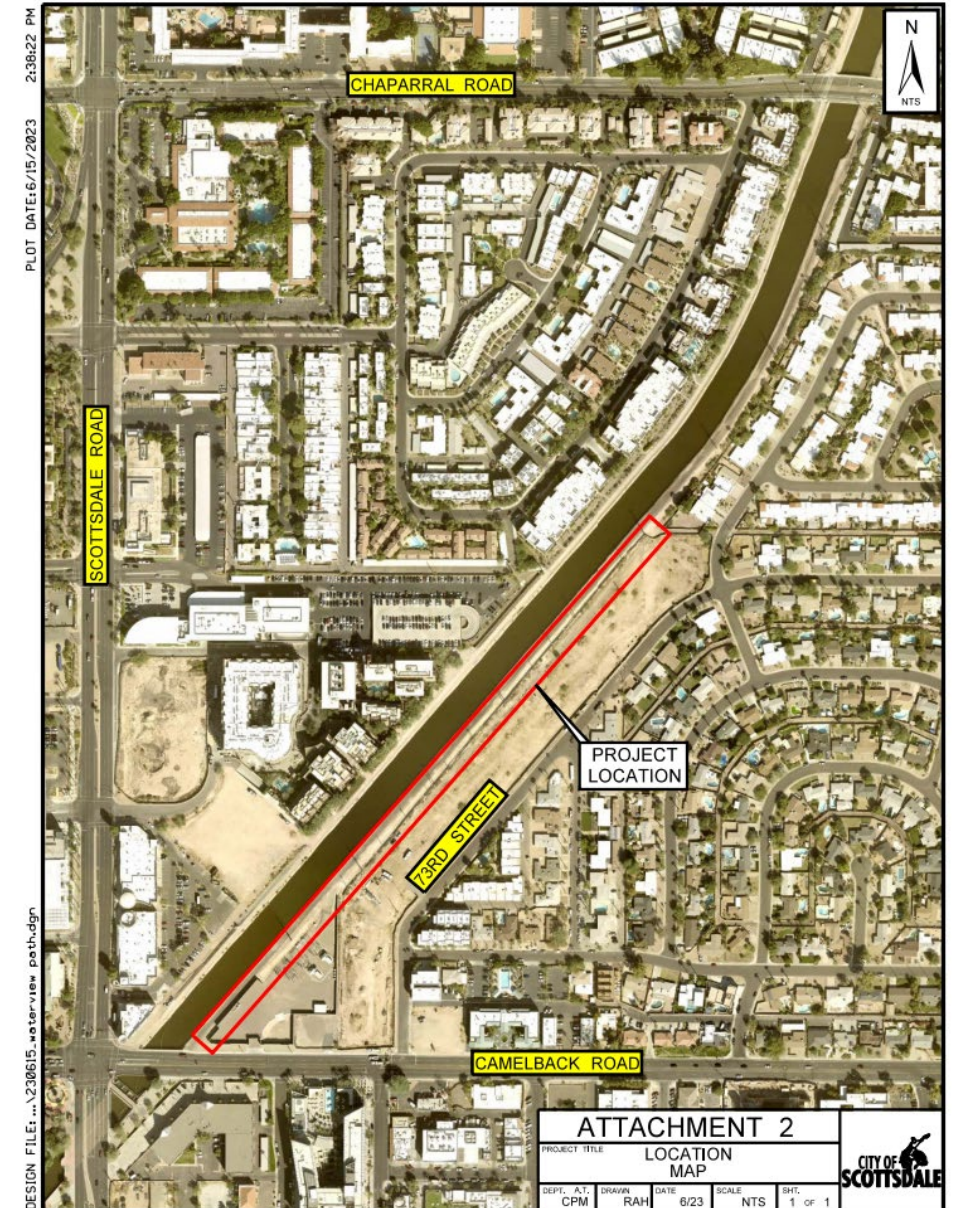
Item #12: Adopt Resolution No. 12885 authorizing FY 2023/24 Budget Appropriation and Cash Transfers for newly created Arizona Canal Bank Improvements Capital Improvement Plan (CIP) project

Adopt Resolution No. 12885 to authorize:

1. A FY 2023/24 Old Town Improvements Capital Contingency Budget Appropriation transfer of up to \$1,600,000 to a newly created CIP project to be titled Arizona Canal Bank Improvements to be funded by the Downtown Cultural Trust Operating Fund and Old Town/Downtown Special Improvements CIP Fund.
2. A FY 2023/24 cash transfer of up to \$900,000 from the Downtown Cultural Trust Operating Fund to the Arizona Canal Bank CIP Project and up to \$700,000 from the Old Town/Downtown Special Improvements CIP Fund to the Arizona Canal Bank CIP Project

Project Description:

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- This action addresses the first project (Arizona Canal Bank Improvements), as this is associated with Phase 1 of the adjacent development project, the WaterView Apartments.
- The second project, the Canal Bridge, is more closely associated with Phase 2 of the development project. Additional Cultural Improvement Program contributions will be made at the time of the development of Phase 2.



Questions?