

SCOTTSDALE

CITY COUNCIL MEETING



***** AMENDED *** MEETING NOTICE AND AGENDA**

[ADDED ITEM NOS. A1, 20A, AND 24A; AND REMOVED ITEM NO. 20]

COUNCIL

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Robert W. Littlefield

Linda Milhaven

Guy Phillips

Dennis E. Robbins

Tuesday, June 4, 2013

Unless an exception is made, or unless otherwise noted:

Citizens will be given three minutes to address the Council during the times set aside for public comment on Consent, Regular, or Mayor and Council items, and during the open call to public (Public Comment).

The Council will not begin discussion on any new items after 10:00 p.m. Items that are not heard will be continued to the next scheduled Council meeting (June 18, 2013).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:07 P.M.

Roll Call – All present

One or more members of the Council may be unable to attend the Council meeting in person, and may participate telephonically, pursuant to A.R.S. §38-431(4).

Pledge of Allegiance – Adapted Recreation's Scottsdale Bobcats

Invocation – Pastor John Paul Stepanian, Scottsdale Bible Church

Mayor's Report – Mayor Lane congratulated Scottsdale's Desert Mountain High School Division 1 State Champions for earning the championship baseball title. Desert Mountain High School is ranked No. 1 in the western United States and No. 9 in the country. Mayor Lane also offered congratulations to Notre Dame Prep as the State's division champions and to Scottsdale Community College for ranking No. 4 in the National Junior College rankings.

City Manager's Report – Communications and Public Affairs Director Kelly Corsette presented City Web Gem awards to City Clerk Carolyn Jagger, City Clerk Assistant Chris Moffitt, and Technology Specialist Johnny Olmo for the creation of the City Council and City Board and Commission historic webpages.



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING THE CITY CLERK'S OFFICE AT (480-312-2412). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT THE CITY CLERK'S OFFICE (480-312-2412).

Presentations/Information Updates – None

Public Comment – Bobbie Patterson expressed concern about how reports of animal abuse are handled. Michael Fernandez expressed concern about light rail in Scottsdale.

Citizens may complete one Request to Speak “Public Comment” card per night and submit it to the City Clerk. Public Comment time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items. **Speakers are limited to three minutes to address the Council during “Public Comment” time.**

ADDED ITEMS

Added Items: Resolution No. 8223 requires that, with limited exceptions, the agenda language, the Council report, and any supporting material described as being attached to the Council report shall be made available to the public at least ten days prior to a scheduled Council meeting. Material that is not timely made requires a separate vote to consider whether the item will remain on the agenda or be continued to a future date.

***A1. Added Items

Consent Item No. 24A was added to the agenda May 30, 2013.

Request: Vote to accept the agenda as presented or continue the added item(s) to the next scheduled Council meeting, which is June 18, 2013.

– Councilman Robbins moved to accept the agenda as presented. Councilwoman Milhaven seconded the motion, which carried 7/0.

MINUTES

Request: Approve the [Special Meeting Minutes of April 17, 2013; 4:00 p.m. Special Meeting Minutes of April 30, 2013; 5:00 p.m. Special Meeting Minutes of April 30, 2013; Work Study Session Minutes of April 30, 2013](#); and Executive Session Minutes of April 30, 2013.

– Vice Mayor Klapp moved to approve the Special Meeting Minutes of April 17, 2013; 4:00 p.m. Special Meeting Minutes of April 30, 2013; 5:00 p.m. Special Meeting Minutes of April 30, 2013; Work Study Session Minutes of April 30, 2013; and Executive Session Minutes of April 30, 2013. Councilmember Korte seconded the motion, which carried 7/0.

CONSENT AGENDA ITEMS 1-24A

– Councilmember Korte moved to approve Consent Items 1 through 24A, absent Items 11 and 15. Councilman Phillips seconded the motion, which carried 7/0. (Note: Item 20 was removed from the agenda.)

How the Consent Agenda Works: The Council may take one vote to act on all of the items on the Consent Agenda, or may remove items for further discussion. If you wish to speak on an item on the Consent Agenda, please complete a Request to Speak card for each topic you wish to address. **You will be given one opportunity to speak on any or all Consent items listed on the agenda.** After all speakers have finished, the Council will decide which items to remove for additional discussion and/or presentation from staff. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

1. [2 Sons Food Mart Liquor License \(27-LL-2013\)](#) – **Approved on Consent.**

Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a series 10 (beer and wine liquor store) liquor license for an existing location with a new owner.

Location: 1511 N. Hayden Road, Suite 100

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

2. **[EVO Liquor License \(28-LL-2013\)](#) – Approved on Consent.**

Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license for an existing location with a new owner.

Location: 4175 N. Goldwater Boulevard

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

3. **[La Petite France Liquor License \(29-LL-2013\)](#) – Approved on Consent.**

Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license for an existing location with a new owner.

Location: 7001 N. Scottsdale Road, Suites 127 and 128

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

4. **[A Twisted Rose Liquor License \(30-LL-2013\)](#) – Approved on Consent.**

Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a person and location transfer of a series 7 (beer and wine bar) liquor license for an existing location with a new owner.

Location: 15040 N. Northsight Boulevard, Suite 104

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

5. **[Eli's American Grille Liquor License \(31-LL-2013\)](#) – Approved on Consent.**

Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing series 6 (bar) liquor license.

Location: 7000 E. Shea Boulevard, Suite 140

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

6. **[AT&T WCF549 Giants Complex Club SAR Conditional Use Permit \(14-UP-2012\)](#) – Approved on Consent.**

Request: Adopt **Resolution No. 9417** approving a Conditional Use Permit for a new Type 4 Alternative Concealment Wireless Communication Facility to be located on a new 60-foot-tall artificial palm tree, with associated ground mounted equipment, with Open Space (O-S) zoning, and finding that the conditional use permit criteria have been met.

Location: 8045 E. Camelback Road

Staff Contact(s): Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, rgrant@scottsdaleaz.gov

7. **[104th Street and Bell Road Final Plat \(9-PP-2004#2D\)](#) – Approved on Consent.**

Request: Approve the final plat for Windgate Ranch Phase II Plat D, Unit 1, consisting of 76 single-family lots and tracts on approximately 21 acres within a Master Planned Community.

Location: North of E. Bell Road and west of E. Windgate Ranch Road/E. Puerta Del Viento Road

Staff Contact(s): Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, rgrant@scottsdaleaz.gov

8. **[La-Z-Boy Furniture Rezoning \(2-ZN-2013\)](#) – Approved on Consent.**

Request: Adopt **Ordinance No. 4094** approving a zoning district map amendment from Commercial Office, Downtown Overlay (C-O DO) to Downtown Regional Use-Type 2, Downtown Overlay (D/DRU-2 DO), and finding that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan on an 0.87± acre site.

Location: 6828 E. Camelback Road

Staff Contact(s): Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, rgrant@scottsdaleaz.gov

9. **60th Street and Carefree Highway Non-Major General Plan Amendment and Rezoning (1-GP-2013 and 1-ZN-2013) – Approved on Consent.**

Requests:

1. Adopt **Resolution No. 9416** approving a non-major amendment to the Scottsdale General Plan 2001 from the Cultural/Institutional or Public Use Designation to the Suburban Neighborhoods Land Use Designation on 13.14± acres for Case No. 1-GP-2013.
2. Adopt **Ordinance No. 4088** approving a zoning district map amendment from Service Residential-Environmentally Sensitive Lands (S-R ESL) and Special Campus-Environmentally Sensitive Lands (SC ESL) to Single-Family Residential-Environmentally Sensitive Lands (R1-7 ESL), and finding that the proposed zoning district map amendment is consistent with the adopted General Plan on 14.78± acres for Case No. 1-ZN-2013.

Location: South and east of the southeast corner of N. 60th Street and E. Carefree Highway

Staff Contact(s): Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, rgrant@scottsdaleaz.gov

10. **McDowell Road Bridge Widening Project Construction Bid Award – Approved on Consent.**

Request: Adopt **Resolution No. 9370** authorizing Construction Bid Award No. 13PB001 to CS Construction, Inc., the lowest responsive bidder, at their unit price bid of \$1,703,024.40, for construction of the McDowell Road Bridge Widening Project.

Staff Contact(s): Derek Earle, Acting Public Works Executive Director, 480-312-2776, dearle@scottsdaleaz.gov

11. **Northsight Boulevard Extension Project Acquisition of Easements – Councilwoman Milhaven moved to adopt Resolution No. 9429, authorizing the acquisition of private roadway easements for the Northsight Boulevard Extension Project and the use of eminent domain, if necessary. Councilmember Korte seconded the motion, which carried 4/3, with Councilmembers Littlefield, Phillips, and Robbins dissenting.**

Request: Adopt **Resolution No. 9429** authorizing the acquisition of private roadway easements for the Northsight Boulevard Extension Project and the use of eminent domain, if necessary.

Staff Contact(s): Derek Earle, Acting Public Works Executive Director, 480-312-2776, dearle@scottsdaleaz.gov

12. **Water and Sewer On-Call Engineering Service Contracts – Approved on Consent.**

Request: Adopt **Resolution No. 9401** authorizing fourth year options for the following on-call engineering services contract modifications for water and sewer projects:

1. On-Call Engineering Services Contract No. 2010-085-COS-A2 with Valentine Environmental Engineers, LLC.
2. On-Call Engineering Services Contract No. 2010-086-COS-A2 with GHD, Inc.

Staff Contact(s): Derek Earle, Acting Public Works Executive Director, 480-312-2776, dearle@scottsdaleaz.gov

13. **Traffic Signal Equipment Grant – Approved on Consent.**

Request: Adopt **Resolution No. 9424** to authorize:

1. Acceptance of an Arizona Department of Transportation grant in the amount of \$44,175 for traffic signal equipment, including pedestrian countdown signal heads.
2. A budget transfer in the amount of \$44,175 from the Adopted FY 2012/13 Future Grants Budget and/or Grants Contingency Budget; and the creation of a new cost center to record the related grant activity.

Staff Contact(s): Derek Earle, Acting Public Works Executive Director, 480-312-2776, dearle@scottsdaleaz.gov

14. **Library Services and Technology Act Grant – Approved on Consent.**
Request: Adopt **Resolution No. 9422** to authorize:
1. Acceptance of an Arizona State Library Archives and Public Records Library Services and Technology Act grant, in the amount of \$50,000, entitled “Eureka! Welcoming the Innovation Economy to Scottsdale.”
 2. A budget transfer in the amount of \$50,000 from the Adopted FY 2013/14 Future Grants Budget and/or Grants Contingency Budget; and the creation of a new cost center to record the related grant activity.
 3. The Library Director to act as agent of the City to execute and administer the grant.
- Staff Contact(s):** William Murphy, Community Services Executive Director, 480-312-7954, bmurphy@scottsdaleaz.gov
15. **Transit Service Intergovernmental Agreement – Removed from the agenda at the request of staff.**
Request: Adopt **Resolution No. 9368** authorizing Intergovernmental Agreement No. 2013-047-COS with the Regional Public Transportation Authority for the provision of express and fixed route bus service, East Valley Dial a Ride service, and New Freedom grant funding, for a total cost to the City of \$1,446,745 and revenues in the amount of \$100,000.
Staff Contact(s): David Meinhart, Interim Transportation Director, 480-312-7010, dmeinhart@scottsdaleaz.gov
16. **City Court Jury Services Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 9428** authorizing Intergovernmental Agreement No. 2006-022-COS-A2, an amendment to an intergovernmental agreement with the Superior Court of Arizona, for the provision of jury services in City Court for the term of July 1, 2013 to June 30, 2014; and establishing fees to be paid by the City for the provision of virtual private network services, if the City requires such services.
Staff Contact(s): Joseph Olcavage, Presiding Judge, 480-312-2775, c/o jdibas@scottsdaleaz.gov
17. **Purchase of Property-Casualty Insurance for the Period of July 1, 2013 to July 1, 2014 – Approved on Consent.**
Request: Adopt **Resolution No. 9432** to:
1. Authorize and direct the purchase of property-casualty insurance, including liability, property, and workers’ compensation coverage, for FY 2013/14.
 2. Execute a letter to the Industrial Commission of Arizona requesting exemption from the requirement to post a security deposit.
- Staff Contact(s):** Ted Howard, Risk Management Director, 480-312-7841, toward@scottsdaleaz.gov
18. **Massage Facilities Code Amendment – Approved on Consent.**
Requests:
1. Adopt **Resolution No. 9068** declaring the document entitled “Amendments to Article VI, Massage Therapists and Massage Facilities Licenses, Chapter 16 of the Scottsdale Revised Code” a public record.
 2. Adopt **Ordinance No. 4023** amending Chapter 16, Article VI, Massage Therapists and Massage Facilities Licenses, of the Scottsdale Revised Code, to regulate massage facilities.
- Staff Contact(s):** Alan Rodbell, Public Safety Executive Director, 480-312-1900, arodbell@scottsdaleaz.gov

19. [Escort, Escort Bureaus and Introductory Services Code Amendment – Approved on Consent.](#)
Requests:
1. Adopt **Resolution No. 9375** declaring the document entitled “Amendments to Article XIV, Escorts, Escort Bureaus and Introductory Services, Chapter 16 of the Scottsdale Revised Code” as a public record.
 2. Adopt **Ordinance No. 4078** amending Chapter 16, Article XIV, Escorts, Escort Bureaus and Introductory Services, of the Scottsdale Revised Code, to regulate escorts, escort assistants and escort bureaus.
- Staff Contact(s):** Alan Rodbell, Public Safety Executive Director, 480-312-1900, arodbell@scottsdaleaz.gov
- ***20. [McDowell Mountain Ranch Community Association Settlement Agreement – Removed.](#)
Request:
(Item No. 20 was removed at the request of staff and will be brought back at a later date.)
- ***20A. [Loxas v. City of Scottsdale Settlement – Approved on Consent.](#)
Request: Adopt **Resolution No. 9420** authorizing the Mayor to enter into Contract No. 2013-066-COS on behalf of the City, contingent upon all necessary future Court approvals and the City Attorney’s future approval of all settlement agreement language, terms and signatures and specifically authorizing the City Treasurer to take all future actions necessary to deposit said funds in a trust account pending all necessary future approvals and a fully executed settlement agreement in order to settle the lawsuit entitled *Loxas v. City of Scottsdale, et al.*, Case No.12-CV-02015-PHX-SMM currently pending in the United States District Court.
Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov
21. [Monthly Financial Report – Approved on Consent.](#)
Request: Accept the FY 2012/13 Monthly Financial Report as of April 2013.
Staff Contact(s): David N. Smith, City Treasurer, 480-312-2364, dasmith@scottsdaleaz.gov
22. [Glass and Garden Community Church Historic Preservation Overlay and Rezoning \(5-HP-2012 and 14-ZN-2012\) – Approved on Consent.](#)
Request: At the request of staff, continue to June 18, 2013.
Staff Contact(s): Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, rgrant@scottsdaleaz.gov
23. [Holy Cross Lutheran Church Historic Preservation Overlay and Rezoning \(6-HP-2012 and 15-ZN-2012\) – Approved on Consent.](#)
Request: At the request of staff, continue to June 18, 2013.
Staff Contact(s): Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, rgrant@scottsdaleaz.gov
24. [First Church of Christ Scientist Historic Preservation Overlay and Rezoning \(1-HP-2013 and 5-ZN-2013\) – Approved on Consent.](#)
Request: At the request of staff, continue to June 18, 2013.
Staff Contact(s): Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, rgrant@scottsdaleaz.gov
- ***24A. [City Manager Appointment and Employment Agreement – Approved on Consent.](#)
Requests:
1. Appoint Fritz A. Behring as City Manager effective July 1, 2013.
 2. Adopt **Resolution No. 9451** authorizing Employment Agreement No. 2013-082-COS with Fritz A. Behring.
- Staff Contact(s):** Sherry Scott, Deputy City Attorney, 480-312-7816, sscott@scottsdaleaz.gov

REGULAR AGENDA ITEMS 25-28

How the Regular Agenda Works: The Council takes a separate action on each item on the Regular Agenda. If you wish to address the Council regarding any or all of the items on the Regular Agenda, please complete a Request to Speak card for each topic you wish to address and submit it to the City Clerk. Speakers will be given at least three minutes to speak per item. Additional time may be granted to speakers representing two or more persons. Cards for designated speakers and the persons they represent must be submitted together. **Comment cards must be submitted before public testimony has begun on any regular agenda or public hearing item.**

25. [Villas 136 Non-Major General Plan Amendment and Rezoning \(2-GP-2013 and 4-ZN-2013\)](#)
– Councilwoman Milhaven moved to: (1) Adopt Resolution No. 9418 approving a non-major amendment to the Scottsdale General Plan 2001 from Commercial Land Use designation to Urban Neighborhoods Land Use designation on 8.8± acres for Case No. 2-GP-2013; and (2) adopt Ordinance No. 4092 approving a zoning map amendment from Planned Neighborhood Center, Environmentally Sensitive Lands, Hillside District (PNC ESL HD) to Medium Density Residential, Environmentally Sensitive Lands (R-3 ESL) district, and finding that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan on 8.8± acres for Case No. 4-ZN-2013. Councilman Robbins seconded the motion. No vote taken.
– Councilman Littlefield made an alternate motion to: (1) Adopt Resolution No. 9418 approving a non-major amendment to the Scottsdale General Plan 2001 from Commercial Land Use designation to Urban Neighborhoods Land Use designation on 8.8± acres for Case No. 2-GP-2013; and (2) adopt Ordinance No. 4092 approving a zoning map amendment from Planned Neighborhood Center, Environmentally Sensitive Lands, Hillside District (PNC ESL HD) to Medium Density Residential, Environmentally Sensitive Lands (R-3 ESL) district, and finding that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan on 8.8± acres for Case No. 4-ZN-2013; and (3) amend Stipulation No. 3 in Exhibit 1 to Ordinance No. 4092 by adding the line “Building heights of Building C and Building J shall be further reduced from the heights identified on Exhibit B to Exhibit 1 by twelve (12) inches.” Councilmember Korte seconded the motion, which carried 6/1, with Councilman Phillips dissenting.

Requests:

1. Adopt **Resolution No. 9418** approving a non-major amendment to the Scottsdale General Plan 2001 from Commercial Land Use designation to Urban Neighborhoods Land Use designation on 8.8± acres for Case No. 2-GP-2013.
2. Adopt **Ordinance No. 4092** approving a zoning map amendment from Planned Neighborhood Center, Environmentally Sensitive Lands, Hillside District (PNC ESL HD) to Medium Density Residential, Environmentally Sensitive Lands (R-3 ESL) district, and finding that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan on 8.8± acres for Case No. 4-ZN-2013.

Presenter(s): Keith Niederer, Senior Planner

Location: 11755, 11675, 11615, and 11601 N. 136th Street

Staff Contact(s): Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, rgrant@scottsdaleaz.gov

26. [Truth in Taxation Hearing and Public Hearing on the Proposed Fiscal Year 2013/14 Property Tax Levy](#) – Councilmember Korte moved to levy the proposed property taxes, taxes to be assessed by ordinance on June 18, 2013. Councilwoman Milhaven seconded the motion, which, by roll call vote, carried 5/2, with Councilmembers Littlefield and Phillips dissenting.

Requests:

1. Solicit public testimony on the proposed Fiscal Year 2013/14 property tax levy.
2. **By a roll call vote**, approve a motion to levy the proposed property taxes, taxes to be assessed by ordinance on June 18, 2013.

Presenter(s): Lee Guillory, Finance Manager

Staff Contact(s): David N. Smith, City Treasurer, 480-312-2364, dasmith@scottsdaleaz.gov

27. [Public Hearing on Proposed Fiscal Year 2013/14 Municipal Streetlight Improvement District Expenses and Property Tax Levy \(by District\)](#) – **Councilman Robbins moved to adopt the proposed Fiscal Year 2013/14 Streetlight Improvement District tax levy, by district, to be assessed by ordinance on June 18, 2013. Councilmember Korte seconded the motion, which, by roll call vote, carried 7/0.**
Requests:
1. Solicit public testimony on the proposed Fiscal Year 2013/14 Streetlight Improvement District proposed expenses and tax levy.
2. **By a roll call vote**, approve a motion to adopt the proposed Fiscal Year 2013/14 Streetlight Improvement District tax levy, by district, to be assessed by ordinance on June 18, 2013.
Presenter(s): Lee Guillory, Finance Manager
Staff Contact(s): David N. Smith, City Treasurer, 480-312-2364, dasmith@scottsdaleaz.gov
28. [Final Public Hearing on the Fiscal Year 2013/14 Budget](#) – **Acting City Manager Dan Worth presentation**
Request: Solicit public testimony on the FY 2013/14 Operating Budget and Capital Improvement Plan, as tentatively approved on May 14, 2013, with adjustments for contingencies and reserves, per approved financial policies.
Presenter(s): Daniel Worth, Acting City Manager; David N. Smith, City Treasurer
Staff Contact(s): Judy McIlroy, Budget Director, 480-312-2603, jmcilroy@scottsdaleaz.gov

MAYOR AND COUNCIL

ITEMS 29-30

29. **Request to Agendize a Hearing to Determine Conditional Zoning Stipulation Compliance (Blue Sky Zoning Case)** – **Councilman Littlefield moved to agendize a discussion and possible hearing to staff on Conditional Zoning Stipulation Compliance (Blue Sky Zoning Case), to include: (1) Determining whether Gray Development complied with the conditional zoning stipulation (Stipulation 41) set forth in Ordinance No. 3909 conditionally approving the Blue Sky zoning case (65-ZN-1992#7 and 2-II-2010) provided that construction began within 24 months of Council's adoption of Ordinance No. 3909; and (2) Potentially initiating an application for future zoning hearings to either revert the zoning to its former zoning classification or amend or remove the conditional zoning stipulation (Stipulation 41). Councilman Phillips seconded the motion, which failed 2/5, with Mayor Lane; Vice Mayor Klapp; and Councilmembers Korte, Milhaven, and Robbins dissenting.**
Request: At the request of Councilman Phillips, discuss and provide possible direction to staff on whether to agendize a hearing to: 1) determine whether Gray Development complied with the conditional zoning stipulation (Stipulation 41) set forth in Ordinance No. 3909 conditionally approving the Blue Sky zoning case (65-ZN-1992#7 and 2-II-2010) provided that construction began within 24 months of Council's adoption of Ordinance No. 3909; and 2) potentially initiate an application for future zoning hearings to either revert the zoning to its former zoning classification or amend or remove the conditional zoning stipulation (Stipulation 41).
30. **Boards, Commissions, and Task Force Nominations (Note: Interviews and appointments scheduled for June 18, 2013)**
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.

Airport Advisory Commission (*two vacancies*) – **Councilman Robbins nominated Michael Goode and William Schuckert.**

Building Advisory Board of Appeals (*two vacancies*) – **Councilwoman Milhaven nominated Mike Bergfeldt and Bill Schweikert.**

Human Services Commission (*one vacancy*) – **Mayor Lane nominated Ronald King and Vice Mayor Klapp nominated Enid Seiden.**

Neighborhood Advisory Commission (*one vacancy*) – **Councilmember Korte nominated Joe Meli; Councilman Robbins nominated Todd Mazon; and Mayor Lane nominated Daniel Russell, III.**

Transportation Commission (*one vacancy*) – **Mayor Lane nominated Michael Liburdi and Councilmember Korte nominated Matthew Wright.**

Public Comment – None

Citizens may complete one Request to Speak “Public Comment” card per night and submit it to the City Clerk. Public Comment time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items. **Speakers are limited to three minutes to address the Council during “Public Comment” time.**

CITIZEN PETITIONS

ITEM 31

Citizen Petitions: This portion of the agenda is reserved for the submission and/or consideration of citizen petitions. There is no limit on the number of petitions a citizen may submit; however, **each citizen is limited to a total time of three minutes to speak to his/her petition(s).** A Request to Speak card must be submitted, together with the petition(s), **before** the second Public Comment period begins.

31. Receipt of Citizen Petitions – None

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

Mayor and Council Items – None

Adjourn the Regular City Council Meeting and Convene the City Council Special Meeting – 6:46 P.M.

CITY COUNCIL SPECIAL MEETING

SPECIAL MEETING AGENDA

ITEM 1

- [Final Adoption of Fiscal Year 2013/14 Budget](#) – **Councilman Robbins moved to adopt Ordinance No. 4095 setting the final budget estimates for the FY 2013/14 Operating Budget and Capital Improvement Plan as tentatively approved on May 14, 2013, with adjustments for contingencies and reserves, per approved financial policies. Councilwoman Milhaven seconded the motion, which carried 5/2, with Councilmembers Littlefield and Phillips dissenting.****

Request: Adopt **Ordinance No. 4095** setting the final budget estimates for the FY 2013/14 Operating Budget and Capital Improvement Plan as tentatively approved on May 14, 2013, with adjustments for contingencies and reserves, per approved financial policies.

Staff Contact(s): Judy McIlroy, Budget Director, 480-312-2603, jmcilroy@scottsdaleaz.gov

Adjourn the City Council Special Meeting and Convene: – 6:48 P.M.

- [DC Ranch Community Facilities District Board of Directors](#) (Agenda Page 10)
- [McDowell Mountain Ranch Community Facilities District Board of Directors](#) (Agenda Page 11)
- [Scottsdale Mountain Community Facility District Board of Directors](#) (Agenda Page 12)
- [Via Linda Road Community Facilities District Board of Directors](#) (Agenda Page 13)
- [Scottsdale Waterfront Commercial Community Facilities District Board of Directors](#) (Agenda Page 14)

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
DC RANCH COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the DC Ranch Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 4, 2013 at 5:00 p.m. (or immediately following the meeting of the Scottsdale City Council) in the City of Scottsdale Kiva, located at 3939 Drinkwater Boulevard, Scottsdale, Arizona, 85251, telephone number (480) 312-2412.

The agenda for the meeting is as follows:

1. Call to Order – **6:49 P.M.**
2. Approval of Minutes of Tuesday, June 5, 2012 – **Councilman Robbins moved to approve the minutes of Tuesday, June 5, 2012. Vice Mayor Klapp seconded the motion, which carried 7/0.**
3. Adopt **Resolution No. 38**, which sets out preliminary budget and calls for Public Hearing – **Councilman Robbins moved to adopt Resolution No. 38, which sets out preliminary budget and calls for Public Hearing. Vice Mayor Klapp seconded the motion, which carried 7/0.**
4. Call for Public Comments on the budget – **None**
5. Adopt **Resolution No. 39**, which approves the budget and sets tax levy – **Councilman Robbins moved to adopt Resolution No. 39, which approves the budget and sets tax levy. Vice Mayor Klapp seconded the motion, which carried 7/0.**
6. Adopt **Resolution No. 40**, adopting issuance and post-issuance compliance procedures related to tax-exempt bonds – **Councilman Robbins moved to adopt Resolution No. 40, adopting issuance and post-issuance compliance procedures related to tax-exempt bonds. Vice Mayor Klapp seconded the motion, which carried 7/0.**
7. Adjournment – **6:51 P.M.**



**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
McDOWELL MOUNTAIN RANCH
COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the McDowell Mountain Ranch Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 4, 2013 at 5:00 p.m. (or immediately following the meeting of the Scottsdale City Council) in the City of Scottsdale Kiva, located at 3939 Drinkwater Boulevard, Scottsdale, Arizona, 85251, telephone number (480) 312-2412.

The agenda for the meeting is as follows:

1. Call to Order – **6:51 P.M.**
2. Approval of Minutes of Tuesday, June 5, 2012 – **Vice Mayor Klapp moved to approve the minutes of Tuesday, June 5, 2012. Councilman Robbins seconded the motion, which carried 7/0.**
3. Adopt **Resolution No. 50**, which sets out preliminary budget and calls for Public Hearing – **Councilman Littlefield moved to adopt Resolution No. 50, which sets out preliminary budget and calls for Public Hearing. Vice Mayor Klapp seconded the motion, which carried 7/0.**
4. Call for Public Comments on the budget – **None**
5. Adopt **Resolution No. 51**, which approves the budget and sets tax levy – **Councilman Littlefield moved to adopt Resolution No. 51, which approves the budget and sets tax levy. Councilmember Korte seconded the motion, which carried 7/0.**
6. Adopt **Resolution No. 52**, adopting issuance and post-issuance compliance procedures related to tax-exempt bonds – **Councilmember Korte moved to adopt Resolution No. 52, adopting issuance and post issuance compliance procedures related to tax-exempt bonds. Vice Mayor Klapp seconded the motion, which carried 7/0.**
7. Adjournment – **6:54 P.M.**



Persons with a disability may request a reasonable accommodation by contacting Lee Guillory at 480-312-7084. Requests should be made 24 hours in advance, or as early as possible, to allow time to arrange the accommodation. For TTY users, the Arizona Relay Service (1-800-367-8939) may contact Lee Guillory at 480-312-7084.

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
SCOTTSDALE MOUNTAIN COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the Scottsdale Mountain Ranch Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 4, 2013 at 5:00 p.m. (or immediately following the meeting of the Scottsdale City Council) in the City of Scottsdale Kiva, located at 3939 Drinkwater Boulevard, Scottsdale, Arizona, 85251, telephone number (480) 312-2412.

The agenda for the meeting is as follows:

1. Call to Order – **6:54 P.M.**
2. Approval of Minutes of Tuesday, June 5, 2012 – **Councilmember Korte moved to approve the minutes of Tuesday, June 5, 2012. Vice Mayor Klapp seconded the motion, which carried 7/0.**
3. Adopt **Resolution No. 53**, which sets out preliminary budget and calls for Public Hearing – **Councilman Robbins moved to adopt Resolution No. 53, which sets out preliminary budget and calls for Public Hearing. Councilmember Korte seconded the motion, which carried 7/0.**
4. Call for Public Comments on the budget – **None**
5. Adopt **Resolution No. 54**, which approves the budget and sets tax levy – **Vice Mayor Klapp moved to adopt Resolution No. 54, which approved the budget and sets tax levy. Councilman Robbins seconded the motion, which carried 7/0.**
6. Adopt **Resolution No. 55**, adopting issuance and post-issuance compliance procedures related to tax-exempt bonds – **Councilman Robbins moved to adopt Resolution No. 55, adopting issuance and post issuance compliance procedures related to tax-exempt bonds. Vice Mayor Klapp seconded the motion, which carried 7/0.**
7. Adjournment – **6:55 P.M.**



Persons with a disability may request a reasonable accommodation by contacting Lee Guillory at 480-312-7084. Requests should be made 24 hours in advance, or as early as possible, to allow time to arrange the accommodation. For TTY users, the Arizona Relay Service (1-800-367-8939) may contact Lee Guillory at 480-312-7084.

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
VIA LINDA ROAD COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the Via Linda Road Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 4, 2013 at 5:00 p.m. (or immediately following the meeting of the Scottsdale City Council) in the City of Scottsdale Kiva, located at 3939 Drinkwater Boulevard, Scottsdale, Arizona, 85251, telephone number (480) 312-2412.

The agenda for the meeting is as follows:

1. Call to Order – **6:55 P.M.**
2. Approval of Minutes of Tuesday, June 5, 2012 – **Councilman Littlefield moved to approve the minutes of Tuesday, June 5, 2012. Councilman Robbins seconded the motion, which carried 7/0.**
3. Adopt **Resolution No. 34**, which sets out preliminary budget and calls for Public Hearing – **Vice Mayor Klapp moved to adopt Resolution No. 34, which sets out preliminary budget and calls for Public Hearing. Councilman Robbins seconded the motion, which carried 7/0.**
4. Call for Public Comments on the budget – **None**
5. Adopt **Resolution No. 35**, which approves the budget and sets tax levy – **Councilmember Korte moved to adopt Resolution No. 35, which approved the budget and sets tax levy. Vice Mayor Klapp seconded the motion, which carried 7/0.**
6. Adopt **Resolution No. 36**, adopting issuance and post-issuance compliance procedures related to tax-exempt bonds – **Vice Mayor Klapp moved to adopt Resolution No. 36, adopting issuance and post-issuance compliance procedures related to tax-exempt bonds. Councilmember Korte seconded the motion, which carried 7/0.**
7. Adjournment – **6:57 P.M.**



**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
SCOTTSDALE WATERFRONT COMMERCIAL
COMMUNITY FACILITIES DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the Scottsdale Waterfront Commercial Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, June 4, 2013 at 5:00 p.m. (or immediately following the meeting of the Scottsdale City Council) in the City of Scottsdale Kiva, located at 3939 Drinkwater Boulevard, Scottsdale, Arizona, 85251, telephone number (480) 312-2412.

The agenda for the meeting is as follows:

1. Call to Order – **6:57 P.M.**
2. Approval of Minutes of Tuesday, June 5, 2012 – **Councilman Littlefield moved to approve the minutes of Tuesday, June 5, 2012. Vice Mayor Klapp seconded the motion, which carried 7/0.**
3. Adopt **Resolution No. 20**, which sets out preliminary budget and calls for Public Hearing – **Vice Mayor Klapp moved to adopt Resolution No. 20, which sets out preliminary budget and calls for Public Hearing. Councilman Robbins seconded the motion, which carried 7/0.**
4. Call for Public Comments on budget – **None**
5. Adopt **Resolution No. 21**, which approves the budget and sets tax levy – **Councilman Littlefield moved to adopt Resolution No. 21, which approves the budget and sets tax levy. Councilmember Korte seconded the motion, which carried 7/0.**
6. Adopt **Resolution No. 22**, adopting issuance and post-issuance compliance procedures related to tax-exempt bonds – **Councilmember Korte moved to adopt Resolution No. 22, adopting issuance and post-issuance compliance procedure related to tax-exempt bonds. Vice Mayor Klapp seconded the motion, which carried 7/0.**
7. Adjournment – **6:58 P.M.**



Persons with a disability may request a reasonable accommodation by contacting Lee Guillory at 480-312-7084. Requests should be made 24 hours in advance, or as early as possible, to allow time to arrange the accommodation. For TTY users, the Arizona Relay Service (1-800-367-8939) may contact Lee Guillory at 480-312-7084.