

SCOTTSDALE

CITY COUNCIL MEETING

MEETING NOTICE AND AGENDA



COUNCIL

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Kathleen S. Littlefield

Linda Milhaven

Guy Phillips

David N. Smith

Tuesday, May 17, 2016

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 the 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 7, 2016).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:02 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 – Boy Scout Troop 916, Leader Rich Slavin

Invocation – Scottsdale Bible Church Cactus Campus Pastor Rick Holman

Mayor's Report – Mayor Lane thanked Vice Mayor Smith for his service as Vice Mayor and announced that Councilwoman Littlefield will begin her service as Vice Mayor on June 1, 2016.

Presentations/Information Updates – Parada del Sol Board President Wendy Springborn presentation

- **Parada del Sol 2016 Recap and Awards Presentation**
Presenter(s): Wendy Springborn, Parada del Sol Board President

Public Comment – Janet Blum spoke of the partnership between the Scottsdale Unified School District and the Scottsdale Cultural Council. Judd Herberger expressed support for expanding the Canal Convergence event. Neale Perl summarized the success of the Canal Convergence event and the plans for future events.

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 comment regarding non-agendized items. No official Council action can be taken on these items. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Council during "Public Comment."**



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).

MINUTES

Request: Approve the [Regular Meeting Minutes of April 19, 2016](#).

– Councilwoman Klapp made a motion to approve the Regular Meeting Minutes of April 19, 2016. Councilmember Korte seconded the motion, which carried 7/0.

CONSENT AGENDA ITEMS 1-25

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 of the 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.

– Councilmember Korte made a motion to approve Consent Agenda Items 1 through 25, absent Item 8, which was moved to the regular agenda. Councilwoman Littlefield seconded the motion, which carried 7/0.

- [Grand Blue Liquor License \(21-LL-2016\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for an existing location with a new owner.
Location: 7318 E. Shea Boulevard, Suite 101
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- [Pig & Pickle Liquor License \(32-LL-2016\)](#) – Approved on Consent.**
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: 2922 N. Hayden Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- [Flo's Asian Kitchen Liquor License \(33-LL-2016\)](#) – Approved on Consent.**
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: 16495 N. Scottsdale Road, Suite B-2
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- [Flo's Chinese Restaurant Liquor License \(34-LL-2016\)](#) – Approved on Consent.**
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: 15027 N. Thompson Peak Parkway, Suite 101
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- [Firesky Resort & Spa Liquor License \(35-LL-2016\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 6 (bar) State liquor license for an existing location with a new owner.
Location: 4295 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

6. **Samsill and Clark Abandonment (2-AB-2016) – Approved on Consent.**
Request: Adopt **Resolution No. 10383** authorizing the abandonment of portions of right-of-way totaling 13,891 square feet, and portions of General Land Office Patent Easement totaling 27,705 square feet, located along the north, south, and west boundaries of two properties with Single-family Residential District, Environmentally Sensitive Lands, Foothills Overlay (R1-190 ESL FO) zoning.
Location: 27201 N. 79th Street and 27155 N. 79th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

7. **Sundown Plaza Rezoning (20-ZN-2015) – Approved on Consent.**
Request: Adopt **Ordinance No. 4253** approving a zoning district map amendment from Highway Commercial (C-3) to Highway Commercial, Parking P-3 (C-3/P-3) zoning on 1.26± acres, and from Highway Commercial (C-3) to Parking P-2, Passenger Vehicle Parking (P-2) zoning on .49± acres.
Location: 10636 N. 71st Way
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

8. **Parkview Mixed Use Rezoning (22-ZN-2015)**
Request: Adopt **Ordinance No. 4254** approving a zoning district map amendment from Central Business Downtown Overlay (C-2 DO) to Downtown/Downtown Civic Center – Type 2 (D/DCC-2) zoning with amended property development standards for the stepbacks.
Location: 7363 E. Scottsdale Mall
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
– Councilman Phillips made a motion to not approve Item 8, Parkview Mixed Use Rezoning. Councilwoman Littlefield seconded the motion, which failed 2/5, with Mayor Lane; Vice Mayor Smith; and Councilmembers Klapp, Korte, and Milhaven dissenting.
– Councilmember Korte made a motion to adopt Ordinance No. 4254 approving a zoning district map amendment from Central Business Downtown Overlay (C-2-DO) to Downtown/Downtown Civic Center – Type 2 (D/DCC-2) zoning with amended property development standards for the stepbacks. Councilwoman Klapp seconded the motion, which carried 5/2, with Councilmembers Littlefield and Phillips dissenting.

9. **Sienna Hills Final Plat (13-PP-2014) – Approved on Consent.**
Request: Approve the final plat for a 21-lot, single-family residential subdivision with Single-family Residential, Environmentally Sensitive Lands (R1-18 ESL) zoning on an approximate 18.8-acre property.
Location: Southwest corner of N. 124th Street and E. Gail Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

10. **Mustang Transit Path Connection Construction Bid Award – Approved on Consent.**
Request: Adopt **Resolution No. 10442** authorizing Construction Bid Award No. 16PB023 to SDB, Inc., the lowest responsive bidder, in the amount of \$379,212 for the construction of the Mustang Transit Path Connection Project.
Location: Vicinity of 90th Street between Mountain View Road and Shea Boulevard
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

11. **TPC Golf Course Water Stations Budget Transfer – Approved on Consent.**
Request: Adopt **Resolution No. 10444** authorizing a FY 2015/16 General Fund Capital Contingency budget appropriation transfer totaling \$270,000 to a newly created capital project titled TPC Golf Course Water Stations to be funded by the TPC Golf Surcharge Special Revenue Fund (\$220,000) and Capital General Fund (\$50,000).
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

12. **Street Sweeper Grant – Approved on Consent.**
Request: Adopt **Resolution No. 10411** authorizing the acceptance of a grant in the amount of \$201,444 awarded by the Federal Highway Administration, through the Maricopa Association of Governments, for a new PM-10 certified street sweeper.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
13. **Federal Transit Authority Transit Grant Intergovernmental Agreement – Approved on Consent.**
Requests: Adopt **Resolution No. 10401** to authorize:
 1. Intergovernmental Agreement No. 2016-048-COS with the City of Phoenix for the acceptance of two Federal Transit Administration Grants totaling \$513,971.
 2. A FY 2015/16 CIP contingency for Future Grants Budget appropriation transfer totaling \$275,514 and the creation of a new capital project to be titled Transit Route 72 Improvements.
 3. A budget transfer in the amount of \$168,560 from the adopted FY 2015/16 Future Grants Budget and/or Grant Contingency Budget and the creation of a new operating cost center to record the grant activity related to trolley preventative maintenance.
 4. A budget transfer in the amount of \$125,000 from the adopted FY 2015/16 Future Grants Budget and/or Grant Contingency Budget and the creation of a new operating cost center to record the grant activity related to Scottsdale neighborhood trolley operations.**Staff Contact(s):** Paul Basha, Transportation Director, 480-312-7651, pbasha@scottsdaleaz.gov
14. **Arizona Governor’s Office of Highway Safety Memorandum of Understanding – Approved on Consent.**
Request: Adopt **Resolution No. 10414** authorizing Memorandum of Understanding Agreement No. 2016-061-COS with the Arizona Governor’s Office of Highway Safety to accept a mobile driving under the influence (DUI) van.
Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov
15. **Police Report Data Sharing Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10431** authorizing Intergovernmental Agreement No. 2016-057-COS with Arizona State University for police report data sharing on incidents leading to violent deaths occurring within the jurisdiction of the Scottsdale Police Department for entry into the Arizona Violent Death Reporting System.
Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov
16. **Fourth of July WestWorld Event Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10388** authorizing Contract No. 2016-040-COS with R Entertainment Company LLC, and M Culinary LLC, to hold the Scottsdale Fourth of July event at WestWorld.
Staff Contact(s): Brian Dygert, WestWorld General Manager, 480-312-6825, bdygert@scottsdaleaz.gov
17. **Arizona Cutting Horse Association Event Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10389** authorizing Contract No. 2016-041-COS with Arizona Cutting Horse Association (AzCHA) to hold the Arizona Cutting Horse Association Derby Days at WestWorld.
Staff Contact(s): Brian Dygert, WestWorld General Manager, 480-312-6825, bdygert@scottsdaleaz.gov
18. **Arizona Get Outdoors Event Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10424** authorizing Contract No. 2016-054-COS with R Entertainment to produce “Arizona Get Outdoors” at WestWorld Event Facility.
Staff Contact(s): Brian Dygert, WestWorld General Manager, 480-312-6825, bdygert@scottsdaleaz.gov

19. **Water Conservation Code Amendment – Approved on Consent.**

Requests:

1. Adopt **Resolution No. 10449** declaring the document entitled “Amendments to Portions of Chapter 49, Article VII, Water Conservation, Division 1, Scottsdale Revised Code, Including Changes to Some Definitions, Water Features, Rebate Programs, Water Application, Conservation and Water Escape” to be a public record.
2. Adopt **Ordinance No. 4260** amending portions of Chapter 49, Article VII, Water Conservation – Division I, of the Scottsdale Revised Code to update the water conservation rebate programs.

Staff Contact(s): David Petty, Acting Water Resources Director, 480-312-5661, dpetty@scottsdaleaz.gov

20. **Wastewater Treatment Intergovernmental Agreement – Approved on Consent.**

Request: Adopt **Resolution No. 10447** authorizing Agreement No. 2016-062-COS with the Town of Paradise Valley (“Town”) to accept wastewater for conveyance and treatment from within the Town’s designated service area.

Staff Contact(s): David Petty, Acting Water Resources Director, 480-312-5661, dpetty@scottsdaleaz.gov

21. **What Works Cities Agreement – Approved on Consent.**

Request: Adopt **Resolution No. 10425** approving Contract No. 2016-060-COS, a Memorandum of Understanding between the City and Behavioral Insights Team, Johns Hopkins University, Results for America, and the Sunlight Foundation for a project designed to accelerate and make more effective the City’s use of data for decision making.

Staff Contact(s): Brent Stockwell, Assistant City Manager, 480-312-7288, bstockwell@scottsdaleaz.gov

22. **Audit Committee Recommendation for the Human Relations Commission Sunset Review – Approved on Consent.**

Request: Adopt **Resolution No. 10437** accepting the Audit Committee’s recommendation and authorizing continuation of the Human Relations Commission.

Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

23. **General Obligation Refunding Bond Issuance – Approved on Consent.**

Request: Adopt **Resolution No. 10406** approving the sale of City of Scottsdale General Obligation Refunding Bonds, Series 2016, in an aggregate amount not to exceed \$60 million and authorizing the negotiation, execution, and delivery of certain agreements by the City Treasurer.

Staff Contact(s): Jeff Nichols, City Treasurer, 480-312-2364, jenichols@scottsdaleaz.gov

24. **Municipal Property Corporation Refunding Bond Issuance – Approved on Consent**

Request: Adopt **Resolution No. 10407** approving the issuance and sale of City of Scottsdale Municipal Property Corporation Excise Tax Revenue Refunding Bonds, Series 2016, in an aggregate amount not to exceed \$125 million and authorizing the negotiation, execution, and delivery of certain agreements by the City Treasurer.

Staff Contact(s): Jeff Nichols, City Treasurer, 480-312-2364, jenichols@scottsdaleaz.gov

25. **WestWorld Tent Agreement – Approved on Consent.**

Request: Adopt **Resolution No. 10420** authorizing Agreement No. 2016-051-COS with Barrett-Jackson Auction Company, LLC, for the use of the WestWorld Tent for the Barrett-Jackson 2017 auctions.

Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

REGULAR AGENDA ITEMS 26-31

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 that item.**

26. Public Hearing and Adoption of Fiscal Year 2016/17 Rates and Fees

Requests:

1. Accept citizen comments at a public hearing regarding proposed rates and fees.
2. Adopt **Ordinance No. 4251** amending Scottsdale Revised Code, Chapter 49, Water, Sewers and Sewage Disposal, by adjusting water rates and charges, effective July 1, 2016.
3. Adopt **Resolution No. 10433** declaring the document entitled "*Amendments to Solid Waste Management and Recyclable Materials, Rates and Fees – Chapter 24, Scottsdale Revised Code*" as a public record.
4. Adopt **Ordinance No. 4252** amending Scottsdale Revised Code, Chapter 24, Solid Waste Management, by adjusting solid waste rates and charges, effective July 1, 2016.
5. Adopt **Resolution No. 10412** setting the *Scottsdale Fire Department Fee Schedule*, effective July 1, 2016.
6. Adopt **Resolution No. 10446** setting the *Scottsdale Police Department Fee Schedule*, effective July 1, 2016.
7. Adopt **Resolution No. 10448** setting the *Scottsdale Community Services Division Schedule of Program Charges, Rental Fees and Fines*, effective July 1, 2016.
8. Adopt **Resolution No. 10443** setting the *Planning and Development Services Rates and Fees Schedule* for the Wireless Communication Facilities, effective July 1, 2016.
9. Adopt **Resolution No. 10436** setting the *WestWorld Rate and Fee Schedule*, effective July 1, 2016.
10. Adopt **Resolution No. 10454** setting the *Special Event Application, Permit and Venue Fee Schedule*, effective July 1, 2016.

Presenter(s): Brian Biesemeyer, Acting City Manager; Dan Worth, Public Works Director; Jeff Nichols, City Treasurer

Staff Contact(s): Brian Biesemeyer, Acting City Manager, 480-312-5683, bbiesemeyer@scottsdaleaz.gov; Jeff Nichols, City Treasurer, 480-312-2364, jenichols@scottsdaleaz.gov; Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov; Frank Moreno, Solid Waste Director, (480) 312-5605, fmoreno@scottsdaleaz.gov; Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov; Alan Rodbell, Police Chief, (480) 312-1900, arodbell@scottsdaleaz.gov; Bill Murphy, Community Services Executive Director, 480-312-7954, bmurphy@scottsdaleaz.gov; Brad Hartig, Chief Information Officer, 480-312-7615, bhartig@scottsdaleaz.gov; Randy Grant, Planning & Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov; Brian Dygert, WestWorld General Manager, 480-312-6825, bdygert@scottsdaleaz.gov; Karen Churchard, Tourism and Events Director, (480) 312-2890, kchurchard@scottsdaleaz.gov

– Presentations from Acting City Manager Brian Biesemeyer, Public Works Director Dan Worth, and City Treasurer Jeff Nichols.

– Councilmember Korte made a motion to use the proposed suggestions from the Environmental Quality Advisory Board to: 1) Look at operational efficiencies and formulate what a solid waste vision could be for Scottsdale and that embodies Scottsdale's community values; and 2) develop a strategic plan to achieve that vision. Councilwoman Littlefield seconded the motion, which carried 5/2, with Mayor Lane and Councilwoman Klapp dissenting.

- Councilman Phillips made a motion to not adopt Resolution No. 10448 setting the Scottsdale Community Services Division schedule of program charges, rental fees, and fines. The motion died for lack of a second.
- Councilmember Korte made a motion to adopt Ordinance No. 4251, Resolution No. 10412, Resolution No. 10446, Resolution No. 10443, Resolution No. 10436, and Resolution No. 10454. Councilwoman Milhaven seconded the motion, which carried 7/0.
- Councilwoman Milhaven made a motion to adopt Resolution No. 10433 and Ordinance No. 4252, excluding the increase in commercial recycling fees. Councilwoman Littlefield seconded the motion, which carried 5/2, with Mayor Lane and Councilwoman Klapp dissenting.
- Councilwoman Milhaven made a motion to adopt Resolution No. 10448. Councilmember Korte seconded the motion, which carried 6/1, with Councilman Phillips dissenting.

27. Public Hearing on and Adoption of Proposed Fiscal Year 2016/17 Budget (Tentative Budget)

Requests:

1. The City Council solicits and receives public input relative to the entire Proposed FY 2016/17 Budget, which includes both the Operating Budget and Capital Improvement Plan. The City Council may direct staff to make revisions to the Proposed FY 2016/17 Budget prior to adoption or may adopt the proposed version as the Tentative Budget required for conformity with Arizona Revised Statutes and City Charter.
2. Adopt **Ordinance No. 4257** as presented (or as modified by Council) establishing the Tentative Budget for FY 2016/17. Establishment of the Tentative Budget statutorily fixes the maximum expenditure limit. The maximum expenditure limit may still be lowered by Council before final budget adoption. Adoption of Ordinance No. 4257 also directs the City Clerk to meet obligations regarding publication and notices imposed by Arizona Revised Statutes or City Charter. Through adoption of Ordinance No. 4257, Council also tentatively adopts the Proposed FY 2016/17 Job Classifications in conformity with Scottsdale Revised Code Sec. 14-20, et seq.

Presenter(s): Brian Biesemeyer, Acting City Manager, Judy Doyle, Budget Director

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

– Presentations from Budget Director Judy Doyle, Acting City Manager Brian Biesemeyer, and Public Works Director Dan Worth.

– Councilwoman Milhaven made a motion to include the Police Department positions (the parking control checker, two part-time records specialists, two part-time dispatchers, and one full-time records specialist for ACJIS in dispatch) in the budget, but not fill the positions until after the additional analysis of the Police Department Study has been done. Vice Mayor Smith seconded the motion.

– Councilman Phillips made an alternate motion to approve the Acting City Manager's recommendations. Councilwoman Littlefield seconded the motion, which carried 5/2, with Vice Mayor Smith and Councilwoman Milhaven dissenting.

– Vice Mayor Smith made a motion that the Downtown event activation, \$300,000, be paid for by the tourism development fund budget and that the downtown ambience lighting, \$500,000 expenditure, be paid for out of the general fund CIP. The motion died for lack of a second.

– Mayor Lane made a motion to accept both of the expenditures (the Downtown event activation in the amount of \$300,000 and the downtown ambience lighting in the amount of \$500,000), remain in the budget as currently allocated. Councilmember Korte seconded the motion, which carried 6/1, with Vice Mayor Smith dissenting.

– Vice Mayor Smith made a motion to take \$800,000 from the unreserved fund balance, allocate \$100,000 to fund a second weekend of Canal Convergence in FY 2016/17, and allocate \$700,000 to the CIP Program. The motion died for lack of a second.

– Councilmember Korte made a motion to adopt Ordinance No. 4257, establishing the Tentative Budget for FY 2016/17, as modified to exclude the commercial recycling proposed rate and fee changes and to reinstate the proposed Police Department positions. Mayor Lane seconded the motion, which carried 7/0.

28. [Medical Marijuana Text Amendment Initiation \(65-PA-2016\)](#)

Request: Discussion and possible initiation of a text amendment to the City of Scottsdale Zoning Ordinance No. 455 regarding the Conditional Use Permit criteria for medical marijuana uses, including, but not limited to, separation requirements and location criteria.

Presenter(s): Bryan Cluff, Sr. Planner

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

– Senior Planner Bryan Cluff presentation.

– Councilman Phillips made a motion to direct staff to initiate a text amendment, including Option D criteria (add Church, Child Care, and/or Parks, etc., as protected uses, with associated separation requirements). The motion died for lack of a second.

– Vice Mayor Smith made a motion to direct staff to initiate a text amendment, including Option C criteria (increase separation between other medical marijuana facilities, schools, and residential to 2,650 feet). Councilwoman Milhaven seconded the motion, which carried 7/0.

– Mayor Lane made a motion to direct staff to add church, child care, and/or parks, as protected uses, with associated separation requirements of 1,320 feet, in the initiation of a text amendment process (Option D as presented by staff). Vice Mayor Smith seconded the motion, which carried 6/1, with Councilmember Korte dissenting.

– Mayor Lane made a motion to direct staff to provide guidance on the grandfathering provision and how the City can best facilitate that. Councilwoman Milhaven seconded the motion, which carried 7/0.

29. [Planned Shared Development Text Amendment \(7-TA-2014\)](#)

Request: Adopt Ordinance No. 4244 approving a text amendment to the City of Scottsdale Zoning Ordinance No. 455 to create the Planned Shared Development Overlay (PSD) district to allow development standards to apply to a site that is defined by its perimeter rather than applying development standards only to individual parcels or lots. This text amendment also includes miscellaneous additions and minor amendments to Sections 4.100 and 7.820 to incorporate the new PSD overlay district and to eliminate the need for the perimeter exception set forth in the lands divisions ordinance.

Presenter(s): Bryan Cluff, Sr. Planner

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

– Senior Planner Bryan Cluff presentation.

– Councilwoman Milhaven made a motion to adopt Ordinance No. 4244. Councilwoman Klapp seconded the motion, which carried 6/1, with Councilwoman Littlefield dissenting.

30. [Southwest Wildlife Conservation Center](#)

Request: Adopt **Resolution No. 10463** expressing support for the continued operation of the Southwest Wildlife Conservation Center.

Staff Contact(s): Rachel Smetana, Mayor's Chief of Staff, 480-312-7806, rsmetana@scottsdaleaz.gov

– Mayor Lane made a motion to adopt Resolution No. 10463 expressing support for the continued operation of the Southwest Wildlife Conservation Center. Councilwoman Klapp seconded the motion, which carried 7/0.

31. [Monthly Financial Update](#)

Request: Receive, discuss, and provide possible direction on the City Treasurer's monthly financial presentation as of April 2016.

Presenter(s): Jeff Nichols, City Treasurer

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

– City Treasurer Jeff Nichols presentation.

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 comment regarding non-agendized items. No official Council action can be taken on these items. Public Comment is limited to a total of 15 minutes at the beginning and 15 minutes at the end of the meeting. **Speakers are limited to three minutes to address the Council during "Public Comment."**

CITIZEN PETITIONS

ITEM 32

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.

32. **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

– Vice Mayor Smith made a motion to direct staff to agendize for future presentation, discussion, and possible direction to staff an analysis of the regulatory options available to the City that are in compliance with Arizona state law SB 1350 which provides that "...a city, town or county cannot prohibit, restrict the use of or regulate vacation rentals or short-term rentals based solely on their classification, use or occupancy," and further report to Council regarding application of the City's transient occupancy (bed) tax to such rentals. Councilwoman Littlefield seconded the motion, which carried 7/0.

– Councilman Phillips made a motion to direct the City Manager to review the City's contract with the DDCCS as it pertains to public outreach and come back to Council with a recommendation on whether or not the DDCCS contract includes in it public outreach comments, including size, scope and alternative sites. Councilwoman Littlefield seconded the motion, which failed 2/5 with Mayor Lane, Vice Mayor Smith, and Councilmembers Klapp, Korte, and Milhaven dissenting.

Adjournment – 9:45 P.M.