SCOTTSDALE CITY COUNCIL **REGULAR MEETING MINUTES TUESDAY, JUNE 17, 2014**



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 5:07 P.M. on Tuesday, June 17, 2014, in the City Hall Kiva.

ROLL CALL

Present:

Mayor W.J. "Jim" Lane

Vice Mayor Guy Phillips

Councilmembers Suzanne Klapp, Virginia L. Korte, Robert W. Littlefield,

Linda Milhaven, and Dennis E. Robbins

Also Present: City Manager Fritz Behring

City Attorney Bruce Washburn City Treasurer Jeff Nichols City Auditor Sharron Walker City Clerk Carolyn Jagger

PLEDGE OF ALLEGIANCE - Vice Mayor Phillips

INVOCATION – Reverend John Bosic, First Baptist Church

MAYOR'S REPORT

Mayor Lane commented on the violence taking place in society.

Mayor Lane announced that MyLife.com ranked Scottsdale as the No. 1 place to raise children. Cities were judged on crime rate, public school ratings, public parks, average family salaries, and the cost of living.

Mayor Lane reported that Scottsdale was named the No. 2 place for foodies by Livability.com.

CITY MANAGER'S REPORT - None

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.

PRESENTATIONS/INFORMATION UPDATES

Environmental Quality Advisory Board Presentation

Environmental Quality Advisory Board Vice-Chair Bill Sheaffer reported on the Environmental and Energy Efficiency Program and presented a plaque to Solid Waste Department Director Frank Moreno in recognition of the City's outstanding, cost-effective solid waste control services and landfill diversion programs.

PUBLIC COMMENT

- David Dubner, La Contessa HOA President, commented on the desert landscaping project on the upper Camelback wash.
- Mike Mayer commented on alcohol at WestWorld events.
- Mike Aloisi commented on public safety.

MINUTES

Request: Approve the Regular Meeting Minutes of May 13, 2014, and Work Study Session Minutes of May 13, 2014.

No vote taken.

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CONSENT AGENDA

1. Quick Stop Liquor License (47-LL-2014)

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

Location: 7123 E. Oak Street

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

2. Sprouts Farmers Market No. 29 Liquor License (49-LL-2014)

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

Location: 23269 N. Scottsdale Road

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

3. Sprouts Farmers Market No. 29 Liquor License (50-LL-2014)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 10 S (beer and wine store sampling privileges) State liquor license for a new location and owner.

Location: 23269 N. Scottsdale Road

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

4. Valero Liquor License (51-LL-2014)

Request: Consider forwarding a recommendation of approval to the Arizona

Department of Liquor Licenses and Control for a Series 10 (beer and wine store) State liquor license for an existing location with a new owner.

Location: 9550 N. 90th Street, Suite 11

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

5. Diego Pops Liquor License (52-LL-2014)

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 a new location and owner. **Location:** 4338 N. Scottsdale Road

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

6. Black & Bleu Liquor License (54-LL-2014)

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: 9343 E. Shea Boulevard, Suite B-135

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

7. The Reserve Abandonment (12-AB-2010)

Request: Adopt Resolution No. 9783 modifying the condition of previously approved Resolution No. 9207 abandoning portions of roadway and public utilities easements located within The Reserve subdivision plat: along the southern portion of E. Dixileta Drive, between N. 118th Street alignment and the N. 120th Street alignment; along the Morning Vista Drive alignment, between N. 118th Street and the N. 120th Street alignment; along the E. Via Dona Road alignment, between N. 118th Street and the N. 122nd Street alignment; along the E. Dale Lane alignment, between N. 118th Street and the N. 122nd Street alignment; along the N. 120th Street alignment, between E. Rio Verde Drive and the E. Dixileta Drive alignment; and along the western portion of the N. 122nd Street alignment, between E. Rio Verde Drive and the E. Via Dona Road alignment, with Single-Family Residential Districts, Environmentally Sensitive Lands (R1-190/ESL) zoning, Single-Family Residential Districts, Environmentally Sensitive Lands (R1-130/ESL) zoning, and Resort/Townhouse Residential, Environmentally Sensitive Lands (R-4R/ESL) zoning.

Location: Northeast corner of N. 118th Street and E. Rio Verde **Staff Contact(s):** Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, rgrant@scottsdaleaz.gov

8. Atalon Final Plat (22-PP-2011)

Request: Approve the final plat for a new 33-lot single-family subdivision on an 81-acre parcel, zoned Single-Family Residential, Environmentally Sensitive Lands (R1-70 ESL) and Open Space, Environmentally Sensitive Lands (O-S ESL).

Location: Southwest corner of N. 118th Street and E. Pinnacle Vista Drive (11753 E. Pinnacle Vista Drive)

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

9. Permanent Drainage Easement Intergovernmental Agreement

Request: Adopt Resolution No. 9769 authorizing Permanent Drainage Easement Agreement No. 2014-057-COS with the Flood Control District of Maricopa County. Location: Silverado Golf Course Parking Lot (7605 E. Indian Bend Road) Staff Contact(s): Daniel Worth, Public Works Executive Director, 480-312-5555, dworth@scottsdaleaz.gov

10. On-Call Water Resources Engineering Services Contracts

Request: Adopt **Resolution No. 9782** authorizing the following on-call engineering services contracts, in an amount not to exceed \$1,500,000 each, for design of various water resources capital improvement projects:

- 1. On-Call Engineering Services Contract No. 2014-075-COS with Carollo Engineers, Inc.
- 2. On-Call Engineering Services Contract No. 2014-076-COS with GHD, Inc.
- 3. On-Call Engineering Services Contract No. 2014-077-COS with Water Works Engineers, LLC

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

11. Traffic Signal Installation Intergovernmental Agreement

Request: Adopt **Resolution No. 9749** authorizing Intergovernmental Agreement No. 2014-050-COS with the Maricopa County Department of Transportation for the installation of ten traffic signals that use adaptive traffic signal control technology at intersections along a portion of Frank Lloyd Wright Boulevard from Scottsdale Road through Thompson Peak Parkway.

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

12. Pima Road and Granite Reef Wash Flood Control Improvements Intergovernmental Agreement

Request: Adopt **Resolution No. 9767** authorizing Intergovernmental Agreement No. 2009-148-COS-A1 with the Salt River Pima Maricopa Indian Community to amend and restate a master intergovernmental agreement covering joint participation and funding of construction and maintenance work to be performed on Pima Road and the Granite Reef Watershed drainage projects.

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

13. Scottsdale Stadium Wireless License Agreement

Request: Adopt **Resolution No. 9656** authorizing Wireless License Agreement No. 2014-026-COS with Verizon Wireless, LLC, permitting the installation and operation of a wireless site at Scottsdale Stadium.

Location: Northeast corner of Drinkwater Boulevard and Osborn Road **Staff Contact(s):** Daniel Worth, Public Works Executive Director, 480-312-5555, dworth@scottsdaleaz.gov

14. Scottsdale Museum of the West Management Agreement

Request: Adopt Resolution No. 9744 authorizing Contract No. 2013-025-COS-A1, the first amendment to the Museum of the West management agreement.

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

- 15. Annual Greater Phoenix Economic Council Development Marketing Contract Request: Adopt Resolution No. 9792 authorizing Contract No. 2014-079-COS with the Greater Phoenix Economic Council; and authorizing General Funds in the amount of \$97,707 for provision of regional economic development marketing services.

 Staff Contact(s): Danielle Casey, Economic Development Director, 480-312-7601, dcasey@scottsdaleaz.gov
- 16. Fiscal Year 2014/15 Scottsdale Cultural Council Financial Participation Agreement

Item 16 was moved to the Regular Agenda at the request of Councilman Littlefield (see Page 9).

- 17. Scottsdale Convention and Visitors Bureau Marketing Plan
 Request: Adopt Resolution No. 9759 approving the 2014/15 Marketing Guide,
 performance standards, and contract budget under Destination Marketing Services
 Agreement No. 2012-053-COS with Scottsdale Convention and Visitors Bureau.
 Staff Contact(s): Paul Katsenes, Community and Economic Development Executive
 Director, 480-312-2890, pkatsenes@scottsdaleaz.gov
- 18. Fiscal Year 2014/15 Event Support Funding Program
 Request: Adopt Resolution No. 9757 authorizing \$200,000 in bed tax funding to be allocated for events to be identified in the Fiscal Year 2014/15 Event Support Funding Program; and authorizing the Mayor to execute individual agreements with each event producer.

Staff Contact(s): Paul Katsenes, Community and Economic Development Executive Director, 480-312-2890, pkatsenes@scottsdaleaz.gov

19. Fiscal Year 2014/15 Community Event Funding Program

Request: Adopt **Resolution No. 9758** authorizing \$180,000 in bed tax funding to be allocated for events to be identified in the Fiscal Year 2014/15 Community Event Funding Program; and authorizing the Mayor to execute individual agreements with each event producer.

Staff Contact(s): Paul Katsenes, Community and Economic Development Executive Director, 480-312-2890, pkatsenes@scottsdaleaz.gov

- 20. First Things First Parent Education Community-Based Training Grant Request: Adopt Resolution No. 9685 to authorize:
 - 1. Grantee Agreement No. 2014-044-COS with the East Maricopa Regional Partnership Council, Arizona Early Childhood Development and Health Board (First Things First) for the purpose of receiving a grant of up to \$165,000 for parent education community-based training titled "Knowing and Growing."
 - 2. A budget transfer in the amount of \$165,000 from the adopted FY 2014/15 Future Grants Budget and/or Grants Contingency Budget; and the creation of a new cost center to record all related grant activity.
 - 3. The Library Director to act as agent of the City to accept and administer the grant. **Staff Contact(s):** William Murphy, Community Services Executive Director, 480-312-7954, bmurphy@scottsdaleaz.gov
- 21. Digital Media Center Library Services and Technology Act Grant Request: Adopt Resolution No. 9727 to authorize:
 - Acceptance of an Arizona State Library, Archives, and Public Records FY 2014/15
 Library Services and Technology Act grant in the amount of \$43,916, entitled "Digital
 Media Center."

- 2. A budget transfer in the amount of \$43,916 from the adopted FY 2014/15 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 accept and administration the

Staff Contact(s): William Murphy, Community Services Executive Director, 480-312-7954, bmurphy@scottsdaleaz.gov

22. Give Kids What They Want Library Services and Technology Act Grant Request: Adopt Resolution No. 9778 to authorize:

- 1. Acceptance of an Arizona State Library, Archives, and Public Records FY 2014/15 Library Services and Technology Act grant in the amount of \$25,900, entitled "Give Kids What They Want."
- 2. A budget transfer in the amount of \$25,900 from the adopted FY 2014/15 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 accept and administration the

Staff Contact(s): William Murphy, Community Services Executive Director, 480-312-7954, bmurphy@scottsdaleaz.gov

Fiscal Year 2014/15 Scottsdale Endowment Allocation 23.

Request: Adopt Resolution No. 9775 approving the distribution of interest income from the City's endowment program for FY 2014/15 and authorizing the allocation of funds to recommended activities.

Staff Contact(s): William Murphy, Community Services Executive Director, 480-312-7954, bmurphy@scottsdaleaz.gov

Item 23 was removed by staff.

Fiscal Year 2014/15 Scottsdale Cares Allocations 24.

Item 24 was moved to the Regular Agenda for a separate vote (see Page 9).

Fiscal Year 2014/15 Human Services General Fund Program Allocations 25.

Item 25 was moved to the Regular Agenda for a separate vote (see Page 9).

26. Salt River Pima Maricopa Indian Community Grant Funds

Request: Adopt Resolution No. 9791 approving the Salt River Pima Maricopa Indian Community (SRPMIC) tribal gaming grant funds allocations for FY 2014/15 in the amount of \$167,951 to non-profit agencies to fund social services programs; authorizing the Mayor to execute contracts, effective July 1, 2014, for services to be funded through this program that exceed the formal bid limit (\$25,000); and authorizing the Community Services Executive Director, or designee, to execute those contracts that do not exceed the formal bid limit. \$167,951 is available from previous year's SRPMIC grant awards, and this amount has been included in the proposed FY 2014/15 Budget.

Staff Contact(s): William Murphy, Community Services Executive Director, 480-312-

7954, bmurphy@scottsdaleaz.gov

27. City Court Jury Services Intergovernmental Agreement

Request: Adopt **Resolution No. 9781** authorizing Intergovernmental Agreement No. 2014-074-COS with the Superior Court of Arizona in Maricopa County for the provision of jury services.

Staff Contact(s): Joseph Olcavage, Presiding Judge, 480-312-2775, c/o jdybas@scottsdaleaz.gov

28. Naming of Preserve Trail

Request: Adopt **Resolution No. 9810** authorizing naming the trail connecting the intersection of 136th Street and Old Paint Trail to the interior of the Scottsdale McDowell Sonoran Preserve "Barb's Trail."

Staff Contact(s): Kroy S. Ekblaw, Preserve Director, (480)312-7064, kekblaw@scottsdaleaz.gov

29. Naming of Preserve Trail

Request: Adopt **Resolution No. 9809** authorizing naming the connector trail between the Fountain Hills Preserve and the Scottsdale McDowell Sonoran Preserve the "Andrews-Kinsey Trail."

Staff Contact(s): Kroy S. Ekblaw, Preserve Director, (480)312-7064, kekblaw@scottsdaleaz.gov

30. Fixed Route Transit Service Intergovernmental Agreement

Request: Adopt **Resolution No. 9762** authorizing Intergovernmental Agreement No. 2014-054-COS with the City of Phoenix for the provision of fixed route transit service at an annual cost of \$1,615,975.

Staff Contact(s): Paul Basha, Transportation Director, 480-312-7651, pbasha@scottsdaleaz.gov

31. Rose Garden Development Agreement

Request: Adopt **Resolution No. 9793** authorizing Development Agreement No. 2005-121-COS-A5, the Third Amendment to the Amended and Restated Development Agreement with Rose Garden, LLC, for the development of the City-owned Rose Garden parking lot at the northwest corner of Goldwater Boulevard and 5th Avenue, and adjacent developer-owned property along 5th Avenue and the Arizona Canal between Goldwater Boulevard and the SouthBridge, mixed use project on Stetson Drive.

Staff Contact(s): Paul Katsenes, Community and Economic Development Executive Director, 480-312-2890, pkatsenes@scottsdaleaz.gov

32. Audit Committee Recommendation for Tourism Development Commission Sunset Review

Request: Adopt **Resolution No. 9788** accepting the Audit Committee's recommendation and authorizing continuation of the Tourism Development Commission. **Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

33. Purchase of Property-Casualty Insurance for the Period of July 1, 2014, to July 1, 2015

Request: Adopt Resolution No. 9811 authorizing and directing the purchase of property-casualty insurance, including general liability, law enforcement liability, vehicle liability, public officials errors and omissions, property, workers' compensation and airport liability and hangarkeepers' legal liability insurance for Fiscal Year 2014/15. Staff Contact(s): Katherine Callaway, Risk Management Director, 480-312-7841, kcallaway@scottsdaleaz.gov

34. Water, Sewers, and Sewage Disposal Code Amendments Requests:

- 1. Adopt **Ordinance No. 4134** amending Article IV, Division 1 (Sewage Collection, Pretreatment and Treatment), Division 4 (Industrial Users, Pretreatment Requirements), and Division 5 (Enforcement) of Chapter 49 of the Scottsdale Revised Code as an updated revision of the City's sewage pretreatment ordinance.
- 2. Adopt **Resolution No. 9629** declaring as a public record that certain document entitled "Sewage Collection, Pretreatment and Treatment Chapter 49, Scottsdale Revised Code."
- 3. Adopt **Resolution No. 9630** approving and adopting the Pretreatment Enforcement Response Plan and Penalty Policy.

Staff Contact(s): Brian Biesemeyer, Water Resources Executive Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov

35. Contingency Fee Retainer Agreement

Request: Adopt Resolution No. 9796 authorizing the City Attorney to enter into Contingency Fee Retainer Agreement No. 2014-082-COS with the law firm of Strange & Carpenter for the representation of the City in the case of *In re Payment Card Interchange Fee & Merchant Discount Antitrust Litigation – Opt Out Cases*, No. 14-MD-1720, pending in the Eastern District of New York.

Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov

36. Fiscal Year 2013/14 Capital Budget Adjustments

Request: Adopt **Resolution No. 9776** authorizing FY 2013/14 Capital Improvement Plan (CIP) budget adjustments to track Municipal Property Corporation (MPC) bond proceeds in separate cost centers.

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

37. Fiscal Year 2013/14 Capital Budget Adjustments

Request: Adopt **Resolution No. 9748** authorizing FY 2013/14 Capital Improvement Plan (CIP) budget adjustments.

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

38. Monthly Financial Report

Request: Accept the FY 2013/14 Monthly Financial Report as of April 2014. **Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, <u>idoyle@scottsdaleaz.gov</u>

MOTION AND VOTE - CONSENT AGENDA

Councilman Robbins made a motion to approve Items 1 through 38 absent Item 16, (moved to the Regular Agenda), Item 23 (removed by staff), and Items 24 and 25 (removed for a separate vote). Councilwoman Milhaven seconded the motion, which carried 7/0.

REGULAR AGENDA

24. Fiscal Year 2014/15 Scottsdale Cares Allocations

Request: Adopt Resolution No. 9789 approving the recommendations of the Human Services Commission for allocation of FY 2014/15 funding for Scottsdale Cares programs in the amount of \$140,000; authorizing the Mayor to execute contracts, effective July 1, 2014, for services to be funded through this program that exceed the formal bid limit (\$25,000); and authorizing the Community Services Executive Director, or designee, to execute those contracts that do not exceed the formal bid limit. \$140,000 is already available from Scottsdale Cares donations and interest income, and this amount has been included in the proposed FY 2014/15 Budget. Staff Contact(s): William Murphy, Community Services Executive Director, 480-312-7954, bmurphy@scottsdaleaz.gov

Councilmember Korte declared a conflict of interest on Items 24 and 25 and left the dais at 5:39 p.m.

MOTION AND VOTE - ITEMS 24 AND 25

Councilman Robbins made a motion to approve Items 24 and 25. Councilwoman Milhaven seconded the motion, which carried 6/0, with Councilmember Korte declaring a conflict of interest.

25. Fiscal Year 2014/15 Human Services General Fund Program Allocations Request: Adopt Resolution No. 9790 approving the recommendations of the Human Services Commission for allocation of FY 2014/15 funding for Human Services General Fund projects in the amount of \$200,000 included in the City's FY 2014/15 Budget; authorizing the Mayor to execute contracts, effective July 1, 2014, for services to be funded through this program that exceed the formal bid limit (\$25,000); and authorizing the Community Services Executive Director, or designee, to execute those contracts that do not exceed the formal bid limit.

Staff Contact(s): William Murphy, Community Services Executive Director, 480-312-7954, bmurphy@scottsdaleaz.gov

The motion and vote for Item 25 were included in the motion and vote on Item 24.

Councilmember Korte returned to the dais at 5:41 p.m.

16. Fiscal Year 2014/15 Scottsdale Cultural Council Financial Participation Agreement Request: Adopt Resolution No. 9773 authorizing Agreement No. 2014-068-COS, an annual financial participation agreement with the Scottsdale Cultural Council, in the amount of \$4,254,207 to be allocated as outlined in the Council Report.

Staff Contact(s): Paul Katsenes, Community and Economic Development Executive Director, 480-312-2890, pkatsenes@scottsdaleaz.gov

MOTION NO. 1 AND VOTE – ITEM 16

Councilman Littlefield made a motion to not approve the item. Vice Mayor Phillips seconded the motion, which failed 2/5, with Mayor Lane and Councilmembers Klapp, Korte, Milhaven, and Robbins dissenting.

MOTION NO. 2 AND VOTE - ITEM 16

Councilwoman Milhaven made a motion to approve the Scottsdale Cultural Council Financial Participation Agreement for FY 2014/15 and adopt Resolution No. 9773. Councilmember Korte seconded the motion, which carried 5/2, with Vice Mayor Phillips and Councilman Littlefield dissenting.

39. Italian Grotto Patio Expansion

Request: Presentation, discussion, and possible direction to staff to prepare an amendment to an existing outdoor dining license agreement that would allow the expansion of the Italian Grotto patio into City right-of-way and eliminate an existing public parking space.

Location: Southeast corner of Scottsdale Road and Main Street

Presenter(s): Paul Basha, Transportation Director

Staff Contact(s): Paul Basha, Transportation Director, 480-312-7651,

pbasha@scottsdaleaz.gov

Transportation Director Paul Basha gave a PowerPoint presentation (attached) on the Italian Grotto Patio Expansion request, which included the reasons the Transportation Department declined to approve the request.

Mayor Lane opened public testimony.

Peter Valenzuela, applicant representative, gave background information on the 2012 Italian Grotto 420 square-foot outdoor dining patio project.

Marilynn Atkinson, Scottsdale business owner, spoke in opposition to the Italian Grotto patio expansion. Ms. Atkinson also read a letter of opposition from business owner Richard Saba (attached).

Mayor Lane closed public testimony.

MOTION AND VOTE – ITEM 39

Councilman Littlefield made a motion to accept the recommendation of the transportation staff and to direct them not to process the request forward. Vice Mayor Phillips seconded the motion, which carried 7/0.

40. Fiscal Year 2014/15 Property Tax Levies

Request: Adopt Ordinance No. 4154 assessing the FY 2014/15 primary and

secondary property tax levies.

Presenter(s): Lee Guillory, Finance Director

Staff Contact(s): Jeff Nichols, City Treasurer, 480-312-2364,

jenichols@scottsdaleaz.gov

Finance Director Lee Guillory gave a PowerPoint presentation (attached) on the FY 2014/15 property tax levies.

MOTION AND VOTE – ITEM 40

Councilman Robbins made a motion to adopt Ordinance No. 4154 assessing the FY 2014/15 primary and secondary property tax levies. Councilmember Korte seconded the motion, which carried 5/2, with Vice Mayor Phillips and Councilman Littlefield dissenting.

41. Fiscal Year 2014/15 Streetlight District Property Tax Levies

Request: Adopt **Ordinance No. 4155** assessing the FY 2014/15 streetlight district property tax levy by district.

Presenter(s): Lee Guillory, Finance Director

Staff Contact(s): Jeff Nichols, City Treasurer, 480-312-2364,

jenichols@scottsdaleaz.gov

Finance Director Lee Guillory gave a PowerPoint presentation (attached) on the FY 2014/15 streetlight district property tax levies.

MOTION AND VOTE – ITEM 41

Councilmember Korte made a motion to adopt Ordinance No. 4155 assessing the FY 2014/15 streetlight district property tax levy by district. Vice Mayor Phillips seconded the motion, which carried 7/0.

42. Monthly Financial Update

Request: Receive, discuss, and provide possible direction on the City Treasurer's monthly financial update as of May 2014.

Presenter(s): Jeff Nichols, City Treasurer

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

City Treasurer Jeff Nichols gave a PowerPoint presentation (attached) on the City's financial status as of May 2014.

PUBLIC COMMENT - None

CITIZEN PETITIONS

43. 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 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

No citizen petitions were received.

MAYOR AND COUNCIL ITEMS

MOTION AND VOTE - MAYOR AND COUNCIL ITEMS

Mayor Lane made a motion to agendize a discussion and possible action on the official naming and historical designation of Schrader's Pond, located on the southwest corner of Indian School and Hayden. Vice Mayor Phillips seconded the motion, which carried 7/0.

ADJOURNMENT

The Regular City Council Meeting adjourned at 6:38 P.M.

SUBMITTED BY:

Carolyn Jägger

City Clerk

Officially approved by the City Council on ___

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 17th day of June 2014.

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

DATED this 18th day of August 2014.

Carolyn Jagger, City Clerk

Item 39

CITY COUNCIL 17 JUNE 2014 ITEM #39 ITALIAN GROTTO

ITALIAN GROTTO

PATIO EXPANSION INTO

PUBLIC PARKING SPACE

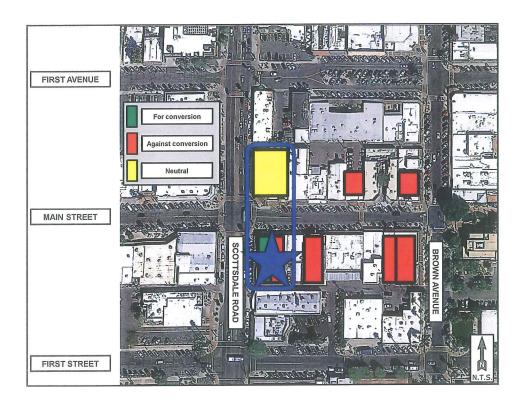


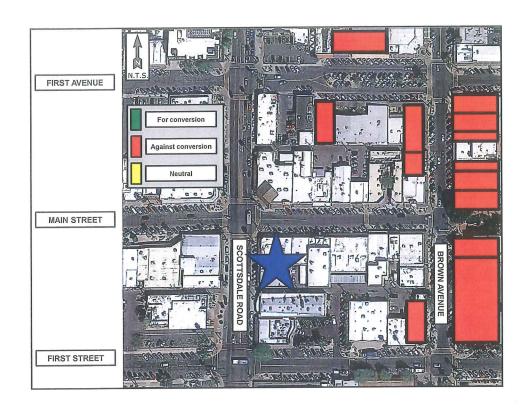


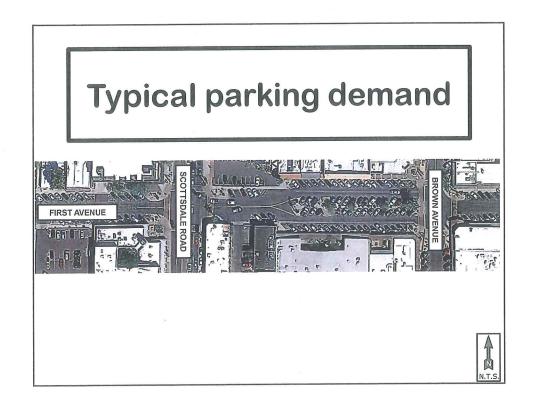
Policy for previous similar requests

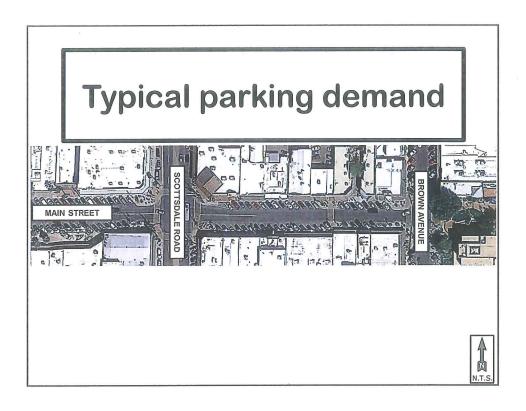
100% Approval from adjacent businesses

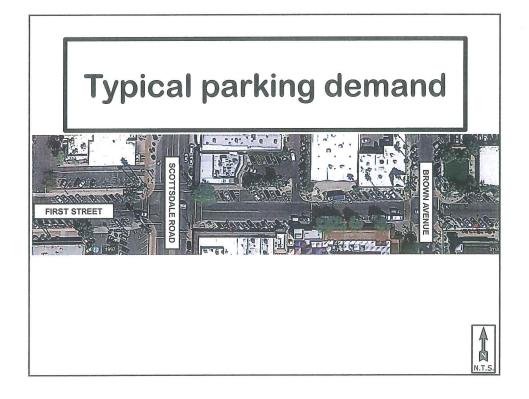
80% Approval from affected area businesses









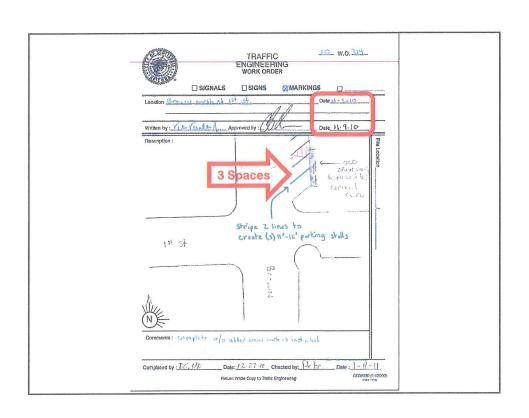


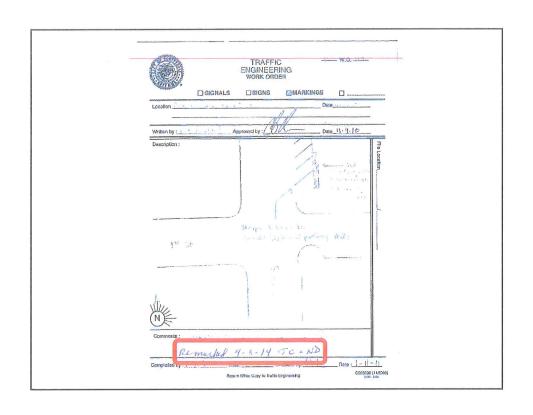
Public property intended for common use

Recommendation:

Direct Transportation Department to not process amended license agreement to convert a public parking space to use as an outdoor patio by Italian Grotto.

ITALIAN GROTTO PATIO EXPANSION INTO PUBLIC PARKING SPACE







OLD TOWN SCOTTSDALE 3965 N. BROWN AVE - SCOTTSDALE, AZ 85251 PHONE (480) 947-7664 www.sabas.com

June 17, 2014

Mayor Lane, Councilmember's and City Manager:

Parking spaces are as precious as gold for Old Town merchants. These parking spaces do not belong to any single merchant to use at their own discretion. They belong to all the merchants regardless of the size or the number of stores that the merchant operates in old town.

During the season it is very common for visitors/customers to circle around Old Town looking for spaces to park. This need escalates to almost impossible during Spring Training and special events at the Center for the Arts.

To give special treatment to one will only encourage others to follow suit. Once a precedent is set, it becomes impossible to deny others the same.

Old Town merchants should be applauded by the council for the economic driver they have become. To dismiss the importance of every single public parking space would be tantamount to ignoring the importance of tourism for Scottsdale.

This letter accompanies petitions from property owners and merchants who cannot support the removal of any parking spaces in Old Town.

Thank you for your time,

Richard Saba

Item 40

FY 2014/15 Property Tax Rates and Levies



City Council, June 17, 2014

Background

	FY 13/14	FY 14/15
Primary Levy	\$25.654M	\$27.821M
Secondary Levy	\$36.712M	\$35.568M
Total Levy	\$62.366M	\$63.389M
Rate per \$100 of AV:		
Primary Tax Rate	\$.5342	\$.5580
Secondary Tax Rate	<u>\$.7604</u>	<u>\$.6869</u>
Combined Tax Rate	\$1.2946	\$1.2449

Action

Adopt Ordinance No. 4154 assessing the FY14/15 primary and secondary property tax levies

Item 41

FY 2014/15 Streetlight Improvement District (SLID) Property Tax Levies



City Council, June 17, 2014

Background

FY 13/14	FY 14/15
\$565,508	\$571,099
<159,370>	<38,056>
<9,363>	0
\$396,775	\$533,043
	\$565,508 <159,370> <9,363>

^{*} estimated to have approximately \$39,000 in reserves for FY 2014/15

• 355 Streetlight Districts, approximately 33,750 properties

Action

Adopt Ordinance No. 4155 assessing the FY14/15 streetlight property tax levies by district

Item 42

Monthly Financial Update As of May 31, 2014

City Council June 17, 2014 Prepared by: City Treasurer

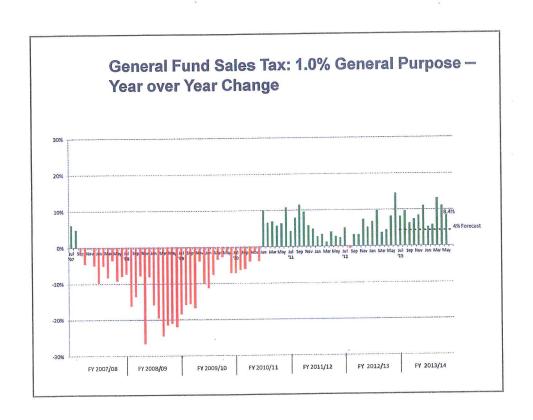
General Fund Operating Sources May 2014: Fiscal Year to Date

(in millions: rounding differences may occur)

	FY 11/12	FY 12/13	FY 13/14	FY 13/14 -	Actual vs. I	Budget
Sources Category	Actual	Actual	Actual	Budget	Fav/(Unf)	%
Sales Tax: 1.0% General Purpose	\$77.7	\$81.0	\$87.5	\$84.2	\$3.4	4%
0.1% Public Safety	7.5	7.9	8.5	8.2	0.3	4%
State Shared: Sales Tax	15.5	16.2	17.3	17.2	0.1	1%
Revenue	16.8	20.4	22.2	22.2		-
Auto Lieu Tax	6.7	6.6	7.1	7.0	0.1	1%
Property Taxes (Primary)	21.0	22.8	23.8	21.6	2.2	10%
Franchise Fees/In-Lieu Tax	10.6	11.0	11.2	10.6	0.6	5%
Other: Licenses, Permits & Fees	7.5	7.5	8.2	8.0	0.1	2%
Fines & Forfeitures	6.8	6.3	6.1	6.4	(0.2)	(4%)
Miscellaneous	8.6	8.8	7.5	5.7	1.8	32%
Building Permits	7.7	10.4	13.8	8.8	5.0	57%
Interest Earnings	0.7	1.3	1.6	0.9	0.7	79%
Indirect Cost Allocations	7.9	6.4	6.0	6.0	-	-1
Transfers In	9.1	6.6	6.5	6.7	(0.2)	(2%)
Subtotal Operating Sources	\$204.2	\$213.2	\$227.3	\$213.4	\$13.9	6%
Bond Proceeds *	-	31.0	-	-	-	-
Bed Taxes	12.4	-	_	-	-	-
Total Operating Sources	\$216.6	\$244.2	\$227.3	\$213.4	\$13.9	6%

General Fund Operating Sources: Sales Tax May 2014: Fiscal Year to Date (in millions: rounding differences may occur)

	FY 11/12	FY 12/13	FY 13/14	FY 13/14	Actual vs.	Budget
1.0% Sales Tax Category	Actual	Actual	Actual	Budget	Fav/(Unf)	%
Consumer Spending:						
Small retail stores	\$12.9	\$13.3	\$14.8	\$14.1	\$0.6	4%
Large retail stores	8.4	8.5	8.5	8.8	(0.3)	(3%)
Misc goods & services	5.9	6.3	6.9	6.1	0.8	13%
Grocery & convenience	5.8	5.9	6.1	6.0	0.1	1%
Auto sales & maintenance	8.8	9.9	11.2	10.7	0.5	5%
Tourism/Entertainment:						
Hotel lodging & misc sales	3.9	4.1	4.5	4.2	0.3	7%
Restaurants & bars	7.1	7.3	7.8	7.6	0.2	2%
Business:						
Construction	7.7	8.0	10.0	9.0	1.0	11%
Rental	10.9	11.5	11.5	11.3	0.2	2%
Utilities	4.0	4.0	4.1	4.1	(0.1)	(2%)
Licenses, penalties/interest	2.3	2.1	2.2	2.1	0.1	5%
Total 1.0% Sales Tax	\$77.7	\$81.0	\$87.5	\$84.2	\$3.4	4%



General Fund Operating Uses: by Category May 2014: Fiscal Year to Date (in millions: rounding differences may occur)

	FY 11/12	FY 12/13	FY 13/14	FY 13/14	Actual vs. E	Budget
Category	Actual	Actual	Actual	Budget	Fav/(Unf)	%
Personnel Services*:						
Salaries & Wages	\$103.3	\$103.7	\$106.6	\$106.8	\$0.2	0%
Overtime	5.9	6.3	6.7	5.8	(0.9)	(16%)
FICA	7.2	7.1	7.3	7.3	-	-
Retirement	12.6	14.5	15.9	15.9	0.1	0%
Health/Dental & Misc	. 12.6	13.7	14.3	14.6	0.3	2%
Total Personnel Services	\$141.6	\$145.3	\$150.9	\$150.5	(\$0.4)	0%
Contractual, Commodities,						
Capital Outlay	45.5	49.9	52.9	57.2	4.4	8%
Total Operating Expenses	\$187.1	\$195.2	\$203.7	\$207.7	\$4.0	2%
Debt Serv. & Contracts	7.8	33.9**	1.6	1.7	-	-
Transfers Out	10.4	3.4	0.4	0.4	-	-
Total Operating Uses	\$205.3	\$232.5	\$205.8	\$209.8	\$4.1	2%
*Pay Periods thru May:	24	24	24			

^{**} Includes the Nordstrom Garage Lease Payoff

General Fund Operating Uses: by Division May 2014: Fiscal Year to Date (in millions: rounding differences may occur)

	FY 11/12	FY 12/13	FY 13/14	FY 13/14	Actual vs.	Budget
Division	Actual	Actual	Actual	Budget	Fav/(Unf)	%
Mayor & Council, Charter Officers	\$15.8	\$16.3	\$16.3	\$17.0	\$0.7	4%
Administrative Services	12.4	12.7	13.7	14.1	0.3	2%
Comm. & Econ Development	21.2	20.8	21.3	21.6	0.2	1%
Community Services	28.0	30.0	29.9	30.7	0.8	3%
Public Safety	9.6	10.1	11.2	11.1	(0.1)	(1%)
Public Safety - Fire	22.0	23.9	26.2	26.4	0.2	1%
Public Safety - Police	64.3	65.8	68.6	68.9	0.3	0%
Public Works	13.8	15.7	16.4	18.0	1.6	9%
Total Operating Expenses	\$187.1	\$195.2	\$203.7	\$207.7	\$4.0	2%

General Fund - Sources Year-End Estimate: FY 2013/14

(in millions: rounding differences may occur)

	E)/ 00/0///	E) (00 10 // /	Varian	iance		
	FY 2013/14	FY 2013/14				
	Approved	Forecast	Fav/(Unf)	%		
1.1% Sales Taxes	\$100.5	\$104.8	\$4.3	4%		
State-Shared Revenues	50.3	50.3	-	-		
Property Taxes	25.5	25.5	12	-		
Franchise Fees/In-Lieu Taxes	11.7	12.1	0.4	3%		
Building Permits	9.9	14.9	5.0	51%		
Charges for Services/Other	30.0	29.5	(0.5)	(2%)		
Transfers In	10.9	10.9	-	-		
Total Sources	\$238.8	\$248.0	\$9.2	4%		

General Fund - Uses Year-End Estimate: FY 2013/14

(in millions: rounding differences may occur)

			Varia	nce
	FY 2013/14	FY 2013/14		
Category	Approved	Forecast	Fav/(Unf)	%
Personnel Services:				
Salaries & Wages	\$117.9	\$116.3	\$1.6	1%
Overtime	6.4	7.4	(1.0)	(14%)
FICA	8.0	7.8	0.2	3%
Retirement	17.4	17.1	0.3	2%
Health/Dental & Misc	16.1	15.9	0.2	1%
Total Personnel Services	\$165.7	\$164.4	\$1.3	1%
Contractual, Commodities, Capital				
Outlay	64.7	64.3	0.4	1%
Total Operating Expenses	\$230.3	\$228.7	\$1.6	1%
Debt Serv. & Contracts	15.0	14.6	0.4	3%
Transfers Out	5.9	5.9	-	-
Total Operating Uses	\$251.3	\$249.2	\$2.1	1%

General Fund Results Year End Estimate: FY 2013/14

(in millions: rounding differences may occur)

	FY 13/14	FY 13/14	Variano	
	Approved	Forecast	Fav/(Unf)	%
Sources	\$238.8	\$248.0	\$9.2	4%
Uses	(251.3)	(249.2)	2.1	1%
Total Sources Over/(Under) Uses	(\$12.5)	(\$1.2)	\$11.3	
Ending Unreserved Fund Balance	\$2.8	\$14.1		

General Fund Results: Summary May 2014: Fiscal Year to Date (in millions: rounding differences may occur)

	FY 11/12	FY 12/13	FY 13/14	FY 13/14	Actual vs. Budget	
	Actual	Actual	Actual	Budget	Fav/(Unf)	%
Sources	\$216.6	244.2*	\$227.3	\$213.4	\$13.9	6%
Uses	205.3	232.5*	205.8	209.8	4.1	2%
Change in Fund Balance	\$11.3	\$11.7	\$21.5	\$3.6	\$17.8	

^{*} Includes Nordstrom Garage Lease Payoff paid for with bond proceeds.

General Fund Operating Sources May 2014 (in millions: rounding differences may occur)

	FY 11/12	FY 12/13	FY 13/14	FY 13/14	Actual vs.	Budget
Sources Category	Actual	Actual	Actual	Budget	Fav/(Unf)	%
Sales Tax: 1.0% General Purpose	\$8.0	\$7.9	\$8.5	\$7.9	\$0.6	7%
0.1% Public Safety	0.8	0.8	0.8	0.8	0.1	8%
State Shared: Sales Tax	1.6	1.7	1.7	1.7	-	-
Revenue	1.5	1.9	2.0	2.0	-	12
Auto Lieu Tax	0.6	0.9	1.0	0.6	0.4	66%
Property Taxes (Primary)	3.4	5.3	6.0	3.5	2.5	70%
Franchise Fees/In-Lieu Tax	0.0	0.1	0.0	0.0	Œ.	-
Other: Licenses, Permits & Fees	0.8	0.9	0.8	0.9	(0.1)	(6%
Fines & Forfeitures	0.7	0.6	0.6	0.6	177	(1%
Miscellaneous	0.6	0.3	0.8	1.0	(0.2)	(20%
Building Permits	0.9	1.1	1.3	1.0	0.3	33%
Interest Earnings	0.0	0.2	0.2	0.1	0.1	83%
Indirect Cost Allocations	0.8	0.6	0.5	0.5	-	-
Transfers In	0.6	0.6	0.6	0.6	_	-
Subtotal Operating Sources	\$20.2	\$22.8	\$25.0	\$21.2	\$3.7	18%
Bond Proceeds	-	-	-	-	E 5	-
Bed Taxes (gross)	1.5	-		_		-
Total Operating Sources	\$21.8	\$22.8	\$25.0	\$21.2	\$3.7	18%

General Fund Operating Sources: Sales Tax May 2014 (in millions: rounding differences may occur)

	FY 11/12	FY 12/13	FY 13/14	FY 13/14	Actual vs.	Budget
1.0% Sales Tax Category	Actual	Actual	Actual	Budget	Fav/(Unf)	%
Consumer Spending:						
Small retail stores	\$1.3	\$1.3	\$1.5	\$1.4	\$0.1	5%
Large retail stores	0.8	0.8	0.8	0.8	(0.1)	(6%)
Misc goods & services	1.0	0.7	0.6	0.5	0.1	29%
Grocery & convenience	0.5	0.5	0.6	0.6	0.1	12%
Auto sales & maintenance	0.9	1.0	1.1	1.1	0.1	5%
Tourism/Entertainment:						
Hotel lodging & misc sales	0.5	0.5	0.6	0.5	-	-
Restaurants & bars	0.7	0.7	0.8	0.8	0.1	7%
Business:						
Construction	0.9	0.8	1.0	0.8	0.2	22%
Rental	1.0	1.1	1.0	1.0	-	-
Utilities	0.3	0.3	0.4	0.3		-
Licenses, penalties/interest	0.2	0.1	0.1	0.1	-	*
Total 1.0% Sales Tax	\$8.0	\$7.9	\$8.5	\$7.9	\$0.6	7%

General Fund Operating Uses: by Category May 2014

(in millions: rounding differences may occur)

	FY 11/12	FY 12/13	FY 13/14	FY 13/14	Actual vs. I	Budget
Category	Actual	Actual	Actual	Budget	Fav/(Unf)	%
Personnel Services*:						
Salaries & Wages	\$8.5	\$8.5	\$8.9	\$8.9	\$ -	-
Overtime	0.6	0.5	0.4	0.4	_	-
FICA	0.6	0.6	0.6	0.6	-	-
Retirement	1.1	1.2	1.3	1.3	0.1	4%
Health/Dental & Misc	1.1	1.2	1.3	1.3	-	-
Total Personnel Services	\$11.8	\$12.0	\$12.4	\$12.6	\$0.2	1%
Contractual, Commodities,						
Capital Outlay	4.2	5.2	4.4	4.3	0.0	(1%)
Total Operating Expenses	\$16.1	\$17.2	\$16.8	\$16.9	\$0.1	1%
Debt Serv. & Contracts	0.3	-		-	-	-
Transfers Out	0.4	-	-	-	-	-
Total Operating Uses	\$16.8	\$17.2	\$16.8	\$17.0	\$0.2	1%
*Day Dayinda in May	2	2	2			

*Pay Periods in May:

General Fund Operating Uses: by Division May 2014 (in millions: rounding differences may occur)

	FY 11/12 FY 12/13 FY 13/14			FY 13/14	Actual vs. Budget	
Division	Actual	Actual	Actual	Budget	Fav/(Unf)	%
Mayor & Council, Charter Officers	\$1.4	\$1.2	\$1.4	\$1.4	\$ -	2
Administrative Services	0.9	1.0	1.3	1.2	(0.1)	(10%)
Comm. & Econ Development	1.4	1.4	1.4	1.4	-	-
Community Services	2.6	3.1	2.7	2.6	(0.1)	(2%)
Public Safety	0.9	1.0	0.9	0.9	-	-
Public Safety - Fire	1.9	2.0	2.2	2.2	~	_
Public Safety - Police	5.5	5.7	5.6	5.7	0.2	3%
Public Works	1.6	1.8	1.4	1.5	0.1	5%
Total Operating Expenses	\$16.1	\$17.2	\$16.8	\$16.9	\$0.1	1%

General Fund Results: Summary May 2014 (in millions: rounding differences may occur)

	FY 11/12 Actual	FY 12/13 Actual	FY 13/14 Actual	FY 13/14 _ Budget	Actual vs. Budget	
					Fav/(Unf)	%
Sources	\$21.8	\$22.8	\$25.0	\$21.2	\$3.7	18%
Uses	16.8	17.2	16.8	17.0	0.2	1%
Change in Fund Balance	\$5.0	\$5.6	\$8.2	\$4.2	\$3.9	