

SCOTTSDALE

CITY COUNCIL MEETING



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

[MOVED ITEM No. 5 TO APRIL 30, 2013 AND ADDED ITEM NOS. 4A AND 7A]

COUNCIL

W.J. "Jim" Lane, Mayor
Suzanne Klapp
Virginia L. Korte
Robert W. Littlefield

Linda Milhaven
Guy Phillips
Dennis E. Robbins

Tuesday, April 16, 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 may be continued to April 17 or April 30, 2013.

4:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 4:04 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 – Councilwoman Milhaven

Invocation – Mayor Lane asked for a moment of silence for the victims of the Boston Marathon bombing and for the City of Boston.

Mayor's Report – None

City Manager's Report – None

Presentations/Information Updates – None

Public Comment – Frances Burruel and Juan Bahena commented on their interactions with Scottsdale's Sister City Alamos, Sonora, Mexico.

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.**



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).

CONSENT AGENDA **ITEMS 1-4A**

How the Consent Agenda Works: The Council may take one vote to act on all 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.

– Councilman Littlefield moved to approve Consent Items 1 - 4A. Councilwoman Milhaven seconded the motion, which carried 7/0.

1. [Tavern Grille Scottsdale Teletrack Wagering License Renewal \(Application No. 1053566\)](#)
 – Approved on Consent.
 Request: Approve an application to renew a teletrack wagering (off track betting) license at an existing bar and grill location.
 Location: 8880 E. Via Linda, Suite 106
 Staff Contact(s): David N. Smith, City Treasurer, 480-312-2364, dasmith@scottsdaleaz.gov

2. [City Auditor Code Amendment](#) – **Approved on Consent.**
 Request: Adopt **Ordinance No. 4040** amending Division 6 of Chapter 2, Article III, Sections 2-117 through 2-119 and 2-122 through 2-129 of the Scottsdale Revised Code pertaining to the City Auditor.
 Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

3. [Governor’s Office of Highway Safety Motorcycle and Traffic Enforcement Equipment Grant](#)
 – Approved on Consent.
 Request: Adopt **Resolution No. 9365** to:
 1. Authorize Agreement No. 2013-048-COS with the Arizona Governor’s Office of Highway Safety to accept a grant in the amount of \$281,700, which includes a 10% cost share, to replace aging motorcycles and traffic enforcement equipment.
 2. Authorize a budget transfer from the adopted FY 2013/14 Future Grants Budget and/or the Grant Contingency Budget; and authorize the creation of a new cost center to record the related grant activity.**Staff Contact(s):** Alan Rodbell, Public Safety Executive Director, 480-312-1900, arodbell@scottsdaleaz.gov

4. [Monthly Financial Report](#) – **Approved on Consent.**
 Request: Accept the FY 2012/13 Monthly Financial Report as of February 2013.
 Staff Contact(s): David N. Smith, City Treasurer, 480-312-2364, dasmith@scottsdaleaz.gov

- ***4A. [Bellevue Land Acquisition](#) – **Approved on Consent.**
 Request: Adopt **Resolution No. 9390** authorizing a general fund capital budget contingency transfer and creating a new CIP Project titled “Acquisition of Bellevue Property” to purchase that real property generally described as 7220 and 7224 E. Bellevue, Scottsdale, Arizona, and pay such other corresponding costs as necessary.
 Location: 7220 and 7224 E. Bellevue
 Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov

REGULAR AGENDA ITEMS 5-8

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.**

*****5. Associate City Judge Reappointment**

(Moved to April 30, 2013)

6. Public Hearing on Community Development Block Grant and HOME Investment Partnership Program Fiscal Year 2013/14 Annual Action Plan

– Councilmember Korte declared a conflict of interest.

– Councilmember Phillips moved to:

1. Solicit public testimony regarding the FY 2013/14 Annual Action Plan for the use of Community Development Block Grant (CDBG) funds in the amount of \$1,446,949 and HOME funds in the amount of \$250,943; and
2. Adopt Resolution No. 9367 to:
 - a. Approve Scottsdale's Annual Action Plan for FY 2013/14 (Plan); authorize the submittal of the Plan to the U.S. Department of Housing and Urban Development (HUD); and authorize the Acting City Manager to execute, on behalf of the City, a contract with HUD for CDBG funding for FY 2013/14.
 - b. Approve the manner in which the FY 2013/14 HOME funds shall be allocated.
 - c. Approve reprogramming of remaining CDBG and HOME funds from prior years' funding.
 - d. Approve the recommendations of the Human Services Commission for the allocation of FY 2013/14 CDBG and HOME funds.
 - e. Authorize the Mayor to execute, on behalf of the City, contracts with agencies to be funded with CDBG and HOME funds, subject to final negotiation and scopes of work and the execution of the HUD contract for FY 2013/14 funding.
 - f. Approve the return of program income from the repayment of deferred loans from recipients of the Housing Rehabilitation Program to the City's CDBG Line of Credit or Revolving Loan Fund to be expended on eligible rehabilitation activities; approve the return of all other program income from CDBG-funded activities to the City's CDBG Line of Credit to be expended on eligible CDBG activities; and authorize the Community Assistance Manager to execute all documents related to the City's Housing Rehabilitation Program and adjust the allocations of CDBG and HOME funds as necessary based upon final federal funding allocations.

Councilman Robbins seconded the motion, which carried 5/1, with Vice Mayor Klapp dissenting and Councilmember Korte declaring a conflict of interest.

Requests:

1. Solicit public testimony regarding the FY 2013/14 Annual Action Plan for the use of Community Development Block Grant (CDBG) funds in the amount of \$1,446,949 and HOME funds in the amount of \$250,943; and
2. Adopt **Resolution No. 9367** to:
 - a. Approve Scottsdale's Annual Action Plan for FY 2013/14 (Plan); authorize the submittal of the Plan to the U.S. Department of Housing and Urban Development (HUD); and authorize the Acting City Manager to execute, on behalf of the City, a contract with HUD for CDBG funding for FY 2013/14.
 - b. Approve the manner in which the FY 2013/14 HOME funds shall be allocated.
 - c. Approve reprogramming of remaining CDBG and HOME funds from prior years' funding.

- d. Approve the recommendations of the Human Services Commission for the allocation of FY 2013/14 CDBG and HOME funds.
- e. Authorize the Mayor to execute, on behalf of the City, contracts with agencies to be funded with CDBG and HOME funds, subject to final negotiation and scopes of work and the execution of the HUD contract for FY 2013/14 funding.
- f. Approve the return of program income from the repayment of deferred loans from recipients of the Housing Rehabilitation Program to the City's CDBG Line of Credit or Revolving Loan Fund to be expended on eligible rehabilitation activities; approve the return of all other program income from CDBG-funded activities to the City's CDBG Line of Credit to be expended on eligible CDBG activities; and authorize the Community Assistance Manager to execute all documents related to the City's Housing Rehabilitation Program and adjust the allocations of CDBG and HOME funds as necessary based upon final federal funding allocations.

Presenter(s): William Murphy, Community Services Executive Director

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

7. **Monthly Financial Update – Accounting Director Joyce Gilbride presentation**

Request: Receive, discuss, and provide possible direction on the City Treasurer's monthly financial presentation as of March 2013.

Presenter(s): Joyce Gilbride, Accounting Director

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

***7A. **Proposed Fiscal Year 2013/14 Operating Budget and Capital Improvement Plan**

– Acting City Manager Dan Worth presentation and City Treasurer David Smith presentation

Request: Presentation, discussion, and possible Council direction to staff regarding the Proposed FY 2013/14 Operating Budget and Capital Improvement Plan.

Presenter(s): David N. Smith, City Treasurer; Daniel Worth, Acting City Manager

Staff Contact(s): David N. Smith, City Treasurer, 480-312-2364, dasmith@scottsdaleaz.gov; Daniel Worth, Acting City Manager, 480-312-2811, dworth@scottsdaleaz.gov

8. **Review Proposed Fiscal Year 2013/14 Budget by Division**

Request: Public hearing, discussion and possible Council direction to staff, and division presentations regarding Proposed FY 2013/14 Budget. (Presentations not completed at this meeting will be continued to April 17.)

- a. City Officials and Charter Officers, presented by David N. Smith, City Treasurer; Joseph Olcavage, Presiding Judge

– City Treasurer David Smith presentation and Presiding Judge Joseph Olcavage presentation

- b. Public Safety - Police, presented by John Cocca, Assistant Police Chief

– Public Safety Assistant Police Chief John Cocca presentation

- c. Public Safety - Fire, presented by Thomas Shannon, Fire Chief

– Public Safety Fire Chief Thomas Shannon presentation

- d. Water Resources, presented by Brian Biesemeyer, Executive Director

– Water Resources Executive Director Brian Biesemeyer presentation

- e. Public Works, presented by Derek Earle, Acting Executive Director

– Public Works Acting Executive Director Derek Earle presentation

- f. Community Services, presented by Bill Murphy, Executive Director

– Community Services Executive Director Bill Murphy presentation

– Councilwoman Milhaven moved to continue the remaining items to April 17, 2013.

Councilman Littlefield seconded the motion, which carried 6/1, with Vice Mayor Klapp dissenting.

- g. Community and Economic Development, presented by Paul Katsenes, Executive Director

- h. Administrative Services, presented by Brad Hartig, Information Technology Executive Director

Staff Contact(s): Daniel Worth, Acting City Manager, 480-312-2811, dworth@scottsdaleaz.gov; David N. Smith, City Treasurer, 480-312-2364, dasmith@scottsdaleaz.gov

MAYOR AND COUNCIL

ITEM 9

9. [State of Arizona Executive Budget Recommendations for ASU](#) – Councilwoman Milhaven moved to adopt Resolution No. 9363 supporting the Governor of the State of Arizona’s Executive Budget recommendations for Fiscal Year 2014 as they relate to support of funding requested by the Arizona Board of Regents for Arizona State University. Councilmember Korte seconded the motion, which carried 6/1, with Councilman Littlefield dissenting.
- Request:** Adopt Resolution No. 9363 supporting the Governor of the State of Arizona’s Executive Budget recommendations for Fiscal Year 2014 as they relate to support of funding requested by the Arizona Board of Regents for Arizona State University. This item was added to the agenda at the request of Mayor Lane, Vice Mayor Klapp, and Councilmembers Korte and Milhaven.
- Presenter(s):** Rachel Smetana, Management Assistant to Mayor Lane
- Staff Contact:** Rachel Smetana, Management Assistant to Mayor Lane, 480-312-7977, rsmetana@scottsdaleaz.gov

Public Comment – **None**

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CITIZEN PETITIONS

ITEM 10

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.

10. **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**

Adjournment – **10:02 P.M.**