APPROVED

MINUTES

SCOTTSDALE CITY COUNCIL

TUESDAY, JANUARY 20, 2004

CITY HALL KIVA
3939 DRINKWATER BOULEVARD
SCOTTSDALE AZ 85251

MINUTES
SCOTTSDALE CITY COUNCIL
Tuesday, January 20, 2004

Call To Order

Mayor Manross called to order a Regular Meeting of the Scottsdale City Council on Tuesday, January 20, 2004 in the Kiva, City Hall, at 5:05 P.M.

Roll Call

Present: Mayor Mary Manross
Vice Mayor Wayne Ecton
Council Members Robert Littlefield, Roberta Pilcher, David Ortega, and Tom Silverman

Absent: Councilman Ned O'Hearn

Also Present: City Manager Jan Dolan
City Attorney Joseph Bertoldo
City Clerk Carolyn Jagger

Pledge of Allegiance

Councilwoman Pilcher led the audience in the pledge.

Invocation

Pastor Bruce Johnson, of the Scottsdale Presbyterian Church, offered the invocation.

Boards, Commissions & Task Forces

Development Review Board (1) - **Anne Gale** was appointed by a majority vote.
Housing Board (1) - **Gary Morgan** was appointed by a majority vote.
Parks and Recreation Commission (1) - **Dean Cerimeli** was appointed by a majority vote.
Planning Commission (1) - **Steven Steinke** was appointed by a majority vote.
Tourism Development Commission (1) - **Terri Benich** was appointed by a majority vote.

Public Comment

John Eby, 4245 N Craftsman Ct, 85251, thanked Council for allowing the New Year's Eve Block Party. Mr. Eby said he was looking forward to an even better event next year.

Minutes

SPECIAL MEETINGS	REGULAR MEETINGS	EXECUTIVE SESSIONS
Tuesday, January 6, 2004	Tuesday, January 6, 2004	Monday, November 17, 2003
		Tuesday, December 9, 2003

VICE MAYOR ECTON MOVED FOR APPROVAL OF THE SPECIAL AND REGULAR MEETING MINUTES OF JANUARY 6, 2004, AND THE EXECUTIVE SESSION MINUTES OF NOVEMBER 17 AND DECEMBER 9, 2003. COUNCILWOMAN PILCHER SECONDED THE MOTION, WHICH CARRIED 6/0.

CONSENT AGENDA - ITEMS 1-19

ITEMS 8, 10, 11, AND 19 WERE REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION.

1. **Rare Earth Coffee & Wine Bar Liquor License**
Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 7 (beer/wine bar) State liquor license for a new establishment.
Location: 28190 N. Alma School Parkway, Ste. 209, Troon North Center
Reference: 94-LL-2003
Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@ScottsdaleAZ.gov; Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@ScottsdaleAZ.Gov

2. **License to use City Property for Outdoor Dining in Downtown Scottsdale**
Request: Adopt Resolution No. 6433 authorizing license agreement No. 2004-010-COS with J.E. Southwest Group Real Estate, LLC, to construct and operate an outdoor dining area on city-owned right-of-way adjoining ACME Bar & Grill at 4245 North Craftsman Court. This request is in conjunction with a second related request by J.E. Southwest Group for the City to grant an Extension of Premises. This second request is contingent on approval of this license agreement.
Related Policies, References:
- Section 2-221(b)(4) of the Scottsdale Revised Code, which allows the sale of City real property interests, including licenses, directly to adjoining property owners.
- Resolution No. 4998 was adopted February 29, 2002, which authorized a license with Wildchild Investments to operate outdoor dining within City right-of-way at 4310 North Brown Avenue. This license also served to establish evaluation criteria for outdoor dining use of public right-of-way.
- Development Review Board approval of ACME remodeling and outdoor dining plans November 6, 2003.
- Agendized request on the January 20, 2004 City Council Agenda for an ACME liquor license Extension of Premises, contingent on the approval of an outdoor dining license.

Staff Contact(s): Al Dreska, Municipal Services General Manager, 480-312-5555, adreska@ScottsdaleAZ.gov; Robin Rodgers, Asset Management Specialist, 480-312-2522, rrodgers@scottsdaleAZ.gov

3. **Acme Bar & Grill Extension of Premises**
Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for an existing establishment, which currently operates with a series 06 (bar) liquor license.
Location: 4245 N. Craftsmans Ct.
Reference: 38-EX-2003

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@ScottsdaleAZ.gov; Robert Bushfield, Development Review and Permit Services Director, 480-312-7096, rbushfield@ScottsdaleAZ.Gov

4. **Sunflower Estates Final Plat**
Request: Approve a final plat for seven residential lots with amended development standards on a 9-acre parcel.
Location: Southeast corner of Black Mountain & Hayden Roads
Reference: 14-PP-2003
Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov; Greg Williams, Senior Planner, 480-312-4205, gwilliams@ScottsdaleAZ.gov

5. **Slager Residence Abandonment**
Request: Consider the following:
1. Abandon the 33-foot wide General Land Office (GLO) patent roadway and public utility easements for parcel 217-31-019A.
2. Adopt Resolution No. 6429 vacating and abandoning a portion of right of way and roadway easement.

Location: 12953 E. Cochise Rd.
Reference: 8-AB-2003
Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov; Suzanne Colver, Senior Planner, 480-312-7087, scolver@ScottsdaleAZ.gov

6. **Bell/101 Executive Center Site Plan and Stipulation Amendments**
Request: Approve:
1. Revision to approved site plan and stipulation amendments for an eight-building office condominium project.
2. Ordinance No. 3547 affirming the revised site plan and stipulation amendments.

Location: 8825 E. Bell Rd.
Reference: 5-ZN-2000#2
Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov; Suzanne Colver, Senior Planner, 480-312-7087, scolver@ScottsdaleAZ.gov

7. **Tiffany Center Rezoning**
Request: Approval to:
1. Rezone from Single Family Residential Planned Community District (R1-35 PCD) to Central Business District Planned Community District (C-2 PCD) on a 3.5 +/- acre parcel located at the southwest corner of Bell Road and 91st Street.
2. Adopt Ordinance No. 3545 affirming the above rezoning.

Location: E. Bell Rd./N. 91st St. (southwest corner)
Reference: 7-ZN-2003
Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov; Al Ward, Senior Planner, 480-312-7067, award@ScottsdaleAZ.gov

Mayor Manross opened public testimony.

Leon Spiro, 7814 E Oberlin Wy, 85262, expressed concerns about items 5, 6, and 7, and disputed the city's position regarding abandonments.

Mayor Manross closed public testimony.

8. Removed from Consent Agenda for separate discussion. See page 8.

9. AZ On The Rocks Conditional Use Permit

Request: Approve a conditional use permit for a health studio on a 4.3 +/- acre parcel located at 16447 N. 91st Street with Industrial Park Planned Community District (I-1 PCD) zoning.
Location: 16447 N. 91st Street Ste. 105
Reference: 26-UP-2003
Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov; Al Ward, Senior Planner, 480-312-7067, award@ScottsdaleAZ.gov

10. Removed from Consent Agenda for separate discussion. See page 9.

11. Removed from Consent Agenda for separate discussion. See page 9.

12. New Interactive Weapons Training Equipment for Police Department

Request: Authorize the use of $91,200 in expenditure authorization from the FY 2003/04 Special Programs Contingency Budget (280-99538-52890) to the Police Department State RICO Center (280-02302-54530) for the purchase of an Interactive Training Simulator. Available State Racketeering Influenced Corrupt Organization (RICO) dollars of $91,200 will fund the purchase. The Interactive Training Simulator simulates and tests a police officer's decision-making ability on whether to use lethal or non-lethal force. The equipment can be modified to address specific training needs or recognized patterns.
Related Policies, References: AZ Police Officer Standards and Training requires Sworn Police Officers to participate in "decision shoot annually". It is also mandated in the Police Department's policies and procedures.
Staff Contact(s): Alan Rodbell, Chief of Police, 480-312-5000, arodbell@ScottsdaleAZ.gov; Jimmy Wasson, Training Sergeant, 480-312-5549, jwasson@ScottsdaleAZ.gov

13. Extension of the existing Intergovernmental Agreement (IGA) with the City of Phoenix for bus service on eight routes serving Scottsdale

Request: Consider adoption of Resolution No. 6426 to authorize the fifth annual extension of a five-year IGA #1999-113-COS with the City of Phoenix for the provision of bus service on eight routes. City Council authorized a five-year agreement in 1999 subject to annual approval. This action extends the agreement through fiscal year 2003/04. Routes 17, 41, 50, 170, 510, 512, the Green Line, and weekend service for route 106 are covered by this agreement. The estimated cost for fiscal year 2003/04 is $1,463,508. The contracted amount reflects reductions in service levels that were enacted in response to budgetary constraints during FY 02/03. These reductions affected Express Route 512. Service increases are not anticipated for FY 03/04. The City of Phoenix Transit Department has continued to provide service on the remaining

routes in anticipation of the authorization of the extension to the IGA. The City has purchased transit services from the City of Phoenix since 1983.
Related Policies, References: IGA #119-113A-COS (Change Order #5), IGA #1999-113-COS; City Procurement Code
Staff Contact(s): John C. Little, Jr., Transportation General Manager, 480-312-2530, jlittle@ScottsdaleAZ.gov; Michelle Korf, Transportation Planning Director, 480-312-2638, mkorf@ScottsdaleAZ.gov; Michael Spletter, Contract and Grant Coordinator, 480-312-7656, mspletter@ScottsdaleAZ.gov

14. Extension of the existing Intergovernmental Agreement (IGA) with Valley Metro for East Valley Dial-a-Ride service
Request: Consider adoption of Resolution No. 6425 to authorize the fifth annual extension of a five-year IGA #1999-114-COS with Valley Metro for the provision of East Valley Dial-a-Ride paratransit services. The estimated cost of purchasing paratransit services from Valley Metro for fiscal year 2003/04 is $980,976. City Council authorized a five-year agreement in 1999 subject to annual approval. This action extends the agreement through fiscal year 2003/04. The City continues to receive service from Valley Metro in anticipation of the authorization of the extension to the IGA.
Related Policies, References: IGA #1999-114A-COS (FY 2003/04 amendment to IGA #1999-114-COS), IGA #1999-114-COS; City Procurement Code; Code of Federal Regulations
Staff Contact(s): John C. Little, Jr., Transportation General Manager, 480-312-2530, jlittle@ScottsdaleAZ.gov; Michelle Korf, Transportation Planning Director, 480-312-2638, mkorf@ScottsdaleAZ.gov; Michael Spletter, Contract and Grant Coordinator, 480-312-7656, mspletter@ScottsdaleAZ.gov

15. Extension of the existing Intergovernmental Agreement (IGA) with Valley Metro (formerly the Regional Public Transportation Authority--RPTA) for bus service on nine routes within the City of Scottsdale
Request: Consider adoption of Resolution No. 6427 to authorize the third annual extension of five-year IGA #2001-146-COS with Valley Metro for the provision of transit and associated services. The estimated cost of purchasing transit services from Valley Metro for fiscal year 2003/04 is $3,741,985 for fixed route service on nine routes. This amount includes $248,296 for Regional Services costs such as publication of the Bus Book, and $100,870 for the staffing of Loloma Station. The estimated cost of this agreement reflects reductions in service levels that were enacted in response to budgetary constraints during FY 02/03. These reductions affected Routes 66, 72, 81, 84, and 114. Service increases are not anticipated for FY 03/04. Valley Metro has continued to provide service on the remaining routes in anticipation of the authorization of the extension to the IGA. Prior years' agreements reflected costs for seven routes. With this agreement, Valley Metro has changed its method of funding routes. Prior agreements did not disclose City routes that had been fully funded by Valley Metro. These routes are now shown, with their related costs, to provide more accurate disclosure of routes and costs contracted by the City. Valley Metro funding offsets will be reflected in total costs and at the year-end reconciliation.
Related Policies, References: IGA #2001-146A-COS(Amendments to IGA No. 2001-146-COS), IGA #2001-146-COS; City Procurement Code
Staff Contact(s): John C. Little, Jr., Transportation General Manager, 480-312-2530, jlittle@ScottsdaleAZ.gov; Michelle Korf, Transportation Planning Director, 480-312-2638,

mkorf@ScottsdaleAZ.gov; Michael Spletter, Contract and Grant Coordinator, 480-312-7656, mspletter@ScottsdaleAZ.gov

16. Construction Bid Award for the Scottsdale Center for the Arts Fire Suppression System Improvements

Request: Authorize Construction Bid Award No. 03PB048 for Scottsdale Center for the Arts (SCA) Fire Suppression System Improvements to Regency Development, Inc., the lowest responsive bidder, at their lump sum bid of $554,900.

Staff Contact(s): Al Dreska, 480-312-5555, adreska@ScottsdaleAZ.gov; Doreen Song, P.E., Project Manager, 480-312-2367, dsong@scottsdaleaz.gov

17. Contract Renewal for Legal Services related to Jack Long Scottsdale Auto Parts litigation

Request: Adopt Resolution No. 6431 and approve contract No. 2004-008-COS with Mariscal Weeks McIntyre & Friedlander, P.A. in the amount of $45,000 for legal services related to the Jack Long—Scottsdale Auto Parts litigation.

Related Policies, References:

The condemnation was authorized by City Council pursuant to the Scottsdale Memorial Hospital redevelopment agreement

Staff Contact(s): Joseph R. Bertoldo, City Attorney, 480-312-2405, jbertoldo@scottsdaleaz.gov; Kelly Ward, Senior Assistant City Attorney, 480-312-2405; kward@scottsdaleaz.gov

Mayor Manross opened public testimony.

Lyle Wurtz, 6510 E Palm Ln, 85257, expressed his belief that this type of condemnation is illegal. He questioned why the city is advancing money to Scottsdale Healthcare for the Scottsdale Auto Parts condemnation to allow the healthcare expansion.

Mayor Manross closed public testimony.

City Attorney Bertoldo confirmed that the city would be reimbursed by Scottsdale Healthcare as per the Redevelopment Agreement.

18. Settlement of *City of Scottsdale v. Lovell*, a preserve condemnation case.

Request: Adopt Resolution No. 6439 and authorize the City Attorney to settle *City of Scottsdale v. Lovell*, a preserve condemnation case, Superior Court Case number CV2000-017992.

Related Policies, References: Resolution No. 5223, which authorized the condemnation of this 10 acre parcel for the McDowell Sonoran Preserve.

Staff Contact(s): Robert Cafarella, Director of Preservation, 480-312-2577, rcafarella@ScottsdaleAZ.gov; Bruce Washburn Deputy City Attorney, bwashburn@scottsdaleAZ.gov
(480) 312-2405

Mayor Manross opened public testimony.

Lyle Wurtz, 6510 E Palm Ln, 85257, questioned the amount that has been spent on attorney fees and on staff salaries so far in regard to buying Preserve properties. Mayor Manross said staff would get that information to Mr. Wurtz.

Mayor Manross closed public testimony.

19. Removed from Consent Agenda for separate discussion. See page 10.

MOTION AND VOTE – CONSENT AGENDA

COUNCILMAN SILVERMAN MOVED FOR APPROVAL OF CONSENT AGENDA ITEMS 1, 2, 3, 4, 5, 6, 7, 9, 12, 13, 14, 15, 16, 17, AND 18. COUNCILMAN ORTEGA SECONDED THE MOTION, WHICH CARRIED 6/0.

ITEMS REMOVED FROM CONSENT AGENDA FOR SEPARATE DISCUSSION

8. North Scottsdale Collision Rezoning

Request: Approval to:

1. Rezone from Highway Commercial District (C-3) to General Commercial District (C-4) on a 1.15 +/- acre parcel located at 15450 N. 84th Street.
2. Adopt Ordinance No. 3546 affirming the above rezoning.

Location: 15450 N. 84th St.
Reference: 15-ZN-2003
Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov; Suzanne Colver, Senior Planner, 480-312-7087, scolver@ScottsdaleAZ.gov

Kurt Jones introduced the North Scottsdale Collision rezoning for discussion.

Mr. Dahlke, the applicant, noted the wall around the facility would screen the cars and would be as tall as feasible.

Mayor Manross opened public testimony.

Richard Tully, 6829 E Caballo Dr, Paradise Valley, 85253, owner of the building directly behind the auto body shop, expressed concerns about viewing damaged vehicles from the second-floor offices, as well as concerns about noise and paint fumes.

Mayor Manross closed public testimony.

Mr. Jones responded to questions from Council saying development standards were similar in C4 and C3 zoning. He noted that it would be the Development Review Board's call on how the building and property looked. Mr. Ekblaw added this was an existing zoning and allowed this type of use. Office use and industrial use together is not uncommon in the airpark area.

Mr. Ekblaw confirmed for Councilman Silverman that Council could stipulate that the Development Review Board take into consideration the second-story office next door.

Councilman Ortega noted there were already forty or fifty parked cars surrounding the office building, and felt this rezoning could be handled sensitively.

Vice Mayor Ecton felt this type of business would be unattractive. He was uncomfortable making the proposed stipulation to the Development Review Board and stated that he could not support the rezoning. Councilwoman Pilcher agreed, saying there were too many unanswered questions.

Councilman Ortega felt this was a legitimate business for the area and compatible with the surroundings.

MOTION AND VOTE – ITEM 8

COUNCILMAN ORTEGA MOVED FOR APPROVAL OF THIS REZONING AND ORDINANCE NO. 3546, ASKING THE DEVELOPMENT REVIEW BOARD TO GIVE SPECIAL CONSIDERATION TO BUFFERING. COUNCILMAN LITTLEFIELD SECONDED THE MOTION, WHICH FAILED BY A VOTE OF 3/3 (W.E., R.P, T.S.).

10. AZ Power Sports Conditional Use Permits

Requests:

1. Approve a conditional use permit for automotive repair (motorcycles and all terrain vehicles) on a 1.3+/- acre parcel located at 7340 E. McDowell Road, with Highway Commercial (C-3) zoning.
2. Approve a conditional use permit for motorcycle sales and outdoor display area (including all terrain vehicles) on a 1.36 +/- acre parcel located at 7340 E. McDowell Road with Highway Commercial District (C-3) zoning.

Location: 7340 E. McDowell Rd.
Reference: 29-UP-2003 and 30-UP-2003
Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov; Al Ward, Senior Planner, 480-312-7067, award@ScottsdaleAZ.gov

Kurt Jones introduced the conditional use permit applications for consideration.

Mayor Manross opened public testimony.

Mike Merrill, 8713 E Vernon Av, 85257, had questions about: whether or not the overhead door would be installed before the business opened, the hours of operation, and how oil waste would be disposed. He noted there was no exhaust ventilation for the workers, and requested that the burglar alarm be moved to the west side of the building, which is further away from the residences.

The applicant and his associate confirmed that the facility would be open weekdays until 7:00 p.m., and that the facility would be adequately ventilated. The overhead door and display area would be completed before the facility is open. He explained that he would be pleased to move the alarm to the back of the building as requested while disposal of oil would occur as the city and state mandates. An approved company would pick up the oil and dispose of it in an acceptable manner.

Lyle Wurtz, 6510 E Palm Ln, 85257, stated his belief that the city has enough motorcycle shops and this type of business would not help to revitalize south Scottsdale.

Mayor Manross closed public testimony.

Councilman Littlefield expressed concern that approval of this item would be in inconsistent with Council's action on Item 8, due to the proximity of the proposed businesses to residential areas.

Vice Mayor Ecton expressed his opinion that the type of business being considered is quite different from an auto body repair shop. Councilman Silverman agreed, while noting that no one had to look down from a second-story office, and there was no opposition from any of the neighbors.

MOTION AND VOTE – ITEM 10

COUNCILMAN ORTEGA MOVED FOR APPROVAL OF 29-UP-2003 AND 30-UP-2003. COUNCILWOMAN PILCHER SECONDED THE MOTION, WHICH CARRIED 6/0.

11. Scottsdale Professionals On Shea General Plan Amendment and Rezoning

Request: Approve:

1. A General Plan amendment (non-major) from Rural Neighborhoods to Office (minor) on a 4.24 +/- acre parcel located within the Shea corridor at the northeast corner of Shea Blvd. & 85th Place.
2. A rezoning from Single Family Residential (R1-35) to Service Residential (S-R) on a 4.24 +/- acre parcel located at the northeast corner of Shea Blvd. and 85th Place.
3. To adopt Resolution No. 6430 affirming the above General Plan Amendment.
4. To adopt Ordinance No. 3550 affirming the above rezoning.

Location: E. Shea Blvd./N. 85th Place (northeast corner)

Reference: 7-GP-2002 and 14-ZN-2002

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@ScottsdaleAZ.gov; Tim Curtis, Project Coordination Manager, 480-312-4210, tcurtis@ScottsdaleAZ.gov

Kurt Jones introduced the amendment and rezoning request for discussion.

John Berry, representing the applicant, said the neighbors were very supportive of the proposed project, and that the only outstanding issue was in regard to a deceleration lane on Shea Boulevard. He assured Council that the applicant wanted whatever the neighbors wanted.

Mayor Manross opened public testimony.

Art Schmitt, 10630, N 84th St, 85258, supported the project because it has a strong residential feel to it. He implored Council to strike the stipulation to have the deceleration lane.

Ken Legan, 8532 E Appaloosa Tr, 85258, felt the area would be enhanced by the proposed project and requested the deceleration lane be struck, as he felt it was unsafe and unwise.

Barb Young, 11022 N 85th Pl, 85260, was very supportive of the project; however, thought the deceleration lane posed a safety hazard and would confuse drivers.

Nanette Smith, 11022 N 85th Pl, 85260, liked the project, except for the extension of the deceleration lane.

Mayor Manross closed public testimony.

Eleven additional comment cards were received from citizens who did not wish to speak, but were in favor of the proposed amendment and rezoning.

Councilman Littlefield expressed concerns about the unsightly situation on the property over the past ten years and wanted to make sure it never happened again. Mr. Gawf assured Council that staff would prepare a history of the site, and that city codes are being reviewed to put more 'teeth' in them.

Mr. Jones reaffirmed for Councilman Silverman that there were no compelling reasons for the deceleration lane.

MOTION AND VOTE – ITEM 11

COUNCILMAN SILVERMAN MOVED FOR APPROVAL OF THE GENERAL PLAN AMENDMENT, THE REZONING FROM R1-35 TO S-R, ADOPTION OF RESOLUTION 6430, AND ORDINANCE 3550, STRIKING THE MODIFICATION TO STIPULATION 4 ELIMINATING THE ADDITIONAL LANGUAGE PROPOSED BY THE PLANNING COMMISSION REGARDING THE DECELERATION LANE. VICE MAYOR ECTON SECONDED THE MOTION, WHICH CARRIED 6/0.

19. Consider adopting Resolution No. 6440 calling a Special Election to run concurrently with the May 18, 2004 Runoff Election and approving the official language for three ballot measures.

Requests:

- Adopt Resolution No. 6440 calling a Special Election to be conducted on May 18, 2004 for the purpose of submitting to the qualified electors of the City ballot questions regarding the imposition of special sales taxes to provide funding for the McDowell Sonoran Preserve and public safety services and facilities and authorizing the issuance and sale of General Obligation bonds of the City in a principal amount not to exceed $500,000,000 for the McDowell Sonoran preserve;
- Designate or provide for the election date, the informational pamphlet, Spanish translation of election materials, deadlines for voter registration, early voting dates, and the type of voting system to be used.

Related Policies, References:

- The Scottsdale City Charter establishes the time of holding general elections and runoff elections, if necessary, in even numbered years on the first calendar dates authorized by state law establishing mandatory election dates. The office of mayor and four council member seats are to be filled at the 2004 municipal elections. The Charter also contains provisions for holding special elections.
- Maricopa County Elections Department is statutorily required to provide voter registration and other election services and is well qualified to assist cities and towns with election operations and procedures.
- Also see Funding Options Report(s) dated 12/16/03 and 1/14/04 prepared by Financial Services.

jbertoldo@ScottsdaleAZ.gov; Jay Osborn, Senior Assistant City Attorney, 480-312-2561, josborn@ScottsdaleAZ.gov

Ms. Dolan presented the three questions for the proposed ballot language, along with minor changes to add clarity. Questions 1 and 2 would include "AND CONSTRUCTING IMPROVEMENTS THERETO," in order to cover all access issues such as constructing trails and facilities. Modification to Question 3 would be to strike the word 'FACILITIES' and insert "CAPITAL NEEDS," in order to include facilities or police and fire trucks.

Discussion was held about adding the word 'Access'; however, it was determined that the campaign brochures would provide additional detail.

MOTION AND VOTE – ITEM 19

VICE MAYOR ECTON MOVED TO ADOPT RESOLUTION 6440, WITH MODIFICATIONS TO THE BALLOT LANGUAGE AS PRESENTED. COUNCILMAN SILVERMAN SECONDED THE MOTION, WHICH CARRIED 6/0.

Public Comment - None

City Manager's Report - None

Mayor and Council Items - None

Adjournment

With no further business to discuss, Mayor Manross adjourned the meeting at 6:48 P.M.

SUBMITTED BY:

Sandra K. Dragman

Sandy Dragman
Recording Secretary

REVIEWED BY:

Carolyn Jagger

Carolyn Jagger
City Clerk

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular City Council Meeting of the City Council of Scottsdale, Arizona held on the 20th day of January 2004.

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

DATED this 26th day of January 2004.

CAROLYN JAGGER
City Clerk