

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Chief Customer Service Officer, 480-312-2664, cpadian@scottsdaleaz.gov

10. Tanner's (Restaurant) Liquor License

Request: Consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a person and location transfer of a series 6 (bar) liquor license for an existing location that previously operated with a series 12 (restaurant) license.

Location: 6990 E. Shea Boulevard, Suite 101

Reference: 76-LL-2005

Staff Contact(s): Frank Gray, Planning and Development Services General Manager, 480-312-2890, fgray@scottsdaleaz.gov; Connie Padian, Chief Customer Service Officer, 480-312-2664, cpadian@scottsdaleaz.gov

11. Tanner's Conditional Use Permit

Requests:

1. Approve a conditional use permit for a bar in an existing 4,000 +/- square foot building located at 6990 E. Shea Boulevard, Suite 101, with Central Business District (C-2) zoning.
2. Adopt Resolution No. 6893 affirming the conditional use permit.

Related Policies, References:

- The area was annexed by the City in 1963.
- Case 5-ZN-83 rezoned the 40+/- acre Agua Caliente property, south of this site in 1983.
- Case 29-DR-1988 gave development approval for the Agua Caliente Shopping Center.

Location: 6990 E. Shea Boulevard

Staff Contact(s): Frank Gray, General Manager Planning and Development Services, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

12. Scottsdale Foothills Condominiums GLO Abandonment

Requests:

1. Abandon 66-foot GLO easement at the approximate location of the N. 92nd Place alignment.
2. Abandon 66-foot GLO easement at the approximate location of the N. 93rd Street alignment.
3. Abandon west 33-foot GLO easement at the approximate location of the N. 93rd Place alignment.
4. Abandon the north 33-foot GLO easement at the approximate location of the E. Gelding Drive alignment.
5. Adopt Resolution No. 6895 vacating and abandoning a public right-of-way.

References: 123-DR-1987, 49-ZN-1984, 55-ZN-1984

Location: 9259 E. Raintree Drive

Staff Contact(s): Frank Gray, General Manager Planning and Development Services, 480-312-2890, fgray@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

13. Term Length of Associate City Judges

Request: Adopt Ordinance No. 3678, amending Chapter 9 of the Scottsdale Revised Code, relating to the City Court, to change the term of appointments of Associate City Judges and to add clarifying definitions.

Related Policies, References:

- Scottsdale Revised Code Sections 9-1 (Definitions) and 9-2 (Judges generally)
- Scottsdale Revised Code Sections 2-346 through 2-360 (Judicial Appointments Advisory Board) Article 11, Section 2, Scottsdale City Charter, relating to the City Judge Article 13, Section 2, Arizona Constitution

Staff Contact(s): Neal Shearer, Assistant City Manager, 480-312-2604, nshearer@scottsdaleaz.gov, Teri Traaen, Human Resources General Manager, 480-312-2615, ttraaen@scottsdaleaz.gov

14. **Comprehensive Financial Policies for Financial Planning and Management**
REMOVED FROM CONSENT AGENDA FOR SEPARATE DISCUSSION SEE PAGE 6

15. **Rose Garden Parking Lot Development Agreement Amendment**

Request: Adopt Resolution No 6901 authorizing Agreement No 2005-121-COS-A1, an amendment to the existing development agreement between the City and Rose Garden Partners LLC relating to 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 Canal

Related Policies, References:

- July 5, 2005 City Council approval of Resolution No 6699 and the original Rose Garden Development Agreement, 2005-121-COS
- March 8, 2005 City Council authorization to enter into an Exclusive Right to Negotiate period with Rose Garden Partners LLC
- April 5, 2004 City Council authorization to issue RFPs for possible development of four downtown parking lots
- Downtown Vision Principles, adopted February, 2002

Staff Contact(s): David Roderique, General Manager, Economic Vitality Department, 480-312-7601, droderique@scottsdaleaz.gov

16. **Feasibility Study for South Freeway Frontage Road, Hayden Road to Princess Drive, and Freeway Interchange Improvements at Pima Road**

Request: Adopt Resolution No 6877 authorizing the Mayor to execute Engineering Services Contract 2006-024-COS with Parsons Transportation Group, Inc, in an amount not to exceed \$89,000, for the preparation of feasibility studies for a south freeway frontage road, Hayden Road to Princess Drive, and for freeway interchange improvements at Pima Road

Staff Contact(s) Mary O'Connor, Transportation General Manager, 480-312-2334, moconnor@scottsdaleaz.gov

17. **Item No. 17 removed from the agenda prior to the meeting.**

18. **Legal Services Contract for City of Scottsdale v. Bruce Corey, et al.**

Request: Adopt Resolution No 6899 authorizing the Mayor to execute Contract No 2003-166-COS-A4, an outside counsel contract renewal in a maximum amount of Thirty-five Thousand Dollars (\$35,000.00) with the law firm of Ayers & Brown, P C for legal services regarding representation of the City of Scottsdale in the litigation entitled *City of Scottsdale v. Bruce Corey, et al*, Superior Court Case No CV2000-017994, an eminent domain action brought to acquire real property for the McDowell Sonoran Preserve

Related Policies, References: Resolution No 6476

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

19. **Payment of Legal Expenses for Lemke, et al. v. City of Scottsdale, et al.**
Request: Adopt Resolution No 6903 approving the payment of legal fees to Holloway Odegard Forrest Kelly & Kasperek P C , in the defense and settlement of *Lemke, et al v City of Scottsdale, et al* CV2003-014321, filed in the Maricopa County Superior Court
Staff Contact(s): Deborah Robberson, City Attorney, 480-312-2405, drobberson@scottsdaleaz.gov

MOTION AND VOTE – CONSENT AGENDA

COUNCILMAN OSTERMAN MOVED FOR APPROVAL OF CONSENT AGENDA ITEMS 1 THROUGH 19, WITH THE EXCEPTION OF ITEMS 14 AND 17 COUNCILMAN LANE SECONDED THE MOTION, WHICH CARRIED 7-0

ITEM 14 REMOVED FROM CONSENT AGENDA FOR SEPARATE DISCUSSION:

14. **Comprehensive Financial Policies for Financial Planning and Management**
Request: Adopt Resolution No 6887 relating to Comprehensive Financial Policies as the formal guidelines for the City of Scottsdale's financial planning and management
Staff Contact(s): Craig Clifford, Financial Services General Manager, 480-312-2364, cclifford@scottsdaleaz.gov

Responding to Councilman Lane, Mr Clifford verified that financial policies are reviewed and adopted annually in conjunction with the City budget process Councilman Lane said the financial policies should be better defined and presented, and suggested they be reviewed by the Audit Committee or the Budget Subcommittee before coming to Council

MOTION AND VOTE – ITEM 14

COUNCILMAN LANE MOVED FOR APPROVAL OF ITEM 14, RESOLUTION NO 6887, WITH AN AMENDMENT TO THE COMPREHENSIVE FINANCIAL POLICIES TO INCLUDE PRESENTATION OF ANNUAL REPORTS BY INDEPENDENT AUDITORS, INCLUDING ANY MANAGEMENT OR ENGAGEMENT LETTERS, TO THE PUBLIC AND CITY COUNCIL COUNCILMAN LITTLEFIELD SECONDED THE MOTION, WHICH CARRIED 7-0

REGULAR AGENDA ITEMS 20-22

- 20 **Public Hearing on the Proposed 2006/07 Operating Budget and Capital Improvement Plan**
Requests:
- 1 Solicit public input relative to the Proposed FY 2006/07 Operating Budget and Capital Improvement Plan The City Council receives public input relative to the Proposed FY 2006/07 Operating Budget and Capital Improvement Plan, and adopts the Tentative Budget Estimates in accordance with the Arizona State Statutes and the City Charter
 - 2 Adopt Ordinance No 3677 setting the City's maximum legal spending limit for FY 2006/07 The maximum expenditure limit established with the Tentative Budget Adoption may be reduced by City Council before the Final Budget Adoption takes