

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, September 25, 2018

Unless an exception is made, or unless otherwise noted, 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 (October 2, 2018).

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 – After School Program members, Library Director Kira Peters

Invocation – Pastor Nick Barker, Missio Dei Church

Mayor's Report – Mayor Lane read a proclamation in honor of Active Aging week in Scottsdale.

Presentations/Information Updates – Senior services presentation by Operations Supervisor Kevin McKee and Human Services Manager Jennifer Zwirek.

- Senior Services Update

Presenter(s): Kevin McKee, Operations Supervisor; Jennifer Zwirek, Human Services Manager

Public Comment – Alex McLaren suggested that the Council use the Bond Commission to oversee the transportation tax proceeds if Question 1 is passed by the voters. Christie Lee Kinchen spoke in opposition to bullying. Paula Sturgeon Mortensen spoke in support of the Council's authority to lead the City. Michael O'Quinn expressed concern about alternative service for photo radar enforcement actions. Jason Alexander asked the Council to take a stand against anonymous emails and anonymous campaigns.

Public Comment time is reserved for citizens to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items. Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak card must be submitted together with the petition(s) before the Mayor announces the second Public Comment period. Speakers may address the Council once under Public Comment at the beginning or the end of the meeting, but not both. 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).

FOR ADDITIONAL INFORMATION VISIT: WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION

MINUTES

Request: Approve the [Regular Meeting Minutes of August 28, 2018](#), and [August 29, 2018](#); [Special Meeting Minutes of August 29, 2018](#); and Executive Session Minutes of August 29, 2018.

– Councilwoman Klapp made a motion to approve the Regular Meeting Minutes of August 28, 2018, and August 29, 2018; Special Meeting Minutes of August 29, 2018; and Executive Session Minutes of August 29, 2018. Councilmember Korte seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Phillips; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Smith voting in the affirmative.

CONSENT AGENDA ITEMS 1-17

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 17. Councilwoman Klapp seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Phillips; and Councilmembers Klapp, Korte, Littlefield, Milhaven, and Smith voting in the affirmative.

- [Porter’s Western Saloon Liquor License \(67-LL-2018\)](#) – 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 a new location and owner.
Location: 3944 N. Brown Avenue
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- [Safeway No. 1849 Liquor License \(68-LL-2018\)](#) – Approved on Consent.**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) State liquor license for an existing location and owner, new license series.
Location: 32551 N. Scottsdale Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- [Shaw Abandonment \(12-AB-2018\)](#) – Approved on Consent.**
Request: Adopt **Resolution No. 11238** authorizing the abandonment of the 25-foot-wide Easement for Future Roadway located on a property with Single-Family Residential (R1-35) zoning.
Location: 7629 E. Thunderbird Road
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
- [Sereno Canyon Phase 1A Final Plat \(16-PP-2017#2\)](#) – Approved on Consent.**
Request: Approve the final plat to replat 17 existing lots to 29 lots on 44± acres of a 350±-acre site, per Phase 1A of the Sereno Canyon Community Phasing Plan, within the Single-Family Residential District, Environmentally Sensitive Lands (R1-43/ESL) zoning portion of the site.
Location: Between E. Alameda Road and E. Ranch Gate Road along N. 124th Street
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

5. **Cooperative Highway Maintenance Program Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11228** authorizing Agreement No. 2018-133-COS with Maricopa County in an amount not to exceed \$200,000 per fiscal year for five years for routine or emergency highway maintenance or improvement projects.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
6. **Sports Fields Maintenance Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11227** authorizing Agreement No. 2018-132-COS with Scottsdale Unified School District No. 48 in the amount of \$98,262 for FY 2018/19 for maintenance of sports fields used in City youth sports and recreation programs.
Staff Contact(s): Bill Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov
7. **WestWorld Event Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11222** authorizing Agreement No. 2018-127-COS with Scottsdale Polo Championship, LLC, to produce the Bentley Scottsdale Polo Championship at the WestWorld facility on November 10 and 11, 2018.
Staff Contact(s): Brian Dygert, WestWorld General Manager, 480-312-6825, bdygert@scottsdaleaz.gov
8. **Scottsdale Dia de Los Muertos – Approved on Consent.**
Request: Adopt **Resolution No. 11205** to authorize:
 1. Funding not to exceed \$65,000 from the portion of the Tourism Development Fund that is allocated toward event retention and development for the Scottsdale Dia de Los Muertos event.
 2. New Event Funding Agreement No. 2018-104-COS with LORE Southwest Media Arts, LLC.**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov
9. **Azcentral.com Wine and Food Experience – Approved on Consent.**
Request: Adopt **Resolution No. 11246** to authorize:
 1. Funding not to exceed \$75,000 from the portion of the Tourism Development Fund that is allocated toward event retention and development for the Azcentral.com Wine and Food Experience.
 2. New Event Funding Agreement No. 2018-159-COS with R Entertainment Company, LLC.**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov
10. **Old Town Scottsdale Farmers Market Revocable License Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11230** authorizing Agreement No. 2016-143-COS-A1, the first amendment to the revocable license agreement with Farmers Market Support Services, LLC, to extend the license area for the Old Town Scottsdale Farmers Market.
Location: Southwest corner of 1st Street and Brown Avenue
Staff Contact(s): Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov
11. **Scottsdale Arts District Marketing Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11243** authorizing Agreement No. 2018-157-COS with Scottsdale Gallery Association, in an amount not to exceed \$30,000, to produce and distribute the 2019 Scottsdale Arts District Guide.
Staff Contact(s): Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov

12. **Reclaimed Water Distribution System Engineering Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 11245** authorizing Contract No. 2018-158-COS with HDR Engineering, Inc., in an amount not to exceed \$55,238 to conduct Reclaimed Water Distribution System Pump Station 95 capacity evaluation and conceptual design improvements.
Staff Contact(s): Brian Biesemeyer, Water Resources Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov
13. **Arizona Canal Path Public Art Budget Transfer – Approved on Consent.**
Request: Adopt **Resolution No. 11189** authorizing a FY 2018/19 capital budget appropriation transfer in the amount of \$55,000 from the Arts in Public Places (DE05) capital project to the Arizona Canal Path Public Art (TE02) capital project to be funded by the Transportation Sales Tax funding source.
Staff Contact(s): Paul Basha, Transportation Director, 480-312-7651, pbasha@scottsdaleaz.gov
14. **National League of Cities Annual Membership Dues – Approved on Consent.**
Request: Adopt **Resolution No. 11240** authorizing payment of annual membership dues for FY 2018/19 in the amount of \$12,842.04 to the National League of Cities.
Staff Contact(s): Brad Lundahl, Government Relations Director, 480-312-2683, blundahl@scottsdaleaz.gov
15. **Proposition 202 Funds Acceptance Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 11248** to authorize:
 1. Agreement No. 2018-162-COS with the Fort McDowell Yavapai Nation to accept \$74,000 in Proposition 202 Tribal Gaming funds.
 2. A budget transfer in the amount of \$74,000 from the adopted FY 2018/19 Grant Contingency Budget and/or the Future Grants Budget to a newly created cost center to record all the grant activity.**Staff Contact(s):** Brad Lundahl, Government Relations Director, 480-312-2683, blundahl@scottsdaleaz.gov
16. **Reiss v. City of Scottsdale et al. Legal Fees – Approved on Consent.**
Request: Adopt **Resolution No. 11253** authorizing the maximum legal fees to be incurred in Contract No. 2015-027-COS with Holloway Odegard & Kelly, PC, in an amount not to exceed a total of \$200,000 for the defense of the City and its officers and employees in the matter of *Reiss v. City of Scottsdale, et al.*, CV2018-010843 currently pending in the Maricopa County Superior Court.
Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov
17. **Monthly Financial Report – Approved on Consent.**
Request: Accept the FY 2018/19 Monthly Financial Report as of July 2018.
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

Public Comment – Emily Austin expressed disappointment in the City’s process regarding ethics complaints. Councilmember Korte responded to the personal comments made by Ms. Austin.

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CITIZEN PETITIONS

ITEM 18

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.

18. 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 agendaize 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 – 5:47 P.M.