

**SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, FEBRUARY 18, 2020**



**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 5:03 P.M. on Tuesday, February 18, 2020, in the City Hall Kiva.

ROLL CALL

Present: Mayor W.J. "Jim" Lane; Vice Mayor Kathleen S. Littlefield; and Councilmembers Suzanne Klapp, Virginia L. Korte, Linda Milhaven, Guy Phillips, and Solange Whitehead

Also Present: City Manager Jim Thompson, City Attorney Sherry Scott, City Treasurer Jeff Nichols, City Auditor Sharron Walker, and City Clerk Carolyn Jagger

PLEDGE OF ALLEGIANCE – Daughters of the American Revolution, Major Winfield Scott Chapter

INVOCATION - Pastor Bruce Johnson, Scottsdale Presbyterian Church

MAYOR'S REPORT

Mayor Lane highlighted the Women's Suffrage exhibit that is currently on display at the Civic Center Library.

Mayor Lane read a proclamation honoring the American Association of University Women of Arizona who have been empowering women since 1881.

PRESENTATIONS/INFORMATION UPDATES

- **Experience Scottsdale Update**
Presenter(s): Rachel Sacco, President and CEO

Experience Scottsdale President and CEO Rachel Sacco gave a PowerPoint presentation (attached) on Experience Scottsdale activities.

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.

PUBLIC COMMENT

- Peter Boyle encouraged young arts enthusiasts to engage with Scottsdale Arts.
- Dorian Sellers expressed concern about homelessness.
- John Arthur Deal presented a citizen's petition (attached) asking for answers related to the City's Master Lease with the City of Phoenix and sublease with the Giants, LLC.

ADDED ITEMS

A1. Added Items

Item No. 20A was added to the agenda on February 12, 2020.

Request: Vote to accept the agenda as presented or continue the added item(s) to the next scheduled Council meeting, which is March 3, 2020.

MOTION AND VOTE – ADDED ITEMS

Councilmember Korte made a motion to accept the agenda as presented. Councilwoman Klapp seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.

MINUTES

Request: Approve the Special Meeting Minutes of January 21, 2020; Regular Meeting Minutes of January 21, 2020; and Executive Session Minutes of January 21, 2020.

MOTION AND VOTE – MINUTES

Councilman Phillips made a motion to approve the Special Meeting Minutes of January 21, 2020; Regular Meeting Minutes of January 21, 2020; and Executive Session Minutes of January 21, 2020. Vice Mayor Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.

CONSENT AGENDA

1. S & V Urban Italian at SOHO Liquor License (108-LL-2019)

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: 16580 N. 92nd Street, Suite 105

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

2. Kwik Mart Liquor License (109-LL-2019)

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: 8001 E. Roosevelt Street

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

3. MIXT Liquor License (112-LL-2019)

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: 15125 N. Scottsdale Road, Suite L1-190

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

4. Twist Bistro and Gallery Liquor License (1-LL-2020)

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: 32409 N. Scottsdale Road, Suite 107

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

5. Culinary Dropout Liquor License (2-LL-2020)

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: 15125 N. Scottsdale Road, Suite L1-190

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

Current Planning Director Tim Curtis clarified that the correct suite number for Item No. 5 is Suite L-120.

6. Agent and Acquisition of Control Change Liquor Licenses

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an agent and acquisition of control change at the following locations:

1. Olive & Ivy (4-LL-2020 and 5-LL-2020) for an existing Series 7 (beer and wine bar) and Series 12 (restaurant) State liquor license located at 7135 E. Camelback Road, Suite 195.
2. Flower Child (6-LL-2020) for an existing Series 12 (restaurant) State liquor license located at 10460 N. 90th Street.
3. Zinburger Scottsdale Quarter (7-LL-2020) for an existing Series 12 (restaurant) State liquor license located at 15257 N. Scottsdale Road, Suite F1-150.
4. Culinary Dropout (8-LL-2020) for an existing Series 12 (restaurant) State liquor license located at 7135 E. Camelback Road, Suite 125.
5. Blanco Tacos and Tequila (9-LL-2020) for an existing Series 12 (restaurant) State liquor license located at 6166 N. Scottsdale Road, Suite 601.
6. Pizzeria Virtu (12-LL-2020) for an existing Series 12 (restaurant) State liquor license located at 6952 E. Main Street.

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,
tcurtis@scottsdaleaz.gov

7. Winfield Hotel & Residences Abandonment (3-AB-2017#2)

Request: Adopt **Resolution No. 11712** granting a two-year extension to fulfill the conditions set forth in Resolution No. 11066 abandoning 1,620± square-feet of an alley abutting 4221 and 4223 N. Scottsdale Road and 4216 N. Winfield Scott Plaza.

Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

8. Papago Plaza Rezoning and Development Agreement (6-ZN-2018#2 and 8-DA-2019)

Requests:

1. Adopt **Ordinance No. 4436** approving a zoning district map amendment from Planned Community District, Planned Regional Center (P-C PRC) zoning to Planned Community District, Planned Regional Center, Planned Shared Development (P-C PRC PSD) zoning to allow for a new four-lot subdivision on a 10±-acre site located at the southwest corner of N. Scottsdale Road and E. McDowell Road.
2. Adopt **Resolution No. 11692** authorizing Development Agreement No. 2020-016-COS with Papago Marketplace, LLC; CRP/AR McDowell Owner, LLC; Willie M. Yee G.C.E. Trust; and Scottsdale Hotel Investors, LLC.

Location: 7115 E. McDowell Road

Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

MOTION AND VOTE – ITEM 8

Vice Mayor Littlefield made a motion to continue Item 8 to March 3, 2020. Councilman Phillips seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.

9. South Scottsdale Mixed-Use Rezoning (14-ZN-2018)

Requests:

1. Adopt **Ordinance No. 4432** approving a zoning district map amendment from Highway Commercial (C-3) zoning to Planned Unit Development (PUD) zoning, including a development plan and amended development standards for building setbacks and stepbacks on a 4.32±-acre site.
2. Adopt **Resolution No. 11674** declaring the document titled “*South Scottsdale Mixed-Use Development Plan*” to be a public record.

Location: 1000 N. Scottsdale Road

Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

MOTION AND VOTE – ITEM 9

Councilmember Korte made a motion to continue Item 9 to March 17, 2020. Vice Mayor Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.

10. Rawhide Wash Flood Hazard Mitigation Project Intergovernmental Agreement

Request: Adopt **Resolution No. 11677** authorizing Agreement No. 2020-011-COS with the City of Phoenix and the Flood Control District of Maricopa County for construction, construction management, and operation and maintenance for the Rawhide Wash Flood Hazard Mitigation Project.

Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

- 11. Osborn Road Parallel Sewer Main Preconstruction Phase Services Contract**
Request: Adopt **Resolution No. 11706** authorizing CM@Risk Contract No. 2020-036-COS with B & F Contracting, Inc., in an amount not to exceed \$40,594.50, to provide preconstruction phase services for the Osborn Road Parallel Sewer Main from Bishop Lane to Miller Road project.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
- 12. Intelligent Transportation Systems Engineering Services Contract**
Request: Adopt **Resolution No. 11707** authorizing Contract No. 2016-006-COS-A3 with Kimley-Horn and Associates, Inc., for a one-year contract extension, in an amount not to exceed \$1,000,000, for on-call intelligent transportation system engineering services.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
- 13. Storm Water Engineering Services Contracts**
Request: Adopt **Resolution No. 11708** authorizing the following one-year contract extensions in an amount not to exceed \$1,000,000 per contract for studies, design, construction documents, and construction administration for on-call storm water projects:
1. Contract No. 2018-016-COS-A1 with J2 Engineering and Environmental Design, LLC
2. Contract No. 2018-017-COS-A1 with Michael Baker International, Inc.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
- 14. Tree Planting and Funding Agreement**
Request: Adopt **Resolution No. 11711** authorizing Agreement No. 2020-039-COS with Urban Offsets, Inc., to partially fund the cost of purchasing, planting, and maintaining 100 trees.
Staff Contact(s): Tim Conner, Office of Environmental Initiatives Manager, 480-312-7833, tconner@scottsdaleaz.gov
- 15. HOME Investment Partnership Program Intergovernmental Agreement**
Request: Adopt **Resolution No. 11676** authorizing Agreement No. 2020-010-COS with Maricopa County; the Cities of Avondale, Chandler, Glendale, Peoria, Surprise, and Tempe; and the Town of Gilbert to continue to operate as a consortium to receive federal funding under the HOME Investment Partnership Program.
Staff Contact(s): Greg Bestgen, Human Services Department Director, 480-312-0104, gbestgen@scottsdaleaz.gov
- 16. Airport Lease Agreements**
Request: Adopt **Resolution No. 11689** to authorize:
1. Lease Agreement No. 2018-193-COS-A1, the first amendment to the agreement with Scottsdale Jet Center Real Estate, LLC, to permit expansion of leased area, adjust the base rent, and authorize the Aviation Director to approve future assignments.
2. Lease Assignment, Assumption, Consent and Estoppel No. 2020-014-COS with Scottsdale Jet Center Real Estate, LLC, and Jet Aviation of America, Inc.
Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov

- 17. 2019 DNA Capacity Enhancement and Backlog Reduction Program Grant**
Request: Adopt **Resolution No. 11705** to authorize:
1. Agreement No. 2020-035-COS with the U.S. Department of Justice to accept a 2019 DNA Capacity Enhancement and Backlog Reduction Program formula grant in the amount of \$260,969.
 2. The Chief of Police, or designee, to conduct all negotiations and to execute and submit all documents and other necessary or desirable instruments in connection with the acceptance of the grant.
 3. The additional of a full-time, temporary 1.0 FTE Forensic Scientist II position in the Police Department Crime Laboratory to be funded by the grant.
 4. A budget transfer in the amount of \$260,969 from the adopted FY 2019/20 Future Grants Budget and/or Grant Contingency Budget to a newly created cost center to record the grant activity.
- Staff Contact(s):** Alan Rodbell, Chief of Police, 480-312-1900, arodbell@scottsdaleaz.gov
- 18. Fire Utility Truck Replacement Budget Transfer**
Request: Adopt **Resolution No. 11723** authorizing a FY 2019/20 General Fund Capital Contingency Budget Appropriation transfer in the amount of \$782,638 to a newly created capital project titled "*44-Replacement of Fire Utility Truck to be used on Fire Ground Activity and Response to Hazardous Materials and Technical Rescue Incidents*" to be funded by the General Obligation Bond 2019 proceeds.
Staff Contact(s): Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov
- 19. Financial Statement Audit Professional Services Contract**
Request: Adopt **Resolution No. 11714** authorizing Contract No. 2020-041-COS with Heinfeld, Meech & Co., P.C., in an amount not to exceed \$90,000, for financial statement audit services.
Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov
- 20. Monthly Financial Report**
Request: Accept the FY 2019/20 Monthly Financial Report as of December 2019.
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov
- 20A. Petition for Review of Federal Aviation Administration Action**
Request: Adopt **Resolution No. 11728** authorizing the City to file a petition for review of Federal Aviation Administration action related to flight routes from Sky Harbor International Airport or seek other available legal remedies.
Staff Contact(s): Sherry Scott, City Attorney, 480-312-2405, sscott@scottsdaleaz.gov

MOTION AND VOTE – CONSENT AGENDA

Councilmember Korte made a motion to approve Consent Agenda Items 1 through 20A, with the exception of Item No. 8, which was continued to March 3, 2020, and Item No. 9, which was continued to March 17, 2020. Councilman Phillips seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.

REGULAR AGENDA

21. Monthly Financial Update

Request: Receive, discuss and provide possible direction on the City Treasurer's monthly financial presentation as of January 2020.

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 January 2020.

PUBLIC COMMENT – None

CITIZEN PETITIONS

22. 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

MOTION AND VOTE – ITEM 22

Councilwoman Milhaven made a motion to direct the City Manager to investigate the citizen petition submitted by John Arthur Deal asking for answers related to the City's Master Lease with the City of Phoenix and sublease with the Giants, LLC, and prepare a written response to the Council, with a copy to the petitioner. Councilmember Korte seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.

MAYOR AND COUNCIL ITEMS - None

ADJOURNMENT

The Regular City Council Meeting adjourned at 5:50 P.M.

SUBMITTED BY:



Carolyn Jagger
City Clerk


Officially approved by the City Council on March 17, 2020

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 18th day of February 2020.

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

DATED this 17th day of March 2020.



Carolyn Jagger, City Clerk



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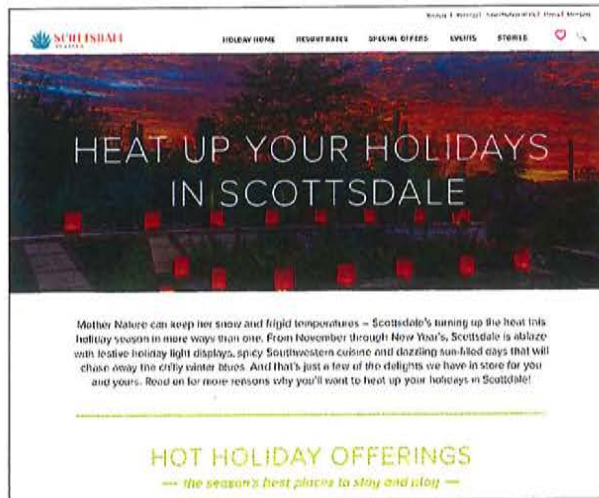
TOURISM BY THE NUMBERS

- **10.8 million** visitors to Scottsdale
- **\$3.1 billion** economic impact
- **\$57.7 million** in tax collections
- **26%** of sales and bed tax collections come from visitors
- **28,000** jobs are directly attributable to tourism

2



HOLIDAY PROMOTIONS



3

NEW YORK CAMPAIGN



4

NEW YORK CAMPAIGN



5

CHICAGO CAMPAIGN



6

TORONTO CAMPAIGN



7

TORONTO CAMPAIGN



8

THE WEATHER NETWORK



9

YEAR-TO-DATE PERFORMANCE



10

LEARN MORE

*BEHIND THE SCENES
WITH EXPERIENCE SCOTTSDALE*

Feb. 26, 2020

8:00 a.m. – 9:30 a.m.

ASU SkySong

RSVPs required

www.ExperienceScottsdale.com/BehindtheScenes



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THANK YOU!



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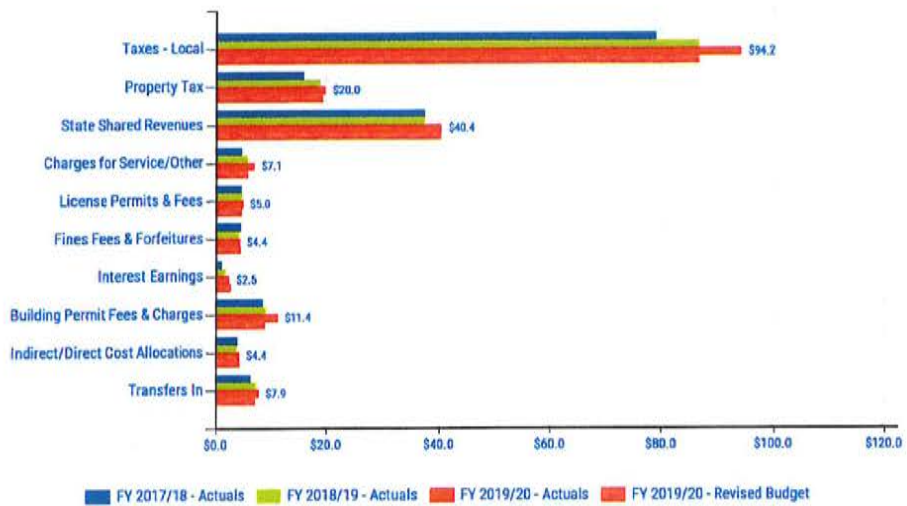
Monthly Financial Update January 31, 2020

February 18, 2020

1

General Fund Operating Sources January 2020: Fiscal Year to Date

(in millions; rounding differences may occur)



2

General Fund Operating Sources January 2020: Fiscal Year to Date

(in millions; rounding differences may occur)

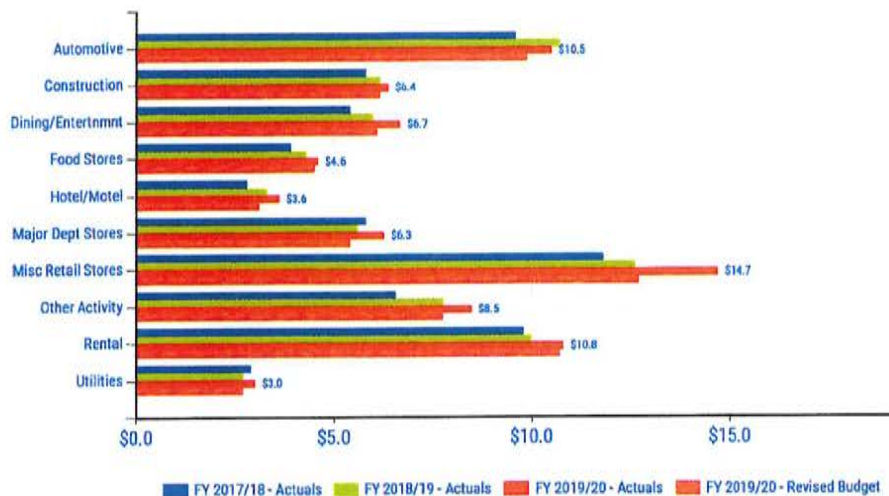
	FY 2017/18 Actuals	FY 2018/19 Actuals	FY 2019/20 Actuals	FY 2019/20 Revised Budget	Actual vs. Budget Favorable / (Unfavorable) Amount	Percent
Taxes - Local	\$79.0	\$86.7	\$94.2	\$86.8	\$7.4	9%
Property Tax	16.1	19.0	20.0	19.5	0.4	2%
State Shared Revenues	37.5	37.6	40.4	40.4	0.1	0%
Charges for Service/Other	4.9	5.9	7.1	6.0	1.1	18%
License Permits & Fees	4.8	4.9	5.0	4.8	0.2	4%
Fines Fees & Forfeitures	4.6	4.3	4.4	4.5	(0.1)	(2%)
Interest Earnings	1.1	1.8	2.5	2.9	(0.4)	(15%)
Building Permit Fees & Charges	8.6	9.3	11.4	9.0	2.3	26%
Indirect/Direct Cost Allocations	4.0	3.9	4.4	4.4	-	-
Transfers In	6.5	7.5	7.9	7.3	0.6	9%
Total Sources	\$167.2	\$180.9	\$197.3	\$185.7	\$11.7	6%

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3

General Fund Operating Sources: Sales Tax January 2020: Fiscal Year to Date

(in millions; rounding differences may occur)



4

4

General Fund Operating Sources: Sales Tax January 2020: Fiscal Year to Date

(in millions: rounding differences may occur)

	FY 2017/18 Actuals	FY 2018/19 Actuals	FY 2019/20 Actuals	FY 2019/20 Revised Budget	Actual vs. Budget Favorable / (Unfavorable)	
					Amount	Percent
Automotive	\$9.6	\$10.7	\$10.5	\$9.9	\$0.6	6%
Construction	5.8	6.2	6.4	6.2	0.3	4%
Dining/Entertnmt	5.4	6.0	6.7	6.1	0.6	10%
Food Stores *	3.9	4.3	4.6	4.5	0.1	3%
Hotel/Motel	2.8	3.3	3.6	3.1	0.5	16%
Major Dept Stores	5.8	5.6	6.3	5.4	0.9	17%
Misc Retail Stores	11.8	12.6	14.7	12.7	2.0	16%
Other Activity	6.6	7.8	8.5	7.8	0.7	9%
Rental	9.8	10.0	10.8	10.7	0.1	1%
Utilities	2.9	2.7	3.0	2.7	0.3	13%
Sales Tax Total	\$64.3	\$69.1	\$75.1	\$69.0	\$6.1	9%

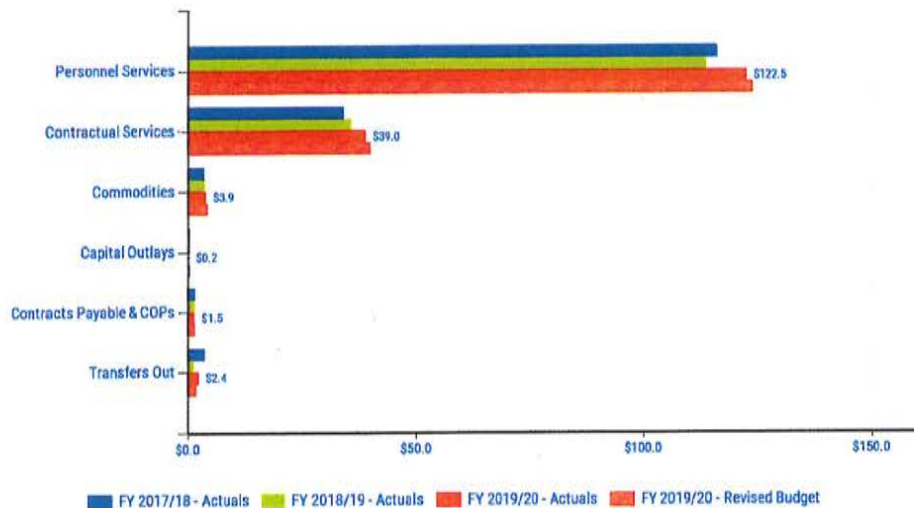
*FY 2019/20 YTD Food Tax CIP Transfer = \$3.1
Million

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General Fund Operating Uses by Category January 2020: Fiscal Year to Date

(in millions: rounding differences may occur)



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General Fund Operating Uses by Category January 2020: Fiscal Year to Date

(in millions; rounding differences may occur)

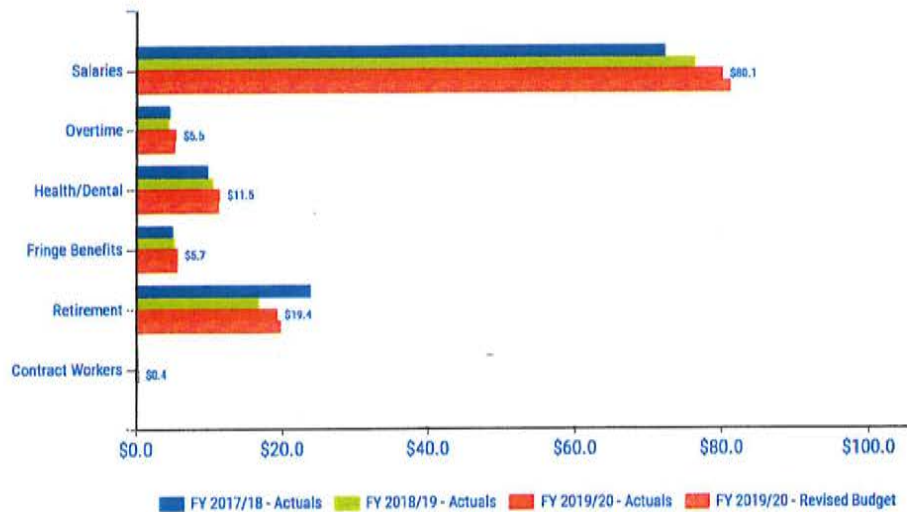
	FY 2017/18 Actuals	FY 2018/19 Actuals	FY 2019/20 Actuals	FY 2019/20 Revised Budget	Actual vs. Budget Favorable / (Unfavorable)	
					Amount	Percent
Personnel Services*	\$116.1	\$113.9	\$122.5	\$123.8	\$1.3	1%
Contractual Services	34.2	35.9	39.0	39.9	1.0	2%
Commodities	3.7	3.7	3.9	4.4	0.4	10%
Capital Outlays	0.4	0.4	0.2	0.3	0.1	32%
Contracts Payable & COPs	1.6	1.6	1.5	1.6	0.2	11%
Transfers Out	3.8	1.3	2.4	1.9	(0.5)	(26%)
Total Uses	\$159.7	\$156.9	\$169.5	\$171.9	\$2.4	1%
*Pay Periods thru January:	15	15	15			

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General Fund Operating Uses: Personnel Services January 2020: Fiscal Year to Date

(in millions; rounding differences may occur)



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General Fund Operating Uses: Personnel Services January 2020: Fiscal Year to Date

(in millions: rounding differences may occur)

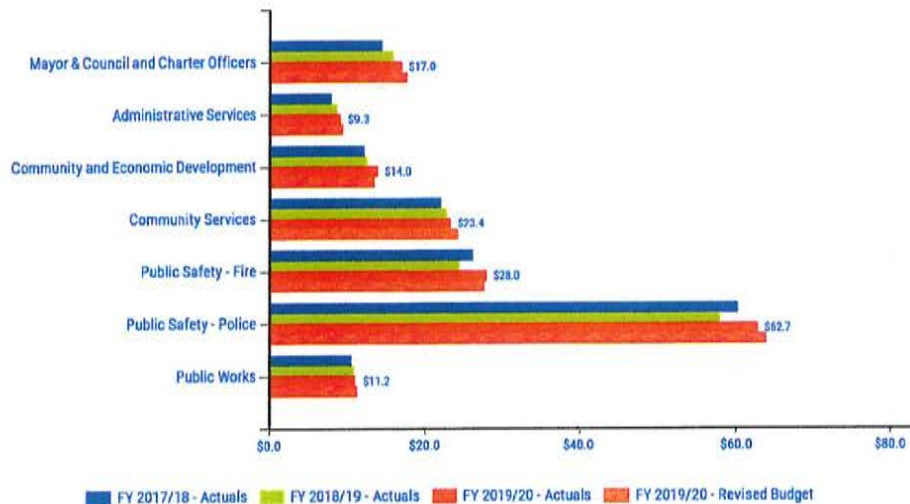
	FY 2017/18 Actuals	FY 2018/19 Actuals	FY 2019/20 Actuals	FY 2019/20 Revised Budget	Actual vs. Budget Favorable / (Unfavorable) Amount	Percent
Salaries*	\$72.3	\$76.4	\$80.1	\$81.2	\$1.1	1%
Overtime	\$4.7	\$4.5	\$5.5	\$5.3	(\$0.2)	(3%)
Health/Dental	\$9.9	\$10.6	\$11.5	\$11.4	(\$0.1)	0%
Fringe Benefits	\$5.1	\$5.3	\$5.7	\$5.7	\$0.1	1%
Retirement	\$23.9	\$16.8	\$19.4	\$19.9	\$0.5	3%
Contract Workers	\$0.2	\$0.3	\$0.4	\$0.2	(\$0.2)	(68%)
Personnel Services Total	\$116.1	\$113.9	\$122.5	\$123.8	\$1.3	1%
*Pay Periods thru January:	15	15	15			

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General Fund Operating Division Expenditures January 2020: Fiscal Year to Date

(in millions: rounding differences may occur)



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10

General Fund Operating Division Expenditures January 2020: Fiscal Year to Date

(in millions: rounding differences may occur)

	<u>FY 2017/18</u> <u>Actuals</u>	<u>FY 2018/19</u> <u>Actuals</u>	<u>FY 2019/20</u> <u>Actuals</u>	<u>FY 2019/20</u> <u>Revised</u> <u>Budget</u>	<u>Actual vs. Budget</u> <u>Favorable / (Unfavorable)</u>	
					<u>Amount</u>	<u>Percent</u>
Mayor & Council and Charter Officers	\$14.6	\$16.0	\$17.0	\$17.8	\$0.8	4%
Administrative Services	8.2	8.9	9.3	9.7	0.3	3%
Community and Economic Development	12.3	12.7	14.0	13.6	(0.4)	(3%)
Community Services	22.1	22.9	23.4	24.3	0.9	4%
Public Safety - Fire	26.2	24.5	28.0	27.7	(0.3)	(1%)
Public Safety - Police	60.2	57.9	62.7	63.8	1.2	2%
Public Works	10.8	11.1	11.2	11.5	0.2	2%
Total	\$154.4	\$154.0	\$165.7	\$168.4	\$2.8	2%

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General Fund Results: Summary January 2020: Fiscal Year to Date

(in millions: rounding differences may occur)

	<u>FY 17/18</u> <u>Actual</u>	<u>FY 18/19</u> <u>Actual</u>	<u>FY 19/20</u> <u>Actual</u>	<u>FY 19/20</u> <u>Budget</u>	<u>Actual Vs. Budget</u>	
					<u>Fav/(Unf)</u>	<u>%</u>
Sources	\$167.2	\$180.9	\$197.3	\$185.7	\$11.7	6%
Uses	\$159.7	\$156.9	\$169.5	\$171.9	\$2.4	1%
Change in Fund Balance	\$7.5	\$24.0	\$27.8	\$13.8	\$14.1	

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PETITION

As stipulated in Article 2, Section 15 of the Scottsdale City Charter, this written petition is presented to the City Council today, February 18, 2020, to be acted upon within thirty days.

The petitioners undertake this action in the belief that the City Council is committed to responsible and open government, fiscal prudence and acting in the interest of the people, including the preservation and maintenance of natural spaces that have been designated as areas of public enjoyment and use.

Petition

We, the undersigned are concerned citizens of the City of Scottsdale who demand information on agreements and work being conducted under the terms of the Master Lease signed with the City of Phoenix and the Sublease signed with the Giants LLC relating to the baseball facility at the Northwest corner of McDowell Road and 64th Street, and surrounding areas. We want detailed, written answers to each of the following questions:

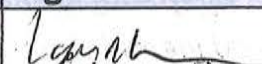
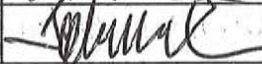
- 1. Why does the new baseball facility area exceed the detailed contractual area? Who authorized this?** *The original footprint of the facility, until 2018, was approximately 30 acres. In the Sublease the area is defined as being 36.75 acres. Work in progress appears to encompass an area of approximately 42 acres.*
- 2. What is the reason for the Sublease (Scottsdale to Giants) when it mirrors the Master Lease (Phoenix to Scottsdale), done at the same time with almost the same contractual and financial conditions?** *Looking at the operation and the two documents, it seems that Phoenix could have leased the area directly to the Giants without using Scottsdale as an inert intermediary.*
- 3. Why wasn't it clear for the start that this development was not just a remodel or upgrade of an existing baseball facility, but an expansion, bulldozing and rebuild?** *The Sublease states that the Giants will be allowed "to construct certain improvements at the facility" (Recitals, item B). This item gives the Giants the right to "construct, renovate, design and/or otherwise implement the improvements". An interview by Giant executives in S. Francisco media says they are "rebuilding Papago... from scratch" and "the fact that you don't have to work around existing facilities or structures is incredible".*
- 4. How does the City of Scottsdale reconcile the fact that part of a historic Park, the deed of which was "issued upon the express condition that the lands so conveyed shall only be used for a park, recreation, public convenience purposes" (State of Arizona, 1964) is being transformed into an enclosed, private area with restricted access to be used by a private entity for commercial purposes?** *That same deed identifies permitted leases as being for Phoenix, Tempe, the Army, Zoo, Botanical, SRP and the highway dept. These are all government entities, non-profit associations or utilities serving the public.*
- 5. Does the City of Scottsdale believe that initial \$5,000 a month is a proper rental value for 40 acres of prime real estate in the best location in Phoenix? On what basis was this amount determined?**

6. **Why do items in the Giants sublease seem to overrule the Master Lease signed with Phoenix, to the possible detriment of the taxpayers of Scottsdale?** *There is a clause in the sublease that says "Scottsdale shall be solely responsible, and the Giants are not required, to comply with the provisions..."*
7. **What is the extent of the new and very extensive, but as yet unspecified, pathways to be added north of McDowell, as stipulated in the Sublease and exhibits, to be built and paid for by Scottsdale?** *The relevant exhibit shows a large area in yellow color for these pathways, with nine arrows pointing in all directions.*
8. **Does the City of Scottsdale have knowledge of the development or construction of other facilities in the area, either by itself or in cooperation with other city governments?** *This refers to the whole area North of McDowell to Oak Street, outside of the two fenced military installations, and particularly relates to the purposes of the pathways cited above.*
9. **Why is the 2010 Papago Park Master Plan included in the 2018 Sublease? What are the "permitted encumbrances" in that plan and how would they be exercised and by whom?**
10. **Does the City of Scottsdale understand that the terms of the Lease and Sublease may be a violation of prior deeds and agreements, to the extent that actions taken under those leases may be grounds for the US government or State of Arizona to exercise the 'revert' and 'abandonment' clauses in the 1937, 1959, 1961 and 1964 agreements?** *There are multiple clauses in both US and Arizona documents pertaining to the transfer and use of Papago Park which state "The grantee is hereby prohibited from selling or transferring or attempting to sell or transfer Papago Park" and that if "attempts to transfer title or control over the lands to another (or) the lands have been devoted to a use other than that for which the lands were conveyed" the title would revert to the United States.*

We believe, due to the gravity of these contentions, that the City of Scottsdale should provide a brief history and timeline of the negotiations between Phoenix, Scottsdale and the Giants for the building of the baseball training facility, indicating who initiated and conducted these contacts. It seems that the Papago Park location for the training facility was only one option for the Giants. Note that, in the sports media, it was reported that "after several years of discussions, negotiations and strategy sessions, ...they received approval..."

** the italicized notes above are added for clarification of items in inquiry.*

This petition is signed and supported by:

Printed Name	Signature	Address	Date	Comment
Lasse Norgaard		122 E. Garfield St	2/18/20	Friends of Papago
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