

SCOTTSDALE

CITY COUNCIL MEETING



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

[ADDED A PRESENTATIONS/INFORMATION UPDATES ITEM]

COUNCIL

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Kathleen S. Littlefield

Linda Milhaven

Guy Phillips

David N. Smith

Tuesday, February 21, 2017

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 the public (Public Comment).

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 (March 7, 2017).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:30 P.M.

Roll Call – All present (Councilwoman Littlefield participated telephonically).

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 – Scottsdale Bobcats, Neal Hallihan

Invocation – Chaplain Yule, Fire Chaplain, Highlands Church

Mayor's Report – Mayor Lane congratulated "40 Under 40" award recipient Economic Development Director Danielle Casey.

*****Presentations/Information Updates – Executive Director Dennis Robbins and Charros member David Westra presentation.**

- **2017 Scottsdale Charros Update**
Presenter(s): Dennis Robbins, Executive Director



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

Public Comment – Pat Shaler expressed frustration about the way that the Desert Discovery Center (DDC) is moving forward. Jason Alexander expressed concern about how the DDC would be funded. Joe Geusic asked the Council to advocate for education funding to grow Scottsdale’s economy. Betty Janik read a letter that was sent to DDC supporters expressing concern about locating the DDC in the Preserve. Mark Stuart provided an update on the Save Our Preserve efforts.

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 comment regarding non-agendized items that are within the Council’s jurisdiction. No official Council action can be taken on these items. 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.”**

MINUTES

Request: Approve the [Special Meeting Minutes of January 24, 2017](#); [Regular Meeting Minutes of January 24, 2017](#); [Work Study Session Minutes of January 31, 2017](#); and Executive Session Minutes of January 24, 2017.

– Councilman Phillips made a motion to approve the Special Meeting Minutes of January 24 2017; Regular Meeting Minutes of January 24, 2017; Work Study Session Minutes of January 31, 2017; and Executive Session Minutes of January 24, 2017. Vice Mayor Klapp seconded the motion, which carried 7/0.

CONSENT AGENDA **ITEMS 1-15A**

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 15A. Vice Mayor Klapp seconded the motion, which carried 7/0.

1. [Vom Fass Liquor License \(4-LL-2017\)](#) – **Approved on Consent.**

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 9 (liquor store) State liquor license for an existing location with a new owner.

Location: 7135 E. Camelback Road, Suite 145

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

2. [Cactus Flower Florists Liquor License \(5-LL-2017\)](#) – **Approved on Consent.**

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 a new location and owner.

Location: 10822 N. Scottsdale Road

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

3. [6922 Mixed Use Rezoning \(23-ZN-2016\)](#) – **Approved on Consent.**

Request: At the request of the applicant, continue to March 7, 2017.

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

4. **On-Call Transportation Engineering Services Contract Extensions – Approved on Consent.**
Request: Adopt **Resolution No. 10700** authorizing the following on-call transportation engineering services one-year contract extensions:
 1. Contract No. 2015-039-COS-A1 with Dibble & Associates Consulting Engineers, Inc., dba Dibble Engineering
 2. Contract No. 2015-040-COS-A1 with Gavan & Barker, Inc.
 3. Contract No. 2015-041-COS-A1 with Premier Engineering Corporation**Staff Contact(s):** Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

5. **Zone 2 Water System Improvements Construction Phase Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 10713** authorizing CM@Risk Contract No. 2017-033-COS with MGC Contractors, Inc., in the amount of \$973,575 for Zone 2 Water System Improvements.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

6. **Solid Waste Services Mutual Aid Program Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10714** authorizing Agreement No. 2017-036-COS with multiple cities and towns for waste collection, transportation, and emergency mutual aid.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov

7. **Paiute Neighborhood Center Revocable License Agreement Amendment – Approved on Consent.**
Request: Adopt **Resolution No. 10723** authorizing Agreement No. 2016-056-COS-A1 with the Boys and Girls Club of Greater Scottsdale (BGC) to allow BGC to rename a portion of the Paiute Neighborhood Center that they occupy to the “*Scottsdale Boys and Girls Club Charros Branch*” with a wall-mounted plaque and temporary A-frame sign.
Staff Contact(s): William Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov

8. **Thompson Peak Park Consent to Assignment of Lease Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10731** authorizing Agreement No. 2000-209-COS-A2 with the Boys & Girls Clubs of Greater Scottsdale, Inc., regarding the lease of certain space at Thompson Peak Park.
Staff Contact(s): William Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov

9. **First Things First Grant Acceptance for the Scottsdale Family Resource Center – Approved on Consent.**
Request: Adopt **Resolution No. 10672** to authorize:
 1. Intergovernmental Agreement No. 2017-020-COS with the Arizona Early Childhood Development and Health Board East Maricopa Regional Partnership Council to accept a grant in the amount of up to \$300,000 to be used to establish the Scottsdale Family Resource Center.
 2. A budget transfer in the amount of \$100,000 from the adopted FY 2016/17 Future Grants Budget and/or Grant Contingency Budget and the creation of a new cost center to record the related grant activity.
 3. The creation of four Family Resource Center positions: 1.0 FTE Coordinator; 1.0 FTE Human Services Specialist; 0.50 FTE Early Learning Specialist/Outreach Liaison; and 0.50 FTE Early Learning Specialist.
 4. The Community Services Director to execute and submit all documents necessary for the acceptance and administration of the grant.**Staff Contact(s):** William Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov

10. **FEMA Assistance to Firefighters Grant – Approved on Consent.**
Request: Adopt **Resolution No. 10711** to authorize:
 1. The acceptance of a FEMA Assistance to Firefighters grant in the amount of \$151,843, with a 15% cost share in the amount of \$22,776, to train fire department command officers.
 2. The Fire Chief or designee to execute Memorandum of Understanding No. 2017-034-COS with the City of Peoria and other entities.
 3. A budget transfer in the amount of \$151,843 from the adopted FY 2016/17 Future Grants Budget and/or Grant Contingency Budget and the creation of a new cost center to record the related grant activity.**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

11. **Fire Department Urban Area Security Initiative Grant – Approved on Consent.**
Request: Adopt **Resolution No. 10728** to authorize:
 1. The acceptance of a Arizona Department of Homeland Security, Urban Area Security Initiative Reallocation grant, remaining from FY 2014/15, in the amount of \$25,000 to support the Fire Terrorism Liaison Officer Program.
 2. The Fire Chief or designee to conduct all negotiations and to execute and submit all documents in connection with the grant.
 3. A budget transfer in the amount of \$25,000 from the adopted FY 2016/17 Future Grants Budget and/or Grant Contingency Budget and the creation of a new cost center to record the related grant activity.**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

12. **Vehicle Management System Maintenance Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10705** authorizing Agreement No. 2017-025-COS with the City of Phoenix in the amount of \$17,356 for maintenance and support services for the City's transit vehicle management system.
Staff Contact(s): Paul Basha, Transportation Director, 480-312-7651, pbasha@scottsdaleaz.gov

13. **Audit Committee Recommendation for the Airport Advisory Commission Sunset Review – Approved on Consent.**
Request: Adopt **Resolution No. 10715** accepting the Audit Committee's recommendation and authorizing the continuation of the Airport Advisory Commission.
Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

14. **Fuciarelli v. City of Scottsdale et al. Legal Fees – Approved on Consent.**
Request: Adopt **Resolution No. 10707** authorizing legal fees to be incurred in Contract No. 2015-035-COS with the law firm of Struck Wieneke & Love, in an amount not to exceed a total of \$400,000, for the defense of *Fuciarelli v. City of Scottsdale et al.*, Cause No. CV-14-01078-PHX-GMS, currently pending in the United States District Court.
Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov

15. **Monthly Financial Report – Approved on Consent.**
Request: Accept the FY 2016/17 Monthly Financial Report as of December 2016.
Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

- 15A. **Council Capital Improvement Program Subcommittee Appointments – Approved on Consent.**
Request: Confirm Mayor Lane's Council Capital Improvement Program Subcommittee appointments of Councilmembers Korte, Phillips, and Smith.
Staff Contact(s): Rachel Smetana, Mayor's Chief of Staff, 480-312-7806, rsmetana@scottsdaleaz.gov

REGULAR AGENDA ITEMS 16-19

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 that item.**

16. Employee Medical Plans and Premiums

Request: Adopt **Resolution No. 10709** to authorize:

1. FY 2017/18 active employee medical and dental insurance contribution rates and PSPRS accidental disability retiree medical insurance contribution rates.
2. The addition of a plan that is the same as the OAP In-Network plan design except that coverage is limited to the Local Plus Network.
3. The adoption of a monthly blood pressure incentive of \$20; retaining the \$120 (employee) or \$240 (employee and spouse) incentive for participation in the City's wellness screening program; and implementing an annual City contribution to employees enrolled in a health savings account in the amount of \$500 (employee) or \$1,000 (employee and family).
4. Increasing the maximum amount of contributions to the medical flexible spending account from \$2,500 to the IRS maximum of \$2,600.
5. Changing the Cigna Legacy Drug Formulary to the Cigna Standard Drug Formulary.
6. Administrative Services Only Agreement No. 2016-093-COS-A1 with Cigna Health and Life Insurance Company regarding pre-funding of the City's account.
7. The Human Resources Director to execute future amendments to the City's Administrative Services Only Agreement when it does not impose any increased financial obligations to the City.

Presenter(s): Lauran Beebe, Human Resources Manager

Staff Contact(s): Donna Brown, Human Resources Director, 480-312-2615,
dbrown@scottsdaleaz.gov

– Human Resources Manager Lauran Beebe presentation.

– Vice Mayor Klapp made a motion to adopt Resolution No. 10709, which includes provisions A through H in the resolution. Councilmember Korte seconded the motion, which carried 5/2, with Councilmembers Littlefield and Phillips dissenting.

17. State Legislative Update

Request: Provide an update to the Council and receive possible direction regarding current and pending State legislative issues and policies.

Presenter(s): Brad Lundahl, Government Relations Director

Staff Contact(s): Brad Lundahl, Government Relations Director, 480-312-2683,
blundahl@scottsdaleaz.gov

– Government Relations Director Brad Lundahl presentation.

18. City's Proposed Fiscal Year 2017/18 Rates and Fees

Request: Presentation, discussion, and possible direction to staff regarding the City's proposed FY 2017/18 rates and fees.

Presenter(s): Bill Murphy, Community Services Director; Tom Shannon, Fire Chief; Randy Grant, Planning and Development Director; Karen Churchard, Tourism and Events Director; Dan Worth, Public Works Director; Brian Biesemeyer, Water Resources Director

Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

- Presentations from Public Works Director Dan Worth, Water Resources Director Brian Biesemeyer, Community Services Director Bill Murphy, Fire Chief Tom Shannon, Planning and Development Director Randy Grant, and Tourism and Events Director Karen Churchard.
- Councilwoman Milhaven made a motion to direct staff to work with the Historic Preservation Commission to review the fees and processes related to historic preservation and make a recommendation to the City Council. Councilmember Korte seconded the motion, which carried 7/0.

19. Monthly Financial Update

Request: Receive, discuss, and provide possible direction on the City Treasurer’s monthly financial presentation as of January 2017.

Presenter(s): Jeff Nichols, City Treasurer

Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

– City Treasurer Jeff Nichols presentation.

Public Comment – None

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CITIZEN PETITIONS

ITEM 20

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.

20. **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 – 8:24 P.M.