

SCOTTSDALE

CITY COUNCIL MEETING



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

[ADDED ITEM NO 6A AND AMENDED ITEM NO. 7 TO ADD A REQUEST TO CONTINUE TO SEPTEMBER 24, 2013]

COUNCIL

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Robert W. Littlefield

Linda Milhaven

Guy Phillips

Dennis E. Robbins

Tuesday, August 20, 2013

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 (September 10, 2013).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:04 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 – Brownie Troop 2058, Troop Leader Erin Korhorn

Invocation – Pastor Pat Sullivan, Scottsdale Bible Church

Mayor's Report – Mayor Lane reported that Google named Scottsdale the 2013 eCity of Arizona, recognizing Scottsdale as the strongest online business community in the state. He also reported that Scottsdale was recently recognized as America's 6th safest city and was honored as one of only 28 cities to receive the Certificate of Excellence for Performance Management by the International City & County Management Association. Mayor Lane congratulated City Manager Fritz Behring for being named the 2013 County Leader of the Year by American City & County Magazine.

City Manager's Report – None

Presentations/Information Updates – None



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).

Public Comment – None

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 comments regarding non-agendized items. No official Council action can be taken on these items. **Speakers are limited to three minutes to address the Council during “Public Comment” time.**

CONSENT AGENDA ITEMS 1-6A

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 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.

– Vice Mayor Klapp made a motion to approve Consent Items 1 through 6A. Councilman Robbins seconded the motion, which carried 7/0.

1. **Library Assistance Program Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 9482** authorizing Intergovernmental Agreement No. 2013-129-COS with the Maricopa County Library District for the Library Assistance Program.
Staff Contact(s): William Murphy, Community Services Executive Director, 480-312-7954, bmurphy@scottsdaleaz.gov
2. **Public Safety Radio Intergovernmental Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 9511** authorizing Intergovernmental Agreement No. 2013-141-COS with Maricopa County and the State of Arizona Department of Public Safety for the installation and operation of municipal and public safety radio communications on the County property on Thompson Peak.
Staff Contact(s): Brad Hartig, Information Technology Executive Director, 480-312-7615, bhartig@scottsdaleaz.gov
3. **Independent Medical Examination Services Contracts – Approved on Consent.**
Request: Adopt **Resolution No. 9483** authorizing one-year extensions for the following independent medical examination services contracts for the period of July 1, 2013 through June 30, 2014:
 1. Contract No. 2012-043-COS with Medical Consultants Network, LLC
 2. Contract No. 2012-044-COS with Country-Wide Independent Exams, LLC/Columbia Medical Consultants
 3. Contract No. 2012-045-COS with MES Solutions
 4. Contract No. 2012-046-COS with Alliance Evaluation Services, LLC
 5. Contract No. 2012-047-COS with Exam Works, Inc.**Staff Contact(s):** Bruce Davis, Human Resources Executive Director, 480-312-2615, bdavis@scottsdaleaz.gov
4. **Maricopa Association of Governments Annual Membership Dues – Approved on Consent.**
Request: Adopt **Resolution No. 9487** authorizing payment of annual membership dues in the amount of \$18,635 to the Maricopa Association of Governments for FY 2013/14.
Staff Contact(s): Brad Lundahl, Government Relations Director, 480-312-2683, blundahl@scottsdaleaz.gov
5. **National League of Cities Annual Membership Dues – Approved on Consent.**
Request: Adopt **Resolution No. 9486** authorizing the payment of annual membership dues in the amount of \$12,468 to the National League of Cities.
Staff Contact(s): Brad Lundahl, Government Relations Director, 480-312-2683, blundahl@scottsdaleaz.gov

6. [Erica Rahn v. City of Scottsdale Legal Services Contract](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 9496** authorizing legal fees to be incurred in Contract No. 2013-134-COS with Ryley Carlock & Applewhite, in an amount not to exceed \$70,000, for the legal defense of the City and its employees *in Erica Rahn v. City of Scottsdale*, currently pending in the State of Arizona, Maricopa County Superior Court, Case Number CV2012-017693.
Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov

- ***6A. [Sky Construction and Engineering, Inc. v. City of Scottsdale, et al. Settlement](#) – **Approved on Consent.**
Request: Adopt **Resolution No. 9513** authorizing Settlement Agreement No. 2013-143-COS providing for the payment of \$400,000 in order to settle the lawsuit entitled *Sky Construction and Engineering, Inc. v. City of Scottsdale, et al.*, currently pending in the Maricopa County Superior Court, Cause Number CV2013-001641.
Staff Contact(s): Daniel Worth, Public Works Executive Director, 480-312-5555, dworth@scottsdaleaz.gov

REGULAR AGENDA ITEMS 7-8

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 any regular agenda or public hearing item.**

- ***7. [Scottsdale Mountain Villas Rezoning \(3-ZN-2013\)](#) – **Councilmember Korte made a motion to continue the Scottsdale Mountain Villas Rezoning to September 24, 2013. Vice Mayor Klapp seconded the motion, which carried 7/0.**

Requests:

1. At the request of the applicant, continue to September 24, 2013.
2. If the continuance is not granted: Adopt **Ordinance No. 4097** approving a zoning district map amendment from Single-Family Residential-Environmentally Sensitive Lands (R1-43 ESL) to Single-Family Residential-Environmentally Sensitive Lands (R1-5 ESL) zoning; and finding that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan on approximately 5± acres.

Location: South side of E. Coyote Road, west of N. 135th Place

Presenter(s): Keith Niederer, Senior Planner

Staff Contact(s): Randy Grant, Planning, Neighborhood, and Transportation Administrator, 480-312-2664, rgrant@scottsdaleaz.gov

Public Comment Note: No public comment will be taken on Item No. 7 until after the vote to continue has been taken and only if the continuance is denied.

8. [Monthly Financial Update](#) – **Accounting Director Joyce Gilbride presentation.**
Request: Receive, discuss, and provide possible direction on the City Treasurer's monthly financial presentation as of July 2013.
Presenter(s): Joyce Gilbride, Accounting Director
Staff Contact(s): Judy McIlroy, Budget Director, 480-312-2603, jmcilroy@scottsdaleaz.gov

MAYOR AND COUNCIL

ITEM 9

9. Boards, Commissions, and Task Force Nominations (Note: Interviews and appointments scheduled for September 10, 2013)

How the Board and Commission Nomination Process Works: The Council will review applications submitted for the board and commission openings under consideration. From this applicant pool, the Council will select nominees for further consideration. While welcome to attend, applicants will be contacted if nominated and do not need to be present at the meeting to be considered for nomination.

Airport Advisory Commission (*one vacancy*) – **Councilman Phillips nominated Ken Casey.**

Board of Adjustment (*one vacancy*) – **Councilmember Korte nominated Marty Goodman, Councilman Littlefield nominated Kevin Small, Mayor Lane nominated Sajid Mahmud, and Councilwoman Milhaven nominated Paul Garry.**

Human Relations Commission (*two vacancies*) – **Councilman Littlefield nominated Sandra Schenkat and Andrew Song, Mayor Lane nominated Robin Murphy, and Vice Mayor Klapp nominated Laurie Coe.**

Judicial Appointments Advisory Board (*one vacancy*) – **Mayor Lane nominated Sandra Schenkat and Vice Mayor Klapp nominated Laurie Coe.**

Loss Trust Fund Board (*one vacancy*) – **Vice Mayor Klapp nominated Matthew Kleifield.**

Planning Commission (*one vacancy*) – **Councilwoman Milhaven nominated Michael Edwards and Councilman Phillips nominated Tim Stratton.**

Tourism Development Commission (*one non-hotelier vacancy*) – **Councilman Robbins nominated Ace Bailey and Councilman Phillips nominated Richard Alt.**

Note: The only Council action to be taken on Item No. 9 is to select nominees for interviews and appointment consideration at a future Council meeting. No public comment will be taken at this time.

Public Comment – None

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 comments regarding non-agendized items. No official Council action can be taken on these items. **Speakers are limited to three minutes to address the Council during “Public Comment” time.**

CITIZEN PETITIONS

ITEM 10

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.

10. 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 – 5:30 P.M.