

SCOTTSDALE

CITY COUNCIL MEETING

SPECIAL MEETING AND STUDY SESSION NOTICE AND AGENDA



COUNCIL

W.J. "Jim" Lane, Mayor
Suzanne Klapp
Virginia L. Korte
Robert W. Littlefield

Linda Milhaven
Guy Phillips
Dennis E. Robbins

Tuesday, April 30, 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 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 (May 7, 2013).

5:30 P.M.

MARKED AGENDA

SPECIAL CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:35 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 – Councilman Littlefield

Invocation – Mayor Lane requested a moment of silence.

Mayor's Report – Mayor Lane reported that the City's first "For Our City" event on April 20 was a big success, generating over 168 volunteers for "Operation Fix-it." Eleven single-family residences received enhancements and maintenance and three multi-family blighted properties in the Paiute neighborhood were cleaned up. "Family of Promise" led the clean-up efforts to property and alley projects on Belleview Street and the City had clean-up groups at Eldorado and Paiute parks.

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.**

ADDED ITEMS

Added Items: Resolution No. 8223 requires that, with limited exceptions, the agenda language, the Council report, and any supporting material described as being attached to the Council report shall be made available to the public at least ten days prior to a scheduled Council meeting. Material that is not timely made requires a separate vote to consider whether the item will remain on the agenda or be continued to a future date.

A1. Added Items – Councilman Robbins moved to accept the agenda as presented. Vice Mayor Klapp seconded the motion, which carried 7/0.

The supporting materials for Item No. 3 will be added to the agenda less than ten days prior to the meeting and will require a separate vote to remain on the agenda.

Request: Vote to accept the agenda as presented or to continue the added item(s) to the May 7, 2013 Council meeting.

MINUTES

Request: Approve the [Regular Meeting Minutes of March 19, 2013](#).

– Councilman Robbins moved to approve the Regular Meeting Minutes of March 19, 2013. Councilwoman Milhaven seconded the motion, which carried 7/0.

CONSENT AGENDA **ITEM 1**

How the Consent Agenda Works: The Council may take one vote to act on all 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.

– Councilman Robbins moved to approve Consent Item 1. Councilwoman Milhaven seconded the motion, which carried 7/0.

1. [State Lobbying Services Contract Extension](#) – Approved on Consent.

Request: Adopt **Resolution No. 9376** authorizing Contract No. 2010-047-COS-A4, with the Aarons Company, LLC, in the annual amount of \$48,000, to provide state lobbying services on behalf of the City for one additional year.

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

REGULAR AGENDA ITEMS 2-3

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.**

2. **City Judicial Reappointment Terms Code Amendment and Associate City Judge Reappointment – Councilwoman Milhaven moved to: (1) adopt Ordinance No. 4079 amending Section 9-2 of the Scottsdale Revised Code, and (2) reappoint Orest Jejna, for an additional four-year term to begin on May 1, 2013. Councilman Robbins seconded the motion, which carried 5/2, with Councilmembers Littlefield and Phillips dissenting.**

Requests:

1. Discuss, consider, and potentially adopt **Ordinance No. 4079** amending Section 9-2 of the Scottsdale Revised Code to add reappointment terms for the City (Presiding) Judge as required by the City Charter, and amending the reappointment term lengths for all Associate City Judges and Pro Tempore Judges, as recommended by the Judicial Advisory Appointment Board.
2. Discuss, consider, and potentially reappoint Orest Jejna, Associate City Judge, to an additional Associate City Judge reappointment term to begin on May 1, 2013, for the Council approved reappointment term.

Presenter(s): Bernadette La Mazza, Acting Human Resources Executive Director; Don Alvarez, Judicial Appointments Advisory Board Chair

Staff Contact(s): Bernadette La Mazza, Acting Human Resources Executive Director, 480-312-7237, blamazza@scottsdaleaz.gov

3. **Arizona Super Bowl XLIX Host Committee – Councilman Robbins moved to adopt Resolution No. 9344 to authorize:**

1. **Agreement No. 2013-041-COS with the Arizona Super Bowl Host Committee for purposes of sponsoring its activities and receiving sponsorship benefits.**
2. **Annual payment of the agreement funding requirement, three level payments totaling \$645,840, from the City portion of bed tax allocated toward event development.**
3. **Scottsdale Convention and Visitor's Bureau (SCVB) additional program initiatives related to the 2015 Super Bowl as set forth in the SCVB request dated January 7, 2013 and as incorporated in Agreement No. 2013-041-COS.**

Councilwoman Milhaven seconded the motion, which carried 7/0.

Request: Adopt **Resolution No. 9344** to authorize:

1. Agreement No. 2013-041-COS with the Arizona Super Bowl Host Committee for purposes of sponsoring its activities and receiving sponsorship benefits.
2. Annual payment of the agreement funding requirement, three level payments totaling \$645,840, from the City portion of bed tax allocated toward event development.
3. Scottsdale Convention and Visitor's Bureau (SCVB) additional program initiatives related to the 2015 Super Bowl as set forth in the SCVB request dated January 7, 2013 and as incorporated in Agreement No. 2013-041-COS.

Presenter(s): Steve Geiogamah, Tourism Development Coordinator

Staff Contact(s): Paul Katsenes, Community and Economic Development Executive Director, 480-312-2890, pkatsenes@scottsdaleaz.gov

Public Comment – None

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Mayor and Council Items – None

Adjourn the City Council Special Meeting and Convene the City Council Study Session – 6:45 P.M.

**CITY COUNCIL WORK STUDY SESSION
(IMMEDIATELY FOLLOWING THE SPECIAL MEETING)**

Call to Order – 6:45 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).

Work Study Sessions: Work study sessions provide a less formal setting for the Mayor and Council to discuss specific topics, at length, with each other and City staff; to provide an opportunity for the public to observe these discussions; to share information with the public; and for staff to receive direction from the Council.

Public Comment – None

To provide an opportunity for public input, yet continue to maximize the amount of time available for the Council to have focused discussions, a total of fifteen minutes will be set aside at the beginning of each work study session for public comment on the agendized items. If you have thoughts or suggestions on the work study session items you would like the Council to consider, you are encouraged to complete a Written Comment card and submit your written comments to the City Clerk. The Clerk will ensure the Council receives your comments at various times throughout the evening.

1. [Rules of Council Procedure](#)

- Mayor Lane moved to accept the proposed changes to the “Rules of Council Procedure” that were submitted by the City Attorney and City Clerk. Councilman Robbins seconded the motion, which failed 3/4, with Councilmembers Korte, Littlefield, Milhaven, and Phillips dissenting.
- Councilmember Phillips moved to direct staff to retain Section 11.12 in the proposed changes to the “Rules of Council Procedure.” Councilmember Korte seconded the motion, which failed 3/4, with Mayor Lane, Vice Mayor Klapp, and Councilmembers Milhaven and Robbins dissenting.
- Councilmember Phillips moved to direct staff to switch the order of items two and three in Section 6.4 of the proposed “Rules of Council Procedure.” (Motion was withdrawn by maker.)
- Councilmember Phillips moved to direct staff to add a new Section 9.5 to the proposed “Rules of Council Procedure” to require that an automatic continuance requires 72 hours’ advance notice. Councilman Littlefield seconded the motion, which failed 2/5, with Mayor Lane; Vice Mayor Klapp; and Councilmembers Korte, Milhaven, and Robbins dissenting.
- Councilmember Korte moved to direct staff to reword the “and legality” portion of Section 6.9 of the proposed “Rules of Council Procedure” to address the concerns expressed by the Council during the discussion of this item. Councilwoman Milhaven seconded the motion, which carried 5/2, with Mayor Lane and Councilman Littlefield dissenting.
- Mayor Lane moved to accept the proposed changes to the “Rules of Council Procedure” that were submitted by the City Attorney and City Clerk, subject to the changes directed by Council. Councilwoman Korte seconded the motion, which carried 7/0.

- Councilwoman Milhaven moved to direct staff to include a rule in the proposed “Rules of Council Procedure” that would require quarterly updates from Council subcommittees. Vice Mayor Klapp seconded the motion. (Motion withdrawn by maker.)
- The City Clerk was directed to make sure that the agendas and minutes of all Council Subcommittees were provided to all Councilmembers.
- Councilwoman Milhaven moved to direct staff to include a rule in Section 15 of the proposed “Rules of Council Procedure” that would require a biennial update of all external memberships and committees, including mission and purpose, what they do, City representation and capacity, associated costs, what role the Council plays, and the City’s official position/policy as it relates to these organizations. Councilmember Korte seconded the motion, which carried 7/0.
- Councilwoman Milhaven moved to direct staff to include a rule in the proposed “Rules of Council Procedure” requiring the City Manager to present the “expenses” portion of the monthly financial updates. Councilmember Korte seconded the motion, which failed 2/5, with Mayor Lane; Vice Mayor Klapp; and Councilmembers Littlefield, Phillips, and Robbins dissenting.

Request: Discuss and provide direction to staff regarding possible modifications to the adopted “Rules of Council Procedure,” including:

- The draft revised rules containing clarifying language changes submitted by the City Attorney and City Clerk.
- Additional provisions that would:
 - Provide for quarterly updates from Council Subcommittees to the full Council.
 - Provide for annual reviews of all external memberships/committee assignments, including mission and purpose, City representation and capacity (e.g., voting member, non-voting member, or informational), and the City’s official position/policy as it relates to the issues addressed by the organization or committee.
 - Provide a means for Councilmembers who attend a seminar or conference to report back to Council during “Mayor and Council” items at a public Council Meeting.
 - Modify the monthly Budgets and Financial Updates to require that revenues are presented by the Treasurer and expenses are presented by the City Manager.

Presenter(s): Bruce Washburn, City Attorney

Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov;
Carolyn Jagger, City Clerk, 480-312-2411, cjagger@scottsdaleaz.gov

Adjournment – 8:22 P.M.