

**SCOTTSDALE**

# **CITY COUNCIL MEETING**



## **\*\*\* AMENDED \*\*\* MEETING NOTICE AND AGENDA**

**[ADDED ITEM NOS. A1, 3A, 3B, 3C, 3D, 3E, AND 3F]**

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### **COUNCIL**

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Robert W. Littlefield

Linda Milhaven

Guy Phillips

Dennis E. Robbins

**Tuesday, July 2, 2013**

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*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 (August 19, 2013).*

**5:00 P.M.**

**MARKED AGENDA**

### **CITY COUNCIL MEETING**

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Call to Order – 5:13 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 – World Changers**

**Invocation – Susan Ducot, Bahai Faith**

**Mayor's Report – Mayor Lane thanked City Treasurer David Smith for his service to the City and welcomed new City Manager Fritz Behring.**

**City Manager's Report – 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).

**Presentations/Information Updates – Environmental Quality Advisory Board (EQAB) Vice Chair Bill Sheaffer presented a plaque to Acting Public Services Executive Director Derek Earle and Fleet Director Mel Galbraith in recognition of the City's Fleet and Alternate Fuels programs.**

- **Environmental Quality Advisory Board Presentation**

Vice Chair Bill Sheaffer of the Environmental Quality Advisory Board (EQAB) will explain EQAB's Environmental and Energy Efficiency Recognition Program and present a plaque to Acting Public Services Executive Director Derek Earle and Fleet Director Mel Galbraith in recognition of the City's Fleet and Alternate Fuels Programs.

**Public Comment – Scottsdale Cultural Council President and CEO William Banchs provided an update on the Scottsdale Cultural Council.**

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**

Item Nos. 3A, 3B, 3C, 3D, 3E, and 3F were added to the agenda June 27, 2013.

**Request:** Vote to accept the agenda as presented or continue the added item(s) to the next scheduled Council meeting, which is August 19, 2013.

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

## **CONSENT AGENDA      ITEMS 1-3F**

**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.

**– Councilwoman Milhaven moved to approve Consent Items 2 through 3F. Vice Mayor Klapp seconded the motion, which carried 7/0.**

1. **2014 Preserve Acquisition Strategy – Moved to August 20, 2013 at the request of staff.**

**Request:** Authorize staff to proceed with filing appropriate applications with the Arizona State Land Department to begin the process to acquire "Parcel 1," containing approximately 290 acres of State Trust Land, as recommended by the McDowell Sonoran Preserve Commission.

**Staff Contact(s):** Kroy Ekblaw, Preserve Director – Strategic Projects, 480-312-7064, [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov)

2. **Allocation of Private Donation for Home Delivered Meals – Approved on Consent.**  
**Request:** Adopt **Resolution No. 9468** approving the distribution of a private donation from the City's Parks Donations and Contributions Center and authorizing the allocation of funds to the Tempe Community Action Agency.  
**Staff Contact(s):** Jan Cameron, Parks & Recreation and Human Services Director, 480-312-1011, [jcameron@scottsdaleaz.gov](mailto:jcameron@scottsdaleaz.gov)
3. **Monthly Financial Report – Approved on Consent.**  
**Request:** Accept the FY 2012/13 Monthly Financial Report as of May 2013.  
**Staff Contact(s):** David N. Smith, City Treasurer, 480-312-2364, [dasmith@scottsdaleaz.gov](mailto:dasmith@scottsdaleaz.gov)
- \*\*\*3A. **Acting City Treasurer Employment Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 9473** authorizing Employment Agreement No. 2013-105-COS with Lee Guillory to serve as Acting City Treasurer effective July 5, 2013.  
**Staff Contact(s):** Bruce Washburn, City Attorney, 480-312-2405, [bwashburn@scottsdaleaz.gov](mailto:bwashburn@scottsdaleaz.gov)
- \*\*\*3B. **U.S. Customs and Border Protection Memorandum of Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 9430** authorizing Memorandum of Agreement No. 2013-068-COS with U.S. Customs and Border Protection Services to add an additional agent and increase the days and hours of service for international flights landing at Scottsdale Airport.  
**Staff Contact(s):** Gary Mascaro, Aviation Director, 480-312-7735, [gmascaro@scottsdaleaz.gov](mailto:gmascaro@scottsdaleaz.gov)
- \*\*\*3C. **Resolution to the Secretary of U.S. Department of Interior – Approved on Consent.**  
**Request:** Adopt **Resolution No. 9476** requesting the Secretary of the U.S. Department of Interior to interpret the *1986 Gila Bend Indian Reservation Lands Replacement Act* to exclude from lands that may be taken into trust, pursuant to that Act, those lands that are in county islands within the boundaries of municipalities.  
**Staff Contact(s):** Brad Lundahl, Government Relations Director, 480-312-2683, [blundahl@scottsdaleaz.gov](mailto:blundahl@scottsdaleaz.gov)
- \*\*\*3D. **Trolley Operations and Maintenance Contract Extension – Approved on Consent.**  
**Request:** Adopt **Resolution No. 9467** authorizing Contract No. 2009-187-COS-A4, the final one-year option extension of the Trolley Operations and Maintenance Service Contract with Atypical Transportation Company, for the period of July 1, 2013 through June 30, 2014, at an estimated annual cost of \$2.5 million.  
**Staff Contact(s):** Paul Basha, Transportation Director, 480-312-7651, [pbasha@scottsdaleaz.gov](mailto:pbasha@scottsdaleaz.gov)
- \*\*\*3E. **Paiute Neighborhood Center License Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 9469** authorizing License Agreement No. 2013-096-COS with TeamCFA Foundation to provide Community Development Block Grant (CDBG) eligible activities at the Paiute Neighborhood Center.  
**Staff Contact(s):** William Murphy, Community Services Executive Director, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)
- \*\*\*3F. **Sky Construction & Engineering, Inc. v. City of Scottsdale, et al. – Approved on Consent.**  
**Request:** Adopt **Resolution No. 9478** authorizing legal fees to be incurred in Contract No. 2011-007-COS with the Righi Law Group, formerly Righi, Hernandez, PLLC, in an additional amount not to exceed \$100,000 for the legal defense of the City and its employees in *Sky Construction & Engineering, Inc. v. City of Scottsdale, et al.*, Maricopa County Case No. CV2013-001641.  
**Staff Contact(s):** Bruce Washburn, City Attorney, 480-312-2405, [bwashburn@scottsdaleaz.gov](mailto:bwashburn@scottsdaleaz.gov)

## REGULAR AGENDA ITEMS 4-5

**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.**

4. **Associate City Judge Reappointment – Councilman Robbins moved to reappoint James Blake, Associate City Judge, to an additional term of four years, beginning September 8, 2013. Councilwoman Milhaven seconded the motion, which carried 7/0.**

**Request:** Discuss, consider, and act on the potential reappointment of James Blake, Associate City Judge, to an additional Associate City Judge reappointment term of four years, beginning September 8, 2013.

**Presenter(s):** Lauran Beebe, Human Resources Manager; Don Alvarez, Judicial Appointments Advisory Board Chair

**Staff Contact(s):** Bruce Davis, Human Resources Executive Director, 480-312-2615, [bdavis@scottsdaleaz.gov](mailto:bdavis@scottsdaleaz.gov)

5. **Mayor and City Council Mission and Goals – Strategic Initiatives Director Brent Stockwell presentation**

**Request:** Presentation, discussion, and possible direction to staff regarding the Mayor and City Council Mission and Goals for FY 2013/14.

**Presenter(s):** Brent Stockwell, Strategic Initiatives Director

**Staff Contact(s):** Brent Stockwell, Strategic Initiatives Director, 480-312-7288, [bstockwell@scottsdaleaz.gov](mailto:bstockwell@scottsdaleaz.gov)

### Public Comment – None

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## CITIZEN PETITIONS ITEM 6

**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.

6. **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](mailto:cjagger@scottsdaleaz.gov)

**Mayor and Council Items – None**

**Adjournment – 6:12 P.M.**