

**SCOTTSDALE CITY COUNCIL
REGULAR MEETING MINUTES
MONDAY, AUGUST 31, 2015**



**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 5:15 P.M. on Monday, August 31, 2015, in the City Hall Kiva.

ROLL CALL

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

Also Present: Acting City Manager Brian Biesemeyer, City Attorney Bruce Washburn,
City Treasurer Jeff Nichols, City Auditor Sharron Walker, and City Clerk
Carolyn Jagger

PLEDGE OF ALLEGIANCE – Brownie Troop 1509, Leader Laura Jansen

INVOCATION – Pastor Jamie Holt, Christ Church Lutheran

MAYOR'S REPORT – None

PRESENTATION/INFORMATION UPDATES

- **Back to School Update**
Presenter(s): Bill Murphy, Community Services Director

Community Services Director Bill Murphy gave a PowerPoint presentation (attached) on the City's back to school program.

PUBLIC COMMENT – None

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.

CONSENT AGENDA

- 1. Seven's Bistro Liquor License (81-LL-2015)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a person transfer of a Series 6 (bar) State liquor license for an existing location with a new owner.
Location: 7707 E. McDowell Road
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 2. Romano's Macaroni Grill Liquor License (82-LL-2015)**
Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for an acquisition of control change for an existing Series 12 (restaurant) State liquor license.
Location: 7245 E. Gold Dust Avenue
Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov
- 3. Cavalliere Flat Final Plat (16-PP-2014)**
Request: Approve the final plat for a new 79-lot, single-family residential subdivision with Townhouse Residential, Environmentally Sensitive Lands (R-4 ESL), Single-Family Residential, Environmentally Sensitive Lands (R1-10 ESL), and Single-Family Residential, Environmentally Sensitive Lands (R1-190 ESL) zoning on a 46± acre site.
Location: Southeast corner of N. Alma School Parkway and E. Pinnacle Vista Drive
Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov
- 4. Green Organics Program Intergovernmental Agreement**
Request: Adopt **Resolution No. 10215** authorizing Agreement No. 2015-198-COS with The Arizona Board of Regents, for and on behalf of Arizona State University, for project development in the reduction of green organics in landfills and the creation of development opportunities for utilizing organic feedstock through regional cooperation with other municipalities.
Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555, daworth@scottsdaleaz.gov
- 5. Arizona Quarter Horse Association Fall Championship WestWorld Event Agreement**
Request: Adopt **Resolution No. 10130** authorizing Agreement No. 2015-130-COS with the Arizona Quarter Horse Association to produce the Arizona Quarter Horse Association Fall Championship event at the WestWorld facility from October 6th through October 11, 2015.
Staff Contact(s): Brian Dygert, WestWorld General Manager, 480-312-6825, bdygert@scottsdaleaz.gov
- 6. Benefit Plan Documents and Summary Plan Description Amendments**
Request: Adopt **Resolution No. 10222** authorizing the Mayor to execute amendments to the City of Scottsdale Cafeteria Plan and Health Care Plan documents.
Staff Contact(s): Donna Brown, Human Resources Director, 480-312-2615, dbrown@scottsdaleaz.gov

MOTION AND VOTE – CONSENT AGENDA

Councilmember Korte made a motion to approve Consent items 1 through 6. Councilwoman Littlefield seconded the motion, which carried 7/0.

REGULAR AGENDA

7. Water Utility Service License Agreement

Request: Adopt **Resolution No. 10210** authorizing Agreement No. 2015-196-COS with EPCOR Water Arizona, Inc., and Chaparral City Water Company, Inc., to allow use of the City's right-of-way to provide water service within portions of the City.

Presenter(s): Derek Earle, City Engineer

Staff Contact(s): Dan Worth, Public Works Director, 480-312-5555,
daworth@scottsdaleaz.gov

City Engineer Derek Earle gave a PowerPoint presentation (attached) on the proposed water utility service license agreement.

MOTION AND VOTE – ITEM 7

Councilman Phillips made a motion to adopt Resolution No. 10210 authorizing Agreement No. 2015-196-COS with EPCOR Water Arizona, Inc., and Chaparral City Water Company, Inc., to allow use of the City's right-of-way to provide water service within portions of the City. Councilwoman Klapp seconded the motion, which carried 7/0.

8. Non-Discrimination Ordinance

Request: Discussion and possible direction to the Scottsdale City Manager and City Attorney to investigate non-discrimination ordinances in other municipalities and from this research determine the elements of a non-discrimination ordinance that would protect the LGBT community, while also preserving individual rights and freedoms of all Scottsdale citizens, businesses, and organizations. Based on this research, staff is directed to present to City Council, within 90 days, recommended elements appropriate for a Scottsdale non-discrimination ordinance that may be the basis for subsequent public outreach. This item was added to the agenda at the request of Vice Mayor Milhaven and Councilmembers Korte, Littlefield, and Smith.

Mayor Lane opened public testimony.

The following spoke in support of a non-discrimination ordinance:

- Enid Seiden, Human Services Commissioner, Scottsdale resident
- Rabbi Robert Kravitz, One Community, Scottsdale resident
- Reverend Deborah Peevey, One Community
- Denny Brown, Scottsdale resident
- Lauren Witte, Deco Communities
- Angela Hughey, One Community/Competitive AZ
- Lane Barker, Devereux, Scottsdale resident

- Raoul Zubia, Human Services Commission, Scottsdale resident
- Reverend Susan Frederick-Gray, Unitarian Universalist Congregation
- Jan Gehler, Scottsdale Community College, Scottsdale resident
- Brandie Reiner, Human Rights Campaign
- Miriam Weisman, One Community, Scottsdale resident
- Jake Bennett, Anti-Defamation League
- Sue Barnes, Scottsdale Area Association of Realtors
- Bob Littlefield, Scottsdale resident
- Dana Close, Scottsdale resident

The following spoke in opposition to a non-discrimination ordinance:

- Tony Rizzo, Scottsdale resident
- Ardith Hildebrant, Scottsdale resident
- Richard Breyer, Scottsdale resident
- Lynne Breyer, Scottsdale resident
- Don King, Scottsdale resident
- Shirley Cordasco, Scottsdale resident
- Elaine Haynik, Scottsdale resident
- Travis Brown, Christs Church of the Valley
- Christiana Holcomb, Alliance Defending Freedom

Mayor Lane closed public testimony.

MOTION AND VOTE – ITEM 8

Councilman Smith made a motion to direct the City Manager and City Attorney to investigate non-discrimination ordinances in other municipalities and from this research determine the elements of a non-discrimination ordinance that would protect the LGBT community, while also preserving individual rights and freedoms of all Scottsdale citizens, businesses, and organizations. Based on this research, staff is directed to present to City Council, within 90 days, recommended elements appropriate for a Scottsdale non-discrimination ordinance that may be the basis for subsequent public outreach. Councilwoman Littlefield seconded the motion, which carried 5/2, with Mayor Lane and Councilman Phillips dissenting.

PUBLIC COMMENT – None

CITIZEN PETITIONS – None

9. 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

MAYOR AND COUNCIL ITEMS

Vice Mayor Milhaven made a motion to agendaize, for discussion and possible action, the establishment of a citizen's bond oversight committee that might be appointed in the event that the current bond package is approved by the citizens. Mayor Lane seconded the motion, which carried 6/1, with Councilman Phillips dissenting.

ADJOURNMENT

The Regular City Council Meeting adjourned at 7:08 P.M.

SUBMITTED BY:



Carolyn Jagger
City Clerk

Officially approved by the City Council on September 21, 2015

C E R T I F I C A T E

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 31st day of August 2015.

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

DATED this 21st day of September 2015.



Carolyn Jagger, City Clerk

COVERING THE BASES: Back to School 2015

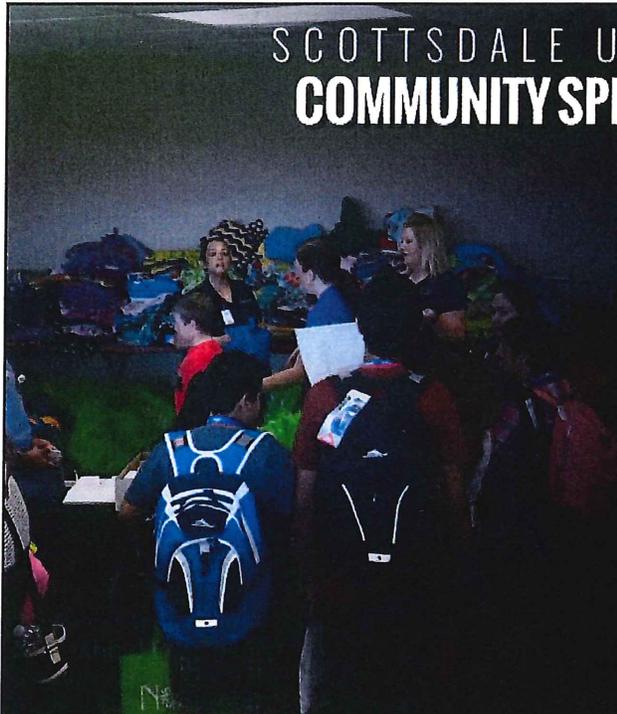
A partnership between the City of Scottsdale and school, non-profit, civic, faith, and business organizations.



832 CHILDREN SERVED

- ✓ Pre-screened
- ✓ Met Federal Poverty Levels
- ✓ Residents of Scottsdale or attend Scottsdale schools





SCOTTSDALE UNIFIED SCHOOL DISTRICT COMMUNITY SPECIALISTS COVERING THE BASES

PRIOR TO THE EVENT

- SCREENED FAMILIES
- SCHEDULING THE SCREENINGS-PHONE CALLS HOME
- COMMUNICATING WITH VISTA DEL CAMINO AND OTHER COMMUNITY SPECIALISTS

DAY OF THE EVENT

- HELPED PARENTS FILL OUT FREE AND REDUCED FORMS ON THE E-COACH BUS
- HELPED GUIDE PARENTS
- REGISTRATION TABLE



SCOTTSDALE UNIFIED SCHOOL DISTRICT NUTRITION SERVICES COVERING THE BASES

635 MEALS SERVED - NO COST TO SUSD

- "GRAB AND GO" STYLE
- BREAKFAST - WHOLE GRAIN BREAKFAST BAR, STRING CHEESE, FRESH FRUIT, LOW FAT MILK AND 100% FRUIT JUICE
- LUNCH - PB&J GRAMWICH, STRING CHEESE, FRESH FRUIT, BABY CARROTS WITH RF RANCH, WHOLE GRAIN GRAHAM SNACKS, LF MILK AND 100% FRUIT JUICE

PROVIDED BY SPONSORS

- AZLEOS – 3,000 socks
- City of Scottsdale Library Services – 900 grade-level books
- LION'S CLUB – Vision screenings for 399 children and 120 adults
- NOAH – 900 Toothbrush Smile kits, 216 Dental Screenings
- POSA – 860 pairs of Payless shoes
- SUSD – Screened 275 students
- SUSD Nutritional Services – Served 638 meals to children, provided breakfast and lunch for volunteers

VOLUNTEERS

144 volunteers worked 722 hours from start of screenings through the day of the event



DONATIONS

- Concerned Citizens for Community Health, the funding organization for a number of special Vista programs, spent an estimated \$25,000 on clothing and backpacks with donations from a number of event Sponsors.
- Vista del Camino received approximately \$11,000 worth of in-kind donations from individuals, civic and faith-based organizations, employee groups and other entities.



COLLABORATING SPONSORS

AZLEOS
City of Scottsdale
Concerned Citizens for Community Health
Comerica Bank
CVS Health
First Things First
Harkins
Health Choice
Interfaith Network
Kohl's
Lion's Club
Lucas Oil
Maricopa Community Colleges
NextCare
NOAH
Partners for Paiute

Paiute Neighborhood Center
Payless
POSA Outreach
Project Linus
Right Toyota
Scottsdale Charros
Scottsdale Fire Fighters Association
Scottsdale Public Library
Scottsdale Unified School District
SUSD Nutritional Services
SUSD Foundation
Target
Vista del Camino Center
Wal-Mart
Walgreens
Yoobi

City of Scottsdale VISTA DEL CAMINO



COVERING THE BASES Back-to-School 2015

Thanks To Our Sponsors



Item 7

**EPCOR Water
License Agreement**

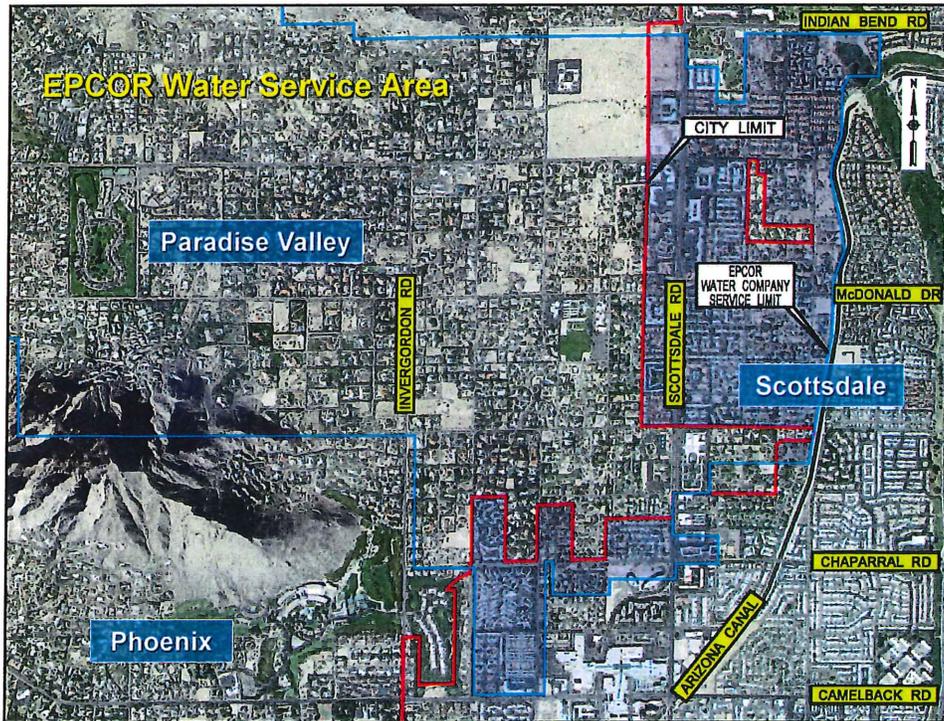
City Council
August 31, 2015

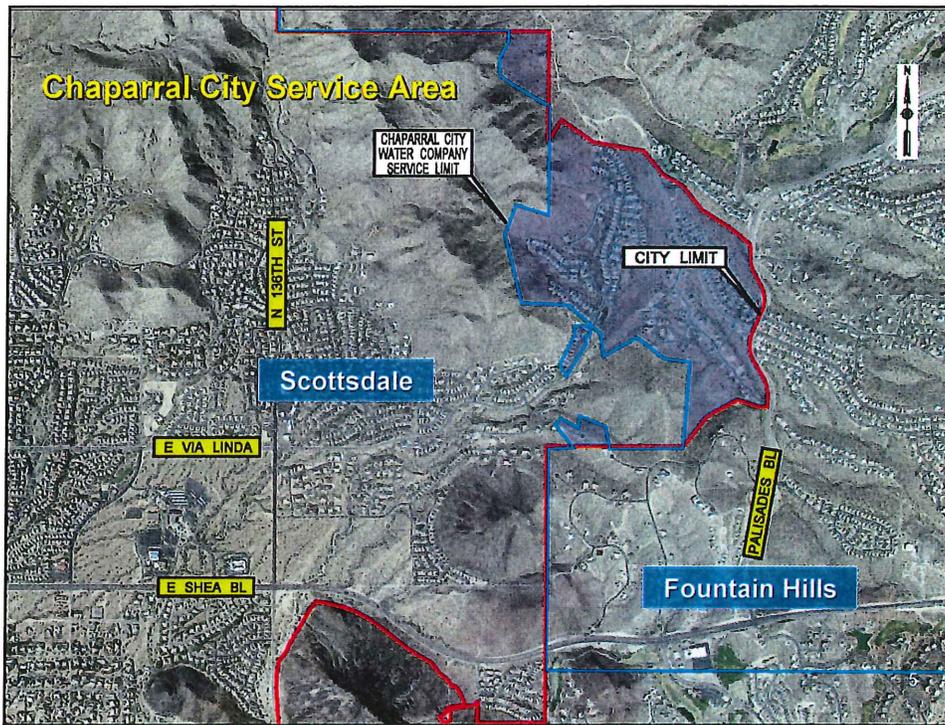
Requested Action

Adopt Resolution 10210 authorizing license agreement 2015-196-COS between EPCOR Water Arizona, Inc., Chaparral City Water Company and the City of Scottsdale.

Background

- EPCOR and its subsidiaries have been providing water service to portions of Scottsdale since the 1950's – they currently have about 2,200 customers within city limits.
- The physical plant of EPCOR (waterlines, hydrants, valves, etc.) is mostly located in city street rights-of-way.
- The use of city right-of-way by private companies requires either a Franchise Agreement, license agreement or other type of agreement.
- In the 2013 election, a Franchise Agreement was turned down by voters.





Elements of Agreement

- EPCOR shall have the right to locate and operate their potable water transmission and distribution lines and physical plant within city rights of way.
- EPCOR shall relocate its facilities in the right of way when requested by the city to accommodate capital improvement projects.
- EPCOR shall pay a franchise fee of 2% of gross revenues resulting from sales of water service within the limits of the city.
- Risk and insurance issues are addressed by agreement.
- The term of the agreement shall be 5 years from the effective date (August 31st, 2015) or until a Franchise is approved.

Requested Action

Adopt Resolution 10210 authorizing license agreement 2015-196-COS between EPCOR Water Arizona, Inc., Chaparral City Water Company and the City of Scottsdale.