

**SCOTTSDALE**

# **CITY COUNCIL MEETING**

## **MEETING NOTICE AND AGENDA**



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### **COUNCIL**

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

Linda Milhaven  
Guy Phillips  
David N. Smith

**Tuesday, April 24, 2018**

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*Unless an exception is made, or unless otherwise noted, 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 1, 2018).*

**5:00 P.M.**

**MARKED AGENDA**

### **CITY COUNCIL MEETING**

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Call to Order – 5:03 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 No. 1380, Troop Leader Kim Paltzik**

**Invocation – Pastor Ethan Clark, Scottsdale Bible Church**

**Mayor's Report – Mayor Lane read a proclamation for Small Business Week.**

**Presentations/Information Updates – Diversity Manager Sharon Cini presentation.**

- **Mayor's Employment Committee Scholarship Awards**  
**Presenter(s):** Sharon Cini, Diversity Manger

**Public Comment – None**

Public Comment time is reserved for citizens to comment on non-agendized items that are within the Council's jurisdiction. No official Council action can be taken on these items.

Public Comment time is also the designated time for presenting a citizen petition. There is no limit on the number of petitions a citizen may present; however, each citizen is limited to a total time of three minutes to present and speak to the petition(s). A Request to Speak card must be submitted together with the petition(s) before the Mayor announces the second Public Comment period.

Speakers may address the Council once under Public Comment at the beginning or the end of the meeting, but not both. 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."**



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](http://WWW.SCOTTSDALEAZ.GOV/COUNCIL/MEETING-INFORMATION)

## **CONSENT AGENDA**      **ITEMS 1-17**

**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.

**– Vice Mayor Korte made a motion to accept Consent Agenda Items 1 through 17. Councilwoman Littlefield seconded the motion, which carried 7/0.**

1.     [Cut Throat Barbershoppe Liquor License \(16-LL-2018\)](#) – **Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 7 (beer and wine bar) State liquor license for a new location and owner.  
**Location:** 7310 E. Stetson Drive  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
2.     [Barrel to Bottle Distribution Liquor License \(18-LL-2018\)](#) – **Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 4 (wholesale) State liquor license for a new location and owner.  
**Location:** 7360 E. Acoma Drive, Suite 12  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
3.     [J. Frev Enterprises Liquor License \(20-LL-2018\)](#) – **Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 4 (wholesale) State liquor license for a new location and owner.  
**Location:** 7301 E. Acoma Drive, Suite 3003  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
  
4.     [Reata Ranch Guest Ranch Abandonment \(11-AB-2014#2\)](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 11083** extending the time to fulfill the conditions set forth in Resolution No. 10293 abandoning roadway easements and right-of-way adjacent to the Reata Ranch Guest Ranch with Resort/Townhouse Residential, Environmentally Sensitive Lands (R-4R ESL) zoning.  
**Location:** South side of E. Rio Verde Drive between N. 128<sup>th</sup> Street and N. 136<sup>th</sup> Street  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
  
5.     [Silverstone Parcel G Final Plat \(9-PP-2017\)](#) – **Approved on Consent.**  
**Request:** Approve the final plat for 182 lots on a 23.73±-acre site with Multiple-Family Residential District, Planned Community District (R-5/PCD) zoning.  
**Location:** 23233 N. 74<sup>th</sup> Street (southeast corner of E. Pinnacle Peak Road and N. 74<sup>th</sup> Street)  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
  
6.     [Standard Terms for Wireless Communication Facilities in Public Rights-of-Ways](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 11079** adopting revised standard terms and conditions for antenna right-of-way license agreements for wireless communication facilities located within the public rights-of-ways.  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

7. **Water Resources Treatment Job Order Contracts – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11060** authorizing the following job order contract modifications for the second option year for Citywide water resources treatment construction services:
  1. Contract No. 2015-112-COS-A2 with Currier Construction, Inc.
  2. Contract No. 2015-113-COS-A2 with Felix Construction Co.
  3. Contract No. 2015-114-COS-A2 with MGC Contractors, Inc.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
  
8. **Little Red Schoolhouse Lease Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11073** authorizing Agreement No. 1990-122-COS-A2 with the Scottsdale Historical Society, Inc., a second amendment to the lease for use of the Little Red Schoolhouse building.  
**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
  
9. **Via Linda Traffic Circles Project – Approved on Consent.**  
**Requests:**
  1. Adopt **Resolution No. 11090** authorizing the following three FY 2017/18 Capital budget appropriation transfers totaling \$285,000 to the Via Linda Traffic Circles (SE01) project, to be funded by the Transportation Sales Tax funding source:
    - a. \$10,000 from the Sidewalk Improvements (YD20) project.
    - b. \$30,000 from the Neighborhood Traffic Management (YD21) project.
    - c. \$245,000 from the Roadway Capacity and Safety Improvements (YE19) project.
  2. Adopt **Resolution No. 11091** authorizing the acceptance of a public access easement at the intersection of E. Via Linda and N. 87<sup>th</sup> Street for the construction of the Via Linda Traffic Circles project.
  3. Adopt **Resolution No. 11077** authorizing Construction Bid Award No. 18PB017 with Visus Engineering Construction, Inc., the lowest responsive bidder, in the amount of \$645,000 for the reconstruction of the Via Linda Traffic Circles located on Via Linda between Hayden and Pima roads.**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)
  
10. **Paiute Neighborhood Center HVAC Project – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11074** authorizing Construction Bid Award No. 18PB016 with TLC Refrigeration and Air Conditioning, the lowest responsive bidder, in the amount of \$43,565.39 for the purchase and installation of four split-system heat pumps for Buildings 4 and 5 of the Paiute Neighborhood Center.  
**Staff Contact(s):** Bill Murphy, Community Services Director, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)
  
11. **Palomino Library Intergovernmental Agreement Extension – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11094** authorizing Agreement No. 2012-101-COS-A4 with the Scottsdale Unified School District No. 48 pertaining to the Palomino Library at Desert Mountain High School to extend the agreement through October 1, 2018.  
**Staff Contact(s):** Bill Murphy, Community Services Director, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)
  
12. **HOME Investment Partnership Program Intergovernmental Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11050** authorizing Agreement No. 2018-039-COS with Maricopa County, on behalf of the Maricopa HOME Consortium, to receive FY 2016/17 Federal HOME Investment Partnership funds in the amount of \$219,957.  
**Staff Contact(s):** Bill Murphy, Community Services Director, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)

13. **[HOME Investment Partnership Program Conditional Subrecipient Agreement](#) – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 11051** authorizing Agreement No. 2018-040-COS with Affordable Rental Movement of Save the Family by awarding and specifying conditions associated with FY 2016/17 Federal HOME Investment Partnership Program funds in the amount of \$206,210 for housing acquisition, rehabilitation, and rental purposes.  
**Staff Contact(s):** Bill Murphy, Community Services Director, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)**
  
14. **[Safe Routes to School Coordinator Grant](#)** – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 11042** to authorize:
  1. The acceptance of a three-year federal grant in the amount of \$135,789, with a local match requirement of \$14,208 funded with Transportation Sales Tax, to fund a new, temporary, part-time Safe Routes to School Coordinator position in the Transportation Department and the purchase of incentive items for students.
  2. A budget transfer for year one of the three-year grant in the amount of \$45,263 from the adopted FY 2017/18 Future Grants Budget and/or Grant Contingency Budget to a newly created operating cost center in the Transportation Department to record the related grant activity.
  3. The addition of a temporary 0.50 FTE Safe Routes to School Coordinator position in the Transportation Department for the duration of the grant.**Staff Contact(s):** Paul Basha, Transportation Director, 480-312-7651, [pbasha@scottsdaleaz.gov](mailto:pbasha@scottsdaleaz.gov)
  
15. **[Appointment of Pro Tem Judges for City Court](#)** – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 11085** to approve:
  1. The following initial appointments of Pro Tem Judges for a two-year term for the period of May 17, 2018, through May 17, 2020: James Blomo, Brian H. Burke, Jacqueline Kochis-Chapman, Lori Metcalf, Peter Reinstein, and Robert Ventrella.
  2. The following reappointments of Pro Tem Judges for a four-year term for the period of May 17, 2018, through May 17, 2022: Charles Adornetto, Alvin Bell, Jennifer Dalton, Douglas Erickson, Robert Howard, Alicia Lawler, Nancy Lewis, Robert Melton, B. Monte Morgan, Kevin Neal, Michelle O’Hair-Schattenberg, Lori Patrick, and Denise Scammon.**Staff Contact(s):** Joseph Olcavage, Presiding Judge, 480-312-2775, c/o [jdybas@scottsdaleaz.gov](mailto:jdybas@scottsdaleaz.gov)
  
16. **[Bond Authorization Extinguishment](#)** – **Approved on Consent.**  
**Request:** Adopt **Resolution No. 11063** to extinguish the following unused bond authorization that the City does not intend to use:
  1. 1989 General Obligation Bond in the amount of \$2,829,500.
  2. 1989 Water and Sewer Revenue Bond in the amount of \$3,340,000.
  3. 2000 General Obligation Bond in the amount of \$6,400,000.**Staff Contact(s):** Jeff Nichols, City Treasurer, 480-312-2364, [jenichols@scottsdaleaz.gov](mailto:jenichols@scottsdaleaz.gov)
  
17. **[Monthly Financial Report](#)** – **Approved on Consent.**  
**Request:** Accept the FY 2017/18 Monthly Financial Report as of February 2018.  
**Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)

## **REGULAR AGENDA**      **ITEMS 18-21**

**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.**

18. [Indemnification of Mayor, Councilmembers, City Manager, City Clerk, City Treasurer, and City Attorney in Save Our Preserve Political Action Committee v. City of Scottsdale et al.](#)  
**Request:** Adopt the following resolutions related to the lawsuit entitled *Save Our Preserve Political Action Committee v. City of Scottsdale et al.*, currently pending in the United States District Court, District of Arizona, Cause No. CV18-01047-BSB:
1. **Resolution No. 11101** authorizing the City to defend and indemnify Mayor W.J. "Jim" Lane.  
**City Attorney Bruce Washburn presentation.**  
**Mayor Lane declared a conflict of interest and left the dais.**  
**– Councilwoman Milhaven made a motion to adopt Resolution No. 11101. Councilman Phillips seconded the motion, which carried 6/0.**
  2. **Resolution No. 11102** authorizing the City to defend and indemnify Councilmember Guy Phillips.  
**Councilman Phillips declared a conflict of interest and left the dais.**  
**– Vice Mayor Korte made a motion to adopt Resolution No. 11102. Councilman Smith seconded the motion, which carried 6/0.**
  3. **Resolution No. 11103** authorizing the City to defend and indemnify Councilmember Kathy Littlefield.  
**Councilwoman Littlefield declared a conflict of interest and left the dais.**  
**– Vice Mayor Korte made a motion to adopt Resolution No. 11103. Councilman Smith seconded the motion, which carried 6/0.**
  4. **Resolution No. 11104** authorizing the City to defend and indemnify Councilmember Suzanne Klapp.  
**Councilwoman Klapp declared a conflict of interest and left the dais.**  
**– Councilman Phillips made a motion to adopt Resolution No. 11104. Vice Mayor Korte seconded the motion, which carried 6/0.**
  5. **Resolution No. 11105** authorizing the City to defend and indemnify Councilmember Linda Milhaven.  
**Councilwoman Milhaven declared a conflict of interest and left the dais.**  
**– Vice Mayor Korte made a motion to adopt Resolution No. 11105. Councilwoman Littlefield seconded the motion, which carried 6/0.**
  6. **Resolution No. 11106** authorizing the City to defend and indemnify Vice Mayor Virginia Korte.  
**Vice Mayor Korte declared a conflict of interest and left the dais.**  
**– Councilman Phillips made a motion to adopt Resolution No. 11106. Councilman Smith seconded the motion, which carried 6/0.**
  7. **Resolution No. 11107** authorizing the City to defend and indemnify Councilmember David Smith.  
**Councilman Smith declared a conflict of interest and left the dais.**  
**– Councilman Phillips made a motion to adopt Resolution No. 11107. Councilwoman Littlefield seconded the motion, which carried 6/0.**
  8. **Resolution No. 11108** authorizing the City to defend and indemnify City Manager Jim Thompson, City Clerk Carolyn Jagger, City Treasurer Jeff Nichols, and City Attorney Bruce Washburn.  
**– Vice Mayor Korte made a motion to adopt Resolution No. 11108. Councilman Smith seconded the motion, which carried 7/0.**
- Staff Contact(s):** Eric Anderson, Sr. Assistant City Attorney, 480-312-2405, [ecanderson@scottsdaleaz.gov](mailto:ecanderson@scottsdaleaz.gov); Sherry Scott, Deputy City Attorney, 480-312-2405, [sscott@scottsdaleaz.gov](mailto:sscott@scottsdaleaz.gov)

19. **Public Hearing on the Fiscal Year 2018/19 Annual Action Plan and the Allocation of Federal Community Development Block Grant and HOME Investment Partnership Funds**

**Requests:**

1. Solicit public testimony regarding the FY 2018/19 Annual Action Plan and the allocation of \$1,105,485 in CDBG and \$219,039 in HOME funds.
2. Adopt **Resolution No. 11052** to approve the FY 2018/19 Annual Action Plan and authorize the:
  - a. Use, award, and allocation of federal CDBG and HOME funds for eligible programs and services and associated contracts;
  - b. Reprogramming of prior years' remaining funds and the return of program income;
  - c. The return of program income from the repayment of Green Housing Rehabilitation Program deferred loans;
  - d. Associated HUD certifications and contracts; and
  - e. Mayor, City Manager, and Community Assistance Manager to take certain actions furthering this resolution.

**Presenter(s):** Michelle Albanese, Community Assistance Manager

**Staff Contact(s):** Bill Murphy, Community Services Director, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)

**– Community Assistance Manager Michelle Albanese presentation.**

**– City Attorney Bruce Washburn noted for the record that there were no requests to speak for the public hearing.**

**– Vice Mayor Korte made a motion to adopt Resolution No. 11052. Councilman Smith seconded the motion, which carried 7/0.**

20. **Citywide Employee Classification and Compensation Study**

**Request:** Accept the results and recommendations of the FY 2017/18 Classification and Compensation Study.

**Presenter(s):** Donna Brown, Human Resources Director

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

**– Presentations from Human Resources Director Donna Brown and Public Sector Personnel Consultants President Matt Weatherly.**

**– Vice Mayor Korte made a motion to accept the results and recommendations of the FY 2017/18 Job Classification and Employee Compensation Study. Councilwoman Milhaven seconded the motion, which carried 7/0.**

21. **Monthly Financial Update**

**Request:** Receive, discuss, and provide possible direction on the City Treasurer's monthly financial presentation as of March 2018.

**Presenter(s):** Jeff Nichols, City Treasurer

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

**– Presentations from City Treasurer Jeff Nichols and City Engineer Dave Lipinski.**

**Public Comment – None**

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## CITIZEN PETITIONS

### ITEM 22

**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.

**22. 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 – 7:06 P.M.**