

**SCOTTSDALE**

# **CITY COUNCIL MEETING**



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

**[REWORDED ITEM NOS. A1 AND 10; ADDED ITEM No. 8A]**

### **COUNCIL**

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Kathleen S. Littlefield

Linda Milhaven

Guy Phillips

Solange Whitehead

**Monday, April 15, 2019**

*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 14, 2019).*

**5:00 P.M.**

**\*\*\* AMENDED \*\*\* MARKED AGENDA  
(REWORDED MOTION ON ITEM 5)**

### **CITY COUNCIL MEETING**

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Call to Order – 5:00 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 Phillips**

**Invocation – Mayor Lane noted that Scottsdale is a Golden Rule City and asked for a moment of silence to consider what the Golden Rule means in our everyday lives.**

**Mayor's Report – Mayor Lane read a proclamation reaffirming Scottsdale as a Golden Rule City. Mayor Lane congratulated Operation Fix-It for receiving the Outstanding Achievement in Local Government Innovation Award from the Alliance for Innovation.**

**Presentations/Information Updates – Parada Committee Representative Wendy Springborn presentation.**

- **Parada del Sol Update**  
Presenter(s): Wendy Springborn, Parada Committee

**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)

## 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.

**– Councilmember Korte made a motion to accept the agenda as presented. Councilwoman Whitehead seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead voting in the affirmative.**

### \*\*\*A1. Added Items

The materials for Consent Item No. 8A and Regular Item No. 10 were 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 April 30, 2019.

## MINUTES

**Request:** Approve the [Retreat Minutes of March 14, 2019](#); [Special Meeting Minutes of March 19, 2019](#); [Regular Meeting Minutes of March 19, 2019](#); [Work Study Session Minutes of March 26, 2019](#); and Executive Session Minutes of March 19, 2019.

**– Councilman Phillips made a motion to approve the Retreat Minutes of March 14, 2019; Special Meeting Minutes of March 19, 2019; Regular Meeting Minutes of March 19, 2019; Work Study Session Minutes of March 26, 2019; and Executive Session Minutes of March 19, 2019. Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead voting in the affirmative.**

## CONSENT AGENDA ITEMS 1-8A

**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.

**– Councilmember Korte made a motion to approve Consent Agenda Items 1 through 8A, with the exception of Item 5, which was moved to the Regular Agenda. Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead voting in the affirmative.**

### 1. [Thomas Groundwater Treatment Facility Construction Phase Services Contract](#) – **Approved on Consent Agenda.**

**Request:** Adopt **Resolution No. 11407** authorizing CM@Risk Contract No. 2019-038-COS with Archer Western Construction, LLC, in the amount of \$5,257,503.30 for construction phase services for the Thomas Groundwater Treatment Facility.

**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)

### 2. [Water Resources Treatment Job Order Contracts](#) – **Approved on Consent Agenda.**

**Request:** Adopt **Resolution No. 11415** authorizing the following job order contract modifications for the third and final option year in an amount not to exceed \$7,500,000 per contract for Citywide water resources treatment construction services:

1. Contract No. 2015-112-COS-A3 with Currier Construction, Inc.
2. Contract No. 2015-113-COS-A3 with Felix Construction Company
3. Contract No. 2015-114-COS-A3 with MGC Contractors, Inc.

**Staff Contact(s):** Dan Worth, Public Works Director, 480-312-5555, [dworth@scottsdaleaz.gov](mailto:dworth@scottsdaleaz.gov)

3. **WestWorld Event Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11409** authorizing Agreement No. 2019-011-COS-A1, the first amendment to the agreement with LaMesa RV Center, Inc., to change the date of the second RV show in August of 2019.  
**Staff Contact(s):** Brian Dygert, WestWorld General Manager, 480-312-6825, [bdygert@scottsdaleaz.gov](mailto:bdygert@scottsdaleaz.gov)
4. **WestWorld Event Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11423** authorizing Agreement No. 2019-052-COS with Strada Racing Club, Inc., to train on Lot D at WestWorld from May 2019 through July 2019.  
**Staff Contact(s):** Brian Dygert, WestWorld General Manager, 480-312-6825, [bdygert@scottsdaleaz.gov](mailto:bdygert@scottsdaleaz.gov)
- \*\*\*5. **Organization Strategic Plan – Councilwoman Whitehead made a motion to add the objective “Prioritize remaining acres within Preserve boundary and develop acquisition plan based on projected funds” and accept the Organization Strategic Plan. Councilwoman Klapp seconded the motion, which carried 6/1, with Mayor Lane and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead voting in the affirmative, and Vice Mayor Milhaven dissenting.**  
**Request:** Accept the amendments to the Organization Strategic Plan.  
**Staff Contact(s):** Brent Stockwell, Assistant City Manager, 480-312-7288, [bstockwell@scottsdaleaz.gov](mailto:bstockwell@scottsdaleaz.gov)
6. **Scottsdale National Golf Club Settlement Agreement – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11427** authorizing settlement in the amount of \$1,423,081.06 of Scottsdale National Golf Club’s claim against the City.  
**Staff Contact(s):** Bruce Washburn, City Attorney, 480-312-2405, [bwashburn@scottsdaleaz.gov](mailto:bwashburn@scottsdaleaz.gov)
7. **Legal Services Contract – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11433** authorizing legal fees to be incurred in Contract No. 2015-023-COS with the law firm of Dickinson Wright PLLC, in an amount not to exceed a total of \$490,000 for the defense of *Stuart et al. v. City of Scottsdale et al.*, Case No. 2:17-cv-01848-DJH, and *Save Our Preserve Political Action Committee of Scottsdale v. City of Scottsdale, et al.*, Case No. 2:18-cv-01047-DJH, currently pending in the United States District Court.  
**Staff Contact(s):** Bruce Washburn, City Attorney, 480-312-2405, [bwashburn@scottsdaleaz.gov](mailto:bwashburn@scottsdaleaz.gov)
8. **Monthly Financial Report – Approved on Consent.**  
**Request:** Accept the FY 2018/19 Monthly Financial Report as of February 2019.  
**Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)
- \*\*\*8A. **Civic Center Library Gallery – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11428** authorizing use of the FY 2018/19 Special Programs Fund, Community Arts Trust in an amount not to exceed \$85,000 to construct a gallery space in the Civic Center Library to be curated by Scottsdale Arts Public Art.  
**Staff Contact(s):** Karen Churchard, Tourism and Events Director, 480-312-2890, [kchurchard@scottsdaleaz.gov](mailto:kchurchard@scottsdaleaz.gov); Bill Murphy, Community Services Director, 480-312-7954, [bmurphy@scottsdaleaz.gov](mailto:bmurphy@scottsdaleaz.gov)

## REGULAR AGENDA      ITEMS 9-12

**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.**

9. [Lot V on the Green Final Plat \(10-PP-2015\)](#)

**Request:** Approve the final plat for a 4-lot residential subdivision, within the existing *On the Green at Troon North* subdivision, with existing amended development standards, and a landscape plan, including walls, on a 0.70±-acre site with Resort/Townhouse Residential District, Environmentally Sensitive Lands (R-4R/ESL) zoning.

**Location:** 10299 E. White Feather Lane

**Presenter(s):** Jesus Murillo, Sr. Planner

**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

– Senior Planner Jesus Murillo presentation.

– Councilman Phillips made a motion to approve the Lot V on the Green Final Plat.

Councilwoman Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead voting in the affirmative.

\*\*\*10. [November 5, 2019 Special Mail Ballot Election for the Issuance and Sale of General Obligation Bonds](#)

**Request:** Adopt **Resolution No. 11434** to:

Option 1. Order and call a special mail ballot election for Tuesday, November 5, 2019, to submit to the qualified electors of the City of Scottsdale a question authorizing the issuance and sale of \$319,000,000 principal amount of general obligation bonds; and authorizing a bond oversight committee. OR

Option 2. Order and call a special mail ballot election for Tuesday, November 5, 2019, to submit to the qualified electors of the City of Scottsdale three questions authorizing the issuance and sale of \$319,000,000 principal amount of general obligation bonds; and authorizing a bond oversight committee.

**Presenter(s):** Dave Lipinski, City Engineer

**Staff Contact(s):** Dave Lipinski, City Engineer, 480-312-2641, [dlipinski@scottsdaleaz.gov](mailto:dlipinski@scottsdaleaz.gov)

– City Engineer Dave Lipinski presentation.

– Councilwoman Klapp made a motion to adopt Resolution No. 11434, Option 2, to order and call a special mail ballot election for Tuesday, November 5, 2019, to submit to the qualified electors of the City of Scottsdale three questions authorizing the issuance and sale of \$319,000,000 principal amount of general obligation bonds; and authorizing a bond oversight committee. Councilmember Korte seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead voting in the affirmative.

11. [Proposed Fiscal Year 2019/20 Operating Budget and Capital Improvement Plan](#)

**Request:** Presentation, discussion, and possible direction to staff regarding the Proposed FY 2019/20 Operating Budget and Capital Improvement Plan.

**Presenter(s):** Judy Doyle, Budget Director; Dave Lipinski, City Engineer

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

– Budget Director Judy Doyle and City Engineer Dave Lipinski presentations.

12. **Monthly Financial Update**

**Request:** Receive, discuss, and provide possible direction on the City Treasurer's monthly financial presentation as of March 2019.

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

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

**– City Treasurer Jeff Nichols and City Engineer Dave Lipinski presentations.**

**Public Comment – None**

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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."**

## **CITIZEN PETITIONS**

### **ITEM 13**

**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.

13. **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**

### **ITEM 14**

14. **Boards, Commissions, and Task Force Nominations (Note: Interviews and appointments scheduled for May 21, 2019)**

**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.

Building Advisory Board of Appeals (*one vacancy*) – **Councilwoman Littlefield nominated Ben Freese.**

Industrial Development Authority (*one vacancy*) – **Councilmember Korte nominated Evelyn Racette, Mayor Lane nominated Terri Allen, and Councilwoman Klapp nominated Eloy Yndigoyen.**

Library Board (*one vacancy*) – **Councilmember Korte nominated Nicole Huser, Mayor Lane nominated Marna McLendon, and Councilwoman Klapp nominated Monica Levens.**

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McDowell Sonoran Preserve Commission (*one vacancy*) – **Mayor Lane nominated Cynthia Wenstrom and Vice Mayor Milhaven nominated Robert Alpert.**

Parks and Recreation Commission (*one vacancy*) – **Councilwoman Klapp nominated Maryann McAllen and Vice Mayor Milhaven nominated John Doering.**

Planning Commission (*one vacancy*) – **Vice Mayor Milhaven nominated William Scarbrough, Councilwoman Whitehead nominated A.J. Germek, Councilwoman Littlefield nominated James Bloch, Councilmember Korte nominated Dana Close, Mayor Lane nominated Joseph Cusack, and Councilwoman Klapp nominated Renee Higgs.**

Tourism Development Commission (*one industry vacancy*) – **Councilwoman Whitehead nominated Monica Nicodemus, Councilwoman Littlefield nominated David Woods, Councilmember Korte nominated Jeanne Alspaugh, and Councilwoman Klapp nominated Thomas Prombo.**

**Note: The only Council action to be taken on Item No. 14 is to select nominees for interviews and appointment consideration at a future Council meeting. No public comment will be taken on this item.**

**Adjournment – 6:51 P.M.**