

**SCOTTSDALE**

# **CITY COUNCIL MEETING**

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

**[CONSENT ITEM NO. 19 MOVED TO REGULAR AGENDA AS ITEM NO. 24]**



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**COUNCIL**

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Kathleen S. Littlefield

Linda Milhaven

Guy Phillips

Solange Whitehead

**Tuesday, May 19, 2020**

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*Until further notice, Council meetings will be held electronically. While physical facilities are not open to the public, City Council meetings are televised on Cox Cable Channel 11 and streamed online at [ScottsdaleAZ.gov](http://ScottsdaleAZ.gov) (search "live stream") to allow the public to listen/view the meeting in progress.*

*Only written comments submitted electronically at least one hour prior to the meeting are being accepted. A written Public Comment may be submitted electronically by clicking on the "click here to submit a written comment on an item" link located at the top of each page of the agenda.*

**5:00 P.M.**

**MARKED AGENDA**

## **CITY COUNCIL MEETING**

Meeting will be held electronically.

**Call to Order – 5:01 P.M.**

**Roll Call – All present**

*Members of the Council will be attending the Council Meeting by telephone, video, or Internet conferencing, pursuant to A.R.S. § 38-431(4).*

**Mayor's Report – Mayor Lane read a proclamation recognizing National Public Works Week.**

## **MINUTES**

**Request:** Approve the [Regular Meeting Minutes of April 21, 2020](#).

**– Councilmember Korte made a motion to approve the Regular Meeting Minutes of April 21, 2020. Councilman Phillips seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**



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.

### A1. Added Items

The council report for Item No. 22 was 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 June 16, 2020 Council meeting.

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

## CONSENT AGENDA

### ITEMS 1-18 (ITEM 19 WAS MOVED TO THE REGULAR AGENDA AS ITEM 24)

**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. 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. **Action will be taken by a Roll Call vote.**

**– Councilmember Korte made a motion to approve Consent Agenda Items 1 through 18. Vice Mayor Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**

- [Hilton Scottsdale Resort & Villas Liquor License \(44-LL-2020\)](#) – Approved on Consent.**  
**Request:** Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a person transfer of a Series 11 (hotel/motel) State liquor license for an existing location with a new owner.  
**Location:** 7300 E. McDonald Drive  
**Staff Contact(s):** Tim Curtis, Current Planning Director, 480-312-4210, [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)
- [6909 Chaparral Abandonment \(1-AB-2020\)](#) – Approved on Consent.**  
**Request:** Adopt **Resolution No. 11795** authorizing the abandonment of the south five feet of the forty-foot right-of-way located along the north property line of Lot 6 of the Rancho Vista subdivision with Single-Family Residential (R1-7) zoning.  
**Location:** 6909 E. Chaparral Road  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)
- [Fleetwood 6 Final Plat \(1-PP-2020\)](#) – Approved on Consent.**  
**Request:** Approve the final plat for a new residential subdivision, comprised of six lots on a 0.48± acre site with Downtown/Downtown Multiple Use, Type 2, Planned Block Development, Downtown Overlay (D/DMU-2 PBD DO) zoning.  
**Location:** 6900 E. 1<sup>st</sup> Avenue  
**Staff Contact(s):** Randy Grant, Planning and Development Services Director, 480-312-2664, [rgrant@scottsdaleaz.gov](mailto:rgrant@scottsdaleaz.gov)

4. [Happy Valley 18 Rezoning \(13-ZN-2019\) – Approved on Consent.](#)

**Requests:**

1. Adopt **Ordinance No. 4450** approving a zoning district map amendment from Single-Family Residential, Environmentally Sensitive Lands (R1-190 ESL) zoning to Single-Family Residential, Planned Residential Development, Environmentally Sensitive Lands (R1-43 PRD ESL) zoning for a new 21-lot subdivision with a Development Plan and amended development standards for a reduction of lot area, lot width, and setbacks on a 29±-acre site.
2. Adopt **Resolution No. 11794** declaring the document titled "*Happy Valley 18 Development Plan*" to be a public record.

**Location:** Southwest corner of E. Happy Valley Road and N. Alma School Road

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

5. [Sewer Line Easement – Approved on Consent.](#)

**Request:** Adopt **Resolution No. 11788** authorizing the Public Works Director to execute and accept a sewer line easement dedication from the Maricopa County Flood Control District within the Indian Bend Wash, south of Curry Road in Tempe, Arizona.

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

6. [Osborn Road Parallel Sewer Main Project Construction Phase Services Contract – Approved on Consent.](#)

**Request:** Adopt **Resolution No. 11777** authorizing CM@Risk Contract No. 2020-074-COS with B & F Contracting, Inc., in the amount of \$1,762,913.83, to provide construction phase services for the Osborn Road Parallel Sewer Main – Bishop Lane to Miller Road project.

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

7. [Aquifer Storage and Recovery Wells Project Preconstruction Phase Services Contract – Approved on Consent.](#)

**Request:** Adopt **Resolution No. 11789** authorizing CM@Risk Contract No. 2020-082-COS with MGC Contractors, Inc., in the amount of \$324,908.48, to provide preconstruction phase services for the Aquifer Storage and Recovery Wells project.

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

8. [Phase 1C of the Granite Reef Watershed Storm Drain Improvements – Approved on Consent.](#)

**Request:** Adopt **Resolution No. 11797** authorizing Construction Bid Award No. 20PB029 with Lincoln Constructors, Inc., in the amount of \$1,337,776, for construction of Phase 1C of the Granite Reef Watershed Storm Drain Improvements, Indian School Road Storm Drain Laterals.

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

9. [Scottsdale Road – Jomax Road to Dixileta Drive Capital Project Intergovernmental Agreement – Approved on Consent.](#)

**Request:** Adopt **Resolution No. 11792** authorizing Agreement No. 2020-083-COS with the Maricopa Association of Governments for project administration and reimbursement of Proposition 400 Regional Transportation Sales Tax and Surface Transportation Program Block Grant funds for eligible costs incurred by the City for the Scottsdale Road – Jomax Road to Dixileta Drive capital project.

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

10. [Community Action Program Intergovernmental Agreement – Approved on Consent.](#)

**Request:** Adopt **Resolution No. 11803** authorizing Agreement No. 2016-092-COS-A4, the fourth amendment to the agreement with the Maricopa County Human Services Department, to extend the agreement for another six months and provide additional funds for the City's Community Action Program.

**Staff Contact(s):** Greg Bestgen, Human Services Department Director, 480-312-0104, [gbestgen@scottsdaleaz.gov](mailto:gbestgen@scottsdaleaz.gov)

11. [Hieroglyphic Mountains Recharge Project Water Storage Agreement – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11811** authorizing Agreement No. 2020-088-COS with the Central Arizona Water Conservation District for water storage at the Hieroglyphic Mountains Recharge Project.  
**Staff Contact(s):** Brian Biesemeyer, Water Resources Director, 480-312-5683, [bbiesemeyer@scottsdaleaz.gov](mailto:bbiesemeyer@scottsdaleaz.gov)
  
12. [Aqua Fria Recharge Project Water Storage Agreement – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11812** authorizing Agreement No. 2020-089-COS with the Central Arizona Water Conservation District for water storage at the Aqua Fria Recharge Project.  
**Staff Contact(s):** Brian Biesemeyer, Water Resources Director, 480-312-5683, [bbiesemeyer@scottsdaleaz.gov](mailto:bbiesemeyer@scottsdaleaz.gov)
  
13. [Regional Metropolitan Phoenix Fire Service Automatic Aid Intergovernmental Agreement – Approve on Consent.](#)  
**Request:** Adopt **Resolution No. 11770** authorizing Agreement No. 2020-072-COS with the City of Phoenix for participation in the Phoenix Fire Department Regional Dispatch System.  
**Staff Contact(s):** Tom Shannon, Fire Chief, 480-312-1821, [tshannon@scottsdaleaz.gov](mailto:tshannon@scottsdaleaz.gov)
  
14. [Industrial Injury Medical Case Management Professional Services Contracts – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11783** to authorize the following contracts, in an amount not to exceed \$125,000 per contract, for industrial injury medical case management services:
  1. Contract No. 2020-078-COS with Genex Services, LLC
  2. Contract No. 2020-079-COS with Paradigm Complex Care Solutions
  3. Contract No. 2020-080-COS with Orchard Medical Consulting**Staff Contact(s):** Katherine Callaway, Risk Management Director, 480-312-7841, [kcallaway@scottsdaleaz.gov](mailto:kcallaway@scottsdaleaz.gov)
  
15. [Emergency Sick Leave Program and Cigna COVID-19 Treatment – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11806** authorizing additional emergency sick leave pay for emergency responders and payment of claims related to COVID-19 treatment.  
**Staff Contact(s):** Donna Brown, Human Resources Director, 480-312-2615, [dbrown@scottsdaleaz.gov](mailto:dbrown@scottsdaleaz.gov)
  
16. [COVID-19 Public Assistance Grants – Approved on Consent.](#)  
**Request:** Adopt **Resolution No. 11808** to authorize:
  1. Acceptance, if awarded, of COVID-19 related public assistance federal grant funding from:
    - a. The FAA CARES Act Airport grant in the amount of up to \$157,000.
    - b. The U.S. Department of Justice Coronavirus Emergency Supplemental Funding Program grant in the amount of up to \$94,987.
    - c. The Federal Emergency Management Agency (FEMA) Assistance to Firefighters grant in the amount of up to \$100,000.
    - d. The FEMA Disaster Recovery Assistance – Arizona Department of Emergency and Military Affairs grant in the amount of up to \$500,000.
  2. A budget transfer equal to each grant award amount from the FY 2019/20 Future Grants Budget and/or Grant Contingency Budget to newly created cost centers to record the related grant activity.**Staff Contact(s):** Jeff Nichols, City Treasurer, 480-312-2364, [jenichols@scottsdaleaz.gov](mailto:jenichols@scottsdaleaz.gov)
  
17. [Designate the City of Scottsdale’s Chief Fiscal Officer – Approved on Consent.](#)  
**Requests:**
  1. Adopt **Resolution No. 11790** designating the City of Scottsdale’s Chief Fiscal Officer for officially submitting the FY 2019/20 Expenditure Limitation Report to the Arizona Auditor General.
  2. Adopt **Resolution No. 11791** designating the City of Scottsdale’s Chief Fiscal Officer for officially submitting the FY 2020/21 Expenditure Limitation Report to the Arizona Auditor General.**Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, [jdoyle@scottsdaleaz.gov](mailto:jdoyle@scottsdaleaz.gov)

18. **Monthly Financial Report – Approved on Consent.**

**Request:** Accept the FY 2019/20 Monthly Financial Report as of March 2020.

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

## **REGULAR AGENDA      ITEMS 20-24**

**How the Regular Agenda Works:** The Council takes a separate action on each item on the Regular Agenda. **Action will be taken by a Roll Call vote.**

20. **Monthly Financial Update**

**Request:** Receive, discuss, and provide possible direction on the City Treasurer’s monthly financial presentation as of April 2020.

**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 presentation.**

21. **Public Hearing and Adoption of Fiscal Year 2020/21 Rates and Fees**

**Requests:**

1. Accept citizen comments at a public hearing regarding proposed rates and fees.
2. Adopt **Ordinance No. 4447** amending Scottsdale Revised Code, Chapter 49, Water, Sewer and Sewage Disposal, to adjust sewer/water reclamation rates, effective January 1, 2021, and miscellaneous charges, effective July 1, 2020.
3. Adopt **Resolution No. 11765** declaring the document titled “*Amendments to Chapter 49, Scottsdale Revised Code – Water, Sewers and Sewage Disposal*” to be a public record.
4. Adopt **Ordinance No. 4445** amending Scottsdale Revised Code, Chapter 16, Licensing, Taxation and Miscellaneous Business Regulations, Section 16-486, to increase the license fee for private haulers of commercial refuse or recycling, effective July 1, 2020.
5. Adopt **Ordinance No. 4446** amending Scottsdale Revised Code, Chapter 24, Solid Waste Management, to adjust solid waste rates and charges, effective July 1, 2020.
6. Adopt **Resolution No. 11772** authorizing adjustments to the Scottsdale Airport/Airpark’s rates and fees and approving changes to Section 7-12 of the Airport Minimum Operating Standards to provide for a rate increase for rental car concession services, effective July 1, 2020.
7. Adopt **Resolution No. 11778** authorizing adjustments to the Planning and Development Services Department’s rates and fees, effective January 1, 2021.
8. Adopt **Resolution No. 11769** authorizing the Tourism and Events Department to provide services associated with special event applications and permits, effective July 1, 2020.
9. Adopt **Resolution No. 11786** authorizing adjustments to the Community Services Division schedule of program charges, rental fees, and fines, effective July 1, 2020.
10. Adopt **Resolution No. 11767** authorizing an adjustment of off duty fees by Public Safety – Police, effective July 1, 2020.
11. Adopt **Resolution No. 11768** authorizing an adjustment of fees and charges by Public Safety – Fire, effective July 1, 2020.

**Presenter(s):** Judy Doyle, Budget Director; Brian Biesemeyer, Water Resources Director

**Staff Contact(s):** Adam Samuels, Sr. Budget Analyst, 480-312-2256, [asamuels@scottsdaleaz.gov](mailto:asamuels@scottsdaleaz.gov)

**– Presentations by Budget Director Judy Doyle and Water Resources Director Brian Biesemeyer.**

**– Mayor Lane noted for the record that there were no requests to speak for the public hearing.**

**– Councilmember Korte made a motion to adopt Ordinance No. 4447, Resolution No. 11765, Ordinance No. 4445, Ordinance No. 4446, Resolution No. 11772, Resolution No. 11778, Resolution No. 11769, Resolution No. 11786, Resolution No. 11767, and Resolution No. 11768. Councilwoman Klapp seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**

22. [Public Hearing on and Adoption of Proposed Fiscal Year 2020/21 Budget \(Tentative Budget\)](#)

**Requests:**

1. The City Council solicits and receives public input relative to the entire Proposed FY 2020/21 Budget, which includes both the Operating Budget and Capital Improvement Plan. The City Council may direct staff to revise the Proposed FY 2020/21 Budget prior to adoption or may adopt the proposed version as the Tentative Budget required for conformity with Arizona Revised Statutes and City Charter.
2. Adopt **Ordinance No. 4453** as presented (or as modified by Council) establishing the Tentative Budget for FY 2020/21. Establishment of the Tentative Budget statutorily fixes the maximum expenditure limit. The maximum expenditure limit may still be lowered by Council before final budget adoption.

Adoption of Ordinance No. 4453 also directs the City Clerk to meet obligations regarding publication and notices imposed by Arizona Revised Statutes and City Charter. Through adoption of Ordinance No. 4453, Council also tentatively adopts the FY 2020/21 Job Classification Plan in conformity with Scottsdale Revised Code Sec. 14-20, *et seq.*

**Presenter(s):** Jeff Nichols, City Treasurer; Jim Thompson, City Manager

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

– **Presentations by City Treasurer Jeff Nichols, City Manager Jim Thompson, and City Engineer Dave Lipinski.**

– **Mayor Lane noted for the record that there were no requests to speak for the public hearing.**

– **Mayor Lane made a motion to direct staff to remove the two-percent property tax allowance from the tentative budget. Vice Mayor Littlefield seconded the motion, which carried 4/3, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp and Phillips voting in the affirmative, and Councilmembers Korte, Milhaven, and Whitehead dissenting.**

– **Councilwoman Whitehead made a motion to transfer the General Fund tax on food for home consumption into contingency in the tentative budget for FY 2020/21. Vice Mayor Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**

– **Councilwoman Milhaven made a motion to adopt Ordinance No. 4453, as modified (by the previous motions), establishing the Tentative Budget for FY 2020/21. Vice Mayor Littlefield seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**

23. [Indemnification of Mayor, Councilmembers, City Manager, City Clerk, and Former City Attorney in Mark E. Stuart and Virginia G. Stuart v. City of Scottsdale et al.](#)

**Request:** Adopt the following resolutions related to the lawsuit entitled *Mark E. Stuart and Virginia G. Stuart v. City of Scottsdale et al.*, currently pending in the United States District Court, District of Arizona, Court Case No. CV20-00755-PHX-JAT:

– **City Attorney Sherry Scott presentation.**

1. **Resolution No. 11814** authorizing the City to defend and indemnify Mayor W.J. “Jim” Lane.

**Mayor Lane declared a conflict of interest and left the dais.**

– **Councilwoman Milhaven made a motion to adopt Resolution No. 11814 authorizing the City to defend and indemnify Mayor W.J. “Jim” Lane. Councilwoman Whitehead seconded the motion, which carried 6/0, with Vice Mayor Littlefield and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**

2. **Resolution No. 11815** authorizing the City to defend and indemnify Councilmember Suzanne Klapp.

**Councilwoman Klapp declared a conflict of interest and left the dais.**

– **Councilwoman Milhaven made a motion to adopt Resolution No. 11815 authorizing the City to defend and indemnify Councilwoman Suzanne Klapp. Councilmember Korte seconded the motion, which carried 6/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**

3. **Resolution No. 11816** authorizing the City to defend and indemnify Councilmember Virginia Korte.  
**Councilmember Korte declared a conflict of interest and left the dais.**  
**– Councilwoman Milhaven made a motion to adopt Resolution No. 11816 to defend and indemnify Councilmember Virginia Korte. Vice Mayor Littlefield seconded the motion, which carried 6/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Milhaven, Phillips, and Whitehead voting in the affirmative.**
4. **Resolution No. 11817** authorizing the City to defend and indemnify Vice Mayor Kathy Littlefield.  
**Vice Mayor Littlefield declared a conflict of interest and left the dais.**  
**– Councilwoman Milhaven made a motion to adopt Resolution 11817 to defend and indemnify Vice Mayor Kathy Littlefield. Councilmember Korte seconded the motion, which carried 6/0, with Mayor Lane and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**
5. **Resolution No. 11818** authorizing the City to defend and indemnify Councilmember Linda Milhaven.  
**Councilwoman Milhaven declared a conflict of interest and left the dais.**  
**– Councilmember Korte made a motion to adopt Resolution No. 11818 to defend and indemnify Councilwoman Linda Milhaven. Councilwoman Whitehead seconded the motion, which carried 6/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Phillips, and Whitehead voting in the affirmative.**
6. **Resolution No. 11819** authorizing the City to defend and indemnify Councilmember Guy Phillips.  
**Councilman Phillips declared a conflict of interest and left the dais.**  
**– Vice Mayor Littlefield made a motion to adopt Resolution No. 11819 to defend and indemnify Councilmember Guy Phillips. Councilwoman Klapp seconded the motion, which carried 6/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, and Whitehead voting in the affirmative.**
7. **Resolution No. 11820** authorizing the City to defend and indemnify Councilmember Solange Whitehead.  
**Councilwoman Whitehead declared a conflict of interest and left the dais.**  
**– Councilwoman Milhaven made a motion to adopt Resolution No. 11820 to defend and indemnify Councilmember Solange Whitehead. Councilmember Korte seconded the motion, which carried 6/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, and Phillips voting in the affirmative.**
8. **Resolution No. 11821** authorizing the City to defend and indemnify City Manager Jim Thompson, City Clerk Carolyn Jagger, and former City Attorney Bruce Washburn.  
**– Councilwoman Milhaven made a motion to adopt Resolution No. 11821 to defend and indemnify City Manager Jim Thompson, City Clerk Carolyn Jagger, and former City Attorney Bruce Washburn. Councilmember Korte seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**

**Presenter(s):** Sherry Scott, City Attorney

**Staff Contact(s):** Sherry Scott, City Attorney, 480-312-2405, [sscott@scottsdaleaz.gov](mailto:sscott@scottsdaleaz.gov)

\*\*\*24.

**[Independent Ethics Panel's Report of Findings of Fact and Conclusions of Law](#)**

**Request:** Consider and accept the Independent Ethics Panel's Report of Findings of Fact and Conclusions of Law, which found no ethical violations arising out of the complaint filed against Councilman Guy Phillips on January 21, 2020.

**Staff Contact(s):** Sherry Scott, City Attorney, 480-312-2405, [sscott@scottsdaleaz.gov](mailto:sscott@scottsdaleaz.gov)

**– Councilman Phillips declared a conflict of interest and left the dais.**

**– Councilmember Korte made a motion to accept the ultimate conclusion of the Ethics Panel Report that it did not find an ethics violation based on “this record and under these ordinances in their current form” and reject the Panel's Report as submitted because we**

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**disagree with the Panel's interpretation and analysis related to anonymous and personal gifts. The motion died for lack of a second.**

**– Councilwoman Whitehead made a motion to consider and accept the Independent Ethics Panel's Report of Findings of Fact and Conclusions of Law. Councilwoman Klapp seconded the motion, which carried 5/1, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Milhaven, and Whitehead voting in the affirmative, and Councilmember Korte dissenting.**

**Mayor and Council Items – Councilmember Korte made a motion to direct the City Attorney to return to the Council with a revision to the ethics code that would exclude anonymous gifts at the next Council meeting. Councilwoman Milhaven seconded the motion, which carried 7/0, with Mayor Lane; Vice Mayor Littlefield; and Councilmembers Klapp, Korte, Milhaven, Phillips, and Whitehead voting in the affirmative.**

**Adjournment – 8:42 P.M.**