

SCOTTSDALE

CITY COUNCIL MEETING



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

[ADDED CONSENT ITEM No. 9A]

COUNCIL

W.J. "Jim" Lane, Mayor

Suzanne Klapp

Virginia L. Korte

Kathleen S. Littlefield

Linda Milhaven

Guy Phillips

David N. Smith

Tuesday, November 28, 2017

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 (December 4 or 5, 2017).

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order – 5:15 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 – Troop 667, Troop Leaders Dina Musselmann, Ann Cross, and Daydree Turley

Invocation – Pastor Rustin Rostello, Scottsdale Bible Church

Mayor's Report – Mayor Lane reported Saguaro High School Sabercats were playing for the 4A State Championships and Notre Dame Preparatory High School Saints were playing for the 5A State Championships this week. Mayor Lane invited the public to participate in the Adopt a Senior Program.

Presentations/Information Updates – None

Public Comment – David Schacter presented a citizen petition asking the City to extend the bus service to the Scottsdale/Ancala business district at the intersection of Frank Lloyd Wright and Via Linda.

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

MINUTES

Request: Approve the [Work Study Session Minutes of November 6, 2017](#).

– Vice Mayor Korte made a motion to approve the Work Study Session Minutes of November 6, 2017. Councilwoman Klapp seconded the motion, which carried 7/0.

CONSENT AGENDA ITEMS 1-9A

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 approve Consent Agenda Items 1 through 9A, absent Item No. 4, which was moved to the Regular Agenda. Councilman Smith seconded the motion, which carried 7/0.

- Underground Storage Tank Removal and New Fuel System Installation Services Contract – Approved on Consent.**
Request: Adopt **Resolution No. 10955** authorizing Job Order Contract No. 2017-167-COS with Cochise Petroleum Equipment Co., Inc., with a maximum contract amount of \$4,000,000 and an initial two-year term, for fuel underground storage tank removal and new fuel system installation services on an as needed basis at various project locations within the City.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
- Wired Telecommunications Right-of-Way License Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10844** authorizing Agreement No. 2017-085-COS with Paradise Valley Unified School District No. 69 to construct, operate, maintain, and repair a wired telecommunications network in City right-of-way.
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
- Indian Bend Wash Real Property Sale Agreement – Approved on Consent.**
Request: Adopt **Resolution No. 10973** authorizing Agreement No. 2017-171-COS with 3130 Hayden Partners, LLC, for the sale of a 708.48± square-foot strip of City-owned property located in the Indian Bend Wash.
Location: 3130 N. Hayden Road
Staff Contact(s): Daniel Worth, Public Works Director, 480-312-5555, dworth@scottsdaleaz.gov
- Fire Department Budget Transfer – Councilwoman Klapp made a motion to adopt Resolution No. 10949 authorizing a FY 2017/18 General Fund Operating Budget Contingency transfer in the amount of \$450,000 to the Fire Department's General Fund Operating budget for the total costs associated with hiring six unfunded pipeline firefighter positions. Mayor Lane seconded the motion, which carried 6/1, with Councilman Smith dissenting.**
Request: Adopt **Resolution No. 10949** authorizing a FY 2017/18 General Fund Operating Budget Contingency transfer in the amount of \$450,000 to the Fire Department's General Fund Operating budget for the total costs associated with hiring six unfunded pipeline firefighter positions.
Staff Contact(s): Thomas Shannon, Fire Chief, 480-312-1821, tshannon@scottsdaleaz.gov

5. **Noncriminal Justice User Agreement – Approved on Consent.**

Request: Adopt **Resolution No. 10958** authorizing the Human Resources Director to execute Agreement No. 2010-041-COS-A2 with the Arizona Department of Public Safety for use of the Arizona Criminal Justice Information System, and authorizing the Human Resources Director, or designee, to execute future agreements regarding the Human Resources Department's use of the Arizona Criminal Justice Information System.

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

6. **Medical and Dental Cafeteria Plan and Summary Plan Descriptions Amendments – Approved on Consent.**

Request: Adopt **Resolution No. 10957** authorizing amendments to the City of Scottsdale Cafeteria Plan and Summary Plan descriptions for the City's medical and dental plans.

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

7. **Parada del Sol Rodeo – Approved on Consent.**

Request: Adopt **Resolution No. 10954** to authorize:

1. Funding not to exceed \$75,000 per year, beginning in FY 2017/18 for three years, from the portion of the Tourism Development Fund that is allocated toward event retention and development for the Parada del Sol Rodeo event.
2. Event Funding Agreement No. 2017-166-COS with Parada del Sol, Inc., for a three-year term.

Staff Contact(s): Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov

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

Request: Accept the FY 2017/18 Monthly Financial Report as of September 2017.

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

9. **Palomino Library Intergovernmental Agreement – Approved on Consent.**

Request: Adopt **Resolution No. 10972** authorizing Agreement No. 2012-101-COS-A3 with Scottsdale Unified School District No. 48 pertaining to the Palomino Library at Desert Mountain High School to extend the agreement through May 1, 2018.

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

***9A. **Fagen v. City of Scottsdale et al., Settlement Agreement – Approved on Consent.**

Request: Adopt **Resolution No. 10985** authorizing settlement in the amount of \$59,000 of Ellen Fagen's negligence lawsuit against the City titled *Fagen v. City of Scottsdale et al.*, Case No. CV2017-090487, currently pending in the Maricopa County Superior Court.

Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov

REGULAR AGENDA ITEMS 10-13

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.**

10. [Fiscal Year 2016/17 Annual Financial Audit](#)

Request: Accept the FY 2016/17 annual financial audit reports submitted by the City's external auditors, Heinfeld, Meech & Co., P.C.

Presenter(s): Sharron Walker, City Auditor

Staff Contact(s): Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

– City Auditor Sharron Walker presentation.

– Councilman Phillips made a motion to accept the FY 2016/17 annual financial audit reports submitted by the City's external auditors, Heinfeld, Meech & Co., P.C. Mayor Lane seconded the motion, which carried 7/0.

11. [Monthly Financial Update](#)

Request: Receive, discuss, and provide possible direction on the City Treasurer's monthly financial presentation as of June 2017 (fiscal year-end).

Presenter(s): Jeff Nichols, City Treasurer

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

– City Treasurer Jeff Nichols presentation.

12. [Monthly Financial Update](#)

Request: Receive, discuss, and provide possible direction on the City Treasurer's monthly financial presentation as of October 2017.

Presenter(s): Jeff Nichols, City Treasurer

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

13. [2018 State Legislative Agenda](#)

Request: Consider the approval of the City of Scottsdale's 2018 State Legislative Agenda.

Presenter(s): Brad Lundahl, Government Relations Director

Staff Contact(s): Brad Lundahl, Government Relations Director, 480-312-2683,

blundahl@scottsdaleaz.gov

– Government Relations Director Brad Lundahl presentation.

– Vice Mayor Korte made a motion to approve the City of Scottsdale's 2018 State Legislative Agenda. Councilwoman Klapp seconded the motion, which carried 7/0.

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.

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CITIZEN PETITIONS

ITEM 14

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.

14. **Receipt of Citizen Petitions – Councilwoman Klapp made a motion to direct the City Manager to investigate the citizen petition (asking the City to extend the bus service to the Scottsdale/Ancala business district at the intersection of Frank Lloyd Wright and Via Linda), review with the Transportation Commission, and prepare a written response to Council, with a copy to the petitioner. Councilwoman Milhaven seconded the motion, which carried 7/0.**
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

ITEM 15

15. **Regulation of Campaign Finance Contributions**
Request: At the request of Councilman Smith, direct staff to agendize a presentation, discussion, and possible direction to staff regarding an amendment to the City Charter that would provide for the regulation by ordinance of campaign contributions in Scottsdale municipal elections.
– Councilman Smith made a motion to direct staff to agendize a presentation, discussion, and possible direction to staff regarding an amendment to the City Charter that would provide for the regulation by ordinance of campaign contributions in Scottsdale municipal elections. Councilman Phillips seconded the motion, which failed 3/4, with Mayor Lane, Vice Mayor Korte, and Councilmembers Klapp and Milhaven dissenting.

Note: The only Council action to be taken on Item No. 15 is a decision on whether to agendize the referenced matter at a future Council meeting. No public comment will be taken at this time.

Adjournment – 7:16 P.M.