SCOTTSDALE CITY COUNCIL REGULAR MEETING MINUTES TUESDAY, OCTOBER 17, 2017



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 5:09 P.M. on Tuesday, October 17, 2017, in the City Hall Kiva.

ROLL CALL

Present:

Mayor W.J. "Jim" Lane; Vice Mayor Virginia L. Korte; and

Councilmembers Suzanne Klapp, Kathleen S. Littlefield, Linda Milhaven,

Guy Phillips, and David N. Smith

Also Present:

City Manager Jim Thompson, Deputy City Attorney Joe Padilla,

City Treasurer Jeff Nichols, City Auditor Sharron Walker, and

City Clerk Carolyn Jagger

PLEDGE OF ALLEGIANCE – Daughters of the American Revolution, Grand Canyon Chapter

INVOCATION – Mayor Lane asked for a moment of silence for the victims of the California wildfires and the Puerto Rico hurricanes.

MAYOR'S REPORT

Mayor Lane noted the passing of retired Scottsdale Crisis Intervention K9 Officer Fozzie.

Mayor Lane read a proclamation in honor of McDowell Sonoran Preserve Month.

PRESENTATIONS - 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.

PUBLIC COMMENT

- Christie Kinchen spoke about Desert Edge and the McDowell Sonoran Conservancy.
- Ralph Foley withdrew his request to speak because the item he wanted the Council to consider was already on the Consent Agenda (Item 4).
- Paula Rudnick expressed concern about Desert Edge.
- Jason Alexander commented on personal comments made about "those opposed to the DDC."
- Councilwoman Milhaven responded to comments made during public comment.
- Emily Austin spoke about respectful dialogue.

ADDED ITEMS

A1. Added Items

The supporting materials for Item No. 18 will be 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 continue the added item(s) to the November 13, 2017 Council meeting.

MOTION AND VOTE – ADDED ITEMS

Vice Mayor Korte made a motion to accept the agenda as presented. Councilwoman Milhaven seconded the motion, which carried 7/0.

MINUTES

Request: Approve the Work Study Session Minutes of September 26, 2017.

MOTION AND VOTE - MINUTES

Vice Mayor Korte made a motion to approve the Work Study Session Minutes of September 26, 2017. Councilman Phillips seconded the motion, which carried 7/0.

CONSENT AGENDA

1. Yo Paulys New York Pizza Liquor License (75-LL-2017)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a person transfer of a Series 7 (beer and wine bar) State liquor license for an existing location with a new owner.

Location: 8880 E. Via Linda, Suite 102

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210, tcurtis@scottsdaleaz.gov

2. The Clayton House Liquor License (76-LL-2017)

Request: Consider forwarding a recommendation of approval to the Arizona Department of Liquor Licenses and Control for a Series 12 (restaurant) State liquor license for a new location and owner.

Location: 3719 N. 75th Street

Staff Contact(s): Tim Curtis, Current Planning Director, 480-312-4210,

tcurtis@scottsdaleaz.gov

3. Bellissima Estates Final Plat (4-PP-2016)

Request: Approve the final plat for a six-lot subdivision on a 6.5±-acre site with Single-family Residential (R1-35) zoning.

Location: 9830 E. Jenan Drive

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

4. Pima Park Municipal Use Master Site Plan (8-UP-2017) and Conditional Use Permit Request: Find that the conditional use permit criteria have been met and adopt Resolution No. 10920 approving a Municipal Use Master Site Plan amendment and a Conditional Use Permit amendment to accommodate the future expansion of the existing Pima Park and Thomas Groundwater Treatment Facility on a 11.9±-acre site, with Open Space (OS), Industrial Park (I-1), and Single-Family Residential (R1-5) zoning. Location: Northeast corner of 86th Street and E. Thomas Road Staff Contact(s): Randy Grant, Planning and Development Services Director, 480-312-2664, rgrant@scottsdaleaz.gov

5. Airport Planning Professional Services Agreement

Request: Adopt **Resolution No. 10897** authorizing Agreement No. 2017-140-COS with Coffman Associates, Inc., for professional airport planning services. **Staff Contact(s):** Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov

6. Airport Taxiway "A" Reconstruction Project Bid Award Request: Adopt Resolution No. 10865 to:

- 1. Authorize Construction Bid Award 17PB033 with J. Banicki Construction, Inc., in the amount of \$3,841,496.50 for the Taxiway "A" Reconstruction Project.
- 2. Authorize a FY2017/18 Airport Future Grants Contingency Budget appropriation transfer in the amount of \$400,000 to existing Aviation Capital Project No. AB60 "Reconstruct Taxiway 'A' and Exits", which is to be funded by grant funds (\$382,120) and Aviation funds (\$17,880).

Staff Contact(s): Gary Mascaro, Aviation Director, 480-312-7735, gmascaro@scottsdaleaz.gov

7. On-Call Engineering Services Contract Modification for Water and Water Reclamation Facilities

Request: Adopt **Resolution No. 10904** authorizing Contract No. 2016-142-COS-A1 with Hazen and Sawyer, P.C., to provide process control related professional services for water and water reclamation treatment facilities.

Staff Contact(s): Brian Biesemeyer, Water Resources Director, 480-312-5683, bbiesemeyer@scottsdaleaz.gov

8. Transit Service Intergovernmental Agreement

Request: Adopt **Resolution No. 10925** authorizing Agreement No. 2013-047-COS-A6 with the Regional Public Transit Authority to decrease the contract amount from \$333,705 to \$288,051 for the provision of FY2017/18 transit services. **Staff Contact(s):** Paul Basha, Transportation Director, 480-312-7651, pbasha@scottsdaleaz.gov

9. Wildlife Study Agreement

Request: Adopt Resolution No. 10848 authorizing Wildlife Study Agreement No. 2014-010-COS-A1 with the Arizona Game and Fish Department to secure the assistance and expertise of the Department in performing studies that will assist with the management of wildlife populations and their habitats within Scottsdale's McDowell Sonoran Preserve. Staff Contact(s): William Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov; Kroy Ekblaw, Preserve Director, 480-312-7064, kekblaw@scottsdaleaz.gov

10. One Stop Career Center Intergovernmental Agreement

Request: Adopt **Resolution No. 10924** authorizing Agreement No. 2015-134-COS-A1 with the Maricopa County Human Services Department to extend the operation of the Vista del Camino One Stop Career Center for an additional two years. **Staff Contact(s):** William Murphy, Community Services Director, 480-312-7954, bmurphy@scottsdaleaz.gov

11. Scottsdale Museum of the West Management Agreement Amendment Request: Adopt Resolution No. 10927 to authorize:

- 1. Agreement No. 2013-025-COS-A5 with Scottsdale Museum of the West, Inc., requiring that the Museum conduct education programs in Western heritage.
- A FY2017/18 Tourism Development Fund operating contingency budget transfer in the amount of \$500,000 to the Tourism and Events Department operating budget.
 Staff Contact(s): Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov

12. Off Road Expo Event Funding Agreement

Request: Adopt Resolution No. 10926 to authorize:

- 1. Funding not to exceed \$75,000 from the portion of the FY2017/18 Tourism Development Fund that is allocated toward event retention and development for the Off Road Expo.
- 2. Event Funding Agreement No. 2017-155-COS with the Promotion Company, Inc., a division of Bonnier Group.

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

13. Audit Committee Recommendation for the Parks and Recreation Commission Sunset Review

Request: Adopt **Resolution No. 10922** accepting the Audit Committee's recommendation and authorizing continuation of the Parks and Recreation Commission. **Staff Contact(s):** Sharron Walker, City Auditor, 480-312-7867, swalker@scottsdaleaz.gov

14. Fire and Streets General Obligation Bonds Issuance

Request: Adopt **Resolution No. 10914** authorizing the issuance and sale of not-to-exceed \$28,850,000 principal amount of General Obligation bonds authorized at the City's November 2015 election; providing for the annual levy of a tax for the payment of the bonds; providing the terms concerning the

bonds; authorizing the City Treasurer to prepare a notice inviting bids and award the sale of the bonds to the lowest responsible bidder or to enter into a bond purchase agreement with an underwriter; providing for the disposition of the proceeds of the bonds; approving the form and authorizing the execution of an agreement for the services of a bond registrar, transfer agent, and paying agent; approving the form of certain documents, and authorizing completion, execution and delivery thereof; delegating the authority to approve and deem final a form of official statement; and ratifying all actions to be taken with respect to the bonds.

Staff Contact(s): Jeff Nichols, City Treasurer, 480-312-2364, jenichols@scottsdaleaz.gov

15. Legal Services Contract

Request: Adopt Resolution No. 10928 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 \$125,000 for the defense of *Stuart et al. v. City of Scottsdale et al.*, Case No.2:17-cv-01848-DJH, currently pending in the United States District Court. Staff Contact(s): Bruce Washburn, City Attorney, 480-312-2405, bwashburn@scottsdaleaz.gov

16. Monthly Financial Report

Request: Accept the FY 2017/18 Monthly Financial Report as of July 2017. **Staff Contact(s):** Judy Doyle, Budget Director, 480-312-2603, <u>idoyle@scottsdaleaz.gov</u>

17. Monthly Financial Report

Request: Accept the FY 2017/18 Monthly Financial Report as of August 2017. Staff Contact(s): Judy Doyle, Budget Director, 480-312-2603, jdoyle@scottsdaleaz.gov

MOTION AND VOTE - CONSENT AGENDA

Vice Mayor Korte made a motion to approve Consent Agenda Items 1 through 17. Councilman Smith seconded the motion, which carried 7/0.

REGULAR AGENDA

18. Council Capital Improvement Plan Subcommittee Update and Recommendations Requests:

- 1. Presentation, discussion, and possible direction to staff regarding the Capital Improvement Plan Subcommittee Update to City Council.
- 2. Adopt **Resolution 10931** authorizing a FY 2017/18 General Fund Capital Contingency Budget appropriation transfer totaling \$2,000,000 to a newly created CIP project titled Rawhide Wash Flood Control COS Contribution to be funded by the FY 2017/18 General Fund operating undesignated, unreserved fund balance.
- 3. Adopt **Resolution 10932** authorizing a FY 2017/18 General Fund Capital Contingency Budget appropriation transfer totaling \$1,000,000 to the Reata Wash Flood Control Project to be funded by the FY 2017/18 General Fund operating undesignated, unreserved fund balance.
- 4. Adopt **Resolution 10933** authorizing a FY 2017/18 General Fund Reserve appropriation only budget transfer totaling \$2,977,728 to a newly created CIP project titled Happy Valley Road, Pima Road to Alma School Road, to be funded by the FY 2017/18 Transportation Fund undesignated, unreserved fund balance.

- 5. Adopt **Resolution 10934** modifying the budget of the existing CIP project, Pima Road, Pinnacle Peak to Happy Valley, to show the current Arterial Life Cycle Program funding as approved by the Maricopa Association of Governments on June 22, 2017; and authorizing a FY 2017/18 General Fund Reserve appropriation only budget transfer totaling \$4,395,285 to be funded by the FY 2017/18 Transportation Fund undesignated, unreserved fund balance.
- 6. Adopt **Resolution 10944** redefining the scope of work for the Renovate Vista del Camino Park / Indian Bend Wash Area Project (PD05) to include master planning the Indian Bend Wash Area from McKellips Road to Thomas Road and the design and construction of an interim solution for the leaking drainage structure north of McKellips Road.

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

City Treasurer Jeff Nichols gave a PowerPoint presentation (attached) on the Capital Improvement Plan Subcommittee's activities.

Public Works Director Dan Worth gave a PowerPoint presentation (attached) on the Capital Improvement Plan Subcommittee's recommendations.

Mayor Lane opened public testimony.

Alex McLaren spoke in support of the Capital Improvement Project Subcommittee's activities.

Mayor Lane closed public testimony.

MOTION NO. 1 AND VOTE – ITEM 18

Vice Mayor Korte made a motion to adopt Resolution No. 10931, Resolution No. 10932, Resolution No. 10933, Resolution No. 10934, and Resolution No. 10944. Councilman Smith seconded the motion, which carried 6/1, with Councilwoman Littlefield dissenting.

ALTERNATE MOTION

Councilwoman Littlefield made an alternate motion to take a vote on Resolution No. 10931 and Resolution No. 10932, and a separate vote on Resolution No. 10933, Resolution No. 10934, and Resolution No. 10944. The motion died for lack of a second.

19. Monthly Financial Update

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

Presenter(s): Jeff Nichols, City Treasurer

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

City Treasurer Jeff Nichols gave a PowerPoint presentation (attached) on the City's financial status as of September 2017.

PUBLIC COMMENT – Janet Leopold expressed concern about Desert Edge and Arizona State University.

CITIZEN PETITIONS

20. 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

No citizen petitions were received.

MAYOR AND COUNCIL ITEMS - None

ADJOURNMENT

The Regular City Council Meeting adjourned at 6:34 P.M.

SUBMITTED BY:

Carolyn Jagger

City Clerk

Officially approved by the City Council on November 13, 20

CERTIFICATE

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 17th day of October 2017.

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

DATED this 13th day of November 2017.

Carolyn Jagger, City Cler

Capital Improvement Plan Subcommittee Update

W.

Oct. 17, 2017

Discussions & actions to date

- Recommended FY 2017/18 CIP budget
- Discussed possible future funding sources
- Reviewed project prioritization criteria
- Reviewed the Bond 2000 program
- Discussed historic use of CIP PAYGO
- Explored matching funds & their impact

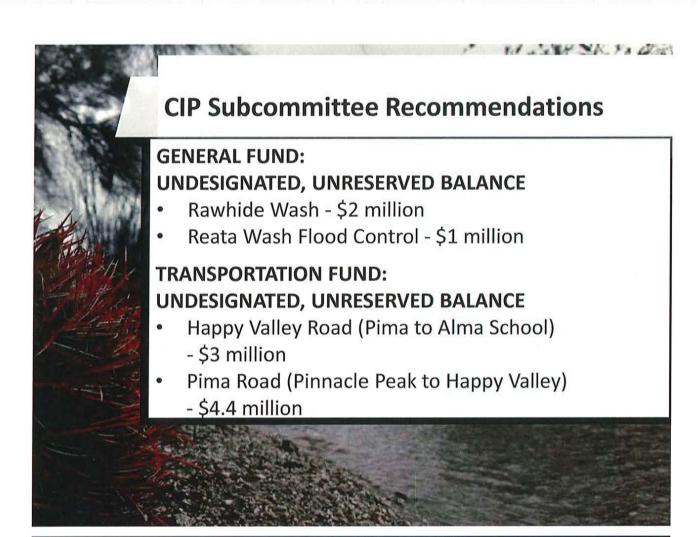


- The FY 2018/19 CIP Process
- Financial policies & governing guidance (continued)
- Best use of general and transportation fund balances
- Communications
- Long-term capital needs
- Pavement PCI



Items pending discussion

- Review of current assets/depreciation
- Possible sinking fund for capital assets
- Monthly/quarterly capital spending reports
- · CIP operating impacts
- Public Art
- LEED certification



CIP Subcommittee Recommendations



Capital Improvement Plan Subcommittee Update

Oct. 17, 2017



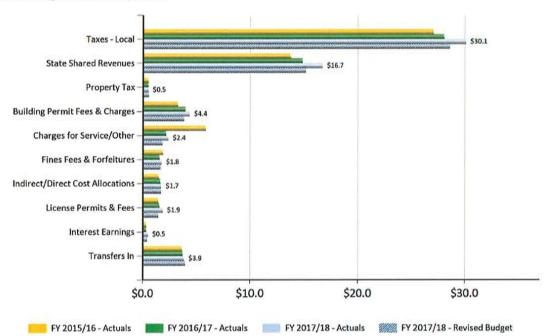
Monthly Financial Update As of September 30, 2017

City Council October 17, 2017



General Fund Operating Sources
September 2017: Fiscal Year to Date

(in millions: rounding differences may occur)



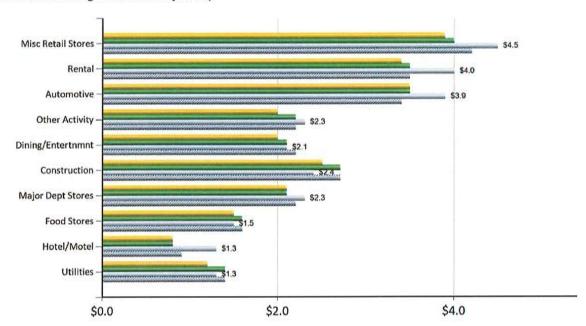
General Fund Operating Sources September 2017 : Fiscal Year to Date

(in millions: rounding differences may occur)

	FY 2015/16	FY 2016/17	FY 2017/18	FY 2017/18 Revised	Actual Favorable / (U	vs. Budget nfavorable)
	Actuals	Actuals	Actuals	Budget	Amount	Percent
Taxes - Local	\$27.1	\$28.1	\$30.1	\$28.6	\$1.5	5%
State Shared Revenues	13.7	14.8	16.7	15.1	1.6	10%
Property Tax	0.5	0.5	0.5	0.5	-	-
Building Permit Fees & Charges	3.3	4.0	4.4	3.9	0.5	13%
Charges for Service/Other	5.9	2.2	2.4	1.8	0.5	29%
Fines Fees & Forfeitures	1.9	1.6	1.8	1.7	0.1	6%
Indirect/Direct Cost Allocations	1.5	1.6	1.7	1.7	-	-
License Permits & Fees	1.5	1.6	1.9	1.5	0.4	27%
Interest Earnings	0.3	0.3	0.5	0.4	0.1	18%
Transfers In	3.7	3.7	3.9	4.0	(0.1)	(3%)
Total Sources	\$59.3	\$58.4	\$63.7	\$59.2	\$4.5	8%

General Fund Operating Sources: Sales Tax September 2017 : Fiscal Year to Date

(in millions: rounding differences may occur)



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General Fund Operating Sources: 1% Sales Tax September 2017 : Fiscal Year to Date

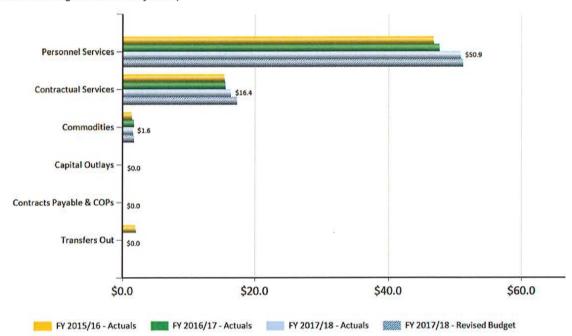
(in millions: rounding differences may occur)

	FY 2015/16 Actuals	FY 2016/17 Actuals	FY 2017/18 Actuals	FY 2017/18 Revised Budget	Actual Y Favorable / (Un Amount	vs. Budget nfavorable) Percent
Misc Retail Stores	\$3.9	\$4.0	\$4.5	\$4.2	\$0.3	6%
Rental	3.4	3.5	4.0	3.5	0.5	16%
Automotive	3.5	3.5	3.9	3.4	0.5	14%
Other Activity	2.0	2.2	2.3	2.2	0.1	2%
Dining/Entertnmnt	2.0	2.1	2.1	2.2	(0.1)	(4%)
Construction	2.5	2.7	2.4	2.7	(0.2)	(9%)
Major Dept Stores	2.1	2.1	2.3	2.2	0.1	4%
Food Stores	1.5	1.6	1.5	1.6	(0.1)	(6%)
Hotel/Motel	0.8	0.8	1.3	0.9	0.4	47%
Utilities	1.2	1.4	1.3	1.4	(0.1)	(8%)
Sales Tax Total	\$22.9	\$23.7	\$25.5	\$24.2	\$1.3	5%

^{*}YTD CIP transfer = 1.0 million

General Fund Operating Uses: by Category September 2017 : Fiscal Year to Date

(in millions: rounding differences July occur)



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General Fund Operating Uses: by Category September 2017: Fiscal Year to Date

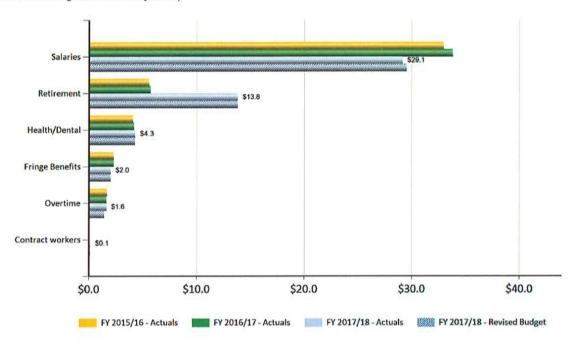
(in millions: rounding differences July occur)

	FY 2015/16	FY 2016/17	FY 2017/18	FY 2017/18 Revised	Actual v Favorable / (Ur	s. Budget nfavorable)
	Actuals	Actuals	Actuals	Budget	Amount	Percent
Personnel Services*	\$46.8	\$47.7	\$50.9	\$51.2	\$0.4	1%
Contractual Services	15.4	15.5	16.4	17.3	0.9	5%
Commodities	1.4	1.7	1.6	1.7	0.1	6%
Capital Outlays	_	-	-	-	-	_
Contracts Payable & COPs	-	_	-	-	-	
Transfers Out	2.0	_	-		<u> </u>	-
Total Uses	\$65.7	\$64.9	\$68.9	\$70.2	\$1.3	2%
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*Pay Periods thru September:

General Fund Operating Uses: Personnel Services September 2017: Fiscal Year to Date

(in millions: rounding differences may occur)



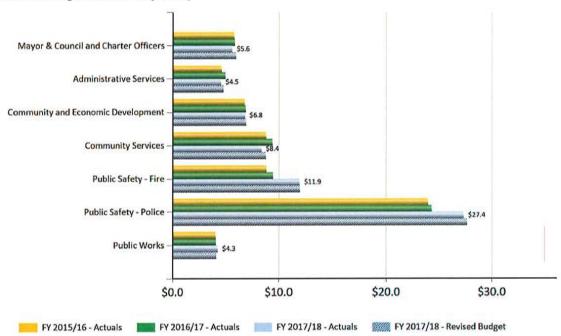
General Fund Operating Uses: Personnel Services September 2017 : Fiscal Year to Date

(in millions: rounding differences may occur)

	FY 2015/16	FY 2016/17	FY 2017/18	FY 2017/18 Revised	Favorable / (Ur	7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7
and the second of	Actuals	Actuals	Actuals	Budget	Amount	Percent
Salaries*	\$33.0	\$33.8	\$29.1	\$29.5	\$0.4	2%
Retirement	5.6	5.7	13.8	13.8	0.1	0%
Health/Dental	4.1	4.2	4.3	4.3	0.1	1%
Fringe Benefits	2.3	2.3	2.0	2.0	-	-
Overtime	1.7	1.6	1.6	1.4	(0.2)	(15%)
Contract workers		-	0.1	0.1	-	-
Personnel Services Total	\$46.8	\$47.7	\$50.9	\$51.2	\$0.4	1%
*Pay Periods thru Sentember	7	7	6	/ /-	Marie Control	

General Fund Operating Division Expenditures September 2017 : Fiscal Year to Date

(in millions: rounding differences may occur)



General Fund Operating Division Expenditures September 2017: Fiscal Year to Date (in millions: rounding differences may occur)

	FY 2015/16	FY 2016/17	FY 2017/18	FY 2017/18 Revised	Actual v Favorable / (U	vs. Budget nfavorable)
	Actuals	Actuals	Actuals	Budget	Amount	Percent
Mayor & Council and Charter Officers	\$5.8	\$5.9	\$5.6	\$5.9	\$0.4	6%
Administrative Services	4.6	5.0	4.5	4.8	0.3	5%
Community and Economic Development	6.8	6.9	6.8	6.9	0.1	2%
Community Services	9.1	9.4	8.4	8.8	0.4	5%
Public Safety - Fire	8.8	9.5	11.9	12.0	-	-
Public Safety - Police	24.5	24.3	27.4	27.7	0.3	1%
Public Works	4.0	4.1	4.3	4.1	(0.1)	(3%)
Total	\$63.7	\$64.9	\$68.9	\$70.2	\$1.3	2%

General Fund Results: Summary September 2017 : Fiscal Year to Date

(in millions: rounding differences may occur)

	FY 15/16	FY 16/17	FY 17/18	FY 17/18	Actual vs. Budget	
	Actual	Actual	Actual	Budget	Fav/(Unf)	%
Sources	\$59.3	\$58.4	\$63.7	\$59.2	\$4.5	8%
Uses	\$65.7	\$64.9	\$68.9	\$70.2	\$1.3	2%
Change in Fund Balance	(\$6.4)	(\$6.5)	(\$5.2)	(\$11.0)	\$5.8	

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