

SCOTTSDALE CITY COUNCIL
WORK STUDY SESSION MINUTES
TUESDAY, MARCH 26, 2019



CITY HALL KIVA
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251

CALL TO ORDER

Mayor W.J. "Jim" Lane called to order a Work Study Session of the Scottsdale City Council at 4:01 P.M. on Tuesday, March 26, 2019, in the City Hall Kiva.

ROLL CALL

Present: Mayor W.J. "Jim" Lane
Vice Mayor Linda Milhaven
Councilmembers Suzanne Klapp, Virginia Korte, Kathleen S. Littlefield,
Guy Phillips, and Solange Whitehead

Also Present: City Manager Jim Thompson, City Attorney Bruce Washburn,
City Treasurer Jeff Nichols, City Auditor Sharron Walker, and
City Clerk Carolyn Jagger

MAYOR'S REPORT – None

PUBLIC COMMENT – None

- 1. Scottsdale Arts Management Services Agreement and Scottsdale Mall Ordinance**
Request: Presentation, discussion, and possible direction to staff regarding the Scottsdale Cultural Council d/b/a Scottsdale Arts new Management Services Agreement and proposed updates to Scottsdale Revised Code, Chapter 20, Sections 20-106 through 20-120 regarding Scottsdale Mall, including special events held on the Scottsdale Mall.
Presenter(s): Brent Stockwell, Assistant City Manager
Staff Contact(s): Karen Churchard, Tourism and Events Director, 480-312-2890, kchurchard@scottsdaleaz.gov

Assistant City Manager Brent Stockwell and Tourism and Events Director Karen Churchard gave a PowerPoint presentation (attached) on the proposed Scottsdale Arts Management Services Agreement and Scottsdale Mall ordinance.

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.

There was consensus to have Scottsdale Arts serve as an umbrella organization so arts organizations, such as the Scottsdale Philharmonic and the film festival, come to them for funding requests.

Council suggested the following:

- Add a provision to the Scottsdale Arts Management Services Agreement to open up the possibility of public art displays in other public buildings, including other libraries.
- Provide metrics to support the goals in the agreement, specifically, the goal of increasing reliance on outside funding to 67 percent of total revenue.
- Develop an arts and cultural community needs assessment and include a specific date for its completion in the agreement.
- Provide Council with an annual report and performance measures, including a Scottsdale Arts strategic plan progress report, prior to any funding decisions being made.
- Update the financial participation to spell out the management services fee.
- Use base level funding and performance-based incentives for any increases above the base amount, rather than asking the Council to rework the contract each year.
- Consider other names for the Scottsdale Mall that are more contemporary than Scottsdale Civic Center. (One suggestion that was offered was Old Town Plaza.)
- Include in the Scottsdale Mall Ordinance administrative guidance on the use of the area for special events.

Staff committed to including the strategic plan in the package that comes forward for Council approval.

2. Potential General Obligation Bond 2019 Program

Request: Presentation, discussion, and possible direction to staff regarding a potential General Obligation Bond Program.

Presenter(s): Jeff Nichols, City Treasurer; Erin Walsh, Public Information Officer

Staff Contact(s): Erin Walsh, Public Information Officer, 480-312-2355,
ewalsh@scottsdaleaz.gov

City Treasurer Jeff Nichols gave a PowerPoint presentation (attached) on bond program financing.

City Engineer Dave Lipinski, and Public Information Officer Erin Walsh gave a PowerPoint presentation (attached) on the proposed bond program projects.

MOTION NO. 1 AND VOTE – ITEM 2

Councilmember Korte made a motion to direct staff to add Item 21, *Expand Via Linda Senior Center to meet Demand for Senior Services*, to the list of identified projects to be included in the bond. Vice Mayor Milhaven 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.

MOTION NO. 2 AND VOTE – ITEM 2

Councilmember Korte made a motion to direct staff to add Item 49, *Build Shade Structure over Arena at WestWorld to Increase Event Revenue*, to the list of identified projects to be included in the bond. Councilmember Littlefield seconded the motion, which failed 3/4, with Councilmembers Littlefield, Korte, and Phillips voting in the affirmative, and Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp and Whitehead dissenting.

MOTION NO. 3 AND VOTE – ITEM 2

Councilmember Korte made a motion to direct staff to add Item 65, *Scottsdale Road Streetscape from Indian Bend Road to Chaparral Road*, to the list of identified projects to be included in the bond. Councilman Phillips seconded the motion, which failed 3/4, with Vice Mayor Milhaven and Councilmembers Korte and Phillips voting in the affirmative, and Mayor Lane and Councilmembers Klapp, Littlefield, and Whitehead dissenting.

MOTION NO. 4 AND VOTE – ITEM 2

Councilwoman Whitehead made a motion to direct staff to remove Item 3, *Build Flood Control Structures to Protect Homes and Businesses in the Reata Wash Flood Plain*, from the proposed bond questions and include it on the ballot as a separate question. Councilwoman Littlefield seconded the motion, which failed 3/4, with Councilmembers Klapp, Littlefield, and Whitehead voting in the affirmative, and Mayor Lane, Vice Mayor Milhaven, and Councilmembers Korte and Phillips dissenting.

MOTION NO. 5 AND VOTE – ITEM 2

Vice Mayor Milhaven made a motion to direct staff to remove all WestWorld items (Nos. 45 through 48 and 50 through 52) from the list of identified projects to be included in the bond. Councilwoman Whitehead seconded the motion, which failed 2/5, with Vice Mayor Milhaven and Councilmember Whitehead voting in the affirmative, and Mayor Lane and Councilmembers Klapp, Korte, Littlefield, and Phillips dissenting.

MOTION NO. 6 AND VOTE – ITEM 2

Vice Mayor Milhaven made a motion to direct staff to reduce the funding for Item 53, *Build Parking Lots in the Vicinity of Bell Road to Support Special Events*, by \$27M. Councilwoman Whitehead seconded the motion, which failed 3/4, with Vice Mayor Milhaven and Councilmembers Klapp and Whitehead voting in the affirmative, and Mayor Lane and Councilmembers Korte, Littlefield, and Phillips dissenting.

MOTION NO. 7 – ITEM 2

Councilwoman Littlefield made a motion to combine the Information Technology projects with the Public Safety projects, and change the three categories to Public Safety and Information Technology, Infrastructure, and Parks and Recreation. Councilwoman Whitehead seconded the motion. No vote taken.

ALTERNATE MOTION NO. 7 AND VOTE – ITEM 2

Vice Mayor Milhaven made an alternate motion to have one bond question. Councilman Phillips seconded the motion, which carried 4/3, with Mayor Lane; Vice Mayor Milhaven; and Councilmembers Korte and Phillips voting in the affirmative, and Councilmembers Klapp, Littlefield, and Whitehead dissenting.

MOTION NO. 8 AND VOTE – ITEM 2

Councilman Phillips made a motion to approve the timeline submitted by staff, adjusting it by two weeks to allow staff time to answer the questions raised by Council, with the understanding that staff may be able to bring everything back by April 16. Vice Mayor Milhaven 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.

Council directed staff to bring back additional information, options, and recommendations regarding the cost effectiveness of the solar projects (Item Nos. 57 – 60) before a final decision is made on whether those projects will remain on the list of identified projects for bond funding.

Council sought answers to the following questions:

- (Project 9, Install Fiber Optic Infrastructure to Reduce Operating Costs) What reduction in operating costs would be realized by this project?
- (Regarding the need for a bond) What is the bottom (lowest) number for a bond? When does it makes sense to do a bond? What is the right amount for a bond?
- (Reata Wash) How much damage this year did homeowners experience that wasn't covered by their flood insurance? In the past 12 months, how many roads were closed and how much did this cost taxpayers? Were there any other costs and how much were they? What did we pay as taxpayers? Were the homeowners and business owners advised that they were buying in a flood zone? If the homeowners and business owners were advised that they were buying in a flood zone and bought flood insurance, were there any exceptions to that? Are there property owners who were not told they have been impacted?
- (WestWorld Ball Fields) Is the \$47 million cost rigid, or can it be reduced? How many soccer fields are we going to get and how many weeks are those soccer fields going to be soccer fields versus parking lots? Is there any way to have a public/private partnership for payment of those parking spaces when they are being used as parking spaces instead of soccer fields? Is there a fee we can charge and not be a revenue stream to pay that portion?
- (Project 1, Replace Aging Infrastructure and Improve Public and Event Spaces on Civic Center Plaza) How much is the "event ready" venue? Can the project be trimmed down a bit? Staff was asked to provide additional data that shows the City needs an event ready venue.
- (Project 63, Parking Structures in Old Town Scottsdale) Where are these proposed parking structures? How many spots would the City be getting and will it be enough to satisfy the Downtown merchants? If we spend \$22 million on downtown parking does that mean that we don't spend the proceeds if we sell the land for Museum Square? Does this satisfy the parking needs? Does the project negate the need for additional parking as discussed for Museum Square? Staff was asked to provide firm cost estimates.
- (Project 23, Repair Lakes and Irrigation at Vista Del Camino Park in the Indian Bend Wash) Can we put a provision in the contract that the trees cannot be removed?

3. City Vagrancy Policies Update

Presentation, discussion, and possible direction to staff regarding current City policies on vagrancy, panhandling, homelessness, and related issues. This item was added to the agenda at the request of Mayor Lane; Vice Mayor Milhaven; and Councilmembers Klapp, Korte, Littlefield, Phillips, and Whitehead.

City Attorney Bruce Washburn and Human Services Department Director Greg Bestgen gave a PowerPoint presentation (attached) on current City policies on vagrancy, panhandling, homelessness, and related issues.

MAYOR AND COUNCIL ITEMS – None

ADJOURNMENT

The Work Study Session adjourned at 9:08 P.M.

SUBMITTED BY:



**Carolyn Jagger
City Clerk**

Officially approved by the City Council on April 15, 2019

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Work Study of the City Council of Scottsdale, Arizona held on the 26th day of March 2019.

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

DATED this 15th day of April 2019.


Carolyn Jagger, City Clerk

**Scottsdale Arts Management Services Agreement
and
Scottsdale Mall Ordinance**

City Council Work Study Meeting
March 26, 2019

1

Actively Engage Community

- Actively work to engage the community to create within the City a climate in which the arts may flourish.
- With input from arts organizations, develop an Arts and Cultural Community Needs Assessment; make action plan recommendations to the City.
- Increase partnerships with local arts organizations for use of the City-Owned Facilities; increase the amount of Community Arts Grant program.
- Cooperate in the development and ensure the ongoing operation of a citywide Arts and Cultural Events Calendar.

2

Destination Event

- Manage and administer an Arts-Related Destination Event; include free components to the public that may also include fee-based programming.
- Develop and implement a marketing plan with City and Experience Scottsdale.
- Include local, national and international artists and organizations, and both visual and performing arts of interest to residents of and visitors to Scottsdale.
- Scottsdale Arts responsible for all elements of event production and retains all fees and sponsorship revenue earned from the event to support the mission.

3

Arts Education and Outreach Programs

- Ensure that Arts Education and outreach programs are provided to the community.
- Scottsdale Arts Education program of work has increased significantly since 2008.
- Key Pillar of Scottsdale Arts' projects of work.

4

Public Art

- Management and conservation of 990 portable art and 110 public art pieces on behalf of the City; does not include the museum collection of 1,855 objects.
- Management of Art in Public Places and Cultural Improvements Programs.
- New addition formalizes the curation of Public Art displays at Civic Center and Appaloosa libraries.

5

Management of City-Owned Facilities

- Operate to standards equal or higher than other Maricopa County facilities.
- Consistency with newer city-owned facility agreements.
- Defined Maintenance responsibilities.
- Defined Specialty Equipment and Specialty Fixtures.
- With Facilities and Scottsdale Arts, created detailed Exhibits.

6

City Funding / Increase Revenues

- Scottsdale Arts to secure new funding sources to supplement City expenditures on capital improvements.
- Recommend adding Destination Event as part of Financial Participation Agreement.
- Goal for Scottsdale Arts to increase outside funding to 67 percent of total revenue over time.
- Transparency Requirements.

7

Reports and Audits

Require:

- One time 5-Year Strategic Plan at the beginning of new agreement
- Annual Operations Plan with details and performance measures for 5-year plan goals, objectives and strategies.
- Annual Report with pro forma budget organized to reflect organizational structure; also evaluate preceding fiscal year performance measures and objectives of MSA.
- Written Quarterly Performance Reports.

8

Scottsdale Mall Civic Center Ordinance

Primary recommendations for proposed amendment:

- Aligns with current use and language.
- Adds the requirement that Civic Center Coordinator use the Special Events Ordinance for decisions on applications.
- Adds regulations to the Facility Use Permits for live entertainment, set-up and teardown.
- That the name Scottsdale Mall be changed to Scottsdale Civic Center.

9

Next Steps

APRIL

- Finalize Management Services Agreement and Scottsdale Mall Ordinance per direction from City Council.
- Consent Agenda items for Council approval.

JUNE

- Financial Participation Agreement as Consent Agenda item in coordination with the final FY 2019/20 Operating Budget approval.

10

FY 2018/19 Operating Budget and Percentage of Total

	FY 18/19	% of Total
Management and Administration of the Facilities	\$3,988,148	83.29%
Maintenance and Repair of Specialty Equipment	20,000	0.42%
Community Arts Grant Program	60,000	1.25%
<i>Management and Administration subtotal:</i>	4,068,148	84.96%
Conservation and Restoration of City Artwork	120,000	2.51%
Management and Administration of Art in Public	600,000	12.53%
<i>Public Art subtotal:</i>	720,000	15.04%
Total Management Services Fee	\$4,788,148	

Item 2

Bond 2019

City Council Work Study Session
March 26, 2019

1

General Obligation Bonds

**Bonding
Capacity
Considerations**

- State Statute Limitation
- Rating Agency Evaluations
- Taxpayer Impacts

2

GO Bonds – State Statute Limitations

GO Bonding Capacity

Limitation – **6% or 20%** of Net Full Cash Assessed Value (NFCAV)



General Municipal Purpose (Administrative Facilities, Economic Development, Sports Facilities)



Streets, Parks/Open Space, Police/Fire, etc.

3

GO Bonds – State Statute Limitations

FY 2017/18 NFCAV is \$7.2 billion

Total 6% GO Bonding Capacity	\$433.4 million
6% GO Bonds Outstanding	\$14.4 million
Available 6% GO Bond Capacity	\$419.0 million

4

GO Bonds – State Statute Limitations

FY 2017/18 NFCAV is \$7.2 billion

Total 20% GO Bonding Capacity	\$1,444.7 million
20% GO Bonds Outstanding	\$511.1 million
Excess Premium	\$10.6 million
Available 20% GO Bond Capacity	\$923.0 million

5

GO Bonds – Rating Agency Evaluations

Moody's Investor Services • Aaa

Standard and Poor's Rating Services • AAA

Fitch Ratings • AAA

6

GO Bonds – Rating Agency Evaluations

A New Bond Authorization is Not Expected to Deteriorate this Rating, which is Based on:



7

Scottsdale Property Taxes



State Education - \$0.48

Community College \$0.16

Maricopa County \$0.18

Special Districts \$0.07*

City Secondary Tax \$0.06

City Primary Tax \$0.05

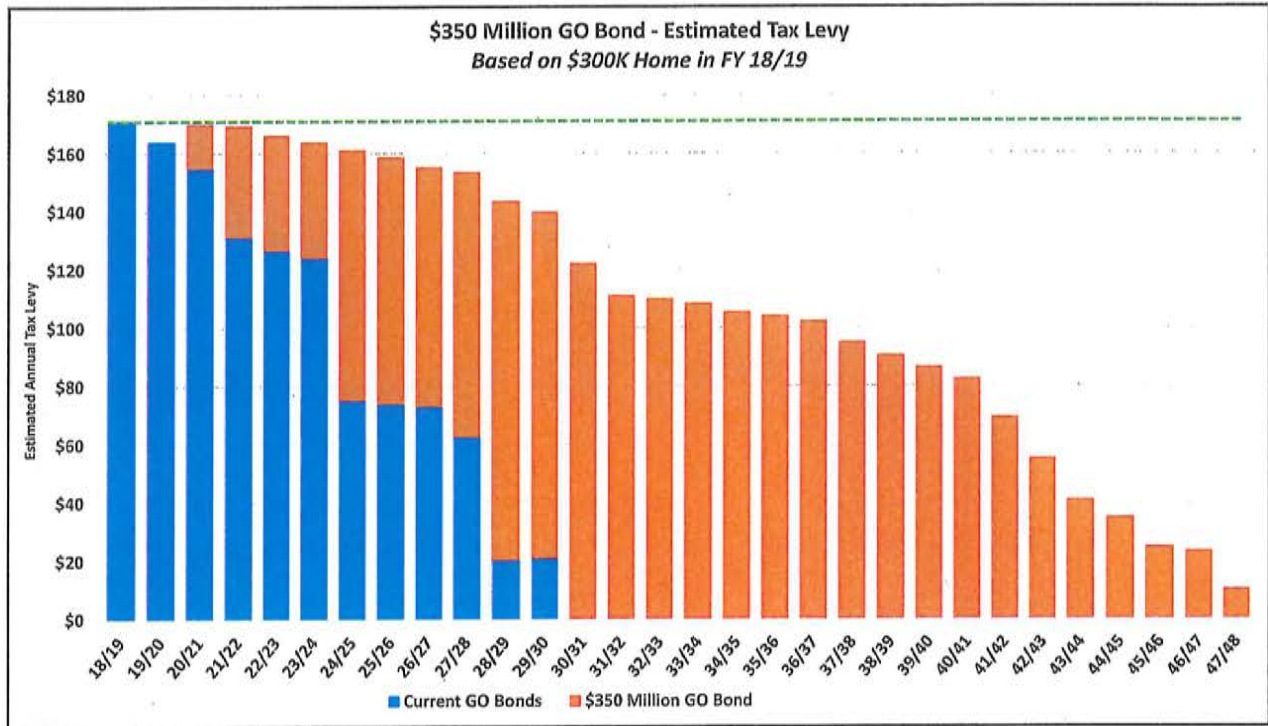
Primary property taxes are used by the City of Scottsdale to pay for city services and operational expenses and comprise about 11% of Scottsdale's General Fund.

Secondary property taxes are restricted to pay only for debt service on voter approved general obligation bonds for such things as parks, libraries, streets, and police/fire stations.

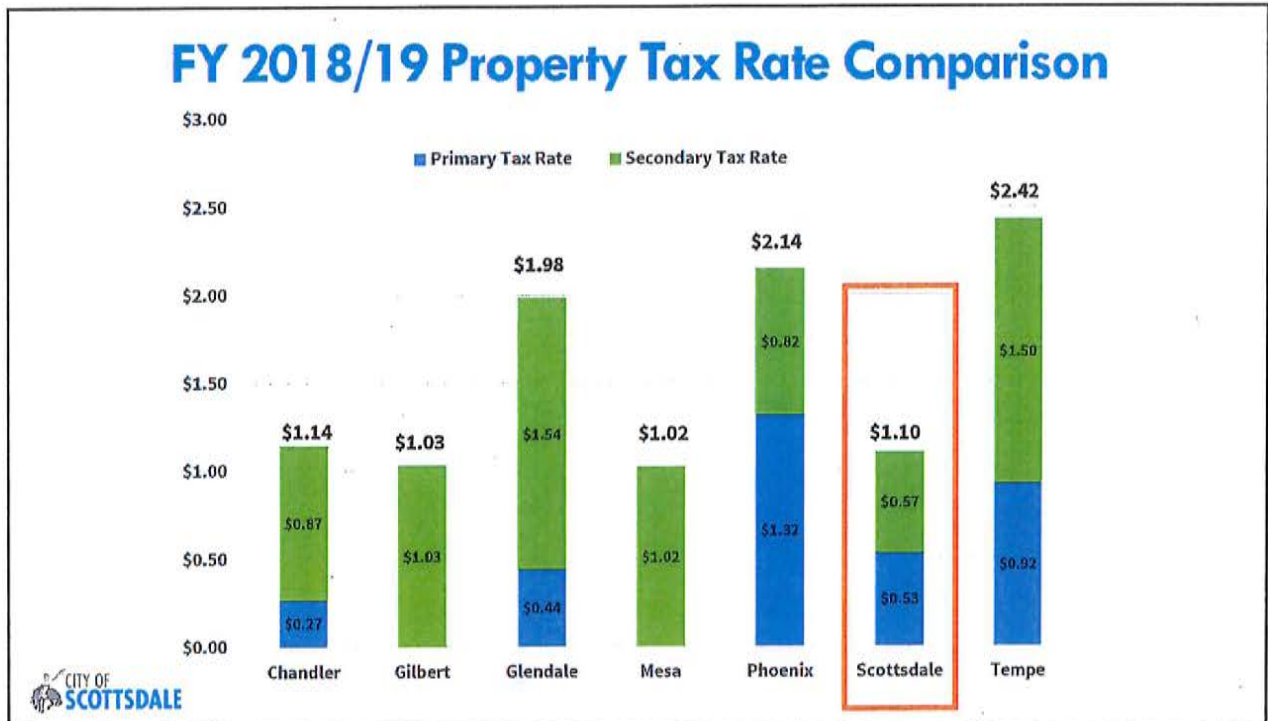
*Excludes street lighting districts, which vary by geographical location, types of lights, and City vs. HOA ownership.



8



9



10

Questions?

11

**Potential General Obligation
2019 Bond Program**

12

City Council CIP Subcommittee



13

City Council CIP Subcommittee

- Funded a portion of the projects through the FY 19/20 CIP
- Removed Transportation and Stormwater Projects due to other funding sources
- Conducted community outreach and eliminated projects based on the level of support

At the March 18 CIP Subcommittee Meeting made a unanimous motion to recommend Council Consider a Bond Election in 2019

14

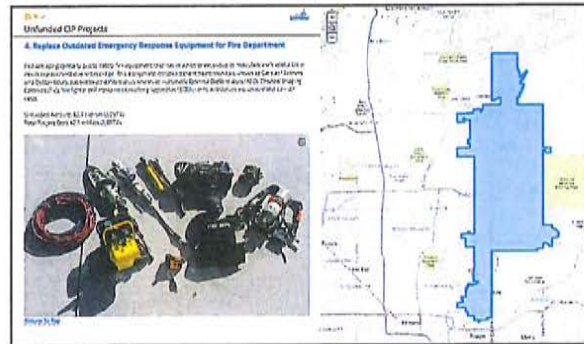
Public Outreach: February 19 – March 12

Open Houses



Six Open Houses with 211 Attendees

Online Engagement



10,910 Pageviews, 5,285 Individual Users

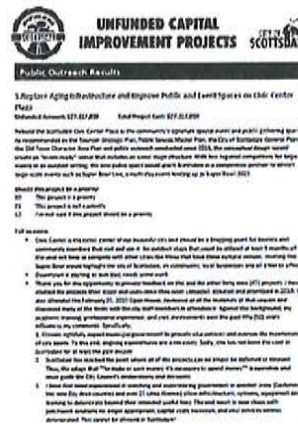
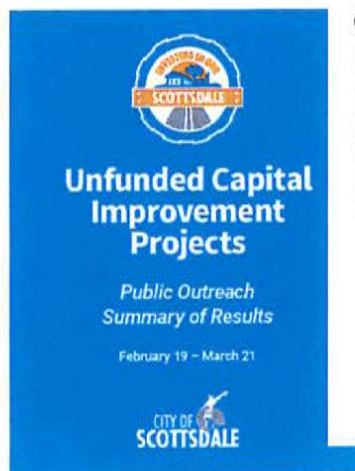
Public Outreach Summary of Results

4,211 Responses

- This project is a priority
- This project is not a priority
- I'm not sure if this project should be a priority

975 Public Comments

*Results are not statically valid



Project Summary Documents

Raw Data, Scottsdale One, Project Groupings

Project Information

- Project Number
- Project Grouping (where applies)
- Project Title

Public Outreach

- This project is a priority
- This project is NOT a priority
- I'm not sure if this project should be a priority
- Total number of respondents
- Number of comments
- Percent Priority
- Percent Not Priority
- Present Not Sure

Financial Information

- Unfunded amount
- Project Grouping Subtotal (where applies)
- Other funding sources
- Unfunded running total
- Annual operating cost impacts
- Annual FTE impact
- Annual operating revenue impact

17

Option 1: Scottsdale One

- Includes all projects where "This project should be a priority" was over 50 percent of the response and "Build Multi-Use Sport Fields in the area of Bell Road to Generate Revenue and Create Event Parking"
- Sorted by level of support

Community Support	Number of Projects	Cumulative Total Amount
100% - 80% Green	17	\$125,344,402
79% - 70% Gold	27	\$166,456,969
69% - 60% Blue	52	\$266,782,593
59% - 50% Purple	59 *	\$349,131,858 *

* Includes "Build Multi-Use Sport Fields in the area of Bell Road to Generate Revenue and Create Event Parking" which fell below 50 percent

18

Option 2: Three Project Groupings

- Includes all projects where “This project should be a priority” was over 50 percent of the response and “Build Multi-Use Sport Fields in the area of Bell Road to Generate Revenue and Create Event Parking”
- Projects are divided into three categories: Neighborhood Enhancements, Community Safety and Wellbeing and Cultural Facilities Preservation
- Sorted by level of support within each question

Community Support	Neighborhood Enhancements		Community Safety and Wellbeing		Cultural Facilities Preservation	
	Number of Projects	Cumulative \$ Amount	Number of Projects	Cumulative \$ Amount	Number of Project	Cumulative \$ Amount
100% - 80% Green	3	\$60,840,063	14	\$64,504,339		
79% - 70% Gold	6	\$66,651,845	20	\$72,487,284	1	\$27,317,840
69% - 60% Blue	16	\$90,891,136	31	\$140,637,840	5	\$35,253,617
59% - 50% Purple	17	\$137,891,136	34*	\$173,222,382*	7	\$38,018,340

* Includes “Build Multi-Use Sport Fields in the area of Bell Road to Generate Revenue and Create Event Parking” which fell below 50 percent

19

Neighborhood Enhancements

17 Projects, \$137.9 Million

23	Repair Lakes and Irrigation at Vista del Camino Park in the Indian Bend Wash	86%	23,512,804
55	Build a 17-Acre Neighborhood Park at Ashler Hills Drive and 74th Way (Whisper Rock)	85%	29,610,463
22	Build New Swimming Pools and Replace Building at Cactus Pool	83%	60,840,063
13	Expand Granite Reef Senior Center to Meet Demand for Adult Day Care Center	77%	63,812,238
18	Build Roadway and Pedestrian Improvements along 2nd Street from Drinkwater Blvd to Goldwater Blvd	76%	65,657,665
20	Build Roadway and Pedestrian Improvements along Main Street from Scottsdale Road to Brown Avenue	74%	66,651,845
31	Convert Mountain View Park Tennis Courts to Sand Volleyball Courts to Meet Demand and Increase Revenue	69%	67,157,978
61	Purchase land, expand Pinnacle Peak Park parking lot, staff office and restrooms, renovate hiking trail and construct an interpretive trail	69%	72,157,978
19	Build Roadway and Pedestrian Improvements along Marshall Way North of Indian School Road	67%	73,958,758
10	Replace Tennis Court Surface at Indian School Park and Scottsdale Tennis Center	67%	77,455,852
2	Add Splash Pad and Improve Walkways at McCormick-Stillman Railroad Park	67%	78,373,059
59	Install Solar Systems at Civic Center Campus	67%	81,157,569
36	Provide Free Public WiFi at the Civic Center Plaza	63%	81,214,769
43	Improve 5th Avenue from Scottsdale Road to Goldwater Boulevard	63%	84,784,826
48	Widen 94th Street at WestWorld to Improve Access	61%	86,253,779
42	Add a Dog Park to Thompson Peak Park	60%	90,891,136
53	Build Multi-Use Sport Fields in the area of Bell Road to Generate Revenue and Create Event Parking	33%	137,891,136

20

Community Safety and Wellbeing

34 Projects, \$173.2 Million

Project No.	Project Title	% Priority	Project Grouping Subtotal
44	Replacement of Fire Utility Truck to be used on fire ground activity and response to Hazardous Materials and Technical Rescue Incidents	95%	782,638
4	Replace Outdated Emergency Response Equipment for Fire Department	93%	2,839,636
7	Replace Outdated 9-1-1 Computer Aided Dispatch and Records Management to Improve Efficiency	93%	3,430,794
27	Modernize and Expand the Police and Fire Training Facility	92%	7,658,056
6	Replace Emergency Power Source for Public Safety Radio Network	91%	7,963,296
28	Build a New Fire Station near Hayden Road and the Loop 101 to Improve Response Times	90%	18,433,339
40	Renovate and Expand the Civic Center Jail and Downtown Police Facility to Meet Demand	88%	31,535,857
29	Replace Workstations at 811 Communications Dispatch Center to Accommodate New Technology	88%	32,174,379
38	Build a new Fire Department Training Facility	85%	60,432,889
5	Modernize Computer Equipment Rooms to Protect City Servers	83%	51,124,499
36	Install Bullet Proof Glass in Reception Areas of Police Department Facilities	83%	62,101,765
34	Build New Fire Station at 80th Street and Via Linda to Replace Aging Facility	83%	58,015,783
8	Replace Website Management Software	82%	58,204,339
62	Build a Bridge on Thompson Peak Parkway Bridge over Reata Pass Wash to Improve Safety	80%	64,504,339
39	Renovate the Foothills Police Station to Accommodate Current Staffing Levels	79%	65,526,339
26	Replace Deteriorating Vehicle Training Track at the Police and Fire Training Facility	79%	67,447,740
14	Replace Obsolete Planning and Permitting Software	78%	70,411,740
24	Install High Efficiency Sports Lighting at 4 Facilities	76%	71,638,044
12	Update Scottsdale's 15-year-old Digital Terrain Model	74%	71,813,284
11	Replace Document Management System to Improve Public Access to Information	72%	72,487,284
16	Replace the City's Obsolete Training Software	69%	72,829,284
9	Install Fiber Optic Infrastructure to Reduce Operating Costs	69%	84,214,839
37	Implement an Inventory and Asset Control System for City Technology	67%	84,786,839
3	Build Flood Control Structures to Protect Homes and Businesses in the Reata Wash Flood Plain	66%	112,116,839
17	Obtain a Citywide Data Management and Analytics Solution for Data-Based Decision Making	66%	112,178,839
30	Indian School Park Field 1 Lighting	64%	112,874,911
41	Install Solar Heating System for Eldorado Pool	63%	113,435,243
63	Build Parking Structures in Old Town Scottsdale	62%	134,398,043
60	Double the Solar Power Generating Capacity at Appaloosa Library	61%	134,437,731
15	Build 200 Space Parking Lot off 75th Street to Serve the City Court and Scottsdale Stadium	60%	135,988,440
58	Install Parasol Solar Shade Structure at City Hall Parking Lot	60%	140,637,840
25	Replace Aging Buildings that Comprise Pulte Community Center	58%	161,812,082
67	Install Solar Systems North Corporation Campus	54%	166,622,382
33	Renovate the Via Linda Police Station to Increase Efficiency	50%	173,222,382

Cultural Facilities Preservation

7 Projects, \$38 Million

Project No.	Project Title	% Priority	Project Grouping Subtotal
1	Replace Aging Infrastructure and Improve Public and Event Spaces on Civic Center Plaza	70%	27,317,840
32	Renovate and Modernize the Stage 2 Theater at the Scottsdale Center for the Performing Arts	65%	28,517,840
47	Replace WestWorld Arena Lights to Reduce Operating Costs	62%	29,849,113
52	Expand Restrooms in WestWorld North Hall	62%	30,550,645
45	Renovate WestWorld Horse Barns to Increase Rentable Space	60%	35,253,617
46	Replace the Public Address System at WestWorld	59%	35,619,749
51	Install Permanent Lighting at WestWorld Parking Lots to Reduce Operating Costs	59%	37,059,042
50	Renovate Arena at WestWorld to Provide Flexible Event Space	58%	38,018,340

Bond 2000

1	Library and Park Improvments	\$ 124,700,000	Pass
2	Neighborhood Flood Control	\$ 25,300,000	Pass
3	Scenic Corridor Preservation, Restoration and Enhancements	\$ 27,100,000	Pass
4	Municipal Service Facilities and Technology	\$ 71,300,000	Fail
5	Public Safety Facilities	\$ 48,700,000	Pass
6	Public Safety Helicopter Air Support	\$ 6,400,000	Pass
7	Transportation Improvements	\$ 126,000,000	Pass
8	Community Housing and Neighborhood Improvements	\$ 12,900,000	Fail
9	WestWorld Land Acquisitions	\$ 9,300,000	Fail

Bond 2010

1	Streets, Transportation Improvements and Drainage Facilities	\$36,600,000	Fail
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23

Bond 2013

1	Parks, Libraries and Community Facilities	\$ 50,400,000	Fail
2	Public Safety	\$ 43,700,000	Fail
3	Neighborhood Flood Control	\$ 19,000,000	Fail
4	Transportation, Streets & Trails	\$ 99,000,000	Fail

Bond 2015

1	Parks and Community Facilities	\$ 31,900,000	Fail
2	Transportation	\$ 16,540,000	Fail
3	Citywide Technology	\$ 6,870,000	Fail
4	Street Pavement Replacement	\$ 12,500,000	Pass
5	Public Safety - Fire	\$ 16,350,000	Pass
6	Public Safety - Police	\$ 11,800,000	Fail

24

Proposed Timeline

Next Step	Date
Determine what projects are included in the program, grouping discussion	March 26 City Council Study Session
Finalize number of questions and project groupings	April 2 City Council Meeting
Call the election	April 16 City Council Meeting

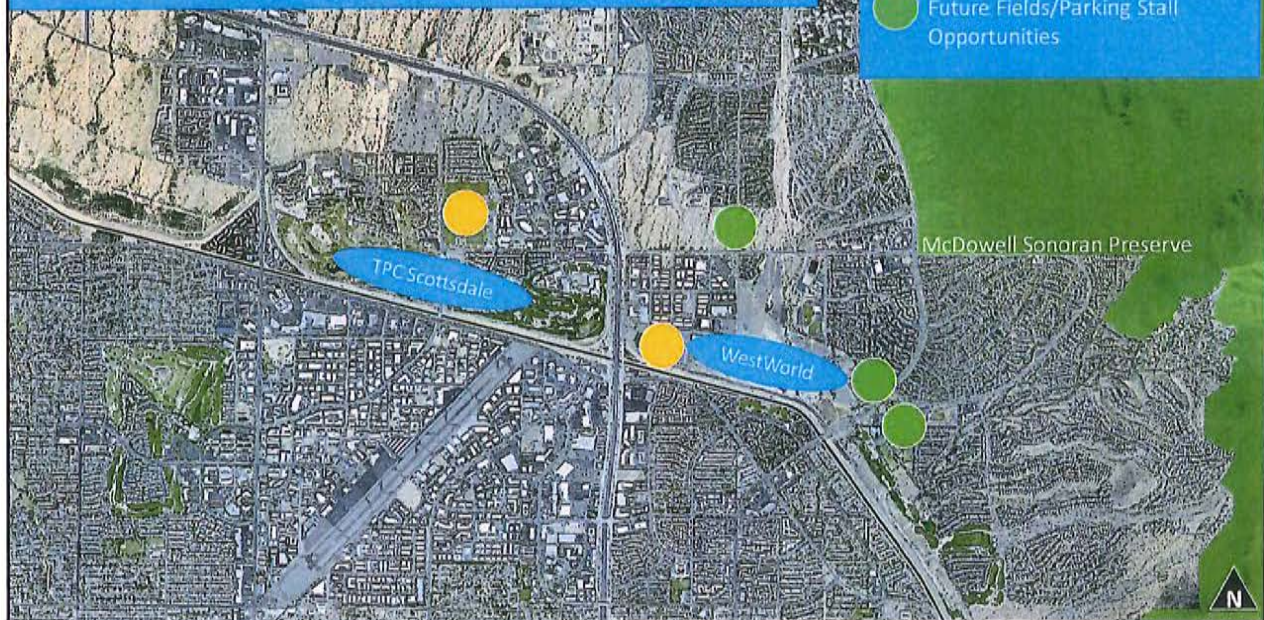
Item 2

Multi-Use Athletic Fields with Option for Event Parking

1

Future Fields and Parking Opportunities

- Existing Fields/Parking Stalls
- Future Fields/Parking Stall Opportunities



2

McDowell Mtn Ranch Recreation Lands

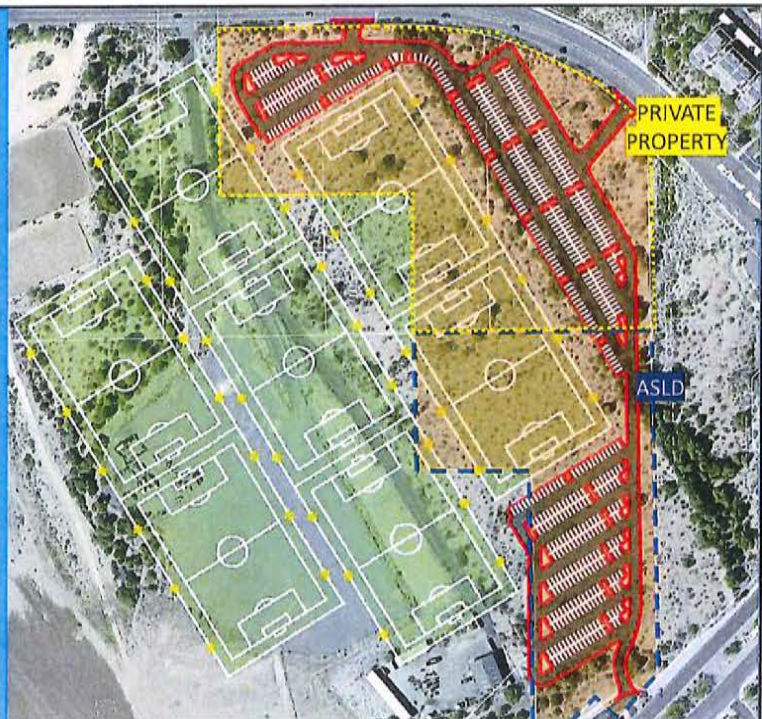
- Upgrade Recreation Field base/surfaces/
SUSD Coordinated Parking
1,350 Event Stalls
- Current City Controlled Parking
418 Recreation/Event Stalls
- Addition of +/- 1,800 event stalls
- Cost of improvements +/- \$5 Mil



3

WestWorld Soccer

- Addition of
 - 7 Soccer/football fields
 - Provides lighting for recreation and parking
 - 3,000 – 3,500 event stalls
 - No dust
- **Cost Estimate \$19.5 Million**



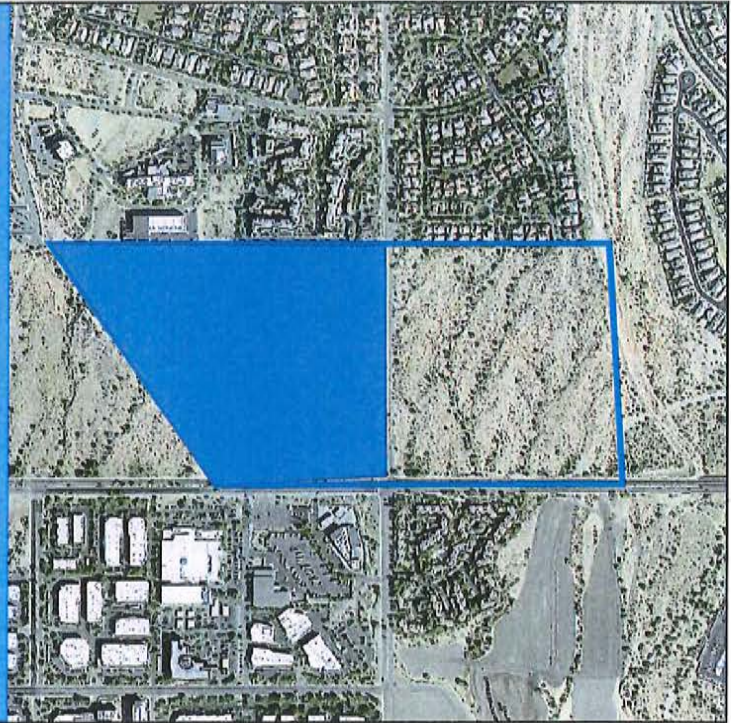
4

City Lands – 80 Acres

- Zoning: R1-7 ESL Single Family
- General Plan: Urban/Suburban
Regional Use Overlay

OPTIONS

- Develop a Portion of the site as
Recreation Fields
- West 40 acres



5

City Lands – 80 Acres

Recreation Fields West 40

- Addition of
 - 5-6 Soccer/football fields
 - Provides lighting for recreation
and parking
 - 3,000 – 3,500 event stalls
 - No dust
- **Cost Estimate \$20 Million**



6

WestWorld Lands – Trailer Parking

Study Area Slide

- Relocation Haulers/Trailers from proposed Athletic Fields to include:
 - 75 – 100+ hauler/trailer stalls
 - Access Improvements
 - Security Considerations
- Total Cost of improvements +/- \$2 Million



7

Item 3

CITY COUNCIL WORK/STUDY SESSION
March 26, 2019

HOMELESSNESS AND PANHANDLING

1

SCOTTSDALE'S CURRENT RESOURCES

- I. Police Crisis Intervention Specialists
- II. Community Assistance Office
 - Section 8 Housing Choice Voucher Program
 - Family Self-Sufficiency Program
 - Annual Funding Process for Non-Profit Agencies
- III. Vista Del Camino Community Action Program
- IV. Paiute Neighborhood Center
- V. Scottsdale Senior Centers
- VI. Career Services
- VII. Youth and Family Services

2

THE LEGAL LANDSCAPE

- Evolving area of federal constitutional law
- First Amendment freedom of speech protections for panhandling
- Eighth Amendment Cruel and Unusual Punishment protections for the homeless

3

THE FIRST AMENDMENT ISSUE

- Congress shall make no law . . . abridging the freedom of speech . . .
- Soliciting funds is protected speech.
- Places where solicitation often takes place – sidewalks and parks – are considered traditional public forums.
- Reasonable time, place and manner restrictions are allowed.

4

FIRST AMENDMENT CASES IN ARIZONA

- In 2011 the Arizona Court of Appeals in *State v. Boehler* struck down a Phoenix ordinance that prohibited panhandling in a public area between sunset and sunrise.
- In *Baldwin v. D'Andrea* in 2013 the Arizona Attorney General agreed to a federal district court's invalidating A.R.S. § 13-2905(A)(3), which prohibited begging in public.

5

THE EIGHTH AMENDMENT ISSUE

- “Excessive bail shall not be required, nor excessive fines imposed, nor **cruel and unusual punishments inflicted.**”
- Generally speaking people cannot be arrested for “status offenses.”
- Being homeless is seen as a status.

6

NINTH CIRCUIT APPROACH TO HOMELESSNESS

- “The law, in its majestic equality, forbids rich and poor alike to sleep under bridges . . .” Anatole France, *The Red Lily*, 1894
- Last September the Ninth Circuit decided *Martin v. City of Boise*, prohibiting the City’s law against camping from being enforced against people with no access to alternative shelter.
- “. . . the Eighth Amendment prohibits the imposition of criminal penalties for sitting, sleeping or lying outside on public property for homeless individuals who cannot obtain shelter.”
- “. . . we in no way dictate to the City that it must allow anyone who wishes to sit, lie, or sleep on the streets . . . at any time and at any place.”

7

ARIZONA’S AGGRESSIVE PANHANDLING STATUTE

- A.R.S. § 13-2914 bans “aggressive panhandling”
- Cannot solicit money, anything of value or the sale of goods or services within 15 feet of a bank or ATM
- In a “public place” cannot solicit in a way that causes fear of bodily harm, cannot touch the person and cannot continue solicitation after being asked to stop
- Has not been legally tested

8

TEMPE'S DOWNTOWN SITTING ORDINANCE

- In 2016 Tempe adopted an ordinance that bans sitting or lying down on public sidewalks in the downtown central commercial district from 7:00 a.m. to 10:00 p.m. Monday through Thursday and until 2:30 a.m. on weekends.
- Cannot be cited until after being warned by police.
- First violation is civil, not criminal.
- Evidence of alternative seating available.
- Not been legally tested.

9

PHOENIX'S MEDIAN ORDINANCE

- Phoenix ordinance bans being in a street median except when crossing the street.
- First have to be given a warning by law enforcement.
- First offense is civil, not criminal.
- Stated purpose of the ordinance is reducing traffic accidents involving vehicles and pedestrians.
- Not been legally tested.

10

QUESTIONS?