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#### **CALL TO ORDER**

[Time: 00:00:05]

Mayor Lane: Good afternoon, everyone. I would like to call to order the regular meeting.

#### **ROLL CALL**

[Time: 00:00:16]

City Clerk Carolyn Jagger: Mayor Jim Lane.

Mayor Lane: Present.

Carolyn Jagger: Vice Mayor Virginia Korte.

Vice Mayor Korte: Here.

Carolyn Jagger: Councilmembers Suzanne Klapp.

Councilwoman Klapp: Here.

Carolyn Jagger: Bob Littlefield.

Councilman Littlefield: Here.

Carolyn Jagger: Linda Milhaven.

Councilwoman Milhaven: Here.

Carolyn Jagger: Guy Phillips.

Councilman Phillips: Here.

Carolyn Jagger: Dennis Robbins.

Councilman Robbins: Here.

Carolyn Jagger: City Manager Fritz Behring.

City Manager Fritz Behring: Here.

Carolyn Jagger: City Attorney Bruce Washburn.

City Attorney Bruce Washburn: Here.

Carolyn Jagger: City Treasurer Jeff Nichols.

City Treasurer Jeff Nichols: Here.

Carolyn Jagger: And the Clerk is present.

Mayor Lane: And now that I have my microphone engaged. We do have cards if you'd like to speak on the agenda. Those are white cards that the City Clerk is holding up over her head immediately to my right and if you would like to write, have written comments on items in the agenda, please fill out the yellow cards which we will be reading through the proceedings this evening. We have Scottsdale police officers who are here to help you if you have any need for their services and the area behind the Council dais are reserved for staff and the Council. But we do have facilities under that Exit sign over there to my left.

**PLEDGE OF ALLEGIANCE**

[Time: 00:01:27]

Mayor Lane: Today we have the Daisy Troop 1667, with Anita Elco to lead us in the pledge. Ladies? If you can, please stand. Any time you are ready.

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

Mayor Lane: Thank you. If you would, we can turn that microphone around. It looks like everyone knows the drill and is already in place and ready to do that. And please introduce yourself and let us know where you go to school and what your favorite subject is.

Daisy Troop 1667: Hello, my name is Kay and I go to Liberty Elementary and my favorite subject is reading. My name is Cayden. I go to Liberty and my favorite subject is art. My name is Lila. My school name is Liberty Elementary and my favorite subject is music. My name is Mia, I go to Liberty Elementary, and my favorite subject is art. My name is Sophia and my school name is Liberty and my favorite subject is reading. My name is Payton and I go to Sandpiper and my favorite subject is science. My name is Genevieve and my favorite subject is P.E. My name is Chloe and my favorite subject is reading and art. My name is Addison and I go to Liberty, and my favorite subject is P.E. My name is Emma and I go to Liberty and my favorite subject is reading. My name is Addison and I go to Madison Heights and my favorite subject at school is reading.

Mayor Lane: Thank you, ladies.

## **INVOCATION**

[Time: 00:04:15]

Mayor Lane: Yesterday was Arizona Peace Officers Memorial Day honoring those police officers that were killed in the line of duty during the past year. And so I would like to ask that we take a moment of silence in honor of that solemn observance. Thank you. We will move right along now. I have no report myself. And then I see that Mr. Behring, we have no report from the City Manager's office and no presentations or other announcements. So we will move right to public comment.

## **PUBLIC COMMENT**

[Time: 00:04:59]

Mayor Lane: Public Comment is reserved for citizens' comments regarding non-agendized items. Speakers are limited to three minutes each with a maximum of five speakers. We will have time at the end of the meeting if there's any need for Public Comment at that time as well. We do have one card for Public Comment. And so that would be Tom Reade.

[Time: 00:05:38]

Tom Reade: Thanks, Mayor and Council. I represent the Covered Arizona Coalition and get Covered Arizona. So I have the unenviable task of talking about the Affordable Care Act. We didn't have much time when we were organizing sort of how we would assist people managing their way through the website or if they wanted to do the paper app and so now we are trying to take our time to speak to all the cities and let you know what we are doing and what happens. I sent you an email. So you have some materials available. Hopefully we will have one or two locations in every city. So in Scottsdale, I'm thinking either El Dorado or Mountainview or somewhere else if you have a better idea.

Likely next year, there is not going to be as much federal money paying for these healthcare navigators. So we will be recruiting volunteers, very similar to the Vita Program to volunteer their time and basically help people. Vast majority were technical issues that came in. And weirdly enough, although I guess this shouldn't surprise anybody, three of the healthcare navigators were all located in Scottsdale, because someone in D.C. took a look at a map of Maricopa County and said Scottsdale is the dead center of Maricopa County. So they decided to put all three of them there.

So this next year, they will be in Phoenix, and in north Phoenix, but, yeah, I just wanted to let you know. I mean, basically the vast majority is technical, email questions. Weirdly enough, AHCCCS (Arizona Health Care Cost Containment System) was about 60% of the people we saw, but they didn't walk in there asking for AHCCCS enrollment. They came in there with problems with the website and then when they got there, they found out, we found out after talking with them, that, you know, they are in between jobs at this point and probably one of the most under reported thing that I found in AHCCCS and I was surprised myself. AHCCCS was changed over through the expansion, not so much to pick up more indigent but the vast majority of the people that we saw were people who had low incomes. They either just had a pension, we had a lot of Medigap people, 61, 62, a couple years before they hit Social Security. That was surprising.

Any questions, respond back and I will let you know once we have a better idea of where we would like to be. And then you can just send people over there and we'll take care of them. Thanks a lot for your attention.

Mayor Lane: Thank you, Mr. Reade. That's the one and only Public Comment card that we have at this time. So we will move right on to our next order of business, which are, since I got caught on this before, do we not have any minutes? Okay. I guess I could have looked to the regular agenda.

#### **CONSENT AGENDA**

[Time: 00:09:04]

Mayor Lane: So we just have the consent items 1 through 8. We have no cards or questions on that, unless there are questions from the Council. I will entertain a motion to approve items consent items 1 through 8.

Vice Mayor Korte: Mayor, I move to approve consent items 1 through 8.

Mayor Lane: We have a motion and a second. It's a little hard in coming but nevertheless, we do have it. And I think there are no further comments on this. So I think we are then ready to vote on the items 1 through 8. All of those in favor, please indicate by aye and register your vote. Consent items pass unanimously 7-0. So if you are here for those items, you can stay with us or please leave quietly.

#### **REGULAR AGENDA**

[Time: 00:09:59]

Mayor Lane: Okay we move on to the regular agenda items. I would like to say, item ten, Review Proposed Fiscal Year 2014/15 Budget has been removed. A public hearing will be next Tuesday, May 13<sup>th</sup>.

**ITEM 9 – TRANSPORTATION COMMISSION/TRAILS SUBCOMMITTEE CODE AMENDMENT**

[Time: 00:10:15]

Mayor Lane: We have one item on the regular agenda, item 9, Transportation Commission/Trails Subcommittee Code Amendment. We have Mr. Basha here in front of us to give us a presentation on that.

[Time: 00:10:29]

Transportation Director Paul Basha: Mayor Lane, my name is Paul Basha, the Transportation Director for the citizens of Scottsdale. The genesis of these ordinance revisions was at the October Scottsdale City Council Audit Committee Meeting, it was the regular sunset review of the Transportation Commission, and the Trails Subcommittee. The topic was again discussed with the Audit Committee at their January meeting. The revisions were exhaustively discussed by both the Trails Subcommittee and the Transportation Commission at two separate meetings for each body. And there's unanimous votes recommending these revisions to the City Council from both bodies. The items in the revision pertaining directly to the Transportation Commission are relatively minor, just vocabulary changes.

There are three substantive changes to the Trails Subcommittee. The first is the name of the committee. A slight difference to express the extensiveness of the Trails Subcommittee responsibility. The second substantive change is to increase the membership of the committee to include a representative from the Parks and Recreation Commission, and the Parks and Recreation Commission also supports this recommendation and, in fact, they have already appointed a member to serve on the Trails Subcommittee. The third and final suggested revision is to elaborate on the purpose to include review of all non-motorized transportation modes in the City of Scottsdale, both existing and potential. And I do have slides showing the exact wording of these two sections, should the City Council wish to review those and discuss those. And this is our recommendation and that concludes my presentation. I'm happy to answer any questions you may have.

Mayor Lane: Thank you, Mr. Basha. Just an observation, vocabulary changes can be quite profoundly. You change one word for another and it could be very different. I'm taking you at your word that the most substantive changes were as you indicated. Councilman Robbins.

Councilman Robbins: Thank you, Mayor. On that note, what is the difference between a path and a trail?

Paul Basha: Mayor, Mayor Lane, Councilman Robbins, the trails are typically unpaved, and they are

more meandering, whereas a path could be either paved or unpaved and is more direct. The typical location for paths are along the Arizona Canal and into the Indian Bend Wash and similar facilities. The subcommittee is also responsible for bicycle lanes and bicycle routes on paved streets as well.

Councilman Robbins: So is that in here? I didn't see the definition of those two actually contained in the ordinance, or did I just miss that?

Paul Basha: Councilman Robbins, it's understood in this description. What I have put on the screen is the section pertaining to the purpose of the Path and Trails Subcommittee and it lists the type of facilities. And those include path and trails, and notice that the equestrian facilities are also included, and those are always unpaved and considered to be more trails than paths.

Councilman Robbins: Okay. Thank you.

[Time: 00:14:23]

Mayor Lane: Thank you, Councilman. Vice Mayor Korte.

Vice Mayor Korte: Thank you, Mayor. Mr. Basha, you reviewed the primary revisions as was proposed in our packets. There are secondary revisions and can you help me with the secondary revision, Item A, the City Treasurer is also named as responsible for the city budget.

Paul Basha: Mayor Lane, Vice Mayor Korte, when the Transportation Commission was first created and when the ordinance, the enabling ordinance was revised, we did not have a City Treasurer as a charter officer reporting directly to the City Council. And since we were modifying the ordinance, we elected to include that change in this in this revision.

Vice Mayor Korte: Thanks.

Mayor Lane: Thank you, Vice Mayor. Councilwoman Milhaven.

Councilwoman Milhaven: I would like to get more clarification. The budget is the City Manager's Budget, and the Treasurer is responsible for the accuracy of the reporting. And so I'm wondering if I mean, that's my understanding of how these charter officers work together and I'm thinking this contradicts the way we're set up.

Paul Basha: Mayor Lane, Councilwoman Milhaven, we did discuss that extensively with the Transportation Commission and the responsibility of the budget is certainly the City Treasurer and this revision indicates that. The City Treasurer is only mentioned as a person responsible for the budget and should the Transportation Commission have any comments to the Transportation Department relative to the budget, we would simply take those comments to the City Treasurer's office, and express that opinion.

Councilwoman Milhaven: So what does it say now? If we were to strike this, what would we be left

with?

Paul Basha: I'm sorry, as I look for this.

Councilwoman Milhaven: And I see the City Treasurer and the Manager nodding. Mayor?

Mayor Lane: Yes, I'm sorry. Mr. Behring.

City Manager Fritz Behring: Well, I would have to disagree with my staff on this, this but I think the situation highlights the confusion we still have in Scottsdale about who is responsible for the budget. The Charter provides that the City Manager's office is responsible for the budget, and so the wording that's provided there is incorrect, regardless of what the Transportation Commission thinks or not. So.....

[Time: 00:17:09]

Mayor Lane: So Mr. Behring then, is there a suggestion from either source as to whether or not this should be amended to reflect what the charter indicates? I think that's probably a reasonable response. I'm not sure what authority the Transportation Commission has over this type of language and this kind of responsibility setting. So.....

Paul Basha: Mr. Mayor, if I may, I would like to read the one sentence that refers to the City Treasurer and it's on the first page of the ordinance. It's a fairly long sentence. Nothing in this section should be construed to require that the Transportation Department's or its successor agency's budget be precluded from the normal budgetary process used by the city prior to Transportation Commission review or infringe upon the City Manager's or City Treasurer's budgetary responsibilities under the city charter.

Mayor Lane: So essentially it's deferring to the charter language as far as those responsibilities are concerned, and that is the City Manager's responsibility and it is his budget and at the same time, there is a reporting responsibility of tracking the budget that's with the City Treasurer's office?

Paul Basha: That's correct. All we did is add in the three words, or the City Treasurer's budgetary responsibilities.

Mayor Lane: It doesn't infringe upon those. I don't know whether it's necessary.

Paul Basha: You could certainly pass the resolution excluding those three words "or City Treasurer's."

Mayor Lane: I was going to ask Mr. Washburn, with that reading there in front of you, is there any reason that that needs to be stated?

City Attorney Bruce Washburn: No. It should go without saying that there's nothing in the ordinance that would infringe on the charter duties of any of the officers. I don't think it adds

anything. By the same token it says the extent that the City Treasurer might have budgetary duties it didn't infringe on them. So I don't think it necessarily implies anything that's improper either. But there's no reason.

Mayor Lane: It's not necessary. So if there's any concern about confusion or otherwise, I think it would be easiest, I don't think we have a motion yet, but it might be easier just to remove those three words. I don't know if somebody would like to, I see no further comments. If somebody would like to make that motion. Okay, Councilman.

[Time: 00:19:00]

Councilman Littlefield: Move to approve.

Councilmember Phillips: Second.

Mayor Lane: We are ready to vote. All those in favor please indicate with an aye. Those opposed nay. The motion fails. Okay.

Councilwoman Milhaven: I move that we approve Ordinance 4148 deleting "or City Treasurer's" from Section 2-283a.

Vice Mayor Korte: Second.

Mayor Lane: A motion has been made and seconded. Any discussion. All those in favor please indicate with an aye, those opposed with a nay. Aye. The motion passes 6-1. Councilman Littlefield dissenting. Thank you very much, Paul.

Paul Basha: Thank you.

Mayor Lane: Well, I don't know if this sets any kind of record or not. I don't see any cards but I will go ahead and utter the question. No petitions and any Mayor or Council items? Hearing none, there's no further Public Comment.

## **ADJOURNMENT**

[Time: 00:21:40]

Mayor Lane: I would accept a motion to adjourn.

Councilman Littlefield: Move to adjourn.

Mayor Lane: Moved and seconded. All those in favor, please indicate by aye. We are adjourned. Thank you very much.