

**TOWN OF FOUNTAIN HILLS  
MINUTES OF THE JOINT SESSION BETWEEN THE  
FOUNTAIN HILLS TOWN COUNCIL AND  
THE FORT MCDOWELL YAVAPAI NATION TRIBAL COUNCIL  
May 16, 2018**

• **CALL TO ORDER**

Mayor Linda M. Kavanagh called the Joint Session to order at 8:04 AM in the Fountain Hills Community Center (Grand Ballroom), located at 13001 N. La Montana Drive, Fountain Hills, AZ 85268.

Present were the following members of the Fort McDowell Yavapai Nation Tribal Council: President Bernadine Burnette, Vice President Paul J. Russell, Treasurer Pamela Mott, and Councilmember Gerald Doka. Councilmember Ruben Balderas and Tribal Council Secretary Verlene Enos were absent. Staff Present: General Manager Phil Dorchester, Chief of Police Jesse Crabtree, Fire Chief Mark Openshaw, Graphic Designer Specialist Renee Garcia, Education Division Director Dr. Bill Myhr, General Manager of WeKoPa Golf Club Matt Barr; Lobbyist Greg Lunn, Acting Division Director/Environmental Department Manager Mark Frank, Planning Project Manager Erika McCalvin, Executive Assistant to President Dale Cody, General Counsel Diandra Benally, Roann Carmelo, Events Manager, and Jordan Williams, Executive Assistant to Vice President Paul J. Russell.

Present were the following members of the Fountain Hills Town Council: Mayor Linda Kavanagh, Vice Mayor Dennis Brown, Councilmember Alan Magazine, Councilmember Nick DePorter, Councilmember Cecil Yates, Councilmember Henry Leger, and Councilmember Art Tolis. Staff present: Town Manager Grady E. Miller, Interim Town Attorney Mitesh Patel, Executive Assistant to the Town Manager and Town Council Nancy Walter, Economic Development Director Scott Cooper, Finance Director Craig Rudolph, Administrative Services Director David Trimble, Development Services Director Robert Rodgers, Community Services Director Rachael Goodwin, Communications and Marketing Coordinator Grace Rodman-Guetter, MCSO Captain Hank Brandimarte, MCSO Lt. Kristian Dever, Fire Chief Dave Ott, Public Works Director Justin Weldy, Streets Superintendent Jeff Pierce, and Town Clerk Bevelyn Bender.

**AGENDA**

Mayor Kavanagh extended a welcome from the Council to all attendees.

**1. Introductions**

Opening remarks were made by Mayor Kavanagh and President Burnette. Councilmember Yates provided the invocation. Those in attendance from the Town and Fort McDowell introduced themselves.

**2. Review of items discussed from the November 8, 2017 Joint Session:**

**a. Provide mutual advance notice of events to plan for a possible increase in traffic and public safety needs**

Police Chief Crabtree commented that there hadn't been any traffic issues and that the issue had occurred during Trump rally. President Burnette requested that the Town continue to keep Fort McDowell in the loop on upcoming events for planning purposes. MCSO Captain Brandimarte stated that he saw challenges during the 4<sup>th</sup> of the July celebration last year and that he would continue to work with Chief Crabtree. Councilmember Yates suggested the sharing of event calendars between the Town and Fort McDowell.

**b. Publish educational information in the Fountain Hills First community newsletter relating to the prohibition of ATVs on Fort McDowell jurisdiction**

Communication and Marketing Coordinator Grace Rodman-Guetter agreed that President Burnette's suggestion to include Fort McDowell's educational information in the Town's

newsletter relating to the prohibition of ATVs on Fort McDowell's jurisdiction was a great idea. Town Manager Miller stated that illegal dumping could be another topic brought forward and the information could be placed on the Town's website; he stated they wanted the public to be aware of the consequences. President Burnette said that the number of stray dogs being dropped off had slowed but reminded everyone that if they see strays they should call the police. General Manager Phil Dorchester commented on the fact that stray horses were wild horses and not Fort McDowell horses and was due to holes in the fence. Discussion ensued regarding the process Fort McDowell uses to identify stray dog owners; the fact the Fort has police rangers who deal with stray dogs; illegal dumping, trespassing; and holes in the fences and loose cattle; that feeding stray dogs should not occur as that attract javelina, which can create safety issues. It was noted that cattle are branded though the brand may be hard to see; cattle are not tagged. Mr. Miller stated that as of July 1, the Town would no longer license dogs and Maricopa County would take that role over. Mayor Kavanagh stated that Maricopa County Animal Control will issue citation for loose dogs in Fountain Hills. Mr. Miller noted that aggressive and off-leash dog issues would be addressed by MCSO.

**c. Providing a link on the Town's website to Fort McDowell events with their inclusion on the Town's social media sites**

Ms. Grace Rodman-Guetter confirmed that the Town's social media had been updated to provide links to Fort McDowell sites and Fort McDowell social media has been linked to the Town's sites.

**d. Include Fort McDowell promotional materials in the Town booth during the two regional art fairs**

Councilmember Tolis commented that he hoped they could each look into expanding access and the promotion of each other's events as that would provide an increase in sales tax revenues and resort attendance. He suggested that they look at the bigger picture for revenues and how the Town and Fort McDowell could best partner. He suggested a partnership between the Town and Fort McDowell and that they look at a parking structure as an option as well as shuttle services noting that the Town needed a parking location. Discussion ensued regarding options that could be looked into and how best to address the parking needs of the Town. Mayor Kavanagh suggested that Councilmember Tolis reach out to Fort McDowell to schedule a meeting to discuss this further, noting that perhaps a group could be formed to discuss and vet the various ideas. She commented that there were many opportunities as the Town and Fort McDowell were connected.

Councilmember Tolis discussed the challenge of increasing the enrollment number of the Fountain Hills Unified School District (FHUSD) and encouraged Fort McDowell to increase their student enrollment in Fountain Hills' schools. He discussed the potential for increased economic benefit related to greater student enrollment numbers. Mayor Kavanagh suggested bringing together the school superintendent and education providers for inclusion in these types of meetings and well as reaching out to the parents to ask why they send their children to schools outside of Fountain Hills noting it was the parents who make those decisions. She stated this information should be discussed with the school boardmembers. Vice President Russell agreed there should be further discussion with the school board.

**e. Consideration of developing and sponsoring classes in Fountain Hills' schools relating to Fort McDowell tribal history and heritage**

Education Division Director Dr. Myhr said he has offered to work with the FHUSD in this area and he has talked with the School Superintendent. He expressed that not having continuity in this area hurts communication. Mayor Kavanagh suggested encouraging trips to the museum as there was a lot of history there and teachers should use it as a learning tool. Councilmember Tolis stated that Dr. Myhr has ties to both communities and that would benefit all. Vice President Russell stated that the FHUSD has a non-voting position and agreed Dr. Myhr is

supportive of the Town; Dr. Myhr said he has made the offer to be a representative on the board. Treasurer Mott commented she like Councilmember Tolis' ideas and felt the parking structure was a big opportunity as they needed to have events all the time and working together there could be more things to offer (a family community). She said that Fort McDowell has a 10-year plan and they should have a big plan with the Town that encompasses event planning and parking options. Councilmember Magazine stated this would take planning and suggested people be brought together to develop an action plan and report back to this group. Mayor Kavanagh noted that Councilmember Tolis has volunteered to which he stated that he would like to work with Treasurer Mott and agreed it would take a lot of planning. He stated their mutual success depended on creating a regional destination and that it would need to be created correctly. Councilmember Yates agreed and said the demand is there and he did not think it was an all uphill battle.

**f. Linking Fort McDowell to EPCOR for possible emergency water service connection**

Town Manager Miller said he had spoken with EPCOR leadership and expressed Fort McDowell's desire to link for services in the future. He noted that he provided Mr. Dorchester's contact information to EPCOR. Mr. Dorchester commented he has not heard from anyone. President Burnette requested that Mr. Miller reach out again and copy her on the e-mail. She commented that years ago the idea had been shot down by the Town Attorney and the County. She stated that water is everything so they needed to be prepared. Interim Town Attorney Mitesh Patel indicated that he would have to look into the matter to see what the obstacles were.

**g. Actions taken to reduce run-off of water from the Panorama Wash onto the We-Ko-Pa Golf Course**

General Manager of We-Ko-Pa Golf Club Matt Barr addressed the matter of the run-off. Public Works Director Justin Weldy noted that the nuisance run-off had been controlled by the recent control pump upgrade, a catch basin that had been constructed on Saguario, which collected more water, and the catch basins that were added out on Shea; Mr. Weldy pointed out that Mother Nature had the ultimate control. Mr. Miller provided a reminder that there was also a natural spring in the area and there are two HOAs who nurture the spring, which presented a problem as this was private property and out of the Town's control. He suggested a meeting with the HOAs and asked if Fort McDowell would like to attend. President Burnette offered that perhaps this might be a MAG issue so they would need to discuss this. She requested that if run-off was seen that the Town provide a courtesy notice to Fort McDowell. Mr. Weldy agreed he would. Discussion ensued regarding the raptures that feed in the area along the Verde River and what a tourism treasure that area was; the fact that recreation was closed on the Verde and Salt Rivers; the comment there was talk of development in that area; the Fort McDowell 25<sup>th</sup> Anniversary of the Water Settlement (next year); and that the Nation has a Water Committee that Vice President Russell sits on.

**h. Update on the Cattle Guard replacement project at Grande/San Marcos to be undertaken by Maricopa County**

Public Works Director Justin Weldy stated that staff was working with Maricopa County Transportation regarding the replacement of cattle guards noting that he would share the information he received with Fort McDowell relating to any lane restrictions during the repair. He commented that he had encouraged the County to reach out to Fort McDowell.

**i. Discussion regarding future traffic connectivity from the Beeline Highway to the 202 for the purpose of increasing economic activity in the Town and Fort McDowell**

Councilmember Yates stated that this affects both the Town and Fort McDowell and was an incredible opportunity. He said the study was done to connect Fort McDowell to Power Road. He suggested they dust off the study and make it happen and Planning Project Manager Erika McCalvin agreed. Councilmember Yates said he would volunteer to work on this with Vice President Russell.

Mayor Kavanagh brought up sports betting and Lobbyist Greg Lunn provided more information on the subject, the possible impact on the gaming compact in Arizona, and the status of this matter in the courts. General Counsel Diandra Benally stated that the Tribal Council requests Fountain Hills support of its “exclusivity of gaming”. She said updates would be provided to the Town Council. Discussion ensued regarding possible impacts and Mayor Kavanagh stated she could have Senator Kavanagh contact Mr. Lunn.

President Burnette said invitations relating to the proposed plans of a new Fort McDowell casino may be seen in four to six weeks.

**3. Future meetings**

Mr. Miller stated that Town staff would coordinate with Fort McDowell staff and President Burnette stated that Fort McDowell would host the next meeting. Treasurer Mott said the subcommittee would be working with Councilmember Tolis. Mayor Kavanagh requested staff counterparts continue to meet and work together (continue with communication).

**4. Adjournment**

Mayor Kavanagh adjourned the Joint Session at 9:41 AM.

**TOWN OF FOUNTAIN HILLS**

By \_\_\_\_\_  
Linda M. Kavanagh, Mayor

ATTEST AND  
PREPARED BY:

\_\_\_\_\_  
Bevelyn J. Bender, Town Clerk

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Joint Session, held by the Town Council of Fountain Hills and the Fort McDowell Yavapai Nation held in the Fountain Hills Community Center (Grand Ballroom), on the 16<sup>th</sup> day of May, 2018. I further certify that the meeting was duly called and that a quorum was present.

DATED this 19<sup>th</sup> day of June, 2018.

\_\_\_\_\_  
Bevelyn J. Bender, Town Clerk