

TOWN
of
PARADISE VALLEY



TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
THURSDAY, NOVEMBER 14, 2024

1. CALL TO ORDER / ROLL CALL

Mayor Bien-Willner called to order the Town Council Meeting for Thursday, November 14, 2024 at 3:00 PM in the Town Hall Boardroom, 6401 E. Lincoln Drive, Paradise Valley, AZ 85253.

COUNCIL MEMBERS PRESENT

Mayor Jerry Bien-Willner
Vice Mayor Mark Stanton
Council Member Ellen Andeen-Keller
Council Member Christine Labelle
Council Member Scott Moore
Council Member Julie Pace
Council Member Anna Thomasson

STAFF MEMBERS PRESENT

Town Manager Andrew B. Ching
Town Attorney Andrew McGuire
Chief Freeman Carney
Town Clerk Duncan Miller
Community Development Director Chad Weaver
Public Works Superintendent Christopher Martinez
Town Engineer Shar Johnson
Chief Financial Officer Leslie DeReche
Capital Project Manager Sam Kayat
Hillside Engineer Juan Gonzales

2. EXECUTIVE SESSION

- 24-314** **The Town Council may go into executive session at one or more times during the meeting as needed to confer with the Town Attorney for legal advice regarding any of the items listed on the agenda as authorized by A.R.S. §38-431.03(A)(3).**

This item was not considered.

Note: Minutes of Town Council meetings 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 Town Council and are not verbatim transcripts. Video recordings of the meetings along with staff reports and presentations are available online (www.paradisevalleyaz.gov) and are on file in the Office of the Town Clerk. Persons with disabilities who experience difficulties accessing this information may request accommodation by calling 480-948-7411 (voice) or 480-348-1811 (TDD).

3. STUDY SESSION ITEMS

24-318 Arbor Day Tree Planting Ceremony

Mayor Bien-Willner recessed the meeting and the Council reassembled outside to plant a tree on the Town Hall campus to commemorate Arbor Day Tree in Paradise Valley. In addition to enhancing the landscaping at Town Hall, planting a tree is a requirement for recertification as a Tree City USA. The Town of Paradise Valley has received the Tree City designation for the past 27 years.

24-320 Legislative Update and Consideration of 2025 Legislative Agenda

Doug Cole, Chief Operating Officer with Highground Public Affairs Consultants, presented an update on the 2024 General Election results, legislative leadership changes and committee assignments.

The Council reviewed and made amendments to the draft 2025 Legislative Agenda which summarizes the Town's legislative priorities for the upcoming legislative session.

There was Council consensus to schedule the 2025 Legislative Agenda for study session and action on December 12th agenda. There was further direction to schedule a legislative breakfast with the delegation from Legislative District 4

24-319 Discussion of the Stormwater Master Plan Development - Check In#2

Town Engineer Shar Johnson and Geoffery Brownell, Kimley-Horn Consulting Project Manager, provided a status report on the progress being made to update the Town's Stormwater Master Plan. Since the last update, the engineers have focused on the refinement and calibration of the model; conducted a preliminary flood hazard analysis (delineates areas and evaluate severity); and developed a proposed project analysis. Mr. Brownell explained the methodology and decision variables used to determine flood area prioritization. He said the proposed project alternatives would be put into three categories based on estimated costs:

- Small – less than \$250,000 and be maintenance type projects
- Medium - less than \$1.3 million and be eligible for county cost participation
- Large - greater than \$1.3 million and be eligible for county and federal cost participation

Small projects would be prioritized with input from staff. Medium and large projects would be analyzed using a decision matrix with input from the Town Council.

Next steps included:

- Finish modeling effort (calibration)

- Prioritize flood hazard areas based on Council input
- Alternative project formulations
- Council coordination for project determination
- Refinement of selected alternatives (conceptual plans & cost)
- Funding opportunities
- Draft and final report

**24-296 Discussion on Hillside Development Area Redesignation
8136 N Mohave Circle (APN 169-73-003L)**

Hillside Engineer Juan Gonzales presented a unanimous recommendation from the Hillside Building Committee to remove 8136 N Mohave Circle from the hillside designation.

Attorney Doug Jorden, representing the owner of 8136 N Mohave Circle, applied to remove the property from the Town’s Hillside Development Area which is defined as have a slope of 10% or greater. The subject property has an overall site slope of 6.09% and a building pad slope of 4.88%. The home was built in 1958 prior to the Town’s incorporation and subsequent Hillside Codes. The current perimeter fencing, paint color, and disturbance on the property violate Hillside regulations. Removing the property from the hillside designation, would bring the current structures into compliance and allow the property to be redeveloped based on the building and zoning codes governing non-hillside properties.

There were no concerns from Council. There was consensus to schedule this item for action at the next meeting.

**24-322 Discussion of the Mockingbird Lane, 56th to Invergordon Road
Improvement Project**

Capital Projects Manager Sam Kayat summarized a proposed contract with Achen-Gardner Construction, LLC for pre-construction services related to the Mockingbird Lane, 56th St to Invergordon Road improvement project. Achen-Gardner was selected following a competitive request for qualifications process. He stated that it would be a construction manager at risk contract in the amount of \$258,896.61.

Mr. Kayat also reported on a neighborhood open house held on September 23, 2024 at Town Hall and summarized the comments which included traffic control, speeding, and vegetation blocking sight visibility. He responded to questions regarding the speed study and sight visibility at 58th Pl and Mockingbird Lane. The engineers are satisfied that the design meets safety standards.

He stated that the 100% plans should be completed by May 2025, utility relocations will take place between May 2025 and April 2026 and construction will begin May 2026.

24-306 Discussion of the Doubletree Ranch Road Entryway Improvement Project

Mr. Kayat updated the Town Council on the Doubletree Ranch Road Entryway Improvement Project. The project consists of installing a 5-ft high, decorative metal screen wall at the northwest and southwest corners of Doubletree Ranch Rd and Scottsdale Rd, retexturing and painting the existing walls at both corners, enhancing the landscape along the walls fronting Scottsdale Rd, and relocating the Town entry monument to a proposed new median.

The walls are located within City of Scottsdale right-of-way. He said the Town is coordinating with the City and has submitted a pre-application permit. Additionally, the Town and the City are working on an IGA that would define each party's responsibility for the operation and maintenance of the structures on City owned property.

He stated that there is a design contract amendment with Kimley Horn on the agenda for action later in the meeting to complete the design.

Mayor Bien-Willner recessed the meeting at 5:55 PM.

4. BREAK

5. RECONVENE FOR REGULAR MEETING

Mayor Bien-Willner reconvened the meeting at 6:05 PM in the Town Hall Council Chambers.

6. ROLL CALL

COUNCIL MEMBERS PRESENT

Mayor Jerry Bien-Willner
Vice Mayor Mark Stanton
Council Member Ellen Andeen-Keller
Council Member Christine Labelle
Council Member Scott Moore
Council Member Julie Pace
Council Member Anna Thomasson

STAFF MEMBERS PRESENT

Town Manager Andrew B. Ching
Town Attorney Andrew McGuire
Town Clerk Duncan Miller
Police Chief Freeman Carney
Community Development Director Chad Weaver
Public Works Superintendent Chris Martinez
Capital Projects Manager Sam Kayat

7. PLEDGE OF ALLEGIANCE

Boy Scout Troop 644 from St. Barnabas church led the Pledge of Allegiance.

8. PRESENTATIONS

24-323 Recognition of Judge Jeffrey R. Timbanard for his 26 Years of Service to the Town of Paradise Valley

Mayor Bien-Willner presented a proclamation to Jeffry Timbanard recognizing his 26 years of volunteer service to the Town as member of the Planning Commission, Town Council, and Associate Judge. Judge Timbanard made remarks and posed for pictures with the Town Council. A reception was held in the Community Room.

Mayor Bien-Willner recessed the meeting.

Mayor Bien-Willner reconvened the meeting at 6:55 PM

9. CALL TO THE PUBLIC

Resident Judith Lee Brown addressed the Town Council regarding an incident in 2015 in which her father was struck and killed by a vehicle.

The Council responded to her comments.

10. CONSENT AGENDA

Town Manager Ching summarized the Consent Agenda. Council Member Pace asked to remove Item 24-321 from the consent agenda.

24-316 Minutes of Town Council Meeting October 24, 2024

24-324 Discussion and Possible Action to Authorize a Contract Amendment to S+C Communications (Scutari and Cieslak, Inc.) for Public Communications Services, Increasing their Monthly Stipend and Adding Additional Services

Recommendation: Authorize the Town Manager to execute a contract extension with S+C Communications for Public Communications Services

A motion was made by Vice Mayor Stanton, seconded by Council Member Thomasson, to approve the Consent Agenda with the exception of item 24-321. The motion carried by the following vote:

Aye: 7 - Mayor Bien-Willner
Vice Mayor Stanton
Council Member Andeen-Keller
Council Member Labelle
Council Member Moore
Council Member Pace
Council Member Thomasson

24-321 Discussion and Possible Action to Approve a Professional Services Agreement Extension Related to the Doubletree Ranch Road Entryway Improvement Project

Recommendation: Authorize Town Manager to execute professional services agreement No. CON-23-051-ENG-A3 with Kimley Horn and Associates, Inc to increase compensation to the consultant by \$86,420 resulting in an increase of the total not-to-exceed compensation from \$41,655 to \$128,075.

Council Member Pace suggested postponing this item until after the Town and City of Scottsdale have entered into an intergovernmental agreement related to future maintenance and repair of the facilities within the Scottsdale right-of-way.

A motion was made by Council Member Thomasson, seconded by Council Member Moore, to authorize the Town Manager to execute professional services agreement No. CON-23-051-ENG-A3 with Kimley Horn and Associates, Inc to increase compensation to the consultant by \$86,420 resulting in an increase of the total not-to-exceed compensation from \$41,655 to \$128,075. The motion carried by the following vote:

- Aye:** 5 - Mayor Bien-Willner
Vice Mayor Stanton
Council Member Labelle
Council Member Moore
Council Member Thomasson
- Nay:** 2 - Council Member Andeen-Keller
Council Member Pace

11. PUBLIC HEARING

There were no public hearings.

12. ACTION ITEMS

24-317 Discussion and Possible Action to Approve a Contract for the Mockingbird Ln Improvement Project between Invergordon Rd and 56th Street

Capital Projects Manager Sam Kayat presented a construction manager at risk contract with Achen-Gardner Construction, LLC in the amount of \$258,896.61 for preconstruction services including utility potholing and public outreach associated with the Mockingbird Ln improvement project between Invergordon and 56th St.

Mr. Kayat confirmed that the project cost participation from the Maricopa County Flood Control District is based on a fixed percentage of the project and not a fixed price.

There was no public comment.

A motion was made by Council Member Moore, seconded by Council Member Labelle, to Authorize the Town Manager to execute Construction Manager at Risk agreement (contract No. CON-25-001-ENG) with Achen-Gardner Construction, LLC in the amount not-to-exceed \$258,896.61, and waive the 14-day contract execution wait period. The motion carried by the following vote:

- Aye:** 7 - Mayor Bien-Willner
Vice Mayor Stanton
Council Member Andeen-Keller
Council Member Labelle
Council Member Moore
Council Member Pace
Council Member Thomasson

13. FUTURE AGENDA ITEMS

24-315 Consideration of Requests for Future Agenda Items

Town Manager Ching summarized the future agenda schedule.

14. MAYOR / COUNCIL / MANAGER COMMENTS

Council Members provided comments and updates on current events.

15. ADJOURN

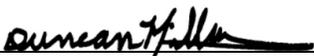
A motion was made at 7:44 PM by Council Member Pace, seconded by Council Member Andeen-Keller, to adjourn. The motion carried by the following vote:

Aye: 7 - Mayor Bien-Willner
Vice Mayor Stanton
Council Member Andeen-Keller
Council Member Labelle
Council Member Moore
Council Member Pace
Council Member Thomasson

Mayor Bien-Willner adjourned the meeting at 7:44 PM

TOWN OF PARADISE VALLEY

SUBMITTED BY:



Duncan Miller, Town Clerk

