

TOWN
of
PARADISE VALLEY



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
THURSDAY, MAY 25, 2023**

1. CALL TO ORDER / ROLL CALL

Vice Mayor Moore called to order the Town Council Meeting for Thursday, May 25, 2023 at 5:00 PM in the Town Hall Boardroom, 6401 E. Lincoln Drive, Paradise Valley, AZ 85253.

COUNCIL MEMBERS PRESENT

Mayor Jerry Bien-Willner attended by conference call and arrived in-person at 5:42 PM

Vice Mayor Scott Moore

Council Member Ellen Andeen attended by conference call

Council Member Christine Labelle

Council Member Julie Pace

Council Member Mark Stanton

Council Member Anna Thomasson

STAFF MEMBERS PRESENT

Town Manager Jill Keimach

Town Attorney Andrew McGuire

Town Clerk Duncan Miller

Chief of Police Freeman Carney

Planning Manager Paul Michaud

Senior Planner George Burton

Town Engineer Shar Johnson

Public Works Director Brent Skoglund

Public Works Superintendent Jerry Cooper

CIO James Bailey attended by telephone conference call

Human Resources Director Gina Monger

2. EXECUTIVE SESSION

23-184

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).

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

23-197 Discussion of 5-year Renewal of CON 16-006-CMD with Accela SaaS Civic Land Management providing an on-line Community Development Transparency Portal

Chief Financial Officer James Bailey summarized a request to renew a contract with Accela SaaS Platform Land Management software for a period of five years. He noted that this is for the base software platform used by the Community Development Department for building and engineering plan review and permits, inspections, short-term rental permits, and code enforcement. He then previewed the long-term strategy to implement additional software enhancements to increase efficiencies for customers and Town staff and to improve transparency. He responded to questions from Council regarding implementation timelines.

23-196 Discussion of Ordinance Number 2023-01, Rezoning 6041 N Quail Run Road from R-43 to Special Use Permit Resort, and Ordinance Number 2023-02 Andaz Resort Intermediate Special Use Permit Amendment

Senior Planner George Burton summarized the updated materials submitted by the applicant on behalf of Andaz Resort based on feedback from the Town Council at the May 11th Study Session. The changes included:

1. Labeled all the improvements on the plans (e.g. labels the walls, label the hardscape areas with the type of materials and estimated finished grade elevation, identify the approximate finished floor elevation of the guest units, etc.)
2. Raised the height of the Quail Run Road wall from 6 feet tall to 8 feet tall
3. Provided a cross section showing the Quail Run Road wall, a person, and the guest unit
4. Provided a cross section of the pool/hot tub area,
5. Identified that the pools/hot tubs are raised 18 inches above grade
6. Updated the site plan, civil plan, and landscape plans so they match
7. Updated the amplified music stipulation (Stipulation No.4) to remove the 10 pm – 7 am time limit and clarify that there shall be no amplified music or PA system at these ten guest units at any time.

Mr. Burton summarized recent public comments received. Based on that feedback, the Council directed that the stipulation regarding perimeter landscaping be amended to clarify that the resort owner is responsible for maintaining the landscaping.

23-201 Discussion of Amendments to the Town of Paradise Valley Policies and Procedures Handbook

Human Resources Director Gina Monger explained that during the FY 24 budget review process, Staff suggested several human resources policy changes that may improve the Town's competitiveness in the market and our ability to recruit police officers. She summarized the following amendments to the HR Policies and Procedural Handbook and administrative policies:

1. Section 502 Probation – Modify to exclude unclassified personnel from probationary period requirements.
2. Section 703 Unclassified Service – Redefine unclassified positions and clarify that they are appointed by the Town Manager and serve at the will of the Town Manager.
3. Section 904 Sick Leave – Add front-loading of year-one accruals for new hires and pro rata if leave prior to completing one year of service.
4. Section 905 Annual Vacation – Add front-loading of year-one accruals for new hires and pro rata if leave prior to completing one year of service.
5. AP-04 Salary Administration – Changes to reflect current practices, removing outdated/unused language, and address increase in nightshift differential, new weekend shift differential, and Police Department instructor premium pay, that are included in the proposed FY2024 Budget.
6. AP-17 Overtime – Increase comp time balance accruals and reformat policy as part of complete Handbook revision project.

Mayor Bien-Willner recessed the meeting at 6:08 PM.

4. BREAK

5. RECONVENE FOR REGULAR MEETING

Mayor Bien-Willner reconvened the meeting at 6:17 PM in the Town Hall Council Chambers.

6. ROLL CALL

COUNCIL MEMBERS PRESENT

Mayor Jerry Bien-Willner

Vice Mayor Scott Moore

Council Member Ellen Andeen attended by telephone conference call

Council Member Christine Labelle

Council Member Julie Pace

Council Member Mark Stanton

Council Member Anna Thomasson

STAFF MEMBERS PRESENT

Town Manager Jill Keimach

Town Attorney Andrew McGuire

Town Clerk Duncan Miller

Chief of Police Freeman Carney

Planner Manager Paul Michaud

Senior Planner George Burton

Public Works Director Brent Skoglund

Town Engineer Shar Johnson

7. PLEDGE OF ALLEGIANCE*

Town Manager Jill Keimach led the Pledge of Allegiance.

8. PRESENTATIONS

There were no presentations.

9. CALL TO THE PUBLIC

Resident Robert Rasmussen suggested that the Council work with the Scottsdale Unified School District to construct a sidewalk bridge crossing over a drainage basin to connect the Kiva Elementary School parking lot with the Camelback Cemetery.

10. CONSENT AGENDA

Town Manager Keimach summarized the Consent Agenda.

Council Member Pace removed Items 23-181, 23-189, and 23-200.

23-182 Minutes of Town Council Meeting May 4, 2023

23-183 Minutes of Town Council Meeting May 11, 2023

**23-190 Discussion and Possible Action to Cancel the June 22, 2023
Regular Council Meeting**

Recommendation:Cancel the June 22, 2023 Regular Council Meeting

**23-188 Discussion and Possible Action to Adopt Resolution Number
2023-08 Adopting the Annual Public Safety Personnel Retirement
System (PSPRS) Pension Funding Policy for Fiscal Year 2024**

Recommendation:Adopt Resolution 2023-08.

A motion was made by Council Member Pace, seconded by Vice Mayor Moore, to approve the Consent Agenda with the exception of items 23-181, 23-189, and 23-200. The motion carried by the following vote:

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

**23-181 Discussion and Possible Action to Award Community Services
Funding for Fiscal Year 2023**

Recommendation:Authorize the Town Manager to execute funding agreements with the agencies listed in the staff report in the total amount of \$65,000

A motion was made by Council Member Pace to authorize the Town Manager to execute funding agreements with Central Arizona Shelter Services in the total amount of \$55,000 and Duet: Partners in Health and Aging in the amount of \$10,000 and to add an additional \$5,000 and direct staff to look at whether that should be allocated to the group that provides meals to our residents in our community. The motion failed for lack of a second.

A motion was made by Council Member Thomasson, seconded by Vice Mayor Moore, to authorize the Town Manager to execute funding agreements with Central Arizona Shelter Services in the total amount of \$55,000 and Duet: Partners in Health and Aging in the amount of \$10,000. The motion carried by the following vote:

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

23-189 Discussion and Possible Action to Partner with the City of Scottsdale and the Scottsdale Railroad & Mechanical Society on The Roundhouse & Splashpad Capital Improvement Project at the McCormick-Stillman Railroad Park

Recommendation: Authorize an appropriation of \$50,000 from the Fiscal Year 2023 Capital Improvement Project professional services account for The Roundhouse & Splashpad CIP Project and authorize the Town Manager to take any actions necessary to disburse the funds.

A motion was made by Mayor Bien-Willner, seconded by Council Member Stanton, to authorize an appropriation of \$50,000 from the Fiscal Year 2023 Capital Improvement Project professional services account for The Roundhouse & Splashpad CIP Project and authorize the Town Manager to take any actions necessary to disburse the funds. The motion carried by the following vote:

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

23-200 Discussion and Possible Action to Approve FY 2023 Funding for Homelessness Initiatives

Recommendation: Authorize an appropriation of \$200,000 from the FY24 Town Council budget line item and authorize the Town Manager to take any actions necessary to disburse FY24 funds to MAG for regional homelessness initiatives in conformity with the Council approved policy direction.

Council Member Andeen departed the meeting.

A motion was made by Vice Mayor Moore, seconded by Council Member Labelle, to authorize an appropriation of \$200,000 from the FY24 Town Council budget line item and authorize the Town Manager to take any actions necessary to disburse FY24 funds to MAG for regional homelessness initiatives in conformity with the Council approved policy direction. The motion carried by the following vote:

- Aye:** 6 - Mayor Bien-Willner
 Council Member Labelle
 Vice Mayor Moore
 Council Member Pace
 Council Member Stanton
 Council Member Thomasson
- Absent:** 1 - Council Member Andeen

Council Member Pace departed the meeting.

11. PUBLIC HEARINGS

23-195 Discussion and Possible Action on Ordinance Number 2023-01, Rezoning 6041 N Quail Run Road from R-43 to Special Use Permit Resort, and Ordinance Number 2023-02 Andaz Resort Intermediate Special Use Permit Amendment

Senior Planner George Burton summarized a request submitted by PV Scottsdale Hotel Owner SPE, LLC., (the “Andaz Resort”), and PV Hotel Venture SPE, LLC., to develop the five-acre parcel with uses that currently exist on the developed resort property. These uses included ten new single-story guest units and one single-story service building. The five-acre parcel would be incorporated into the resort. The guest units and service building would match the architecture of the existing buildings on campus. Each guest unit would have a private yard with a pool/hot tub. The area would be enclosed with an eight-foot-tall meandering wall to the west and an eight-foot-tall wall to the south. The new guest units would only be accessible from the main entrance to the resort at Scottsdale Road and would not be accessible from Quail Run Road. The applicant will dedicate 20 feet of land to bring the Quail Run Road right-of-way (ROW) into compliance with the Town’s ROW width standard of 50 feet.

He summarized the update plans submitted by the applicant since the May 11th meeting and that were discussed earlier in this meeting.

Jim Rose reported on the Planning Commission’s recommendation and expressed support for the changes made by the applicant since the Commission’s action.

Gary Stougaard spoke on behalf of the applicant. He thanked the Council for their consideration.

Mayor Bien-Willner opened the public hearing.

Resident Robert Rasmussen thanked the Council, Staff, Planning Commission, and applicant for the time and attention they devoted to improving the application and finding workable solutions.

Mayor Bien-Willner closed the public hearing.

A motion was made by Vice Mayor Moore, seconded by Council Member Thomasson, to adopt Ordinance 2023-01, the Rezoning of 6041 N Quail Run Road from R-43 to SUP Resort and adopt Ordinance 2023-02, Intermediate SUP Amendment to incorporate and develop 6041 N Quail Run Road into the Andaz Resort. The motion carried by the following vote:

Aye: 5 - Mayor Bien-Willner
Council Member Labelle
Vice Mayor Moore
Council Member Stanton
Council Member Thomasson

Absent: 2 - Council Member Andeen
Council Member Pace

**23-186 Discussion and Possible Action to Adopt Resolution 2023-07
Approving the Final Budget for Fiscal Year 2023-2024**

Town Manager Jill Keimach presented the budget for FY 2024 totaling \$56,349,762. She summarized the budget review timeline and stated that all budget adoption legal requirements were met.

Mayor Bien-Willner opened the public hearing. There were no public comments.

Mayor Bien-Willner closed the public hearing.

There was no further Council discussion.

Mayor Bien-Willner recessed the regular meeting.

12. SPECIAL MEETING

Mayor Bien-Willner convened a special meeting for consideration of the FY 2024 budget.

**23-186 Discussion and Possible Action to Adopt Resolution 2023-07
Approving the Final Budget for Fiscal Year 2023-2024**

There were no further questions or comments.

A motion was made by Council Member Stanton, seconded by Council Member Thomasson, to adopt Resolution 2023-07. The motion carried by the following vote:

Aye: 5 - Mayor Bien-Willner
Council Member Labelle
Vice Mayor Moore
Council Member Stanton
Council Member Thomasson

Absent: 2 - Council Member Andeen
Council Member Pace

Mayor Bien-Willner adjourned the special meeting and reconvened the regular meeting.

13. ACTION ITEMS**23-187 Discussion and Possible Action to Adopt Resolution 2023-06
Approving the 2023 Master Fee Schedule**

Town Clerk Duncan Miller stated that the master fee schedule is the list of council approved fees for providing government services that primarily benefit private parties, such as building and engineering permit fees and other administrative permits. The fees are reviewed on a periodic basis to ensure that the Town is recouping costs for those services. State law requires that before a fee can be added or increased, a study must be conducted to support the fee amount. The Town engaged Willdan Financial Services through a competitive bid process to conduct a comprehensive review of the fee schedule and make recommendations for additions, deletions, and modifications. The resulting fee study was posted on the Town's website for 60-days and public notice of this meeting was posted on the website, social media, and in the newspaper. The Town did not receive any public comments in support of or opposition to the fees.

He stated that Priti Patel from Willdan was present to answer questions.

There was no discussion or public comments.

A motion was made by Council Member Labelle, seconded by Council Member Stanton, to adopt Resolution number 2023-06 approving the 2023 Master Fee Schedule. The motion failed by the following vote:

Aye: 5 - Mayor Bien-Willner
Council Member Labelle
Vice Mayor Moore
Council Member Stanton
Council Member Thomasson

Absent: 2 - Council Member Andeen
Council Member Pace

**23-191 Discussion and Possible Action on Club Estates 7 Lot Split
(LS-21-02). 5639 E Joshua Tree Lane (APN: 169-32-932)**

Senior Planner George Burton presented a request submitted by Nick Prodanov with Land Development Group, for a Non-Administrative Land Modification (lot split) to divide a 2.023-acre parcel into two lots. The subject property is located at 5639 E Joshua Tree Lane. To make Lot 2 meet the minimum one net acre lot size and to avoid making modifications to the existing house to meet setback requirements from the new/proposed property line, the applicant angled the new property line 7 degrees adjoining the north/Joshua Tree property line and 3 degrees from the south property line which is contrary to Article 6-3 of the Town Code. Accordingly, the Staff's and the Planning Commission's recommendation was for denial.

Nick Prodnov presented arguments supporting the lot split and options to comply with the Town Code by dedicating access easements and/or purchasing right-of-way from the Town.

The Council discussed continuing the item to give the applicant and staff time to research the possibility of selling right-of-way to the applicant.

A motion was made by Council Member Stanton, seconded by Mayor Bien-Willner, to continue item 23-191 to a future date to allow staff to conduct further research. The motion passed by the following vote:

Aye: 5 - Mayor Bien-Willner
Council Member Labelle
Vice Mayor Moore
Council Member Stanton
Council Member Thomasson

Absent: 2 - Council Member Andeen
Council Member Pace

23-199 Discussion and Possible Action for Approval of Town Manager’s Employment Agreement

(This item was moved up in the agenda order by unanimous consent.)

Town Attorney Andrew McGuire stated that after the first round of interviews for Town Manager, an offer was made to Andrew Ching and he accepted and signed the employment agreement.

Mr. Ching thanked the Town Council and said he was looking forward to beginning his tenure with the Town on June 19th.

A motion was made by Council Member Stanton, seconded by Council Member Labelle, to authorize the Mayor to execute the Employment Agreement with Andrew B. Ching and waive the Council's policy to delay execution of the agreement until expiration of the two-week waiting period. The motion carried by the following vote:

Aye: 5 - Mayor Bien-Willner
Council Member Labelle
Vice Mayor Moore
Council Member Stanton
Council Member Thomasson

Absent: 2 - Council Member Andeen
Council Member Pace

23-194 Discussion and Possible Action to Approve the Purchase of Town Vehicles Budgeted in Fiscal Year 2024

Public Works Superintendent Jerry Cooper presented a request to purchase eight vehicles budgeted in FY 2024. He explained that this action is time sensitive because the delivery time for these vehicles is six months or more.

Mr. Cooper responded to questions related to procurement and disposal of surplus vehicles at auction.

There were no public comments.

A motion was made by Council Member Labelle, seconded by Vice Mayor Moore, to authorize the purchase of the eight vehicles listed in the staff report in the amount not to exceed \$1,401,158.00 after July 1, 2023 and contingent upon budget approval. The motion carried by the following vote:

Aye: 5 - Mayor Bien-Willner
Council Member Labelle
Vice Mayor Moore
Council Member Stanton
Council Member Thomasson

Absent: 2 - Council Member Andeen
Council Member Pace

23-198 Approval of 5-year renewal of CON 16-006-CMD with Accela SaaS Civic Land Management providing an on-line Community Development Transparency Portal.

Planning Manager Paul Michaud stated that the Accela software is the tool used by the Community Development Department, made up of planning, building, inspections, engineering, and code enforcement. The Town is moving from one-year contract renewals to a five-year contract to realize cost savings.

There was no public comment.

A motion was made by Council Member Thomasson, seconded by Council Member Stanton, to approve a 5-year contract with Accela SaaS Civic Land Management providing an on-line Community Development Transparency Portal. The motion carried by the following vote:

Aye: 5 - Mayor Bien-Willner
Council Member Labelle
Vice Mayor Moore
Council Member Stanton
Council Member Thomasson

Absent: 2 - Council Member Andeen
Council Member Pace

14. FUTURE AGENDA ITEMS

23-185 Consideration of Requests for Future Agenda Items

Town Clerk Miller summarized the future agenda schedule.

15. MAYOR / COUNCIL / MANAGER COMMENTS

Council Members provided comments and updates on current events.

16. ADJOURN

A motion was made by Council Member Thomasson, seconded by Vice Mayor Moore, to adjourn. The motion carried by the following vote:

Aye: 5 - Mayor Bien-Willner
Council Member Labelle
Vice Mayor Moore
Council Member Stanton
Council Member Thomasson

Absent: 2 - Council Member Andeen
Council Member Pace

Mayor Bien-Willner adjourned the meeting at 8:25 PM.

TOWN OF PARADISE VALLEY

SUBMITTED BY:



Duncan Miller, Town Clerk

