



## Action Summary

### Town Council

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Thursday, June 9, 2016

3:00 PM

Council Chambers

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#### 1. CALL TO ORDER / ROLL CALL

##### Rollcall

**Present:** 4 - Mayor Michael Collins, Council Member Jerry Bien-Willner, Council Member Paul Dembow and Council Member Mary Hamway

**Absent:** 3 - Vice Mayor David A. Sherf, Council Member Mark Stanton and Council Member Maria Syms

#### 2. STUDY SESSION ITEMS

**16-195** Discussion of the master re-plat, "Amended 7000 East Lincoln" - 10 Minutes

**Received and Filed**

**Present:** 5 - Mayor Michael Collins, Council Member Jerry Bien-Willner, Council Member Paul Dembow, Council Member Mary Hamway and Council Member Maria Syms

**Absent:** 2 - Vice Mayor David A. Sherf and Council Member Mark Stanton

**16-198** Discussion the final plat, "7000 East Lincoln Resort-Branded Villas - Parcel A1" - 10 minutes

**Received and Filed**

**16-204** Discussion of Camelback Lands 3 Lot Split at 5112 N. Casa Blanca Drive - 5 Minutes

**Received and Filed**

**16-202** Discussion of Camelback Lands 4 Lot Split 5102 N. Casa Blanca Drive - 5 Minutes

**Received and Filed**

**16-215** Presentation of Land Use Assumptions (LUA) and Infrastructure Improvement Plan (IIP) for consideration in the Town's study of wastewater impact fees - 20 Minutes

**Received and Filed**

**16-191** Discussion of the Potential Ballot Question Regarding the Expenditure Limitation Rule - 15 Minutes

**Received and Filed**

**16-219** Discussion of a Council Salary/Resign to Run Statute - 20 Minutes

**Received and Filed**

**Present:** 6 - Mayor Michael Collins, Council Member Jerry Bien-Willner, Council Member Paul Dembow, Council Member Mary Hamway, Council Member Mark Stanton and Council Member Maria Syms

**Absent:** 1 - Vice Mayor David A. Sherf

**16-220** Discussion regarding preservation of Hillside lots - 20 Minutes

**Received and Filed**

**16-200** Update on Police Alarm Monitoring Program - 45 Minutes

**Received and Filed**

### 3. EXECUTIVE SESSION

**A motion was made by Council Member Hamway, seconded by Council Member Bien-Willner, to go into executive session. The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins, Council Member Bien-Willner, Council Member Dembow, Council Member Hamway, Council Member Stanton, and Council Member Syms

**Absent:** 1 - Vice Mayor Sherf

**16-213** Discussion and Consultation with the Town Attorney regarding pending litigations and/or settlement negotiations regarding Ray Notice of Claim as authorized by A.R.S. §38-431.03.A.4.

**No Reportable Action**

**16-210** Discussion of Town Manager and Town Attorney Performance Reviews as authorized by A.R.S. §38-431.03.A.1 and Town Manager and Town Attorney contract negotiations as authorized by A.R.S. §38-431.03.A.4.

**No Reportable Action**

**16-208** 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 agenda items listed on the agenda as authorized by A.R.S. §38-431.A.3.

**No Reportable Action**

### 4. BREAK

**5. RECONVENE FOR REGULAR MEETING 6:00 PM**

**6. ROLL CALL**

**Present:** 7 - Mayor Michael Collins, Vice Mayor David A. Sherf, Council Member Jerry Bien-Willner, Council Member Paul Dembow, Council Member Mary Hamway, Council Member Mark Stanton and Council Member Maria Syms

**7. PLEDGE OF ALLEGIANCE\***

**8. PRESENTATIONS\***

**9. CALL TO THE PUBLIC**

**10. CONSENT AGENDA**

Approval of the Consent Agenda

**A motion was made by Council Member Bien-Willner, seconded by Council Member Hamway, to approve the Consent Agenda with the exception of items 16-206, 16-221, and 16-222. The motion carried by the following vote:**

**16-211** Minutes of Town Council Meeting May 26, 2016

**Approved**

**16-212** Adoption of Resolution Number 2016-10 Reauthorizing the Advisory Committee on Public Safety (ACOPS)

**Adopted**

**16-206** Award of contract to Achen Gardner Construction in the Amount of \$187,919.85, of Which \$83,436.41 is the Town’s Responsibility and \$104,483.44 is Five Star’s Responsibility, for Preconstruction Services Related to Various Roadway Improvements Adjacent to the Ritz Carlton Resort.

**A motion was made by Council Member Hamway, seconded by Council Member Syms, to authorize the Town Manager to execute a contract to Achen Gardner Construction in the amount of \$187,919.85, of which \$83,436.41 is the town’s responsibility and \$104,483.44 is Five Star’s responsibility. The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins, Vice Mayor Sherf, Council Member Bien-Willner, Council Member Hamway, Council Member Stanton, and Council Member Syms

**Nay:** 1 - Council Member Dembow

**16-197** Award of Contract to Power Tech Contracting, L.L.C. in an Amount of \$37,600 Annually for Traffic Signal Maintenance and On Call Services.

**Approved**

- 16-193** Authorization to purchase and implement Accela SAAS Civic Land Management software.
- Approved
- 16-194** Award of Contract to Markham Contracting in the Amount of \$226,299.03 for the Reconstruction of the Western Half of 52nd Street Between Tomahawk Trail and Orchid Lane
- Approved
- 16-201** Award of Contract to ESRI for Small Municipal and County Government Enterprise License Agreement (SGELA)
- Approved
- 16-196** Consideration of the master re-plat, "Amended 7000 East Lincoln"
- Approve the re-plat, "Amended 7000 East Lincoln" (RP 16-03), subject to the following stipulations:
1. Development shall be in substantial compliance with the re-plat, "Amended 7000 East Lincoln", Sheets 1-7, prepared by Coe & Van Loo Consultants, Inc. dated May 20, 2016.
  2. Prior to recordation of the final re-plat, the applicant shall provide to the Town Attorney a copy of the CC&R's, declaration, bylaws, or other documents for review to insure that all terms required under the SUP or other recorded agreements are part of these documents, including provision for maintenance of any drainage easements dedicated on the map.
  3. The final improvements that address items such as street improvements, sewer, water, grading, drainage, landscaping, and easements shall be completed as set forth in the Special Use Permit and Development Agreement for this property.
  4. Within 60 days of approval of the final re-plat, the applicant shall submit to the Town Mylars of the approved plans and an electronic version of these plans in a pdf format for the Town's permanent record.
  5. The Final Plat shall not be recorded until the Town receives the following:
    - a. Revise the 100 Year Assured Water Supply note on the final re-plat such that it is re-worded to clearly state EPCOR and not the Town has the assured water supply, verify the legal name of the water provider, and reference the appropriate certificate date/number, and
    - b. Have EPCOR update or provide an addendum to their July 9, 2015 will-serve letter since it is unlikely that the main extensions will be done by July 9, 2016.
  6. The property owner shall deed the 25-foot strip along Lincoln Drive as described in the approved development agreement either concurrent with or prior to the recordation of the first plat associated with the Ritz Carlton Special Use Permit.
- 16-199** Consideration of the final plat, "7000 East Lincoln Resort-Branded Villas - Parcel A1"
- Approve the final plat, "7000 East Lincoln Resort-Branded Villas – Parcel A1" (FP 16-04), subject to the following stipulations:
1. Development shall be in substantial compliance with the final plat, "7000 East

Lincoln Resort-Branded Villas – Parcel A1”, Sheets 1-77, prepared by Coe & Van Loo Consultants, Inc. dated May 31, 2016.

2. Prior to recordation of the final re-plat, the applicant shall provide to the Town Attorney a copy of the CC&R’s, declaration, bylaws, or other documents for review to insure that all terms required under the SUP or other recorded agreements are part of these documents, including provision for maintenance of any drainage easements dedicated on the map.
3. The final improvements that address items such as street improvements, sewer, water, grading, drainage, landscaping, and easements shall be completed as set forth in the Special Use Permit and Development Agreement for this property.
4. Within 60 days of approval of the final re-plat, the applicant shall submit to the Town Mylars of the approved plans and an electronic version of these plans in a pdf format for the Town’s permanent record.
5. The Final Plat shall not be recorded until the Town receives the following:
  - a. Revise the 100 Year Assured Water Supply note on the final re-plat such that it is re-worded to clearly state EPCOR and not the Town has the assured water supply, verify the legal name of the water provider, and reference the appropriate certificate date/number, and
  - b. Have EPCOR update or provide an addendum to their July 9, 2015 will-serve letter since it is unlikely that the main extensions will be done by July 9, 2016.
6. The property owner shall deed the 25-foot strip along Lincoln Drive as described in the approved development agreement either concurrent with or prior to the recordation of the first plat associated with the Ritz Carlton Special Use Permit.

**16-203**

Approval of Camelback Lands 4 Lot Split (LS-16-4) 5102 N. Casa Blanca Drive

Approve the Camelback Lands 4 Lot Split, subdividing approximately 2.26-acres into two (2) residential R-43-zoned lots, subject to the following stipulations:

1. The lot split plat must be recorded with the Maricopa County Recorder’s Office, in full compliance with the survey plat prepared by Graham Surveying & Engineering, Inc. and dated April 6, 2016.
2. Prior to the issuance of a Certificate of Occupancy for a new single-family residence, the fire sprinkler system shall demonstrate compliance to the National Fire Protection Association standard 13D or the current equivalent code requirement.
3. The roadway improvements shall be installed prior to the issuance of a Certificate of Occupancy for a new single family residence.
4. The construction materials and storage container must be removed prior to recordation of the plat.

**16-205**

Approval of Camelback Lands 3 Lot Split (LS-16-3) 5112 N. Casa Blanca Drive

Approve the Camelback Lands 3 Lot Split, subdividing approximately 2.26-acres into two (2) residential R-43-zoned lots, subject to the following stipulations:

1. The lot split plat must be recorded with the Maricopa County Recorder’s Office, in full compliance with the survey plat prepared by Graham Surveying & Engineering, Inc. and dated April 6, 2016.
2. Prior to the issuance of a Certificate of Occupancy for a new single-family residence, the fire sprinkler system shall demonstrate compliance to the National Fire Protection Association standard 13D or the current equivalent code requirement.

3. The roadway improvements shall be installed prior to the issuance of a Certificate of Occupancy for a new single family residence.
4. A demolition permit must be obtained and the existing structures shall be removed prior to recordation of the plat.

**16-217** Adoption of Resolution Number 2016-15 Approving FY 2016 Budget Adjustments  
Adopted

## 11. PUBLIC HEARINGS

**16-214** Consideration of Resolution Number 2016-14 Setting Wastewater Rates for Fiscal Years 2017 and 2018

**A motion was made by Council Member Bien-Willner, seconded by Council Member Stanton, to adopt Resolution 2016-14, increasing wastewater rates by 10% in FY 2017 and a subsequent increase of 10% for FY 2018 The motion carried by the following vote:**

**Aye:** 6 - Vice Mayor Sherf, Council Member Bien-Willner, Council Member Dembow, Council Member Hamway, Council Member Stanton, and Council Member Syms

**Nay:** 1 - Mayor Collins

## 12. SPECIAL MEETING - PUBLIC HEARING

**16-216** Adoption of Resolution Number 2016-12; Approving the Final Budget for FY 2017

**A motion was made by Council Member Hamway, seconded by Council Member Stanton, to Adopt Resolution 2016-12 approving the Fiscal Year 2016-17 (FY 2017) final budget The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins, Vice Mayor Sherf, Council Member Bien-Willner, Council Member Dembow, Council Member Hamway, and Council Member Stanton

**Nay:** 1 - Council Member Syms

## 13. RECONVENE REGULAR MEETING

## 14. ACTION ITEMS

**16-207** Approval of the Citizen Review Plan for a Major General Plan Amendment Northwest Corner of Northern Ave Alignment and Scottsdale Rd Parcel No. 174-36-002X

**Council Member Bien-Willner moved to approve the Citizen Review Plan for a Major General Plan Amendment application located on the triangular parcel located at the northwest corner of the Northern Avenue alignment and Scottsdale Road, with the stipulation that the public notice radius be increased to 2,000 feet in Paradise Valley, 1,000 feet in the City of Scottsdale, and all property owners in Cheney Estates. The motion was seconded by Council Member Dembow.**

**Aye:** 6 - Vice Mayor Sherf, Council Member Bien-Willner, Council Member Dembow, Council Member Hamway, Council Member Stanton, and Council Member Syms

**Nay:** 1 - Mayor Collins

**16-068** Award of Contract to B&F Contracting in the amount of \$184,373.59 for the Fabrication and Installation of Marquee Street ID Signs at Signalized Intersections Along Lincoln Drive and Tatum Boulevard

**A motion was made by Council Member Hamway, seconded by Council Member Bien-Willner, to authorize the Town Manager to execute a contract in the amount of \$184,373.59 with B&F Contracting for the fabrication and installation of Marquee Street ID Signs. install time our crews taking down signs. The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins, Vice Mayor Sherf, Council Member Bien-Willner, Council Member Dembow, Council Member Hamway, and Council Member Stanton

**Nay:** 1 - Council Member Syms

**16-218** Consideration of Resolution 2016-13 Calling for an Election to Permanently Adjust the Expenditure Base of the Town of Paradise Valley and Perform the Associated Actions

**A motion was made by Council Member Hamway, seconded by Council Member Stanton, to approve Resolution 2016-13 calling for an election to permanently adjust the expenditure base for the Town of Paradise Valley and perform the associated actions. The motion carried by the following vote:**

**Aye:** 7 - Mayor Collins, Vice Mayor Sherf, Council Member Bien-Willner, Council Member Dembow, Council Member Hamway, Council Member Stanton, and Council Member Syms

**16-221** Approval of Amendment to the Town Manager Employment Agreement

**Mayor Collins that consistent with section 7.1 of the Employment Agreement between the Town and Town Manager Burke, the Council finds Town Manager Burke has met or exceeded the Town Council's expectations during the review period of calendar year 2015, as such Mr. Burke's base salary be increased effective January 19, 2016 by the same percentage amount approved by the Town Council for other Paradise Valley employees which is 3.5%. It was seconded by Council Member Hamway. The motion carried by the following vote:**

**Aye:** 7 - Mayor Collins, Vice Mayor Sherf, Council Member Bien-Willner, Council Member Dembow, Council Member Hamway, Council Member Stanton, and Council Member Syms

**16-222** Approval of Amendment to the Town Attorney Employment Agreement

**Mayor Collins moved that the Town Council finds that the Town Attorney has met or exceeds the Town Council's expectations during the review period during the calendar year 2015 and as such we award a one-time bonus to Mr. Miller in the amount of \$4,000. It was seconded by Council Member Hamway. The motion carried by the following vote:**

**Aye:** 6 - Mayor Collins, Vice Mayor Sherf, Council Member Dembow, Council Member Hamway, Council Member Stanton, and Council Member Syms

**Nay:** 1 - Council Member Bien-Willner

**15. FUTURE AGENDA ITEMS**

**16-209** Consideration of Requests for Future Agenda Items

**No Reportable Action**

**16. MAYOR / COUNCIL / MANAGER COMMENTS**

**17. ADJOURN**