



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Meeting Notice and Agenda Town Council

Thursday, September 10, 2015

4:00 PM

Council Chambers

1. CALL TO ORDER / ROLL CALL

Notice is hereby given that members of the Town Council will attend either in person or by telephone conference call, pursuant to A.R.S. §38-431(4).

2. STUDY SESSION ITEMS

Work/Study is open to the public however the following items are scheduled for discussion only. The Town Council will be briefed by staff and other Town representatives. There will be no votes and no final action taken on discussion items. The Council may give direction to staff and request that items be scheduled for consideration and final action at a later date. The order of discussion items and the estimated time scheduled to hear each item is subject to change.

[15-166](#)

Discussion of Municipal Court Appointment Process

Staff Contact:

Duncan Miller, 480-348-3610

30 Minutes

[15-142](#)

Discussion of "The Villas at Mountain Shadows II" Preliminary Plat located at the Southwest Corner Lincoln Drive and 56th Street

Staff Contact:

Paul Michaud, 480-348-3574

Attachments:

[Presentation Villas II 091015](#)

[Proposed Stipulations](#)

[56th St Graphic](#)

[Vicinity Map Zoning](#)

[Application - Narrative](#)

[Prior Minutes](#)

[Fire Marshal Correspondence](#)

[Utility Correspondence](#)

[Final Map Amended VII Plat](#)

[PC Recommended Preliminary Plat Villas II & III](#)

[Proposed Preliminary Plat Villas II](#)

15 Minutes

[15-144](#)

Discussion of The Villas at Mountain Shadows Final Plat located at the Southwest Corner Lincoln Drive and 56th Street

Staff Contact:

Paul Michaud, 480-348-3574

Attachments:

[Presentation Villas I FP 09-10-15 TC](#)

[Proposed Stipulations](#)

[Villas Vicinity Map Aerial GP Zoning](#)

[Application Narrative](#)

[Prior Minutes](#)

[Fire Marshal Correspondence](#)

[Utility Correspondence](#)

[Final Map Amended VII Plat](#)

[051415 Approved Villas Prelim Plat](#)

[Final Plat Villas I](#)

15 Minutes

3. EXECUTIVE SESSION

- [15-167](#) Discussion and consultation with the Town Attorney to consider the Town's position and instruct the attorney regarding potential amendments to the Development Agreement with MTS Land LLC and MTS Golf, LLC regarding the Mountain Shadows Resort as authorized by A.R.S. §38-431.A.4 and legal advice regarding Special Use Permits as authorized by A.R.S. §38-431.A.3.
- [15-171](#) Discussion and consultation with Town Attorney to consider the Town Council's position and instruct the attorney regarding a potential development agreement with Five Star Development and / or an intergovernmental agreement with the City of Scottsdale for annexation / de-annexation of property as authorized by A.R.S. §38-431.A.4; and discussion or consultation for legal advice with the Town Attorney as authorized by A.R.S. §38-431.A.3.
- [15-172](#) Discussion and consultation with Town Representatives concerning the purchase, sale, or lease of real property in the vicinity of 7000 block of Highlands Drive as authorized by A.R.S. §38-431.03.A.7.
- [15-175](#) Discussion and consultation with the Town Attorney to consider the Town's position and instruct the attorney regarding Notice of Claim filed by Storey Family Trust as authorized by A.R.S. §38-431.A.4.
- [15-173](#) Discussion of Town Attorney Performance Review and employment agreement as authorized by A.R.S. §38-431.03.A.1.
- [15-168](#) 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.

4. BREAK**5. RECONVENE FOR REGULAR MEETING 6:00 PM****6. ROLL CALL****7. PLEDGE OF ALLEGIANCE*****8. PRESENTATIONS***

[15-155](#) Recognition of the Town's Legislative Delegation for their Support of Cities and Towns

Recommendation: Recognize the Town's legislative delegation for their support of cities and towns.

Staff Contact: Dawn Marie Buckland, 480-348-3555

Attachments: [Proclamation](#)

9. CALL TO THE PUBLIC

Citizens may address the Council on any matter not on the agenda. In conformance with Open Meeting Laws, Council may not discuss or take action on this matter at this Council meeting, but may respond to criticism, ask that staff review a matter raised, or ask that it be placed on a future agenda. Those making comments shall limit their remarks to three (3) minutes. Please fill out a Speaker Request form prior to addressing the Council.

10. CONSENT AGENDA

All items on the Consent Agenda are considered by the Town Council to be routine and will be enacted by a single motion. There will be no separate discussion of these items. If a member of the Council or public desires discussion on any item it will be removed from the Consent Agenda and considered separately. Please fill out a Speaker Request form prior to the start of the meeting and indicate which item you would like to address.

[15-133](#) Minutes of Town Council Meeting June 11, 2015

Attachments: [Town Council Minutes June 11 2015](#)

[15-134](#) Minutes of Town Council Meeting June 25, 2015

Attachments: [Town Council Minutes June 25 2015](#)

[15-146](#) Approval of Special Event Liquor License for Alliance Francaise of Greater Phoenix

Recommendation: Approve a Special Event Liquor License for Alliance Francaise of Greater Phoenix for an event on Saturday, November 21, 2015, subject to the following stipulations: only those people authorized by law be allowed to dispense and/or consume alcoholic beverages; consumption shall be limited to the premises as indicated in the application; and Section 10-7 Control of Excess Noise be observed.

Staff Contact: Duncan Miller, 480-348-3610

[15-130](#) Approval of Special Event Liquor License for Amanda Hope Rainbow Angels

Recommendation: Approve a Special Event Liquor License for Amanda Hope Rainbow Angels for an event on September 26, 2015, subject to the following stipulations: only those people authorized by law be allowed to dispense and/or consume alcoholic beverages; consumption shall be limited to the premises as indicated in the application; and Section 10-7 Control of Excess Noise be observed.

Staff Contact: Duncan Miller, 480-348-3610

[15-138](#) Approval of Special Event Liquor License for Colleen's Dream Foundation

Recommendation: Approve a Special Event Liquor License for Colleen's Dream Foundation for an event on Friday, September 25, 2015, subject to the following stipulations: only those people authorized by law be allowed to dispense and/or consume alcoholic beverages; consumption shall be limited to the premises as indicated in the application; and Section 10-7 Control of Excess Noise be observed.

Staff Contact: Duncan Miller, 480-348-3610

Attachments: [Colleens Dream Foundation Cover Letter](#)

[15-132](#) Approval of Special Event Liquor License for Gabriel's Angels

Recommendation: Approve a Special Event Liquor License for Gabriel's Angels for an event on Friday, October 2, 2015, subject to the following stipulations: only those people authorized by law be allowed to dispense and/or consume alcoholic beverages; consumption shall be limited to the premises as indicated in the application; and Section 10-7 Control of Excess Noise be observed.

Staff Contact: Duncan Miller, 480-348-3610

Attachments: [Applicant Cover Letter](#)

[15-158](#) Approval of Contract Addendum #4 to the Electric Distribution Undergrounding Agreement with Arizona Public Service Company (APS)

Recommendation: It is recommended that the Town Council authorizes the Town Manager to execute Addendum #4 to the Electric Distribution Undergrounding Agreement with Arizona Public Service Company.

Staff Contact: James P. Shano, P.E. Public Works Director / Town Engineer
480-348-3573

Attachments: [Original Undergrounding Agreement with APS](#)
[Addendum #4](#)

[15-163](#) Authorize the Town Manager to execute an agreement for the provision to the Town of prosecution services with Robert Hubbard, Attorney at Law for a fixed rate of \$3,000.00 per month, plus additional compensation for certain services identified in the agreement, with the total of fixed and additional services to not exceed \$44,000.00 per year.

Recommendation: Execute an agreement for the provision to the Town of prosecution services with Robert Hubbard, Attorney at Law.

Staff Contact: Andrew M. Miller, Town Attorney 480-348-3691

Attachments: [Hubbard Prosecution Agreement 2015](#)

[15-169](#) Consideration of Amendment #1 to the Amended and Restated Development Agreement with Mountain Shadows

Recommendation: Staff recommends approval of Amendment #1 to the Mountain Shadows Development Agreement.

Staff Contact: Kevin Burke, 480-348-3690

11. PUBLIC HEARINGS

NONE

12. ACTION ITEMS

The Town Council May Take Action on This Item. Citizens may address the Council regarding any or all of these items. Those making comments are limited to three (3) minutes. Speakers may not yield their time to others. Please fill out a Speaker Request form prior to the start of the meeting and indicate which item you would like to address.

[15-170](#) Adoption of Resolution 1339 allowing for the reimbursement of capital expenditures with bond proceeds

Recommendation: Adopt Resolution 1339

Staff Contact: Dawn Marie Buckland, 480.348.3555

Attachments: [RESOLUTION NUMBER 1339 Reimbursement Resolution FY 16 CIP](#)
[CIP FY 15 16 5 Year for Reimbursement Resolution](#)

13. REQUESTS FOR FUTURE AGENDA ITEMS

The Town Council May Take Action on This Item.

The Mayor or Town Manager will present the long range meeting agenda schedule and announce major topics for the following meeting. Any member of the Council may move to have the Town Manager add a new agenda item to a future agenda. Upon concurrence of three more Members, which may include the Mayor, the item shall be added to the list of future agenda items and scheduled by the Town Manager as a future agenda item within 60 days. The Mayor or Town Manager will present the long range meeting agenda schedule and announce major topics for the following meeting. Any member of the Council may move to have the Town Manager add a new agenda item to a future agenda. Upon concurrence of three more Members, which may include the Mayor, the item shall be added to the list of future agenda items and scheduled by the Town Manager as a future agenda item within 60 days.

[15-165](#) Consideration of Requests for Future Agenda Items

Recommendation: Review the current list of pending agenda topics.

Staff Contact: Kevin Burke, 480-348-3690

Attachments: [AGENDA TOPICS 09 04 15](#)

14. MAYOR / COUNCIL / MANAGER COMMENTS

The Mayor, Council or Town Manager may provide a summary of current events. In conformance with Open Meeting Laws, Council may not have discussion or take action at this Council meeting on any matter discussed during the summary.

15. ADJOURN

AGENDA IS SUBJECT TO CHANGE

**Notice is hereby given that pursuant to A.R.S. §1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the Town Council are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the Town Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the Town will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 have been waived.*

The Town of Paradise Valley endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can also be provided for disabled persons at public meetings. Please call 480-948-7411 (voice) or 480-483-1811 (TDD) to request accommodation to participate in the Town Council meeting.