



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Meeting Notice and Agenda Town Council

Thursday, June 13, 2019

3:00 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

The Study Session 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 are subject to change.

19-289

Discussion of Resolutions for Specific Activities During Council Recess

30 Minutes

Staff Contact:

Jill B. Keimach, Town Manager, 480-348-3690

Attachments:

[061319 Resolutions for Specific Activities During Council Recess.pptx](#)

19-237

Discussion of Amendments to Town Code Chapter 6 - Administrative Land Modification

15 Minutes

Staff Contact:

George Burton, Planner, 480-348-3525

Attachments:

[Ordinance 2019-05 Clean](#)

[Ordinance 2019-05 Track Change](#)

[Resolution 2019-03](#)

[Town Manager/Town Attorney Administrative Land Modification Approval Form](#)

[Administrative Land Modification Comparison Chart](#)

[March 8th Notice to Builders on Chapter 6 Amendments](#)

[June 6th Notice to Builders on Chapter 6 Amendments](#)

[PowerPoint Presentation](#)

19-275 **Discussion of Ironwood Golf Villas Final Plat (Town Triangle)
Northwest corner of the Northern Avenue alignment and
Scottsdale Road
10 Minutes**

Staff Contact: Paul Michaud, Senior Planner, 480-348-3574

Attachments: [A. Existing Conditions - History](#)
[B. Compliance](#)
[C. Application](#)
[D. Certificate of Assured Water Supply & Utilities](#)
[E. Traffic Statement](#)
[F. LOMR & Drainage](#)
[G. Prior Approvals](#)
[H. Minutes](#)
[I. Maintenance Agreement](#)
[J. Trust Indenture](#)
[K. Preliminary Plat](#)
[L. Noticing](#)
[M. Wall & Gate Plan](#)
[N. Landscaping Plans](#)
[O. Final Plat](#)
[P. Presentation](#)

19-280 **Discussion of Design Contract for Public Works/Engineering
Remodel
10 Minutes**

Staff Contact: Paul Mood, 480-348-3573

Attachments: [PowerPoint Presentation](#)

19-285 **Discussion of Amendments to Article XI, Section 1102.2.B. of the
Zoning Ordinance
15 Minutes**

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

Attachments: [Ordinance Number 2019-07](#)
[061319 Study Session Residential Spacing for Medical Marijuana Dispensaries](#)

3. EXECUTIVE SESSION

- [19-269](#) Discussion or consultation with the Town Attorney to consider the Town's position regarding Development Agreement negotiations related to the Smoke Tree Resort and/or Lincoln Medical Plaza as authorized by A.R.S. §38 431.03(A)(4) and/or legal advice regarding Special Use Permit zoning as authorized by A.R.S. §38 431.03(A)(3.)
- [19-272](#) Discussion and consultation with the Town Attorney regarding contract negotiations, pending or contemplated litigation, or settlement agreements related to Five Star Development project as authorized by A.R.S. §38-431.03(A)(4) and/or discussion and consultation with the Town Attorney for legal advice regarding the development agreement and associated agreements with Five Star Development as authorized by A.R.S. §38-431.03(A)(3).
- [19-273](#) Discussion or consultation with the Town Attorney for legal advice regarding medical marijuana and municipal zoning laws related to medical marijuana dispensaries as authorized by A.R.S. §38 431.03(A)(3.)
- [19-268](#) 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).

4. BREAK

5. RECONVENE FOR REGULAR MEETING 6:00 PM**6. ROLL CALL****7. PLEDGE OF ALLEGIANCE*****8. PRESENTATIONS*****[19-299](#)****Recognition of the United States Army 244th Anniversary****Staff Contact:**

Jill Keimach, Town Manager

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.

[19-267](#)**Minutes of Town Council Meeting May 23, 2019****Attachments:****[Minutes May 23 2019](#)****[19-265](#)****Cancellation of June 27, 2019 Council Meeting****Recommendation:**

Cancel the June 27, 2019 regular Council meeting.

Staff Contact:

Jill Keimach, Town Manager

19-278 **Award of Contract to Level 7 Technologies to Install Fiber Optical Conduits and Cable on the Town Campus**

Recommendation: Authorize the Town Manager to execute contract CON-19-082-IT in an amount not to exceed \$81,779 and grant budget authority for the expenditure in FY 2020.

Staff Contact: Steven Brunasso, 480-348-3547

Attachments: [Executed linking agreement](#)
[Exhibit A State Contract ADSP017-169276 6-5-19 \(FINAL FOR COUNCIL 6](#)
[Exhibit B Aspen Technologies Structured Cabling Proposal - PV Town Hall Op](#)
[PowerPoint Presentation - Town Campus Fiber](#)

19-279 **Award of Design Contract for Public Works/Engineering Remodel**

Recommendation: Authorize the Town Manager to execute a design contract with DWL Architects for Public Works/Engineering Building Remodel in the amount of \$88,933.

Staff Contact: Jason Harris, 480-348-3622

Attachments: [Contract DWL.pdf](#)
[061319 Public Works & Engineering Remodel.pptx](#)

19-297 **Award of Construction Management Services Contract for Lincoln Dr, Mockingbird Ln, and Indian Bend Rd Improvements**

Recommendation: Authorize the Town Manager to execute the construction management services contract with Wood Patel & Associates in the amount not to exceed \$225,570.

Staff Contact: Jason Harris, 480-348-3622

Attachments: [Contract 19-087_WoodPatel](#)

19-277 **Consideration of a Statement of Direction Extension for Mountain View Medical Center - 10555 N Tatum Boulevard (SUP-18-12)**

Recommendation: Approve the requested Statement of Direction (SOD) extension postponing the requirement for the Planning Commission recommendation to Town Council from June 18, 2019 to no later than November 5, 2019.

Staff Contact: Paul Michaud, Senior Planner, 480-348-3574

Attachments: [A - SOD As Amended 04/11/2019](#)
[B - SOD Amendment 06/13/2019](#)
[C. Commission Recommendation](#)
[D - Applicant E-mail Correspondence](#)

19-281 **Approval of Paradise Valley Forms of the Video Services License Agreement, Application Form and Affidavit**

Recommendation: Approve the Paradise Valley forms of the Video Services License Agreement, Application Form and Affidavit

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

Attachments: [PV Video Service Application and Affidavit Draft](#)
 [PV Video Service License Agreement Final](#)

19-271 **Adoption of Resolution 2019-10; Replat to Relocate Drainage Easement, Abandon Public Utility Easements, and Add Access Easements on Five Star Parcel C- Located at 7000 E. Lincoln Drive**

Recommendation: Adopt Resolution 2019-10, subject to the stipulation in the Action Report.

Staff Contact: George Burton, Planner, 480-348-3525

Attachments: [Vicinity Map & Aerial Photo](#)
 [Application](#)
 [Narrative](#)
 [Resolution 2019-10](#)
 [Replat of Parcel C](#)
 [Parcel C Drainage Report](#)
 [APS PUE Abandonment Letter](#)
 [Century Link PUE Abandonment Letter](#)

19-274 **Adoption of Resolution Number 2019-13; Approving the Annual PSPRS Pension Funding Policy for Fiscal Year 2020**

Recommendation: Adopt Resolution Number 2019-03 approving the Annual PSPRS Pension Funding Policy for Fiscal Year 2020.

Staff Contact: Douglas Allen

Attachments: [01 Resolution 2019-13 PSPRS Policy 2020](#)
 [02 ARS 38-863-01 PSPRS Pension Funding Policy](#)

19-266 **Adoption of Resolution 2019-14 Authorizing the Mayor and Town Manager to Advocate on Behalf of Town Council with Neighboring Cities During Council Recess Regarding Development Adjacent to Paradise Valley**

Recommendation: Adopt Resolution 2019-14.

Staff Contact: Jeremy Knapp, Community Development Director, 480-348-3522

Attachments: [Attachment A - Resolution 2019-14](#)

19-288 **Adoption of Resolution 2019-15; Authorization to acquire property interests needed for the Lincoln Drive, Mockingbird Lane, and Indian Bend Road improvements project**

Recommendation: Adopt Resolution No. 2019-15; authorizing the Town to acquire property interests needed for the Lincoln Drive, Mockingbird Lane, and Indian Bend Road improvements project.

Staff Contact: Andrew Miller, 480-348-3526

Attachments: [Resolution 2019-15](#)

19-282 **Adoption of Resolution 2019-16 Approving the Master License Agreement for Small Wireless Facilities in the Public Right-of-Way (“MLA”) and Authorizing the Town Manager to Execute License Agreements in the Form of the Approved MLA but Requiring other Forms of License Agreements to be Approved by the Town Council.**

Recommendation: Adopt Resolution 2019-16.

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

Attachments: [SWF Master License Agreement FINAL TO COUNCIL 6-13-19](#)
[2019-16 Approving MLA for SWF and Authorizing Town Manager to Execute](#)
[061319 Council Master License Agreement for SWF in ROW](#)

19-283 **Adoption of Resolution 2019-17 Authorizing the Mayor and Town Manager to Support the City of Scottsdale’s Efforts and Advocate on Behalf of Town Council with Regard to FAA Flight Paths**

Recommendation: Adopt Resolution 2019-17.

Staff Contact: Dawn Marie Buckland, Deputy Town Manager, 480-348-3555

Attachments: [Resolution 2019-17.docx](#)

11. SPECIAL MEETING - PUBLIC HEARING

The Town Council will recess the Regular Meeting and convene a Special Meeting to consider the Fiscal Year 2019-2020 Budget. The Town Council may hear public comments and take action on this item.

[19-276](#) Adoption of Resolution Number 2019-12; Adopting the FY2019/20 Final Budget, 2020-2024 Capital Improvement Plan, and the 2020 Strategic Revenue Plan.

Recommendation: Adopt Resolution Number 2019-12 adopting the FY2019/20 Final Budget and FY2020-24 Capital Improvement Plan and the 2020 Strategic Revenue Plan.

Staff Contact: Douglas Allen, CFO

Attachments: [01 Resolution 2019-12 Final Budget 2020](#)
[02 PV 2020 Tentative Budget](#)
[03 Slides - Tentative Budget 2020 Overview with CIP](#)
[04A CIP Summaries](#)
[04B CIP Document Detail Sheets](#)
[05 Strategic Revenue Plan 2020](#)

RECONVENE REGULAR MEETING

12. PUBLIC HEARINGS

The Town Council may hear public comments and take action on any of these items. 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.

[19-286](#) Adoption of Ordinance Number 2019-07 Amending Article XI, Section 1102.2.B. of the Zoning Ordinance.

Recommendation: Adopt Ordinance Number 2019-07.

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

Attachments: [Draft Ordinance 2019- 07 Article XI Section B Spacing](#)
[PowerPoint Presentation - Residential Spacing for Medical Marijuana Dispensa](#)

13. 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.

19-264 **Consideration of Ironwood Golf Villas Final Plat (Town Triangle)
Northwest corner of the Northern Avenue alignment and
Scottsdale Road**

Recommendation: Approve the Final Plat for “Ironwood Golf Villas” subject to the conditions in the Action Report.

Staff Contact: Paul Michaud, Senior Planner, 480-348-3574

Attachments: [A. Existing Conditions - History Revised](#)
[B. Compliance](#)
[C. Application](#)
[D. Certificate of Assured Water Supply & Utilities](#)
[E. Traffic Statement](#)
[F. LOMR & Drainage](#)
[G. Prior Approvals](#)
[H. Minutes](#)
[I. Maintenance Agreement](#)
[J. Trust Indenture](#)
[K. Preliminary Plat](#)
[L. Noticing](#)
[M. Wall & Gate Plan](#)
[N. Landscaping Plans](#)
[O. Final Plat](#)
[P. Presentation](#)

19-298 **Adoption of Ordinance 2019-05; Amending Chapter 6 Town Code
Amendment - Administrative Land Modification (MI-19-01); and
Resolution 2019-03 Amending the Fee Schedule**

Recommendation: Adopt Ordinance 2019-05 and Resolution 2019-03.

Staff Contact: George Burton, Planner 480-348-3525

Attachments: [Ordinance 2019-05 Clean](#)
[Ordinance 2019-05 Track Change](#)
[Resolution 2019-03](#)
[Town Manager/Town Attorney Administrative Land Modification Approval Form](#)
[Administrative Land Modification Comparison Chart](#)
[March 8th Notice to Builders on Chapter 6 Amendments](#)
[June 6th Notice to Builders on Chapter 6 Amendments](#)
[PowerPoint Presentation](#)

19-287 **Adoption of Ordinance Number 2019-08 Amending the Definition of Small Wireless Facility in Chapter 2, Article 2-5, Section 2-5-2(I) (2)(I) of the Town Code.**

Recommendation: Adopt Ordinance Number 2019-08.

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

Attachments: [Ordinance Changes to Definitions of Small Wireless Facility_dwr rev_5-16-19_061319](#) [Ordinance Changes to Small Wireless Facilities Definitions_dwr rev](#)

19-263 **Authorize the Town Manager to Amend the Contract with Brown and Associates for Third Party Plan Review and Inspection Services Related to Construction Activities at the Five Star Development in an Amount Not to Exceed \$540,000**

Recommendation: Authorize the Town Manager to execute a contract with Brown and Associates.

Staff Contact: Jeremy Knapp, Community Development Director, 480-348-3522

Attachments: [Attachment A - Existing Contract with Brown and Associates](#)
[Attachment B - Contract Amendment with Brown and Associates](#)
[Attachment C - PowerPoint Presentation](#)

19-256 **Award of Contract for Sanitary Sewer Repairs**

Recommendation: Authorize the Town Manager to execute Contract CON-19-085-ENG with Achen-Gardner Construction, LLC in an amount not to exceed \$409,526.81 for the Glen Dr.; Cheney Dr. and Hummingbird Ln. sanitary sewer repairs.

Staff Contact: Paul Mood, 480-348-3573

Attachments: [CON-19-085-ENG](#)
[PowerPoint Presentation Sanitary Sewer Repairs](#)

19-257 **Award of Contract for Lincoln Dr. Median Design (32nd St. to Mockingbird Ln.), Lincoln Dr. & Invergordon Rd. Intersection Improvements and Lincoln Dr. & Tatum Blvd. Intersection Enhanced Crosswalks.**

Recommendation: Authorize the Town Manager to execute Contract CON-19-084-ENG with Kimley-Horn and Associates in an amount not to exceed \$234,865.00 for the Lincoln Dr. Median Improvements (32nd St. to Mockingbird Ln.), Lincoln Dr. & Invergordon Rd. Intersection Improvements and Lincoln Dr. & Tatum Blvd. Intersection Enhanced Crosswalks.

Staff Contact: Paul Mood, 480-348-3573

Attachments: [Contract CON-19-084-ENG](#)
[PowerPoint Presentation](#)

19-295 Award of Construction Contract for Town Hall Remodel

Recommendation: Authorize the Town Manager to execute the construction contract with Core Construction in the amount not to exceed \$574,075, and to waive the 14-day wait period to sign the agreement.

Staff Contact: Jason Harris, 480-348-3622

Attachments: [PowerPoint Presentation](#)
[Contract 19-088_JOC_CoreConstruction](#)

19-296 Award of Construction Manager at Risk Construction Contract for Lincoln Dr, Mockingbird Ln, and Indian Bend Rd Improvements

Recommendation: Authorize the Town Manager to execute the construction manager at risk construction contract with Achen-Gardner Construction LLC in the amount not to exceed \$11,395,891.31, and to waive the 14-day wait period to sign the agreement.

Staff Contact: Jason Harris, 480-348-3622

Attachments: [Presentation](#)
[Contract 19-068_CMAR-Achen](#)

14. 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.

19-270 Consideration of Requests for Future Agenda Items

Recommendation: Review the current list of pending agenda topics.

Staff Contact: Jill B. Keimach, Town Manager, 480-348-3690

Attachments: [AGENDA TOPICS 06 07 19](#)

15. 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.

16. ADJOURN*AGENDA IS SUBJECT TO CHANGE*

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the general public and to the Town Council of the Town of Paradise Valley that a quorum of Council Members may go to the Rita's Kitchen, Camelback Inn, 5402 E Lincoln Drive following the Town Council meeting. No policy matters will be discussed and no legal action will be taken.

**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.