



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Meeting Notice and Agenda Town Council

Thursday, September 26, 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.

19-351

Discussion of Change Orders for Town Hall Remodel Project

Staff Contact:

Jason Harris, (480) 348-3622

Attachments:

[PowerPoint Presentation: Town Hall Remodel ChangeOrders \(004\).pptx](#)

3. EXECUTIVE SESSION

19-346

Discussion or consultation with the Town Attorney to consider the Town's position regarding a potential Settlement Agreement regarding Case No. CV 2018-004269 as authorized by A.R.S. §38 431.03(A)(4) and/or legal advice regarding settlement agreements as authorized by A.R.S. §38 431.03(A)(3.)

15 Minutes

19-339

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).

90 Minutes

19-341

Discussion or consultation with the Town Attorney to consider the Town's position regarding Development Agreement negotiations related to the East Lincoln Drive South Development Area as authorized by A.R.S. §38 431.03(A)(4) and/or legal advice regarding the development area as authorized by A.R.S. §38 431.03(A)(3.)

45 Minutes

19-340

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*****19-348 Recognition of Ed Lowry for Displaying his Art Work at Town Hall**

Recommendation: Recognize Ed Lowry for displaying his art works in Town Hall and accept his donated photograph.

Staff Contact: Duncan Miller, 480-348-3610

19-328 Proclaim October 2019 as Domestic Violence Awareness Month.

Recommendation: Proclaim October 2019 as Domestic Violence Awareness Month

Staff Contact: Peter Wingert 480 948-7410

Attachments: [Domestic Violence Awareness.pdf](#)

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.

19-343 Minutes of Town Council Meeting September 12, 2019

Attachments: [Town Council Minutes September 12, 2019](#)

11. 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.

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.

19-338

Consideration of Lavitt Manor II Final Plat (FP-19-01). Two Lot Subdivision with Private Road located at 7525 North Ironwood Drive (APN: 169-03-078).

Recommendation: The review of the final plat by Town Council is ministerial which means that the Town Council must approve the final plat if it is in substantial conformance with the preliminary plat and Town Code. Since the final plat is compliant with the preliminary plat and the Town's development standards, it is recommended that the Town Council approve the Lavitt Manor II Final Plat, located at 7525 N. Ironwood Drive, subdividing an approximately 2.8-acre lot into two (2) residential R-43-zoned properties with a private roadway, subject to the stipulations in the action report.

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

Attachments:

[Vicinity Map & Aerial Photo](#)

[Final Plat Application & Narrative](#)

[Final Plat, Paving, G&D, and Landscape Plans](#)

[Drainage Report](#)

[Water Service Impact Study & Hydrant Flow Test](#)

[Utility Will Serve Letters](#)

[Drainage Easement Agreement](#)

[Access Easement & Private Road Maintenance Agreement](#)

[Public Comment](#)

[July 16, 2019 Planning Commission Meeting Minutes](#)

[August 20, 2019 Draft Planning Commission Meeting Minutes](#)

[Noticing Materials - Planning Commission Public Meeting](#)

[Noticing Materials - Town Council](#)

[Exhibit A - Site Wash Photos](#)

[Power Point Presentation](#)

19-350**Approve Resolution 2019-19 and Award of Contract Change Orders for Town Hall Remodel**

Recommendation: Staff recommends the Town Council review the cost estimates for four items for the Town Hall Remodel and authorize the Town Manager to execute change orders or contracts in conformance with the Town Council direction at its Study Session immediately prior to the Council meeting, and to waive the 14-day wait period to sign the agreements. To accomplish this recommendation, staff suggests two motions:
Motion One: Approve Resolution 2019-19 amending the fiscal year 2019-20 adopted budget (attached); and
Motion Two: Authorizing the Town Manager to expend up to \$TBD* for the following contracts: 1) DWL Architects contract no. 19-038 change order no. 2 in the amount not to exceed \$10,000 (drainage design); 2) CORE Construction contract no. 19-088 change order no.1 in the amount not to exceed \$TBD* (plaza area); 3) CORE Construction contract no. 19-088 change order no.2 in the amount not to exceed \$TBD* (open ceiling); 4) Goodmans contract in the amount not to exceed \$20,000; and 5) landscape contract in the amount not to exceed \$10,000, and authorizing the Town Manager to execute change orders or contracts, and waiving the 14-day waiting period to execute same.

*Amount to be determined following Town Council Study Session.

Staff Contact:

Jason Harris, 480-348-3622

Attachments:

[Budget Amendments Resolution 2019-19](#)

[PowerPoint Presentation: Town Hall Remodel ChangeOrders \(004\)](#)

19-347**Adopt Resolution 2019-18 Amending the Local Government Investment Pool ceiling in the Town's Investment Policy.**

Recommendation: Adopt Resolution 2019-18 Amending the Local Government Investment Pool ceiling in the Town's Investment Policy

Staff Contact:

Douglas Allen

Attachments:

[A - Resolution 2019-18 Investment Policy LGIP](#)

[B - 2019 0916 Investment Policy Redlined pages 1 and 3](#)

[C - 2019 0916 Investment Policy Clean](#)

[D - PowerPoint Presentation Investment Policy LGIP v2](#)

19-349 **Approval of Conditional Settlement with Tim Riester and Mirja Riester, Case No. CV 2018-004269.**

Recommendation: Authorize the Town Manager and Town's attorneys to execute a settlement agreement with Tim and Mirja Riester, fully settling Case No. CV 2018-004269, and authorize the Town and its insurers to pay the Riesters a settlement payment of \$.

Staff Contact: Andrew Miller, 480-348-3691

13. 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.

19-342 **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 09 20 19](#)

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*

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.