



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Meeting Notice and Agenda

Town Council

Mayor Jerry Bien-Willner
Vice Mayor Mark Stanton
Council Member Ellen Andeen
Council Member Paul Dembow
Council Member Scott Moore
Council Member Julie Pace
Council Member Anna Thomasson

Thursday, June 10, 2021

2:00 PM

Council Chambers

Amended

1. CALL TO ORDER / ROLL CALL

THIS MEETING WILL BE HELD BY REMOTE PARTICIPATION ONLY

PUBLIC PARTICIPATION IN THE MEETING

Members of the public are encouraged to participate in the meeting via the following options:

1. View the live stream at <https://paradisevalleyaz.legistar.com/Calendar.aspx>
 - (a) Click on Calendar Tab
 - (b) Look for Town Council meeting (you may have to select it from the dropdown list) and find the meeting date
 - (c) Click the "In Progress" link in the column titled Video

2. Zoom Conference

- (a) Computer: <https://zoom.us/j/6678902153>
- (b) Telephone: 1 669 900 6833 Meeting ID 667 890 2153

For submitting comments and questions, and speaking at meetings, please note that there are designated opportunities for public speaking during the meetings, which will be specifically identified by the meeting's presiding official (for Town Council Meetings, the Mayor).

3. Submitting questions and comments:

- (a) Visit <https://paradisevalleyaz.legistar.com/Calendar.aspx>, search for the meeting date, and click "eComment". Locate the agenda item you are interested in and click "Comment" (Please submit comments at least 1 hr prior to meeting)
- (b) Email dmiller@paradisevalleyaz.gov (Please submit comments at least 1 hr prior to meeting)

4. Speaking during Call to the Public / Public Hearings

- (a) Visit <https://paradisevalleyaz.legistar.com/Calendar.aspx>, search for the meeting date, and click "eComment". Locate the agenda item and click "Register to Speak". Join the meeting by dialing 1 669 900 6833 Meeting ID 667 890 2153

(b) If attending by Zoom Video Conference, click the chat button and enter your name and the agenda item you would like to address

(These meeting participation guidelines are pursuant to Town Council Resolution 2020-08 adopted March 17, 2020.)

Notice is hereby given pursuant to A.R.S. §38-431.02. that members of the Town Council will attend by audio/video conference call.

2. STUDY SESSION ITEMS

The Study Session is open to the public for viewing, and the following items are scheduled for discussion among the Council, Staff, and their designees. 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.

[21-224](#)

Discussion and Possible Direction of Construction and Landscape Noise Regulations **30 Minutes**

Staff Contact:

Jill Keimach, 480-348-3690

Attachments:

[Attachment A - Staff Report](#)

[Attachment B - Article 8-10 Nuisance Noise](#)

[Attachment C - Comparison longform Table of other city construction noise regu](#)

[Attachment D - Construction noise regulations from surrounding jurisdictions](#)

[Attachment E - Presentation](#)

[21-232](#)

Discussion of Intergovernmental Agreement Between the City of Phoenix and the Town of Paradise Valley for Fire and Emergency Services **10 Minutes**

Staff Contact:

Andrew J. McGuire, 602-257-7664

Deborah Robberson, 480-348-3609

Attachments:

[Attachment A - Staff Report for IGA for Fire Services with City of Phoenix](#)

[Attachment B - Resolution 2021-17_I GA with City of Phoenix for fire service \(CC](#)

[Attachment C - Presentation](#)

21-214 **Interview and Possible Discussion of Applicants to Fill a Vacancy
on the Planning Commission**
10 Minutes

Staff Contact: Duncan Miller, 480-348-3610

Attachments: [Attachment A - Staff Report Planning Commission Vacancy](#)
[Attachment B - Interview Schedule](#)
[1 Wilder, William Application Redacted](#)
[2 Hurley, Pat Application Redacted](#)
[3 Connor, Stephen Application Redacted](#)
[4 Locke, Kristina Redacted](#)
[5 Hamra, Jeff Application Redacted](#)
[6 Hammes, Myron Application Redacted](#)
[7 Kelly, Jack Application Redacted](#)

21-228 **Discussion and Possible Direction on Landscape Maintenance
Regulations for Area Adjacent to Rights of Way, Sidewalks and
Private Property**
30 Minutes

Staff Contact: Jill Keimach, 480.348.3533

Attachments: [Attachment A - Staff Report](#)
[Attachment B - Articles 8-1 Safety and 8-2 Health](#)
[Attachment C - Article 8-5 Abatement of Nuisances and Code Violation and 8-6](#)
[Attachment D - Presentation](#)
[Attachment E - Photos submitted for discussion](#)

3. EXECUTIVE SESSION

21-208 **Discussion or consideration of applicants to fill the Planning
Commission vacancy as authorized by A.R.S. §38-431.03(A)(1).**

21-206 **Discussion and consultation with the Town Attorney regarding
pending or contemplated litigation related to Five Star Development
project as authorized by A.R.S. §38-431.03(A)(4); and 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).**

21-207 **Discussion or consideration regarding Town Manager, Town
Attorney, and Assistant Town Attorney performance review and
goal setting as authorized by A.R.S. §38-431.03(A)(1).**

21-230

Discussion or consultation for legal advice with the attorney or attorneys of the Town Council regarding conflict of interest law as authorized by A.R.S. §38-431.03(A)(3).

21-209

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*****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.

[21-210](#)**Minutes of Town Council Meeting May 27, 2021**

Attachments: [Town Council Minutes May 27 2021](#)

[21-229](#)**Minutes of Town Council Meeting June 3, 2021**

Attachments: [Town Council Minutes June 3 2021](#)

[21-216](#)**Adoption of Resolution 2021-13 Adopting the Annual Public Safety Personnel Retirement System (PSPRS) Pension Funding Policy for Fiscal Year 2022**

Recommendation: Adopt Resolution 2021-13

Staff Contact: Douglas Allen, CFO 480-348-3696

Attachments: [Attachment A - Staff Report](#)
[Attachment B - Resolution 2021-13](#)
[Attachment C - Presentation](#)

21-215 **Adoption of Resolution 2021-14 Designating the Chief Fiscal Officer as the Town's Filing Agent for the Annual Expenditure Limitation for Fiscal Year 2021/22**

Recommendation: Adopt Resolution 2021-14.

Staff Contact: Douglas Allen, CFO 480-348-3696

Attachments: [Attachment A - Staff Report](#)
 [Attachment B - Resolution 2021-14](#)
 [Attachment C - Presentation](#)

21-218 **Adoption of Resolution 2021-16 Amendment to the Financial Management Policies**

Recommendation: Adopt Resolution 2021-16.

Staff Contact: Douglas Allen, CFO 480-348-3696

Attachments: [Attachment A - Staff Report](#)
 [Attachment B - Resolution 2021-16 Financial Policy Amendment](#)
 [Attachment C - Presentation Assigned Balances](#)

21-222 **Approval Contract No. CON-21-177-PBW to Purchase Town Vehicles Budgeted in Fiscal Year 2022**

Recommendation: Approve Contract No. CON-21-177-PBW to purchase three (3) vehicles budgeted in Fiscal Year 2022 in an amount not to exceed \$134,408. The three (3) vehicles will not be purchased until after July 1, 2021 contingent on budget approval.

Staff Contact: Brent Skoglund 480-348-3540

Attachments: [Attachment A - Staff Report](#)
 [Attachment B - Linking Agreement](#)

21-221

Award of Contracts to South West Environmental, Inc. in the amount of \$11,744.10 for Sewer Manhole Rehabilitation Services and to Project Engineering Consultants, Ltd. in the amount of \$5,225.62 for Sewer Manhole Rehabilitation Design and Construction Administration & Inspection Services.

Recommendation: Authorize the Town Manager to execute contract CON-21-172-ENG with South West Environmental, Inc. in the amount of \$11,744.10 for Sewer Manhole Rehabilitation Services and waive the 14-day contract execution wait period.

Authorize the Town Manager to execute contract CON-21-173-ENG with Project Engineering Consultants, Ltd. in the amount of \$5,225.62 for Sewer Manhole Rehabilitation Design and Construction Administration & Inspection Services and waive the 14-day contract execution wait period.

Staff Contact: Paul Mood, 480-348-3573

Attachments: [Attachment A - Staff Report](#)
[Attachment B - CON-21-172-ENG](#)
[Attachment C - CON-21-173-ENG](#)
[Attachment D - Manhole Location Map](#)

21-223

Acceptance of Donations to the Town

Recommendation: Accept Donations to the Town.

Staff Contact: Chief Peter Wingert, 480 948-7410

Attachments: [Attachment A - Staff Report](#)
[Attachment B - PV Donation Report FY21](#)

21-227

Approval of Contract Funding with Trick Dog Technology, a division of My Computer Works, Inc. for IT consulting services for James Bailey

Recommendation: Approve funding for the contract with Trick Dog Technology, a division of My Computer Works, Inc

Staff Contact: Jill Keimach, 480.348.3533

Attachments: [Attachment A - Staff Report](#)
[Attachment B - Trick Dog Technology CON-21-169-TMG](#)

[21-234](#) Approval of Amendment to the Town Manager's Employment Contract

Recommendation: Authorize the Mayor to execute Amendment Three to the Town Manager's Employment Agreement, CON-19-063-TMG-A3, and waive the 14-day contract execution wait period.

Staff Contact: Deborah Robberson, 480-348-3609

Attachments: [Attachment A - Staff Report](#)
[Attachment B - Keimach Contract Amendment No. 3](#)

[21-235](#) Approval of Settlement Agreement between the Town of Paradise Valley and Five Star Development Resort Communities, et al. to Resolve Disputes in Pending Litigation and other Matters

Recommendation: Approve Settlement Agreement between the Town of Paradise Valley and Five Star Development Resort Communities, et al.

Staff Contact: Jill Keimach, 480-348-3690

Attachments: [Attachment A - Staff Report](#)
[Attachment B - Settlement Agreement \(FS Executed\) 6.3.21](#)

RECESS REGULAR MEETING

11. SPECIAL MEETING - PUBLIC HEARINGS

The Town Council will recess the Regular Meeting and convene a Special Meeting to consider the Fiscal Year 2021-2022 Budget. The Town Council may hear public comments and take action on any of 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.

[21-219](#) Adoption of Resolution Number 2021-12 Adopting the FY2021/22 Final Budget, Capital Improvement Plan and the Strategic Revenue Plan.

Recommendation: Adopt Resolution 2021-12.

Staff Contact: Douglas Allen, CFO 480-348-3696

Attachments: [Attachment A - Staff Report](#)
[Attachment B - Resolution 2021-12 Final Budget 2022 and State Forms Attache](#)
[Attachment C - Presentation](#)

RECONVENE REGULAR MEETING

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.

[21-220](#)

Consideration of a Subdivision Sign at 6403 E Luke Avenue (MI-20-02)

Recommendation: Approve the Cameldale Estates subdivision sign at 6403 E Luke Avenue, subject to the stipulations in the Staff Report.

Staff Contact: Paul Michaud, 480-348-3574

Attachments: [A. Staff Report](#)
[B. Vicinity Map](#)
[C. Application Packet & Plans](#)
[D. Noticing](#)
[E. Presentation](#)

[21-225](#)

Award of Contracts to Achen-Gardner Construction, LLC in the amount of \$303,168.56 for Sewer Rehabilitation Construction Services and to Project Engineering Consultants, Ltd. In the Amount of \$23,017.79 for Sewer Rehabilitation Design and Construction Administration & Inspection Services

Recommendation: Authorize the Town Manager to execute contract CON-21-170-ENG with Achen-Gardner Construction, LLC in the amount of \$303,168.56 for Sewer Rehabilitation Construction Services and waive the 14-day contract execution wait period.

Authorize the Town Manager to execute contract CON-21-171-ENG with Project Engineering Consultants, Ltd. In the amount of \$23,017.79 for Sewer Rehabilitation Design and Construction Administration & Inspection Services and waive the 14-day contract execution wait period.

Staff Contact: Paul Mood, 480-348-3573

Attachments: [Attachment A - Staff Report](#)
[Attachment B - CON-21-170-ENG](#)
[Attachment C - CON-21-171-ENG](#)
[Attachment D - Presentation](#)

21-231 **Adoption of Resolution 2021-17 Approving an Intergovernmental Agreement Between the City of Phoenix and the Town of Paradise Valley for Fire and Emergency Services**

Recommendation: Adopt Resolution No. 2021-17 authorizing the Town Manager to sign the Intergovernmental Agreement (CON-21-178-TMG) between the Town and City of Phoenix for Fire and Emergency Services.

Staff Contact: Andrew J. McGuire, 602-257-7664
Deborah Robberson, 480-348-3609

Attachments: [Attachment A - Staff Report for IGA for Fire Services with City of Phoenix](#)
[Attachment B - Resolution 2021-17 IGA with City of Phoenix for fire service \(CC](#)
[Attachment C - Presentation](#)

21-212 **Appointment to the Planning Commission**

Recommendation: Make an appointment to fill the vacancy on the Planning Commission through March 2023

Staff Contact: Duncan Miller, 480-348-3610

Attachments: [Staff Report - Planning Commission Appointment](#)

13. STUDY SESSION CONTINUED

21-213 **Discussion of Committee, Commission, and Board Appointment Process**

Staff Contact: Duncan Miller, 480-348-3610

Attachments: [Attachment A - Staff Report](#)
[Attachment B - Presentation](#)

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.

21-211 **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 06.04.21](#)

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

**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.