



# 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*

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Thursday, December 2, 2021

3:00 PM

Council Chambers

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**IN-PERSON ATTENDANCE AT PUBLIC MEETINGS HAS BEEN SUSPENDED UNTIL  
FURTHER NOTICE. WATCH LIVE STREAMED MEETINGS AT:  
<https://paradisevalleyaz.legistar.com/Calendar.aspx>**

### 1. CALL TO ORDER / ROLL CALL

*THIS MEETING WILL BE HELD BY REMOTE PARTICIPATION ONLY*

*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](mailto: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. EXECUTIVE SESSION - START TIME 3:00 PM**

*This portion of the meeting is for the Town Council to receive legal advice and is not open to the public.*

**21-394**

**Discussion or consultation with the Town's attorney(s) for legal advice and to consider the Town's position and provide possible instruction regarding EPCOR Water Arizona, Inc's rate case currently pending before the Arizona Corporation Commission (Docket WS-01303A-20-0177), as authorized by A.R.S. §38-431.03(A)(3) and §38-431.03(A)(4).**

*Amended*

**21-380**

**Discussion or consultation for legal advice with the Town Attorney regarding Town Code amendments related to code enforcement (special events, nuisance noise, unruly gatherings, and rental registration) as authorized by A.R.S. §38-431.03(A)(3).**

**21-395**

**Discussion or consultation with Town's Attorney(s) in order to consider employment, assignment, and recruitment of Town Attorney, as authorized by A.R.S. § 38-431.03(A)(1) and A.R.S. § 38-431.03(A)(4)**

*Amended*

**21-381**

**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).**

**3. STUDY SESSION ITEMS - APPROXIMATE START TIME 4:00 PM**

*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.*

**21-377****Discussion of Statement of Direction regarding a new Special Use Permit (SUP-21-02) for a private roadway gate on East Cottontail Run Road (5000 E Cottontail Run Rd & 7117 N Tatum Blvd)  
15 Minutes**

**Staff Contact:** Paul Michaud, 480-348-3574

**Attachments:** [A. Staff Report](#)  
[B. Vicinity & Related Maps](#)  
[C. Application Packet & Plans](#)  
[D. Special Use Permit Guidelines Excerpt](#)  
[E. Existing Gated Communities Map](#)  
[F. Criteria Table](#)  
[G. Statement of Direction](#)  
[H. Presentation](#)

**21-390****Discussion of 2021 International Fire Code  
15 Minutes**

**Staff Contact:** Bob Lee, 480-348-3631

**Attachments:** [Staff Report Report 2021 IFC - LC edits](#)  
[Attachment A - International Fire Code Changes](#)  
[Attachment B - Presentation](#)

**21-393****Discussion of Status of EPCOR Water Arizona, Inc. Rate Case  
(Docket No WS-01303A-20-0177)  
30 Minutes**

**Staff Contact:** Deborah Robberson, 480-348-3609

**Attachments:** [Attachment A - Staff Report - EPCOR Water Rate Case](#)  
[Attachment B - Resolution 2020-29](#)  
[Attachment C - Resolution 2021-07 Amicus Brief Sun City HOA v ACC](#)  
[Attachment D - Crockett Law Group](#)  
[Attachment E - Presentation - Updated](#)

*Amended*

**[21-391](#)**

**Discussion of Amendments to the Paradise Valley Town Code  
Regarding Nuisances, Unruly Gatherings, Non-Compliant  
Short-Term Rentals, and the Peace, Health, Safety, and Welfare of  
the General Public  
30 Minutes**

**Staff Contact:**

Jill Keimach, 480-348-3544

**Attachments:**

[Attachment A - Staff Report](#)

[Attachment B Presentation on Code Changes 12022021](#)

[Attachment C - January 2022 Amendments to the Paradise Valley Town Code v](#)

**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 or any item on the Study Session (Section 3 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.*

**[21-379](#)****Minutes of Town Council Meeting November 18, 2021**

**Attachments:** [Town Council Minutes November 18 2021](#)

**[21-383](#)****Discussion and Action to Cancel the December 16, 2021 Council Meeting**

**Recommendation:** Cancel the December 16, 2021 Council Meeting.

**Staff Contact:** Duncan Miller, 480-348-3610

**Attachments:** [Staff Report - Cancel December 16 2021 Meeting](#)

**21-378****Consideration of Statement of Direction regarding a new Special Use Permit (SUP-21-02) for a private roadway gate on East Cottontail Run Road (5000 E Cottontail Run Rd & 7117 N Tatum Blvd)**

**Recommendation:** Approve the Statement of Direction for a new Special Use Permit for a private roadway gate at 5000 E Cottontail Run Rd.

**Staff Contact:** Paul Michaud, 480-348-3574

**Attachments:** [A. Staff Report](#)  
[B. Vicinity & Related Maps](#)  
[C. Application Packet & Plans](#)  
[D. Special Use Permit Guidelines Excerpt](#)  
[E. Existing Gated Communities Map](#)  
[F. Criteria Table](#)  
[G. Statement of Direction](#)  
[H. Presentation](#)

**21-392****Discussion and Action to Approve Additional Funding for Legal and Expert Witness Services Related to the EPCOR Water Rate Case Pending at the Arizona Corporation Commission**

**Recommendation:** Approve additional funding of \$50,000 for legal services from the Crockett Law Group and expert witness services from Thornton Financial Consulting (John Thornton).

**Staff Contact:** Deborah Robberson, 480-348-3609

**Attachments:** [Attachment A - Staff Report - Amended - Additional Funding for Crockett Law G](#)  
[Attachment B - Resolution 2020-29](#)  
[Attachment C - Crockett Law Group](#)  
[Attachment D - Resolution 2021-07 Amicus Brief Sun City HOA v ACC](#)

*Amended*

**21-396**

**Discussion and Action on the Janssen Settlement Agreement, waiving future claims against Janssen Pharmaceuticals (Johnson & Johnson) related to the national opioid epidemic, in order to participate in a national settlement; and**  
**Discussion and Action on the Distributors Settlement Agreement, waiving future claims against certain opioid distributors (Mckesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation) related to the national opioid epidemic, in order to participate in a national settlement.**

**Recommendation:** Approve the Janssen Settlement Agreement, and authorize the Mayor or Town Manager to execute the Settlement Participation Form; and

Approve the Distributors Settlement Agreement, and authorize the Mayor or Town Manager to execute the Settlement Participation Form.

**Staff Contact:** Andrew McGuire, 602-257-7664

**Attachments:** [Attachment A -Staff Report for Opioid Settlement Agreements](#)  
[Attachment B - ONE AZ AGREEMENT WITH EXHIBITS\[97\]](#)  
[Attachment C - Janssen Settlement Agreement](#)  
[Attachment D - Distributor-Settlement-Agreement-9.18.21](#)  
[Attachment E - Settlement Participation Form](#)  
[Attachment F - National Opioids Settlement Form](#)

*Amended*

## 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.*

**21-384**

**Discussion and Action on Series 11 Liquor License for Sanctuary on Camelback Mountain Resort & Spa**

**Recommendation:** Forward the Sanctuary on Camelback Mountain Resort & Spa application for a Series 11 liquor license transfer to the Arizona Department of Liquor Licenses and Control with a recommendation for approval.

**Staff Contact:** Duncan Miller, 480-348-3610

**Attachments:** [Attachment A - Staff Report - Sanctuary on Camelback Liquor License](#)  
[Attachment B - Memo - Police Department](#)  
[Attachment C - Memo - Community Development](#)

## 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.*

### **21-376**

#### **Discussion and Action on Photo Enforcement Contract**

**Recommendation:** authorize the Town Manager to enter into a contract with American Traffic Solutions Inc. to provide photo enforcement services.

**Staff Contact:** Peter Wingert 480 948-7410

**Attachments:** [Staff Report](#)  
[Attachment A - Agreement with Verra](#)  
[Attachment B - Presentation](#)  
[Attachment C - Procurement Summary Document Final](#)

## 13. STUDY SESSION CONTINUED

### **21-386**

#### **Paradise Valley, 2022 General Plan - Update 5 Minutes**

**Staff Contact:** Lisa Collins, 480-348-3522

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

### **21-385**

#### **Volunteer Committee, Commission, and Board Appointment Process Update 15 Minutes**

**Staff Contact:** Duncan Miller, 480-348-3610

**Attachments:** [Staff Report - Committee Appointment Process Update](#)  
[Attachment A - Presentation](#)  
[Attachment B - 2022 Committee Roster](#)

## 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.*



**21-382****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 11 24 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.*