



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Meeting Notice and Agenda

Town Council

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

Thursday, June 9, 2022

5:30 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 electronic conference system, pursuant to A.R.S. §38-431(4).

2. EXECUTIVE SESSION

[22-224](#)

Discussion and consultation with the Town Attorney for legal advice regarding proposed amendments to Town Code Chapter 2 regarding Board of Adjustment hearing process and associated regulations as authorized by A.R.S. §38-431.03(A)(3).

[22-220](#)

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 - IMMEDIATELY FOLLOWING THE EXECUTIVE SESSION

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.

22-240

**Discussion of Ordinance 2022-05 and Resolution 2022-12 Related to the Board of Adjustment
15 Minutes**

Staff Contact: Andrew McGuire, (602) 257-7664

- Attachments:**
- [A. Staff Report](#)
 - [B. PowerPoint Presentation](#)
 - [C. Ordinance No. 2022-05 \(003\)](#)
 - [D. June 2022 Town Code Amendments Related to the Board of Adjustment](#)
 - [E. Resolution 2022-12](#)
 - [F. Redline of Changes to Section 2-5-3](#)
 - [G. 1- Board of Adjustment Rules of Procedure](#)
 - [G. 2- B of A Code of Conduct 5272022 \(004\)](#)
 - [G. 3 - Board of Adjustment Script 5272022](#)

4. BREAK

5. RECONVENE FOR REGULAR MEETING AT APPROXIMATELY 6:00 PM OR IMMEDIATELY FOLLOWING THE STUDY SESSION**6. ROLL CALL****7. PLEDGE OF ALLEGIANCE*****8. PRESENTATIONS*****[22-212](#)****Recognize August 2022 as Drowning Impact Awareness Month in Paradise Valley**

Recommendation: Recognize August 2022 as Drowning Impact Awareness Month in Paradise Valley.

Staff Contact: Peter Wingert, 480 948-7410

Attachments: [Staff Report](#)
[Proclamation](#)

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.

[22-221](#)**Minutes of Town Council Meeting May 26, 2022**

Attachments: [Town Council Minutes May 26 2022](#)

[22-225](#)**Acceptance of Donations to the Town of Paradise Valley for Fiscal Year 2022**

Recommendation: Accept donations to the Town received in Fiscal Year 2022.

Staff Contact: Chief Peter Wingert, 480 948-7410

Attachments: [A. Staff Report](#)
[B. FY22 - Donation Report](#)

22-233 **Discussion and Possible Action to Approve a Contract with Kimley-Horn and Associates for the Design of the Miscellaneous Street Repairs (Various Locations).**

Recommendation: Approve contract CON-23-001-ENG and authorize the Town Manager to execute contract in the amount not to exceed \$134,200, and waive the 14-day wait period to sign the agreement.

Staff Contact: Jason Harris, 480-348-3622

Attachments: [Attachment A Staff Report.pdf](#)
[Attachment B Contract CON-23-001-ENG Misc Street Repairs.pdf](#)
[Attachment C CIP 2023-01 Misc Street Repairs](#)

22-234 **Discussion and Potential Action to Approve a Contract with Continental Flooring Company for the Town Hall Carpet Replacement.**

Recommendation: Approve contract CON-23-002-ENG and authorize the Town Manager to execute in the amount not to exceed \$65,000 and to waive the 14-day wait period to sign the agreement.

Staff Contact: Jason Harris, 480-348-3622

Attachments: [Attachment A Staff Report.pdf](#)
[Attachment B Contract CON-23-002-ENG.pdf](#)

22-235 **Discussion and Possible Action to Approve a Contract with Educational Furnishings of Arizona for the Town Hall Optimization Phase II Project**

Recommendation: Approve contract CON-23-003-ENG and authorize the Town Manager to execute in the amount not to exceed \$75,000 and to waive the 14-day wait period to sign the agreement

Staff Contact: Jason Harris, 480-348-3622

Attachments: [A. Staff Report](#)
[Attachment B Contract CON-23-003-ENG](#)

22-232 **Discussion and Possible Action to Adopt Resolution 2022-14
Authorizing the Town to Enter into Intergovernmental Agreement
with the Flood Control District of Maricopa County for the Design
and Construction of the Mockingbird Lane Drainage Improvements
from 56th Street to Invergordon Road.**

Recommendation: Adopt Resolution 2022-14 authorizing the Town Manager to enter into Intergovernmental Agreement (IGA) with the Flood Control District of Maricopa County for the Design, Rights-Of-Way Acquisition, Utility Relocations, Construction, Construction Management, and Operation and Maintenance of the Mockingbird Lane Drainage Improvements from 56th Street to Invergordon Road.

Staff Contact: Jason Harris, 480-348-3622

Attachments: [Attachment A. Staff Report](#)
[Attachment B. RES 2022-14 - Authorizing IGA with MCFCD for Mockingbird Ln](#)
[Attachment C. CIP 2021-12 Mockingbird Lane Drainage Improvements 56th to I](#)

22-228 **Discussion and Possible Action to Adopt Resolution 2022-15
Adopting the Annual Public Safety Personnel Retirement System
(PSPRS) Pension Funding Policy for Fiscal Year 2023**

Recommendation: Adopt Resolution 2022-15 setting for the FY 2023 Pension Funding Policy.

Staff Contact: Lindsey Duncan, 480.348.3696

Attachments: [A. Staff Report Pension Funding Policy](#)
[B. Resolution 2022-15 - Adopting PSPRS Pension Funding Policy 2022](#)

22-227 **Discussion and Possible Action to Adopt Resolution 2022-16
Designating the Chief Fiscal Officer as the Town's Filing Agent for
the Annual Expenditure Limitation Report (AELR) for Fiscal Year
2022 and Fiscal Year 2023**

Recommendation: Adopt Resolution 2022-16 designating the CFO for the Submission of the Annual Expenditure Limitation Report for Fiscal Year 2022 and Fiscal Year 2023.

Staff Contact: Lindsey Duncan, 480.348.3696

Attachments: [A. Staff Report CFO AELR](#)
[B. Resolution 2022-16 - Designating CFO for ELR purposes](#)

22-241 **Discussion and Possible Action to Adopt Resolution 2022-17
Amending the Fiscal Year 2022 Budget which Ends June 30, 2022**

Recommendation: Adopt Resolution 2022-17

Staff Contact: Lindsey Duncan, 480.348.3696

Attachments: [A. Staff Report FY2022 Budget Amendments](#)
[B. Resolution 2022-17 - FY 2022 Budget Amendments](#)

22-230 **Discussion and Possible Action to Approve the Intergovernmental
Agreement between the Town of Paradise Valley and the City of
Tempe for the Continued Operation of the East Valley Regional
Veterans Court**

Recommendation: Approve the Intergovernmental Agreement with the City of Tempe allowing Town of Paradise Valley to participate in the Maricopa County East Valley Regional Veterans Court.

Staff Contact: Jeanette Wiesenhofer, 480.404.7020

Attachments: [A. Staff Report](#)
[B. IGA East Valley Regional Veterans Court 2022](#)
[C. IGA Exhibit A](#)

22-237 **Approval of Amendment to the Town Manager's Employment
Contract**

Recommendation: Authorize the Mayor to execute Amendment Four to the Town Manager's Employment Agreement, CON-19-063-TMG-A4, and waive the 14-day contract execution wait period.

Staff Contact: Andrew J. McGuire, 602-257-7664

Attachments: [A. Staff Report - Town Manager Employment Agt. Amendment 4 \(6.3.22\)](#)
[B. Agreement - CON-19-063-TMG-A4 to Keimach Employment Agt. \(6.2.22\)](#)

22-231 **Discussion and Possible Action to Cancel the June 23, 2022
Regular Council Meeting**

Recommendation: Cancel the June 23, 2022 Regular Council Meeting.

Staff Contact: Duncan Miller, 480-348-3610

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

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.

22-226**Discussion and Possible Action to Adopt Ordinance 2022-02, a New Special Use Permit for a Private Roadway Gate on East Cottontail Run Road (5000 E Cottontail Run Rd & 7117 N Tatum Blvd)**

Recommendation: Motion A. Continue Ordinance 2022-02, a new Special Use Permit application for a private roadway gate located on 5000 East Cottontail Run Road and 7117 N Tatum Boulevard (Maricopa County Tax Parcels 169-08-044D and 169-08-044J) to September 8, 2022.

Or

Motion B. Adopt Ordinance 2022-02, a new Special Use Permit application for a private roadway gate located on 5000 East Cottontail Run Road and 7117 N Tatum Boulevard (Maricopa County Tax Parcels 169-08-044D and 169-08-044J), subject to the seven stipulations in this ordinance (refer to Attachment K.)

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. Background](#)
- [F. Traffic Study](#)
- [G. Criteria Table](#)
- [H. Statement of Direction](#)
- [I. Comments & Noticing](#)
- [J. Forms \(Referenced in Ordinance\)](#)
- [K. Draft Ordinance](#)
- [L. Private Agreement](#)
- [M. Presentation](#)

22-236**Public Hearing on Resolution 2022-19: Final Budget for Fiscal Year 2022**

Recommendation: Hold a Public Hearing on Resolution 2022-19 setting forth the Fiscal Year 2023 Final Budget.

Staff Contact: Lindsey Duncan, 480.348.3696

12. SPECIAL MEETING

The Town Council will convene a Special Meeting in accordance with Arizona law to consider the final budget for Fiscal Year 2023.

22-229**Discussion and Possible Action to Adopt Resolution 2022-19
Approving the Final Budget for Fiscal Year 2022**

Recommendation: Adopt Resolution 2022-19 setting forth the Fiscal Year 2023 Final Budget and authorize staff to proceed with the required postings.

Staff Contact: Lindsey Duncan, 480.348.3696

Attachments: [A. Staff Report Final Budget](#)
[B. Presentation](#)
[C. Resolution 2022-19 - Final Budget FY 2023](#)

RECONVENE REGULAR MEETING**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.

22-201**Approval of Contract with E1 Audiovisual Technologies for the
Council Chambers AV Technology Upgrade.**

Recommendation: Staff recommends Town Council approval of CON-22-210-IT and to authorize the Town Manager to execute in the amount not to exceed \$370,000.00 and to waive the 14-day wait period to sign the agreement.

Staff Contact: Duncan Miller, 480.348.3610, Kathy Fernandez, 480.348.3672

Attachments: [A. Staff Report](#)
[B. Presentation](#)
[C. Proposal](#)
[D. Contract 22 210 22 IT](#)

22-242**Discussion and Possible Action to Adopt Ordinance 2022-05, Adopting the June 2022 Town Code Amendments Related to the Board of Adjustment, and Resolution 2022-12, Adopting Amended Rules of Procedure for the Board of Adjustment.**

Recommendation: Adopt Ordinance 2022-05 and Resolution 2022-12 and waive the Council Rules of Procedure requiring a study session at least one meeting in advance of adoption.

Staff Contact: Andrew McGuire, 602.257.7664

Attachments: [A. Staff Report](#)
[B. PowerPoint Presentation](#)
[C. Ordinance No. 2022-05 \(003\)](#)
[D. June 2022 Town Code Amendments Related to the Board of Adjustment](#)
[E. Resolution 2022-12](#)
[F. Redline of Changes to Section 2-5-3](#)
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[G. 2 - B of A Code of Conduct 5272022 \(004\)](#)
[G. 3 - Board of Adjustment Script 5272022](#)

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.

22-222**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 03 22](#)

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.