



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Meeting Notice and Agenda Town Council

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Thursday, September 10, 2020

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*

#### *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
  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. 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.*

**20-331****2022 General Plan Update Process****30 Minutes****Staff Contact:**

Loras Rauch, 348-3595

**20-329****Police Department Update****30 Minutes****Staff Contact:**

Chief Peter Wingert

**20-332****Discussion of License Plate Recognition Contract****15 Minutes****Staff Contact:**

Chief Peter Wingert

**20-346****Discussion and possible direction on options for Banking and Investment Services****Staff Contact:**

Douglas Allen

**20-347****Discussion of Sick Leave Donation Policy****10 Minutes****Staff Contact:**

Jinnett Hancock, 480-348-3520

## 3. EXECUTIVE SESSION

**20-335**

**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); 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); and legal advice regarding zoning application for Palmeraie as authorized by A.R.S. §38-431.03(A)(3).**

[20-334](#) Discussion or consultation with the Town Attorney to consider the Town's position regarding Development Agreement negotiations related to the Smoke Tree Resort authorized by A.R.S. §38 431.03(A) (4), discussion or consultation with the Town representatives concerning negotiations for the purchase, sale, or condemnation of real property in the vicinity of 7100 E Lincoln Drive as authorized by A.R.S. §38 431.03(A)(7), and/or legal advice regarding Special Use Permit zoning as authorized by A.R.S. §38 431.03(A)(3.)

[20-345](#) Discussion and consultation with the Town Attorney for legal advice regarding Memorandum of Understanding between the Town of Paradise Valley and the Paradise Valley Public Safety Foundation as authorized by A.R.S. §38-431.03(A)(3).

[20-333](#) 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.*

[20-337](#)**Minutes of Town Council Meeting June 23, 2020**[20-338](#)**Minutes of Town Council Meeting June 25, 2020**[20-339](#)**Minutes of Town Council Meeting July 6, 2020**[20-340](#)**Minutes of Town Council Meeting July 14, 2020**[20-341](#)**Minutes of Town Council Meeting August 20, 2020**[20-342](#)**Minutes of Town Council Meeting August 31, 2020****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.*



**20-343****Consideration of Liquor License Transfer for Smoke Tree Resort**

**Recommendation:** Forward the Smoke Tree Resort liquor license application for a Series 6 Person Transfer to the Arizona Department of Liquor Licenses and Control with a recommendation for approval.

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

**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.*

**20-344****Consideration of a Statement of Direction Extension for Major Special Use Permit Amendment (SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort**

**Recommendation:** Approve the requested modification to the Statement of Direction (SOD) for the Smoke Tree Resort application (SUP-18-05) from September 30, 2020 to December 15, 2020.

**Staff Contact:** Paul Michaud, Planning Manager (480-348-3574)

**20-349****Adoption of Ordinance No. 2020-10 Amending Chapter 10 Offenses, Section 10-13-2, Definitions; Section 10-13-3, Unruly Gatherings; and Section 10-13-7, Penalties.**

**Recommendation:** Adopt Ordinance Number 2020-10.

**Staff Contact:** Andrew Miller, 480-348-3691

**20-348****Adoption of Ordinance No. 2020-11 Amending Chapter 1 General, Article 1-9, Penalty, Section 1-9-3, Civil Penalty Prescribed.**

**Recommendation:** Adopt Ordinance Number 2020-11.

**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.*

**20-336****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

**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*

*\*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.*



## Action Report

File #: 20-331

**TO:** Mayor Bien-Willner and Town Council Members

**FROM:** Jill Keimach, Town Manager  
Paul Michaud, Planning Manager  
Loras Rauch, Special Project Planner

**DATE:** September 10, 2020

**DEPARTMENT:** Community Development

**AGENDA TITLE:**  
**2022 General Plan Update Process**

### SUMMARY STATEMENT:

To provide Town Council an update on the 2022 General Plan Update process. This includes the discussion of project budget, consultant selection process and review process going forward.

### BACKGROUND:

In accordance with **A.R.S. §9-461.06.K.** on or before the tenth (10<sup>th</sup>) anniversary of the plan's most recent adoption, the governing body of the municipality shall either readopt the existing plan for an additional term of up to ten (10) years or shall adopt a new general plan.

In accordance with **A.R.S. §9-461.05** the General Plan shall consist of a statement of community goals and development policies, include maps, any necessary diagrams and text setting forth objectives, principles, standards and plan proposals. Based on the Town's population, the Paradise Valley 2022 General Plan must include at a minimum the following elements per A.R.S. requirements:

- ✓ Land Use Element
- ✓ Circulation Element
- ✓ Open Space Element
- ✓ Growth Area Element
- ✓ Environmental Planning Element
- ✓ Cost of Development Element
- ✓ Water Resource Element

The *2012 General Plan* addresses these A.R.S. mandatory elements albeit in a combined fashion. The existing *2012 General Plan* elements consist of:

- Land Use and Development Element
- Community Character and Housing Element
- Mobility Element
- Open Space and Recreation Element
- Environmental Planning and Water Resources Element
- Sustainability Element
- Public Facilities/Service and Cost of Development Element

In the case of the *2012 General Plan* the Town added a “Community Character and Housing Element” to provide goals and policies on an issue that was identified by the Paradise Valley Town Council during the general plan process. So long as the A.R.S. mandatory elements are addressed there is nothing preventing a community from including additional elements in a general plan. For instance, other general plan elements required by state statutes for cities with populations larger than that of Paradise Valley include:

- ✓ Conservation Element
- ✓ Recreation Element
- ✓ Transportation Element (additional topics required to be covered)
- ✓ Public Services & Facilities Element
- ✓ Public Buildings Element
- ✓ Housing Element
- ✓ Conservation, Rehabilitation & Redevelopment Element
- ✓ Safety Element
- ✓ Bicycling Element
- ✓ Energy Element
- ✓ Neighborhood Preservation & Revitalization Element.

In accordance with **A.R.S. §9-461.06.M.** once the Town Council adopts the 2022 General Plan it shall be submitted to the voters for ratification at the next regularly scheduled municipal election or at a special election scheduled at least 120 days after the council adopts the plan. The project schedule has now been somewhat condensed due to the COVID crisis. However, it is still staff's intent to meet the deadline to place the ratification question on the August 2022 general election ballot.

#### **PROJECT UPDATE:**

Budget: The current Town budget has three priority levels for expenditures and has allocated \$20,000 for this project at priority level one and \$100,000 at priority level two. Staff sent out the Request for Proposal (RFP) stating that the project budget would be split between two (2) fiscal years to better balance the Town's budget concerns with the anticipated cost expenditures for any consultant responding to the RFP. Staff would then have the flexibility to reimburse for work completed within fiscal year one with the contingency rolled over to the second fiscal year of the project. The RFP also requests that each proposal provide a full description of the expected expenditures per fiscal year based on the six (6) project work phases outlined in the Town's scope of work.

Timeline: The project solicitation process is underway following the schedule outlined below. It is staff's intention to come back to Council for contract approval at the October 8<sup>th</sup> Council meeting.

Request for Proposal Issued	August 24, 2020
Deadline for RFP Submittal (via Bonfire)	September 14, 2020
Selection Committee Shortlist	September 18, 2020
Interviews	Week of Sept. 21, 2020
Contract Approval by Council	October 8, 2020

Depending upon the RFP responses from the consultants the project could commence immediately. Optimistically, staff would like to have a draft of the Public Participation Plan for Council to review and comment on at one of the November meetings and a final draft of the Public Participation Plan for adoption at one of the Council's December meetings. This accelerated schedule reduces the timeframe devoted to drafting the Public Participation Plan from 4 months, as originally outlined, down to 1½ months. To meet this challenging schedule, staff will be evaluating the consultants who respond to the RFP on their specific methodology, personnel and their experience in order to move this project quickly forward and closer to the original project timeline (pre-COVID).

#### Condensed schedule to make up for time lost due to COVID

2020 / month	8	9	10	11	12	2021		
Release RFP (8/24)								
Council Discussion on Process (9/10 WS meeting)								
Selection of Consulting Firm • RFP Due (9/14) • Selection Committee Meet (9/18) • Consultant Interviews (9/24)								
Council Award of Contract to Firm (10/08 meeting)								
Draft of Public Participation Plan (November WS meeting)								
Adoption of Public Participation Plan (December H meeting)								
Draft 2022 Draft Update								

#### Original schedule pre-COVID

2020 / month	1	2	3	4	5	6	7	8	9	10	11	12	2021
Council Discussion on Process													
Selection of Consulting Firm													
Council Award of Contract to Firm													
Drafting of Public Participation Plan													
Adoption of Public Participation Plan													

Format of deliverables: The general plan is used by town government, development community, and the residents; all with different purposes for using it. The RFP states that the General Plan must be “easy to use, easy to read, easy to understand”. Staff anticipates that the consultants will have a few new ideas for the deliverable product (bound book, web-based, static, interactive, executive summary etc.) or a combination of end products. Staff requests Council input on any specific directions regarding what your expectations are for the final deliverables.

**BUDGETARY IMPACT:**

However, the consultant responses to the RFP are due on September 14<sup>th</sup> and if there is a need for a change to the budget staff will so inform the Council and seek further Council direction.

**ATTACHMENT(S):**

- A. 2012 Paradise Valley General Plan
- B. RFP #20-112-CMD
- C. PowerPoint Presentation



An aerial photograph of a desert valley. In the background, a large, rugged mountain with a brown and tan rocky surface rises against a clear blue sky. The valley floor is covered with dense green vegetation, likely trees and shrubs. In the foreground, several tall, dark green saguaro cacti are visible. The overall scene is a typical desert landscape.

# **TOWN OF PARADISE VALLEY 2012 GENERAL PLAN**









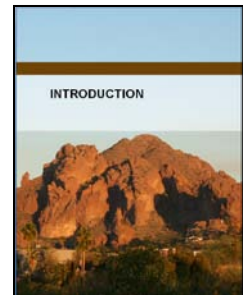


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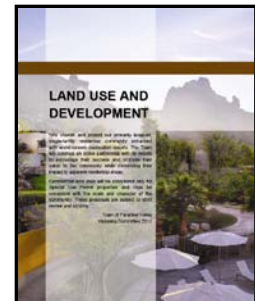
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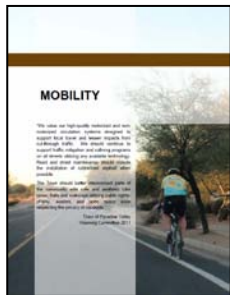
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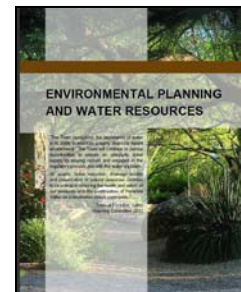
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## ACKNOWLEDGEMENTS

Our sincere thanks to the following people for contributing to the preparation of the 2012 General Plan:

### Town Council

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Scott LeMarr, Mayor  
Mary Hamway, Vice Mayor  
Michael Collins  
Paul Dembow  
Pam Kirby  
Vernon Parker  
Lisa Trueblood

### Town Planning Commission

---

Maria Syms, Chairperson  
Jim Baker  
Tom Campbell  
Scott McPherson  
Richard Mahrle  
Dolf Strom  
Louis Werner III

### General Plan Advisory Committee

---

Michael Collins, Chairperson  
Paul Dembow  
Mary Hamway  
Richard Mahrle  
John Meunier  
Linda Peterson Warren  
David Sherf  
Dolf Strom  
Louis Werner III

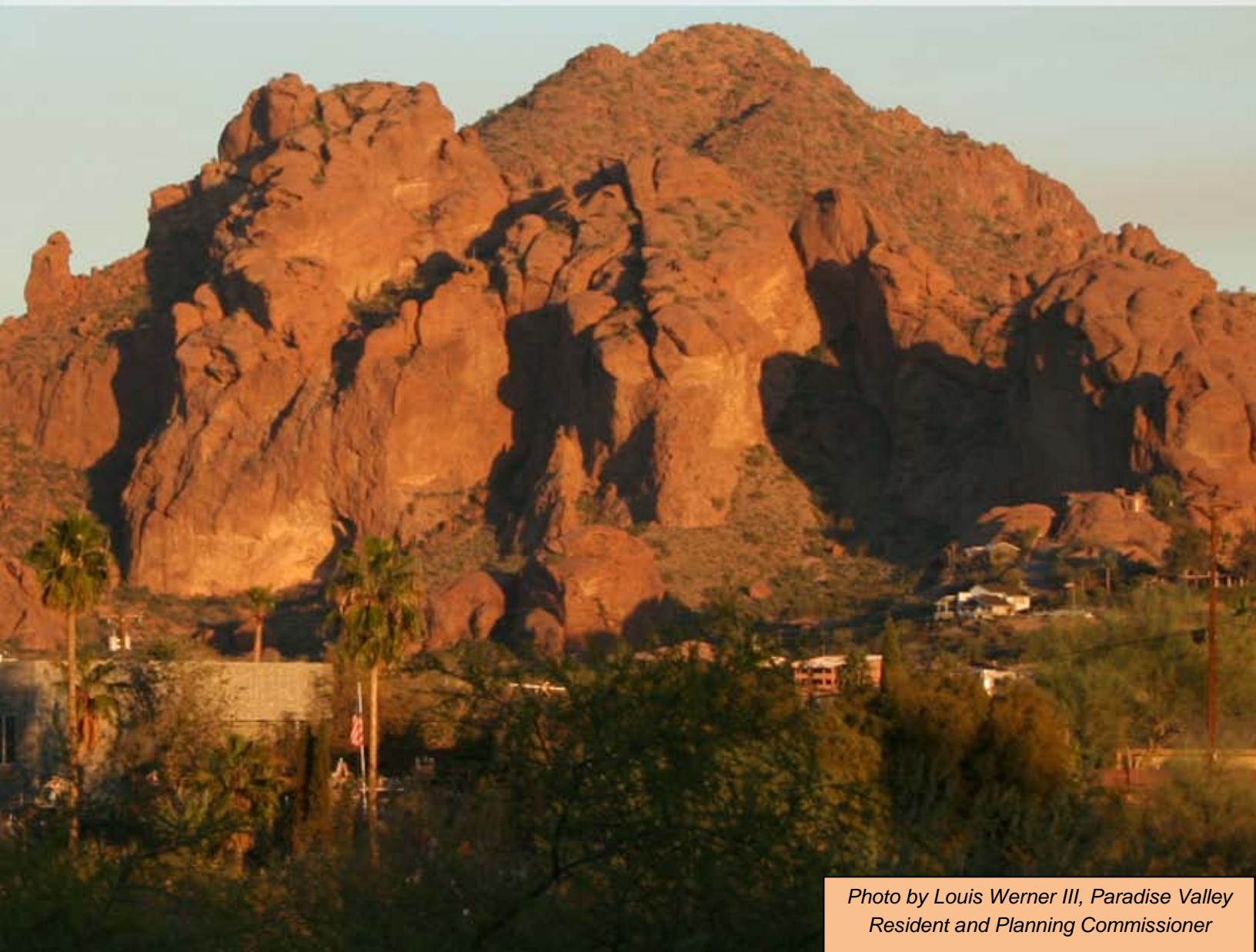
### Town of Paradise Valley Staff

---

Jim Bacon, Town Manager  
David Andrews, Assistant Town Manager  
Eva Cutro, AICP, Community Development Director  
Molly Hood, AICP, Senior Planner  
George Burton, Planner  
Bill Mead, Town Engineer  
Andrew Miller, Town Attorney



# INTRODUCTION



*Photo by Louis Werner III, Paradise Valley  
Resident and Planning Commissioner*

FORMAT PAGE

# 1. Introduction

## 1.1 Preface

The Town of Paradise Valley 2012 General Plan (also referred to as “The General Plan” or “The Plan”) represents a statement by the public of what they expect their Town to become. It is a citizen-driven Plan, conforming to the letter and spirit of “Growing Smarter Plus” legislation (A.R.S. 9-461.05) established by the State of Arizona to guide municipal planning and growth management.

This 2012 Plan is an update of the 2003 General Plan with two new Elements: Community Character and Housing and Sustainability. As in 2003, this Plan emphasizes the desire of the community to remain primarily one-acre residential properties.

## 1.2 Town History

The Town of Paradise Valley (“the Town”), which lies in central Maricopa County between Phoenix and Scottsdale, was created in response to concerns that the sparsely populated desert lifestyle of their community was in danger of slipping away due to threatened annexation and the changing density and commercialization of neighboring Phoenix and Scottsdale. The incorporation effort provided a forum for direct citizen involvement in the creation of a vision for the new community. The area originally incorporated as the Town included 2.69 square miles. By 1970, the Town had incorporated contiguous parcels to increase the area to 13.3 square miles with police services, a municipal court system and an Underground Utilities Ordinance in place. The population had reached 6,637 residents.



**Groundbreaking for Town Hall**

The decade of the 1970s saw the Town prevail in court challenges to the legality of incorporation, zoning regulations and special use permits. A revised Master Plan was approved, Resort and Religious Facilities Regulations were adopted, additional land was annexed and a permanent Town Hall was built. Also, infrastructure needs were addressed including fire hydrants, the first sewer line, floodplain designations, improvement districts and improvements to Lincoln Drive, McDonald Drive and Doubletree Ranch Road. Traffic and police protection became significant Town concerns. The Town's low-density residential character was promoted by ordinances limiting outdoor lighting and excessive noise. In addition, the Town adopted the Hillside Building Regulations to provide specific guidance for developments within the hillside areas.



**Town Hall constructed in 1973**

By 1980, the Town had a population of approximately 11,000 residents and included approximately 14 square miles. That year, the Town Council adopted a General Plan under Arizona Revised Statutes, Section 9-461.05. The 1980 General Plan remained in force until 1997.

During the 1980s, large areas were annexed into the Town, including the Mountain Shadows Resort on Lincoln Drive and the Paradise Valley Country Club on Tatum Boulevard. Street improvements continued and dirt roads began to disappear. A new police facility was added to the Town Hall, and the police force was expanded. The Mummy Mountain Preserve was established to protect the natural profile and wilderness of the higher elevations of the mountain, and numerous donations of mountain land were received.

By 1990, the Town had grown to approximately 16 square miles and 11,770 residents. A Capital Improvement Fund was established by a vote of the residents to provide for needed infrastructure as the community matured. Undergrounding of utility lines continued at an increased pace, flood control and



## INTRODUCTION

sewer capability were studied, and street maintenance was organized with appropriate schedules. Increased traffic throughout the Town remained an important concern of the residents. The 1990s saw a renewed market-driven interest developing the remaining vacant land of the Town for more expensive and larger homes. In limited cases, clustered housing development has been used to retain open space or natural features and to provide greater than normal residential setbacks from heavily traveled thoroughfares without reducing the number of residential lots that might otherwise be created. Many small ranches disappeared as residential developments designed for the maximum number of allowable lots took their places. A renewed commitment to desert vegetation was exemplified by the redesign of the Lincoln Drive medians.



**Lincoln Drive landscape medians, circa 1983**

By 1996, the area of the Town included 16.5 square miles and 12,500 residents. The growth and community change that had occurred since the adoption of the 1980 General Plan prompted the Town to initiate an update of the plan. That update was completed in 1997, when the Town Council adopted the “Vision 2020” General Plan, which included three elements: Land Use, Circulation and Conservation. At the time, only the Land Use and Circulation Elements were required by State law; the Town voluntarily adopted the Conservation Element to address locally important issues.

By the Year 2000, the Town’s population had increased to approximately 13,600, although the physical boundaries of the community had not changed since 1996 through annexation. According to the State of Arizona’s Growing Smarter/Plus statutes passed in 2000, every city and county in Arizona is required to adopt and maintain a general plan. In September 2001, the Town Council authorized proceeding with an update of the Town’s 1997 General Plan (Vision 2020). In

2003 the Town adopted the third General Plan which included seven elements: water resources, growth areas, cost of development, environmental planning, land use, circulation and conservation.

From 2004 through 2008 the Town was experiencing significant development. The Town saw many older, ranch style homes demolished and replaced with very large homes that often were built to the maximum square footage and lot coverage. Some of these newer homes did not integrate easily with the character and design of older established neighborhoods and resulted in residents clamoring for the Town to do something to remedy the situation. However, in 2006, the Arizona voters passed Proposition 207, touted as the Private Property Protection Act. Proposition 207 severely restricted the Town's ability to change land use regulations and, therefore, little or no action was taken to alleviate neighborhood incompatibilities.

When the economy declined in 2008, development in the Town slowed considerably. Projects stalled and the Town's revenues decreased. Severe budget cuts and staff reductions to pre-1980 levels resulted.

### 1.3 Purpose of the General Plan

A general plan is a community's "blue print" for land use and development; it serves as the basis for rational decisions regarding a community's long-term physical development. The general plan expresses the community's development goals and embodies public policy relative to the distribution of future land uses, both public and private. The policies and programs of the general plan are intended to underlie most land use decisions. Preparing, adopting, implementing, and maintaining a general plan serves to:

- Identify the community's land use, transportation, environmental, economic and social goals and policies as they relate to land use and development.
- Provide a basis for local government decision-making, including decisions on development approvals.
- Provide citizens with opportunities to participate in the planning and decision making processes of their community.
- Inform citizens, developers, decision makers and other cities and counties of the ground rules that guide development within the community.

A general plan typically has three defining qualities. *First*, it is general in nature, providing general guidance for the future, particularly regarding growth and development. More precise direction is provided in implementation documents and plans, such as annexations, zoning codes and other ordinances, design regulations, annual budgets and capital improvements program. *Second*, it is comprehensive in scope, addressing a broad range of environmental, social, and economic factors affecting the community. These factors include land use and circulation, environment and resources, economic and fiscal conditions, as well

## INTRODUCTION

as a host of others. Furthermore, these factors should be addressed in an interrelated and, wherever possible, consistent manner. *Third*, it addresses the long-range future of the community. While the general plan takes immediate concerns into consideration, it focuses primarily on the future, particularly potential build out scenarios (i.e., the maximum size and population of the community and the density of development).

To clarify the role of the General Plan:

*The General Plan is:*

- An expression of citizen preferences
- A statement of Town policy
- A guide to public and private decision making
- A long-term perspective
- More than a land use map
- A blueprint to improve residents' quality of life
- A legal requirement under Arizona State Law

*The General Plan is **not**:*

- A zoning map
- A tool to promote special interests
- An unchangeable document
- A detailed policy for specific properties or areas
- A capital improvement program

## 1.4 Town Vision and Values

In recognition of the Town 50<sup>th</sup> anniversary, the Visioning Committee was formed to help guide the discussion for the General Plan update and create a vision for the future. From November 2010 until March 2011, there were 10 meetings in total, 7 committee meetings and 3 community town-hall meetings. Membership on the Visioning Committee was open to any resident interested in serving.

Two different questionnaires were used in an effort to reach different demographics. Both questionnaires were posted on the Town website, but the second questionnaire was sent via email to about 800 families with school-aged children. When combined, the response to the questionnaires was about 10%. (The percentage is based on 5700 households' not total population.)

The data gathered through the questionnaires, committee and community meetings netted six common themes:

- Primarily one-acre, residential community
- Limited government
- Creating a sense of community
- Partnerships with existing schools and resorts to enhance recreational opportunities
- Improving Aesthetics / Creating a Brand
- Preserving natural open space

Through the visioning process it became clear that the most important issue to our community is to maintain the primarily one-acre zoning. Paradise Valley is a residential community and it is important to maintain the high quality of life that residents choose when moving here. Quality of life issues included privacy, high-quality public safety services, maintaining dark skies and protection against increased noise and air pollution and blighted properties.

Residents also value the desert environment, convenient access to local amenities and the notion of limited government. Challenges and issues that were identified included providing an adequate water supply, sufficient revenue to fund police and fire services, minimizing traffic, improving code enforcement and consolidating private trash companies.

Residents said they were not interested in developing recreation centers such as a YMCA or a town library. But, there was interest in creating or improving bike paths and walking trails. Building on the successful project of undergrounding overhead utilities, improving aesthetics in the Town's rights-of-way by using consistent design palette to create a Paradise Valley brand and a sense of arrival was very important. Other important issues included promoting tourism and building a sense of community.

Since the Town's beginning, limiting the growth of government has been a way of life. However, as the Town has evolved, the Visioning Committee was asked if limited government means the same thing today that it meant fifty years ago. There was a consensus that residents don't want a strong active government except when it comes to land use issues, effective police and fire protection, effective code enforcement and controlling resort and non-residential development.

Through the course of the outreach efforts conducted for the Visioning Process update, the Town identified a series of recurring themes or core values held by Town residents. These themes or values collectively constitute the Town's Vision for its future. They are as follows:



### **Paradise Valley Vision**

#### **Visioning Committee 2011**

Paradise Valley is a premier, low density, residential community in Arizona with a national identity reflecting excellence in development and design and protection of the natural Sonoran Desert environment.

Centrally located, this desert oasis, surrounded by mountains, cacti and wildlife in the midst of the sixth largest city in the country, offers convenient access to local and regional amenities while preserving a sense of privacy, quiet, dark skies and public safety that represents an unparalleled quality of life.

The incorporation of Paradise Valley in 1961 was hard fought, and came about with a conscious decision to preserve the natural desert and provide a semi-rural, residential community with limited commercial development and limited government.

As we look to the future, we build upon our past by capturing the independent spirit that founded this community while taking prudent, reasonable and responsible actions to improve the quality of life for Town residents.

Recognizing a proper balance between the powers of local government and individual property rights, our future will be defined by the continuation of our characteristic low-density, residential housing while understanding and appreciating the role of local government in providing quality public safety and other limited services, preserving natural open space and mountain views and ensuring neighborhood-compatible land use decisions throughout the Town.

The aesthetic beauty of our community open spaces, coupled with the natural beauty of the desert, welcomes residents, their guests and resort visitors alike, letting everyone know he is in a special place.

Our world-class resorts, churches, schools and other limited non-residential community-oriented development will continue to evolve and change with the times, but will always respect the quality of life of Town residents.

## **1.5 General Plan Elements**

The balance of this document consists of the General Plan “elements,” which are the Town’s official statements of land use and development policy. The elements are organized in a way that allows the Town to address the statutory requirements of Growing Smarter/Plus in a manner that suits the unique circumstances of the Town. This includes a set of new and existing elements that collectively address the Town’s obligations for conformance with Growing

Smarter/Plus, as well as other issues that are of particular local importance. These elements are as follows:

- Land Use and Development
- Community Character and Housing
- Mobility
- Open Space and Recreation
- Environmental Planning and Water Resources
- Sustainability
- Public Facilities/Services and Cost of Development Element

Each of these elements includes a series of goals that are related to key topics. Under each goal is a set of policies intended to guide achievement of that goal. At the end of each element are several implementation measures that identify the actions necessary to effectively implement the General Plan.

## **1.6 Public Participation**

The 2012 General Plan process has emphasized and encouraged public participation throughout. At the beginning of the process, the Town Council adopted Resolution 1231 for a Public Participation Program with the following goals:

- a. Meet the requirements of the Arizona Revised Statutes.
- b. Create awareness and understanding of the General Plan. Keep the plan in the public eye throughout the process and establish programs to increase their understanding of the plan and recommendations.
- c. Receive input from a broad cross-section of the community and understand residents' attitudes and opinions regarding the direction of the Town's growth and development, key issues facing the Town, and their views regarding the Town's future.
- d. Affirm community vision and values.
- e. Identify common ground on issues where there is a diversity of perspectives.
- f. Promote intergovernmental and interagency cooperation and collaboration.

Over the course of the 2012 General Plan Update, over 50 public meetings were held and numerous press releases were issued. The Town's website was continuously updated with the working draft documents, process and schedule updates. Also, in accordance with State Statutes, copies of the draft General Plan were provided to agencies and other local governments for review and comment.

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**Community Open House February 2011**

### 1.7 General Plan Adoption

In accordance with Arizona Revised Statutes, the Town of Paradise Valley 2012 General Plan, once ratified by the voters, is effective for up to ten years. The General Plan can be updated or readopted at any time at the discretion of the Town; however, it must be updated or readopted within ten years from the date of adoption. As conditions change (including demographic shifts or the emergence of new economic trends) the General Plan may require updates.

Town of Paradise Valley 2012 General Plan is required by Arizona law to be ratified by the voters. At a minimum every ten years, a new General Plan or the currently effective General Plan shall be submitted for voter adoption or readoption. Major amendments to the General Plan are not required to be submitted to the voters by State Statute, but must be approved by a two-thirds majority vote of the Town Council as further detailed in the Implementation section of this Plan.

The process of General Plan adoption entails four key steps.

1. The Plan is provided for a review period of at least 60 days to outside agencies including neighboring municipalities, Maricopa County, Maricopa Association of Governments, and the State Department of Commerce.
2. The Paradise Valley Planning Commission reviews the General Plan over two or more public hearings thereby enhancing citizen accessibility to review sessions.

3. The Paradise Valley Town Council holds a public hearing for final public comment.
4. The Town Council takes action to approve the Plan, and it is submitted to the voters for ratification.
5. If the voters do not approve the proposed General Plan, the current General Plan will remain in effect until a new, revised or resubmitted General Plan gains voter approval.

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# LAND USE AND DEVELOPMENT

“We cherish and protect our primarily large-lot, single-family residential community enhanced with world-renown destination resorts. The Town will continue an active partnership with its resorts to encourage their success and promote their value to the community while minimizing their impact to adjacent residential areas.

Commercial land uses will be considered only for existing or proposed Special Use Permit properties and must be consistent with the scale and character of the community. These proposals are subject to strict review and scrutiny.”

Town of Paradise Valley  
Visioning Committee 2011

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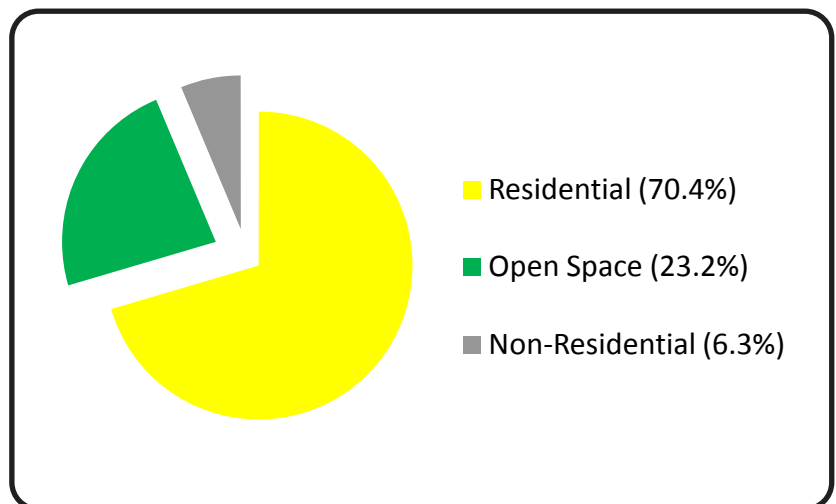
## 2. Land Use and Development

### 2.1 Land Use

The Town of Paradise Valley has evolved and grown since its founding and incorporation. Starting as a rural community on the outskirts of Phoenix, the Town has gone through several growth cycles, annexations of large areas of unincorporated lands, preservation of the natural environment, and increased concentrations of resort uses. The Town has become a community that features a variety of land uses contributing to a unique residential community character, and a national reputation as a high quality resort destination in the middle of the Phoenix metropolitan area.

The Town is unique in that it is zoned almost exclusively residential (70.4%) with non-residential uses (6.3%) controlled by Special Use Permits (SUPs). Open space (23.2%) is the third land use category. Figure 2-1 illustrates the land use distribution within the Town.

The vast majority of residential use is zoned at one residence per one acre. Other residential zoning is limited and ranges from 10,000 square foot residential lots within resort SUP properties to five-acre estate lots. Non-residential SUP properties contain a variety of uses including resort, medical office, school and places of worship. Open space consists of both public open space and private open space. Public infrastructure such as streets, trails, paths, water, sewer, and utilities are needed to serve these land uses.



**Figure 2-1 Land Use in the Town of Paradise Valley**

The Town should not be confused with Paradise Valley Village, an official municipal designation, in northeast Phoenix, Arizona. For instance, Paradise Valley Community College, Paradise Valley High School, Paradise Valley Hospital, Paradise Valley Mall, and Paradise Valley Golf Course are all located several miles to the north of the town, in Phoenix. The Town's name along with all the other various entities bearing the same name comes from the expansive area known as Paradise Valley, that spreads from north of the Phoenix mountains to Cave Creek & Carefree on the north and the McDowell Mountains to the east.



The Land Use and Development Element functions as a guide for Town officials (both elected and appointed), the general public, the development community, and other interested parties as to the ultimate pattern of development in the Town.

In addition to establishing the Town's development policy in broad terms, Goals and Policies of the land use element play a pivotal role in the zoning, subdivision, and public improvements decisions, as these are the primary tools for implementing the Land Use Element.

## GOAL LU 2.1.1

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**Quality of Life.** To preserve those elements or features which contribute to the Town's quality of life and character as a premiere residential community and resort destination with strong rural and historic roots.

### Policies

- LU 2.1.1.1      Preserve Residential Character.** The Town shall preserve and maintain the community's primarily one-acre-lot, single-family residential character.
- LU 2.1.1.2      Minimum One-Acre Lots.** The Town shall maintain low population density by requiring a minimum of one acre per residence outside of Special Use Permit resort properties and encouraging the preservation of lots currently in excess of one acre.
- LU 2.1.1.3      Preserve Streetscapes.** The Town shall ensure that new residential development preserves the integrity of neighborhood streetscapes and common areas.
- LU 2.1.1.4      Encourage Neighborhood Maintenance.** The Town shall encourage the maintenance and revitalization of existing neighborhoods while sustaining their visual coherence and compatibility. The Town shall also actively encourage resident involvement in neighborhood maintenance and revitalization.
- LU 2.1.1.5      Preserve Open Space.** The Town shall preserve public open space and public wash corridors and encourage the preservation of private open space and private wash corridors.
- LU 2.1.1.6      High Quality Design.** The Town will maintain a comprehensive and up-to-date set of ordinances and codes to ensure that development is consistent with this General Plan while resulting in high quality, sensitively designed projects.
- LU 2.1.1.7      Conversion.** The Town shall consider the conversion of land from residential to non-residential uses only within Development Areas as designated on the Development Areas Map (Figure 2.3).

## LAND USE AND DEVELOPMENT

The Town shall ensure that non-residential uses shall not affect the integrity and enjoyment of adjacent residential neighborhoods.

### **LU 2.1.1.8 Consideration of Senior Lifestyle Residential Options.**

The Town should conduct a community-wide discussion on the type of senior lifestyle residential options appropriate for the Town and where they are most appropriate in order to accommodate Town residents who wish to remain residents throughout the later stages of life.

## GOAL LU 2.1.2

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**Special Use Permit Property Revitalization.** To encourage the continued revitalization and improvement of the Town's Special Use Permit properties while protecting the adjacent residential neighborhoods.

### **Policies**

**LU 2.1.2.1 Encourage Revitalization.** The Town shall continue to encourage Special Use Permit property revitalization and improvement within their existing geographic boundaries as long as such improvement does not adversely affect the integrity and enjoyment of adjacent residential neighborhoods.

**LU 2.1.2.2 Require Impact Assessments.** The Town shall require that proposals for revitalization and improvement of Special Use Permit properties include community impact assessments that address beneficial as well as adverse project impacts, including but not limited to noise, traffic, parking, open space or mountain views, and light pollution.

**LU 2.1.2.3 Compatibility of Adjoining Uses.** The Town shall ensure that development within Special Use Permit properties is compatible with adjacent land uses, particularly residential uses, by requiring such features as:

- Increased building setbacks from rear or side yard property lines adjoining single-family residential uses;
- Building heights stepped back from sensitive adjoining uses to maintain appropriate transitions in scale and to protect privacy;
- Landscaped off-street parking areas, loading areas, and service areas screened from adjacent residential areas, to the degree feasible;
- Lighting shielded to minimize impacts on adjacent residential uses and protect dark skies; and

- Operational restrictions to limit the adverse impact of noise, light, and traffic and minimize the risk of crime to adjacent residences.

**LU 2.1.2.4 Special Use Permit Property Maintenance.** The Town shall encourage, and where subject to redevelopment require, owners of closed or poorly maintained Special Use Permit properties to upgrade existing structures and properties to improve their physical condition to acceptable standards or require such structures to be removed or demolished.

**LU 2.1.2.5 Building Design and Site Planning.** The Town shall encourage context-appropriate and responsive building design and site planning on Special Use Permit properties that mitigates the scale of larger buildings through careful use of building massing, setbacks, facade articulation, fenestration, varied parapets and roof planes, and pedestrian-scaled architectural details.

**LU 2.1.2.6 Special Use Permit Processing.** The Town shall identify and implement measures to amend or modify the Special Use Permit application process with the goal of reducing the length of time required to process a Special Use Permit application.

### GOAL LU 2.1.3

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**Community Form/Design.** To promote development in the Town that is in harmony with the natural and built environment at both the community and neighborhood levels.

#### Policies

**LU 2.1.3.1 Visual Openness.** The Town shall maximize the benefits of visual openness throughout the Town by specific limits on floor area ratio, setbacks, side yards, and building and wall heights.

**LU 2.1.3.2 Conservation.** The Town shall encourage energy and water conservation by the appropriate orientation and design of buildings and the use of low-water use landscaping.

**LU 2.1.3.3 Preserve Ridges and Slopes.** The Town shall regulate development of hillside areas to minimize disturbance and preserve natural features, including prominent ridges and slopes.

**LU 2.1.3.4 Control Disturbances.** The Town shall minimize disturbances to the residents during construction by ensuring that new development and additions do not cause or result in unnecessary outdoor light, dust, noise, and odor.

## LAND USE AND DEVELOPMENT

- LU 2.1.3.5 Drought-Tolerant Landscaping.** The Town shall use low-water use landscaping on Town-owned land and Town-maintained rights-of-way and shall encourage other public agencies to do so as well.
- LU 2.1.3.6 Subdivision Landscaping.** The Town shall encourage new residential subdivisions to incorporate low water use landscaping in the common open space areas consistent with the character of adjoining neighborhoods.
- LU 2.1.3.7 Attractive Fences.** Where walls and fences are used/necessary, the Town shall require use and effective upkeep of attractive wall and fence materials and finishes (e.g., stone, masonry, wrought iron, vegetation) and wall designs (meandering, see-through).
- LU 2.1.3.8 Community Gateways.** Major entrances into the Town should be given symbolic markers and landscaping to strengthen community identity and to highlight community design standards. Symbolic markers may include signs, monuments, landscape, and hardscape.

## 2.2 Development Areas

The Development Area Element focuses on opportunities for appropriate infill development in the Town. In the 2003 General Plan, the Town chose not to include a discrete element addressing Development Areas. It instead addressed infill development policy through a variety of land use and development policies otherwise included in the 2003 plan.

Today, in the ever growing competition between municipalities for development and redevelopment investments, the designation of Development Areas is a common and widely accepted tool for municipalities. Used in this context, Development Areas in the Town of Paradise Valley are intended to focus resort development into targeted areas that are most appropriate for accommodating the variety of land uses associated with such use. Development Areas are meant to encourage new resort development and redevelopment that reflects the Town's needs for fiscal health, economic diversification, and quality of life. The Development Areas Element and Map (Figure 2-3) identify three areas of the community that are most appropriate for development focus.

Goals and policies in this section provide for limited, targeted and context-appropriate development in Development Areas that preserves existing viable neighborhoods and targets new development to infill areas that are vacant or underutilized.

## GOAL DA 2.2.1

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**Development Area Policy.** To support limited, targeted and context-appropriate development and redevelopment within Development Areas through orderly and well-planned development that provides for the needs of existing and future residents, and makes efficient use of land and infrastructure.

### Policies

**DA 2.2.1.1 Development Areas.** The Town should designate Development Areas to plan for the strategic and well-planned development and redevelopment of three vacant and/or transitioning portions of the Town as shown on the Development Areas Map (Figure 2-3).

**DA 2.2.1.2 Balanced Consideration.** Consideration of Development Area Special Use Permit applications should balance a need for the Town's fiscal health against a steadfast commitment to protecting adjacent low-density residential character and quality of life.

**DA 2.2.1.3 Minimize Neighborhood Incompatibility.** The Town shall require development or redevelopment within Development Areas to provide reasonable separation of incompatible land uses from adjacent residential areas through context- and scale-appropriate land planning and architectural design, greater setback distances, noise mitigation, resort property programming, and landscape buffering.

**DA 2.2.1.4 Special Use Permit Creation.** Where necessary to facilitate orderly and well-planned development, the Town should, consistent with the land use map of this General Plan, consider allowing residentially-zoned properties in Development Areas to convert to Special Use Permit properties.

**DA 2.2.1.5 Alternative Land Use Designations.** In Development Areas where alternative land use designations are identified in this General Plan (through cross-hatching), the Town should consider allowing property owners to develop under either of the alternative land use designations.

## GOAL DA 2.2.2

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**Community Spaces.** To conserve and enhance public open spaces, access to open spaces, open space connections, and encourage the incorporation of public art in Development Areas.

## LAND USE AND DEVELOPMENT

### Policies

- DA 2.2.2.1 Open Space.** The Town shall seek to provide open spaces in Development Areas that encourage public gathering, enhance aesthetics, and serve as buffers between uses of significantly differing function and intensity.
- DA 2.2.2.2 Open Space Connections.** The Town shall strengthen connections between open space areas within, and outside of, Development Areas by identifying open space corridors between these areas.
- DA 2.2.2.3 Public Space.** The Town shall work with Development Area Special Use Permit properties to integrate pedestrian amenities, traffic-calming features, plazas and public areas, attractive streetscapes, shade trees, lighting, and open spaces in keeping with the character of the Town.
- DA 2.2.2.4 Public Art.** The Town should encourage the integration of public art into the visual character of Development Areas.

### GOAL DA 2.2.3

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**Infrastructure and Development.** To direct orderly and well-planned development within Development Areas to support infrastructure improvements, and a concentration of development density and intensity.

### Policies

- DA 2.2.3.1 Public Infrastructure.** The Town should promote the public and private construction of timely and financially sound public infrastructure within Development Areas through the use of infrastructure funding and financing that is coordinated with development activity and funded by the developer whenever possible.
- DA 2.2.3.2 Public/Private Partnerships.** The Town should consider public/private partnerships and interagency coordination to realize capital infrastructure needs, and to foster quality development and redevelopment within Development Areas.
- DA 2.2.3.3 East Lincoln Drive Development Areas.** The Town should encourage moderate intensity, mixed-use, and context appropriate resort development within the East Lincoln Drive Development Areas that includes reasonable separation between incompatible uses and adjacent residential areas and effective buffering of unwanted noise, light, traffic and other adverse impacts.

- DA 2.2.3.4 56th Street and Lincoln Drive Development Area.** Within the 56<sup>th</sup> Street and Lincoln Drive Development Area, the Town should encourage context appropriate resort development that offers resort amenities to existing Mountain Shadows East and West residential communities and provides neighborhood-oriented commercial services that do not adversely affect adjacent residential communities.
- DA 2.2.3.5 General Plan Amendment Process.** The Town shall identify and implement a transparent application process for the consideration of General Plan amendments.

## 2.3 Implementation Measures

The Land Use and Development Element sets forth broad goals and policies related to land use and development / redevelopment within the Town. Implementation requires translating these broad statements to specific actions, systematically evaluating progress, and active community participation.

The implementation measures in Table 2.3-1 have been identified for Land Use and Development and serve as a basis for the performance evaluation of Town staff, leadership, and volunteers in the execution of the General Plan.



## LAND USE AND DEVELOPMENT

Table 2.3-1. Land Use and Development Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>1. Residential Character</b> Maintain the Town's primarily owner-occupied, low-density residential character by continuing to require a minimum of one-acre per residence except on new and existing Special Use Permit properties where single-family owner resort housing and assisted living projects may be considered. No timeshare or fractional ownership residences shall be allowed anywhere in the Town.						X
<b>Implements Which Policy(ies)</b>	LU 2.1.1.1, 2.1.1.2					
<b>Responsible Party(ies)</b>	Town Council with the support of Town Manager					
<b>2. Preserve Streetscapes</b> Develop and maintain a high quality roadway design that promotes the character and image of the Town, reduces negative environmental impacts including noise and minimizes adverse impacts to the neighborhood through the use of roadway cross sections, traffic counts, and high quality hardscaping and landscaping.						X
<b>Implements Which Policy(ies)</b>	LU 2.1.1.3					
<b>Responsible Party(ies)</b>	Community Development with support of Town Manager					
<b>3. Neighborhood Maintenance</b> Maintain communication with the community through community meetings, the Town's website, social networking, media, and other methods deemed appropriate to actively encourage resident involvement in neighborhood maintenance and revitalization.						X
<b>Implements Which Policy(ies)</b>	LU 2.1.1.4					
<b>Responsible Party(ies)</b>	Town Manager					
<b>4. Open Space Preservation</b> Identify parcels of land and solicit the owners for donations of land or easements in order to preserve and restore open space and mountain views. Also continue to preserve the Town's wash corridors through periodic code enforcement inspections and encourage the restoration of washes.						X
<b>Implements Which Policy(ies)</b>	LU 2.1.1.5					
<b>Responsible Party(ies)</b>	Town Manager with support of Community Development					

Table 2.3-1. Land Use and Development Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>5. High Quality Design</b> Evaluate and amend the Town's ordinances and codes where necessary to ensure all development within the Town is consistent with the General Plan while resulting in high quality, sensitively designed projects.		X				X
<b>Implements Which Policy(ies)</b>	LU 2.1.1.6					
<b>Responsible Party(ies)</b>	Town Manager with support of Community Development Department					
<b>6. Senior Lifestyle Residential Option Discussion</b> Conduct a community-wide discussion on the type of senior lifestyle residential options appropriate for the Town and where they are most appropriate in order to accommodate Town residents who wish to remain residents throughout the later stages of life.		X				
<b>Implements Which Policy(ies)</b>	LU 2.1.1.7, LU 2.1.1.8					
<b>Responsible Party(ies)</b>	Planning Commission and Town Council					
<b>7. SUP Revitalization</b> Evaluate and amend the SUP Guidelines, if necessary, to encourage SUP property revitalization and improvement within their existing geographic boundaries as long as such improvements do not adversely affect the integrity and enjoyment of adjacent residential areas. Require community impact assessments that demonstrate both the positive and adverse impacts of proposed SUP projects and utilize context appropriate and responsive building and site design to ensure compatibility with adjoining uses.		X				X
<b>Implements Which Policy(ies)</b>	LU 2.1.2.1, 2.1.2.2, 2.1.2.3, 2.1.2.4, 2.1.2.5					
<b>Responsible Party(ies)</b>	Planning Commission and Town Council					

## LAND USE AND DEVELOPMENT

Table 2.3-1. Land Use and Development Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>8. SUP Maintenance</b> Utilize all code enforcement resources, including fines and prosecution, to require SUP property owners to remedy identified public nuisance violations and require properties be maintained to ensure health and safety.						X
<b>Implements Which Policy(ies)</b>	LU 2.1.2.4					
<b>Responsible Party(ies)</b>	Town Manager with support of Code Enforcement and Fire Marshal					
<b>9. Visual Openness</b> Evaluate and amend, if necessary, the Zoning Ordinance limits on floor area ratio, setbacks, side yards, and building and wall heights in order to maximize the benefits of visual openness.		X				X
<b>Implements Which Policy(ies)</b>	LU 2.1.3.1					
<b>Responsible Party(ies)</b>	Planning Commission and Town Council					
<b>10. Conservation</b> Develop incentives to encourage new development and redevelopment to be located and designed to visually compliment the natural environment and setting and require site design which uses trees to shade parking facilities, streets, and other facilities.		X				X
<b>Implements Which Policy(ies)</b>	LU 2.1.3.2					
<b>Responsible Party(ies)</b>	Town Manager with support of Community Development					
<b>11. Ridge and Slope Preservation</b> Assess hillside code and amend if necessary to minimize disturbance and ensure the Town's prominent mountain peaks, ridges, and hillsides are minimally impacted by development.		X				X
<b>Implements Which Policy(ies)</b>	LU 2.1.3.3					
<b>Responsible Party(ies)</b>	Hillside Committee					
<b>12. Underground Utilities</b> The Town shall encourage residents to continue participating in the cost sharing for undergrounding utilities, hosting informational meetings and facilitating discussions between residents and the utility companies.		X				X
<b>Implements Which Policy(ies)</b>	PFS 8.5.1.2					
<b>Responsible Party(ies)</b>	Town Manager with support of Town Council					

Table 2.3-1. Land Use and Development Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>13. Disturbance Control</b> Through fire department and code enforcement efforts, require private property owners meet health, safety and zoning standards and avoid the creation of unnecessary outdoor light, dust, noise and odor.						X
<b>Implements Which Policy(ies)</b>	LU 2.1.3.4					
<b>Responsible Party(ies)</b>	Community Development Department					
<b>14. Drought Tolerant Landscaping</b> Continue to use drought tolerant, low-water use landscaping on Town-owned land and rights-of way.						X
<b>Implements Which Policy(ies)</b>	LU 2.1.3.5					
<b>Responsible Party(ies)</b>	Community Development Department					
<b>15. Subdivision Landscaping</b> Through subdivision plat review, encourage new residential subdivisions to incorporate low water use landscaping in the common open space areas.						X
<b>Implements Which Policy(ies)</b>	LU 2.1.3.6					
<b>Responsible Party(ies)</b>	Community Development Department, Planning Commission and Town Council					
<b>16. Attractive Fencing</b> Continue to enforce the Town's Zoning Ordinance regulations regarding fencing including any wall visible from adjoining properties, adjacent rights-of-way, and/or open space areas shall consist of finished materials such as stucco, brick, stone, metal, rails, wood, or tile.						X
<b>Implements Which Policy(ies)</b>	LU 2.1.3.7					
<b>Responsible Party(ies)</b>	Community Development Department, Planning Commission and Town Council					
<b>17. Community Gateways</b> Identify key gateways to the Town and develop a comprehensive and consistent design plan that differentiates the Town from surrounding communities and reflects the quality brand and positive image of the community with deference to private property rights and residential quality of life.		X				X
<b>Implements Which Policy(ies)</b>	LU 2.1.3.8					
<b>Responsible Party(ies)</b>	Town Manager supported by Planning Commission and Town Council					

## LAND USE AND DEVELOPMENT

Table 2.3-1. Land Use and Development Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>18. Development Areas</b> Designate three development areas (as shown on Figure 2.3) to plan for the strategic and well planned development of vacant or underutilized portions of the Town. Consideration of projects in the Development Areas should balance a need for the Town's fiscal health against a steadfast commitment to the Town's low-density residential character. Development in these areas shall provide reasonable separation of incompatible land uses from adjacent residential areas.		X				X
<b>Implements Which Policy(ies)</b>	DA 2.2.1.1, 2.2.1.2, 2.2.1.3					
<b>Responsible Party(ies)</b>	Planning Commission and Town Council					
<b>19. Special Use Permit Creation</b> Allow the conversion of residentially zoned properties in Development areas to Special Use Permit properties where necessary to facilitate orderly well-planned development consistent with the Land Use Map.		X				
<b>Implements Which Policy(ies)</b>	DA 2.2.1.4					
<b>Responsible Party(ies)</b>	Town Council and Planning Commission					
<b>20. Alternative Land Use Designations</b> In Development Areas shown with alternative land uses (through cross-hatching), allow property owners to develop under either of the alternative land use designations.		X				
<b>Implements Which Policy(ies)</b>	DA 2.2.1.5					
<b>Responsible Party(ies)</b>	Town Council and Planning Commission					
<b>21. Development Area Open Spaces</b> Seek to provide open spaces in Development Areas that encourage public gathering, enhance aesthetics, serve as buffers, connect with other open space areas, integrate pedestrian amenities, traffic calming features, plazas and public areas, attractive streetscapes, shade trees, lighting, and public art.		X				
<b>Implements Which Policy(ies)</b>	DA 2.2.2.1, 2.2.2.2, 2.2.2.3, 2.2.2.4					
<b>Responsible Party(ies)</b>	Town Council and Planning Commission					
<b>22. Infrastructure Funding</b> Promote the public and private construction of public infrastructure within the three Development Areas through the use of funding/financing that is coordinated with development activity and funded by the developer wherever possible. Where not possible, the Town should consider public/private partnerships (i.e. Community Facility Districts, Special Assessment Areas) to realize capital infrastructure needs.		X				
<b>Implements Which Policy(ies)</b>						
<b>Responsible Party(ies)</b>						

Table 2.3-1. Land Use and Development Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>Implements Which Policy(ies)</b>	DA 2.2.3.1, 2.2.3.2					
<b>Responsible Party(ies)</b>	Town Council with support of Town Manager					
<b>23. East Lincoln Drive Development Areas</b> Encourage moderate intensity, mixed-use, and context appropriate resort development within the East Lincoln Drive Development Areas that includes reasonable separation between incompatible uses and adjacent residential areas and effective buffering of unwanted noise, light, traffic and other adverse impacts.		X				
<b>Implements Which Policy(ies)</b>	DA 2.2.3.3					
<b>Responsible Party(ies)</b>	Town Council and Planning Commission					
<b>24. 56<sup>th</sup> Street and Lincoln Drive Development Area</b> Encourage context appropriate resort development that offers resort amenities to existing Mountain Shadows East and West residential communities and provides neighborhood oriented commercial services that do not adversely affect adjacent residential communities.		X				
<b>Implements Which Policy(ies)</b>	DA 2.2.3.4					
<b>Responsible Party(ies)</b>	Town Council and Planning Commission					
<b>25. Special Use Permit Process Revisions</b> Town staff shall prepare for Town Council consideration a list of recommendations for defining or amending the Special Use Permit application or review process with a goal of reducing the length of time required to process such applications.		X				
<b>Implements Which Policy(ies)</b>	DA 2.1.2.6					
<b>Responsible Party(ies)</b>	Community Development Department					
<b>26. General Plan Amendment Process</b> Town staff shall prepare for Town Council consideration a list of recommendations for defining or amending the General Plan amendment process with the goal of making the processes more transparent for applicants.		X				
<b>Implements Which Policy(ies)</b>	DA 2.2.3.5					
<b>Responsible Party(ies)</b>	Community Development Department					

### 2.4 Land Use Map

The Land Use Map for the General Plan depicts the proposed general uses of land within the Town. It functions as official Town policy on the allocation and distribution of different land uses. The pattern of land uses is shown on the Land Use Map by means of various land use designations, each of which denotes specific types of land use. The boundary lines between land use designations are shown as precisely as possible, and generally follow property lines and/or roads. The Town's Zoning Map implements the General Plan land use designations by ordinance at a much more detailed, parcel-specific level.

The Land Use Map of this General Plan uses eight land use designations to depict the types of land uses that are allowed in the Town. Following are brief descriptions of the intent of each of the land use designations appearing on the Land Use Map. Crosshatched areas of the map demonstrate existing and potential alternative land uses.

**Very Low Density Residential (VLDR):** This designation is intended to accommodate the lowest intensity residential uses in the Town. The permitted density ranges up to one single-family house per every four acres.

**Low Density Residential (LDR):** Low Density Residential is by far the predominant designation on the Land Use Map. It is intended to accommodate up to one single-family house per acre.

**Medium Density Residential (MDR):** The Medium Density Residential designation is applied to areas of Town that are currently zoned for less than one single-family house per acre (i.e., R-35, R-18, and R-10). The MDR designation will permit densities up to 4.5 single-family houses per acre.

**Resort/Country Club (R/CC):** The Resort/Country Club designation is applied to the Town's existing and approved resort and country club sites. The intent of the R/CC designation is to identify the built-up areas of the resorts and country clubs, rather than the recreational use areas (primarily golf course turf areas). The R/CC designation is intended to accommodate resorts and country club uses, and their integrated residential units or associated support facilities.

**Medical Office (MO):** The MO designation applies to medical office complexes and animal kennels and veterinarian uses.

**Public/Quasi Public (P/QP):** The P/QP designation is applied to the public and quasi-public facilities such as schools (both public and private), Town facilities (e.g., Town Hall) other public facilities, and places of worship.

**Public Open Space (OS-Pub):** This designation is applied to those open space areas of the Town that are publicly owned to include Town-owned roadway right-of-ways, the Barry Goldwater memorial, Mummy Mountain Trust lands, Phoenix Mountain Preserves, portions of Camelback Mountain, and other public property



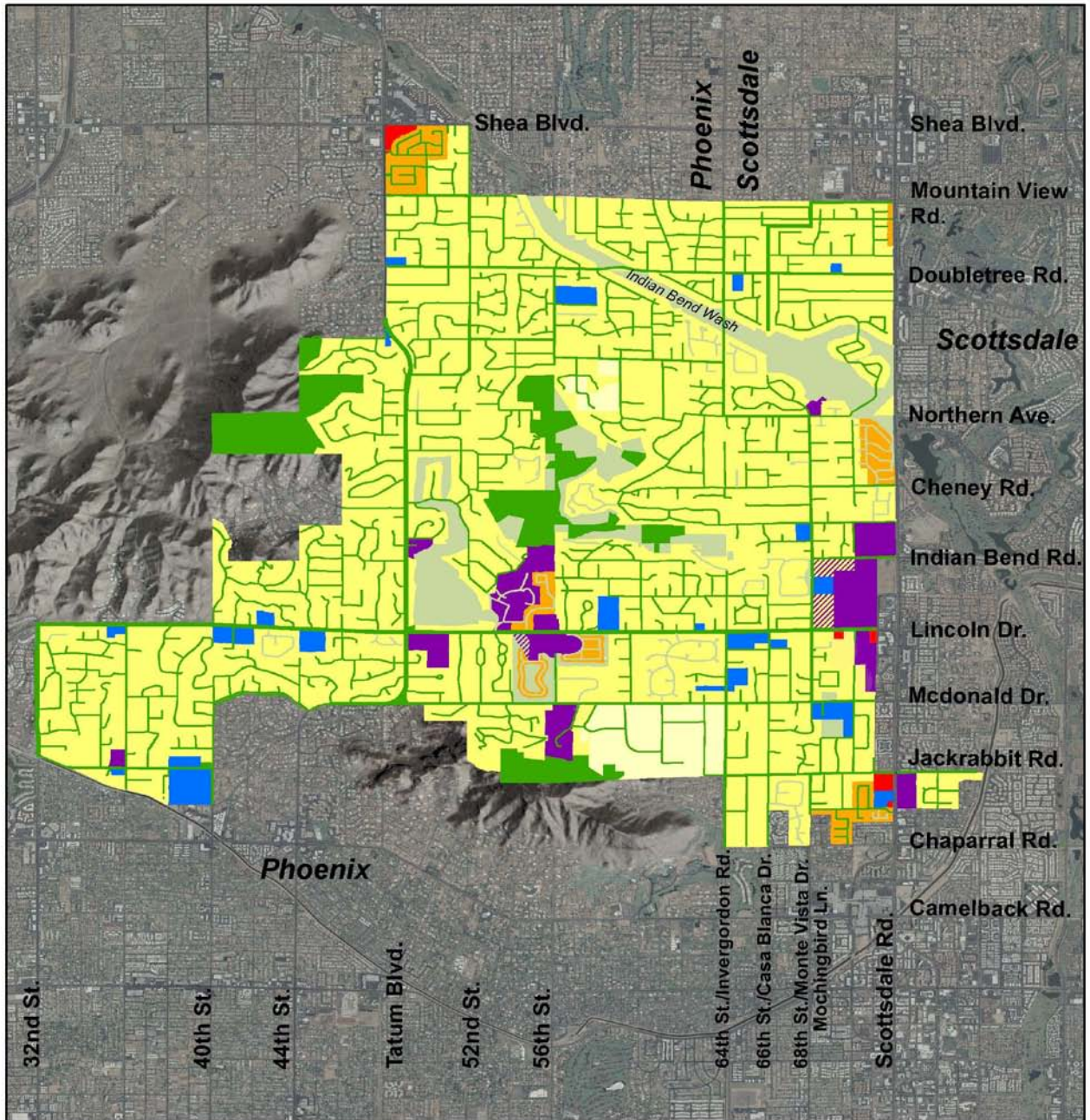
as well as those properties that are preserved through an established trust for the benefit of the public.

**Private Open Space (OS-Priv):** This designation is applied to the Kiva Field, Camelback Cemetery, privately-owned areas that are within the boundaries of a designated preserve area but not protected from development through a trust or easement, turf areas at the Town's three private golf courses, private roadway right-of-ways, and dedicated open space areas in certain subdivisions within the Town.

The Land Use Map (Figure 2-2) designates land within the Town according to the eight land use designations described above and summarized in Table 2-1. Acreage totals and percentages for each land use designation are approximate. Acreage calculations for crosshatched areas were based on existing land use.

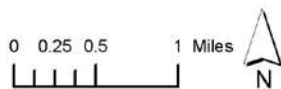
TABLE 2-1: LAND USE DESIGNATIONS			
Designation	Density Standards	Acres	% of Total
Very Low Density Residential	Up to 1 house per 4 acres	278	2.9%
Low Density Residential	Up to 1 house per acre	6,328	65.4%
Medium Density Residential	Up to 4.5 houses per acre	209	2.2%
Resort/Country Club		367	3.8%
Medical Office		23	0.2%
Public/Quasi Public		223	2.3%
Public Open Space		1530	15.8%
Private Open Space		719	7.4%
<b>Total</b>		<b>9,677</b>	<b>100.0%</b>

Figure 2-2: Land Use



Legend

- |  |                     |
|--|---------------------|
| Low Density Residential OR Resort/Country Club | Private Open Space  |
| Private Open Space OR Resort/Country Club      | Public Open Space   |
| Very Low Density Residential                   | Medical Office      |
| Low Density Residential                        | Public/Quasi Public |
| Medium Density Residential                     | Resort/Country Club |



Planning Commission -  
Revised September 20, 2011



## 2.5 Development Areas Map

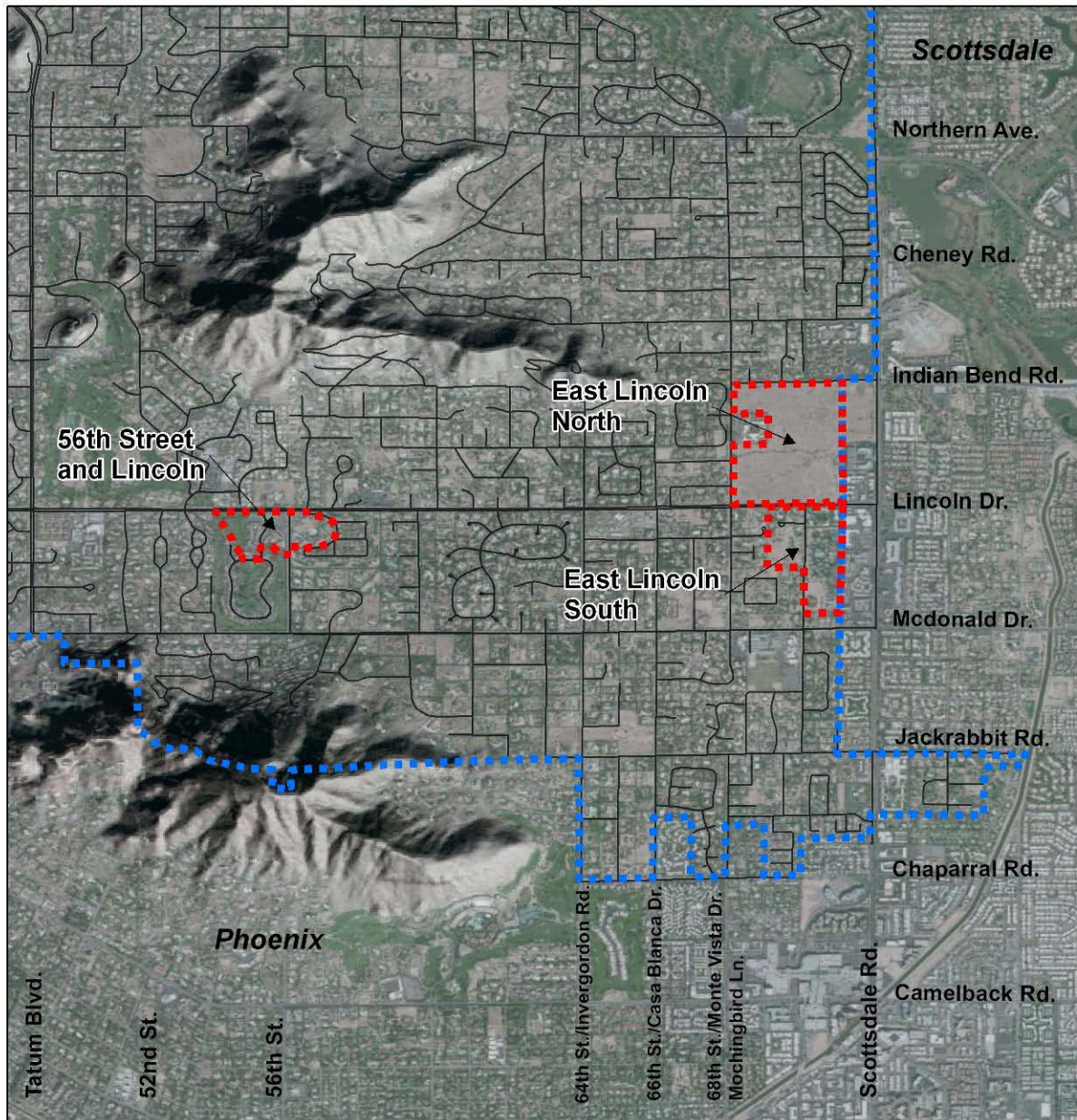
The Town of Paradise Valley has three Development Areas as shown on Figure 2-3. Each Development Area has distinct characteristics based on the role it plays within the surrounding community and its context within the Town.

The three Development Areas are:

- **56<sup>th</sup> Street and Lincoln Drive Development Area** is comprised of approximately 35 acres to include the former Mountain Shadows Resort. This former resort property was closed in 2004 and contains a number of deteriorating structures.
- **East Lincoln Drive North Development Area** is comprised of approximately 110 acres of undeveloped land approved and platted as the Paradise Valley Ritz Carlton Special Use Permit property but not constructed.
- **East Lincoln Drive South Development Area** is comprised of approximately 55 acres including Smoke Tree Resort and Bungalows, Cottonwoods Resort, Lincoln Medical Complex, and the Applewood Pet Resort. The Development Area's close proximity to the City of Scottsdale also promotes reinvestment.

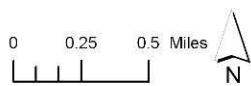


**Figure 2-3: Development Areas**



**Legend**

- Streets
- Development Areas
- Paradise Valley Boundary



Rev: 19 May, 2011







# COMMUNITY CHARACTER AND HOUSING

“We celebrate and enhance Paradise Valley as a unique brand by attention to details and quality in both public and private spaces. As valuable scenic resources, Camelback Mountain, Mummy Mountain and the Phoenix Mountain Preserve provide permanent visual presences that should be protected. Opportunities exist for Lincoln Drive and Tatum Boulevard to serve as special design “showcase corridors.” Improving major and minor road entries into the Town with consistent visual elements will differentiate the Town from surrounding communities and reflect a strong sense of arrival.

We promote community activities, citizen involvement and volunteerism and we support the vitality of our resorts, schools, and places of worship that shape our character.

We recognize and appreciate the diversity of our older, single-family neighborhoods. We support strict code enforcement that addresses property blight but protects individual property rights. We support appropriately scaled, flexible, alternative housing options for our aging population.”

Town of Paradise Valley  
Visioning Committee 2011

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## 3. Community Character and Housing

The Town of Paradise Valley is a premiere residential community defined by its unique character, natural beauty and quality of life. Nestled among the Camelback Mountain, Mummy Mountain and the Phoenix Mountain Preserve, it is recognized nationwide as an aesthetically desirable location to live as well as visit.

### 3.1 Community Character

A semi-urban setting surrounded by metropolitan areas, Town of Paradise Valley has preserved its dark skies, tranquility, open spaces and mountain views while embracing a comprehensive upscale lifestyle of primarily acre residential lots.

While there is a common recognition of a larger image of community, many Town of Paradise Valley residents also see themselves as residing in a specific neighborhood. Many of these neighborhoods are named after the original development, which may have had only a few dozen homes. The size and location of these neighborhoods is a direct product of the scale and pace of development in the Town over the years.

The Community Character and Housing Element recognizes our premiere residential character alongside our long established, world class resorts that complement the natural and manmade environment. Residents and visitors alike enjoy the amenities of fine dining, golf, tennis, spa offerings, and luxury hotel accommodations hosting guests from around the globe. The Element also recognizes the places of worship and schools that add to the Town's cultural fabric. Landmarks of note include the Barry Goldwater Memorial Park, Paoli Soleri's Cosanti bell foundry and the Camelback Cemetery.

Goals and policies in the Community Character and Housing Element articulate a vision of a high quality residential lifestyle supported by natural environment, desirable location, distinctive houses, resorts and the preservation of cultural institutions and traditions integral to the town's reputation for excellence.

#### GOAL CC&H 3.1.1

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**Residential Character.** Preserve and protect the quality of residential character development within the Town while taking care to perpetuate the natural landscape, desert plants, and scenic beauty of the mountain areas of the Town.

#### Policies

**CC&H 3.1.1.1 Neighborhoods as a Basic Unit.** Recognizing that the Town of Paradise Valley is home to many smaller neighborhoods that



contribute to the Town's cultural fabric, the Town shall strive through community outreach to preserve and enhance their distinctiveness, identity, and livability.

**CC&H 3.1.1.2 Protect Established Neighborhoods.** The Town shall encourage new development and redevelopment, both private and public, to respect and respond to those existing physical characteristics, buildings, streetscapes, open spaces, and urban form that contribute to the overall character and livability of the neighborhood.

**CC&H 3.1.1.3 Residential Character.** The Town shall ensure the continued residential character of the Town by limiting the development of new commercial land uses to Special Use Permit properties.

**CC&H 3.1.1.4 Hillside Development.** The Town shall continue to promote design quality in all hillside development and ensure responsible hillside development to minimize the physical and visual disturbance and preserve natural features including prominent ridges and slopes; preserve drainage patterns and desert vegetation; eliminate fire hazards; maintain minimal night-time lighting levels; and preserve the non-suburban character.

#### Goal CC&H 3.1.2

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**Town Gathering Locations.** Promote areas throughout Town where residents and visitors alike may passively recreate or gather together thereby promoting individual physical development, creativity, and interaction among residents.

#### Policies

**CC&H 3.1.2.1 Town Campus.** The Town shall promote and maintain the Town Campus as a centrally located public gathering area with shaded outdoor seating areas, bike racks, and public art and shall identify opportunities for activities or community oriented services, such as a post office, to encourage residents to come together.

**CC&H 3.1.2.2 Passive Recreation Spots.** The Town shall promote the development of small, passive recreation spots throughout the community such as the Barry Goldwater Memorial, xeriscape gardens, or seating areas along walking paths, in an effort to provide additional community gathering locations.

**CC&H 3.1.2.3 Community Gathering Spots.** The Town shall encourage Special Use Permit properties to incorporate strategically located (e.g., accessible to surrounding neighborhoods) community gathering spots that include small and appropriately scaled community-oriented services or amenities designed to support the interaction of Town residents.

## COMMUNITY CHARACTER AND HOUSING

CC&H 3.1.2.4 **Places of Worship and Schools.** The Town shall recognize and support the continued vitality of the places of worship and schools and the value they bring to the community.

### Goal CC&H 3.1.3

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**Town of Distinctive and Memorable Places.** Promote community design that produces a distinctive, high-quality built environment whose forms and character reflect the Town of Paradise Valley's unique historical, environmental, and architectural context, and create memorable places that enrich community life.

### Policies

CC&H 3.1.3.1 **Unique Sense of Place.** The Town shall promote quality site, architectural and landscape design that incorporates those native desert and low-density residential qualities and characteristics that make the Town of Paradise Valley desirable and memorable.

CC&H 3.1.3.2 **Responsiveness to Context.** The Town shall promote building design that respects and responds to the local context, and scale, including use of local materials where feasible, responsiveness to the Sonoran Desert climate, and consideration of the cultural and historic context of the Town of Paradise Valley's neighborhoods and centers.

CC&H 3.1.3.3 **Enhanced Town Gateways.** The Town shall ensure that public improvements and private development work together to enhance the sense of entry at key gateways to the Town through consistent decorative elements such as signage, landscaping, and art that captures the values of the Town and its setting.

CC&H 3.1.3.4 **Visually Significant Corridors.** The Town shall designate highly visible, prominent, streets, including Lincoln Drive and Tatum Boulevard, as Visually Significant Corridors. Streetscape design guidelines will be developed, to include a reasonable range of treatments of individual properties, to improve and manage landscape conditions as a means to demonstrate a positive and unique character and image of the Town, maintain views, and strive to mitigate the negative impact of traffic impacts while respecting private property rights.

CC&H 3.1.3.5 **Town Identity.** The Town shall articulate, promote, and maintain a consistent, unique and memorable identity and overall image for the Town that differentiates it from other communities and markets the unique character, services, history, and recreational areas of the community. The identity should

both point to the Town's future vision and remain rooted in the Town's history and should provide a conduit for residents to identify with the Town.

**CC&H 3.1.3.6 Architecturally Significant Buildings.** The Town shall encourage the development of architecturally significant public and private buildings and resort development in key locations to create new landmarks and focal features that contribute to the Town's structure and identity and value the Town's location, climate and historic legacy.

**CC&H 3.1.3.7 Historic Places.** The Town shall recognize, promote, and strive to preserve significant historic places throughout the community that contribute to the Town's overall character.

#### Goal CC&H 3.1.4

---

**Community Scenic Design.** Maintain and preserve the Town's natural scenic resources including scenic and mountain views, the distinctive skyline, and dark skies that have contributed to the Town's community legacy since its inception.

#### Policies

**CC&H 3.1.4.1 Mountain Views.** The Town shall protect and maintain views of the mountains as seen from Visually Significant Corridors.

**CC&H 3.1.4.2 Distinctive Skylines.** The Town shall reduce adverse impacts of development on the Town's prominent mountain peaks, ridges and hillsides by continuing to administer and further refine the Hillside Development Code.

**CC&H 3.1.4.3 Right-of-way Treatment.** The Town, with neighborhood involvement, shall form and implement streetscape design guidelines for public rights-of-way that achieve compatibility and safety between automobile traffic, pedestrians, and bicyclists, and that enhance an aesthetically pleasing transportation network while allowing a diverse range of treatments.

**CC&H 3.1.4.4 Dark Skies.** The Town shall continue to balance the low light levels of the Town with the safety and security of residents and visitors.

**CC&H 3.1.4.5 Undergrounding of Overhead Utility Lines.** The Town will complete the undergrounding of all overhead utility lines through the combined efforts of the Town, the utility companies, Special Use Permit properties, and residents.

**CC&H 3.1.4.6 Telecommunication Aesthetics.** The Town shall require telecommunications facilities be located, installed and maintained to minimize visual impact and noise and preserve

## COMMUNITY CHARACTER AND HOUSING

views. Cabling, conduit, and fiber optics shall be installed underground where possible, and the visual impact of cellular towers and antennas shall be a prime consideration of the Town's acceptance and approval.

### 3.2 Housing

Housing in the Town of Paradise Valley is primarily owner-occupied single family homes on at least an acre of land. Pockets of larger residential lots do exist in Town. Smaller residential lots also exist but typically as part of a cluster plan or associated with a Special Use Permit property.

#### Goal CC&H 3.2.1

---

**Housing Types & Supply.** Maintain the Town's primarily owner-occupied low-density residential character while allowing less than one acre per residence housing only on Special Use Permit resort properties.

#### Policies

**CC&H 3.2.1.1 One-acre lots.** The Town shall require a minimum of one acre per residence and encourage the preservation of lots in excess of one acre in all areas of town except Special Use Permit resort properties.

**CC&H 3.2.1.2 Other Housing Types.** The Town shall consider less than one acre per residence housing only on Special Use Permit resort properties and to serve the Town's existing resident population, including single-owner resort housing.

**CC&H 3.2.1.3 Fractional Ownership & Timeshares.** The Town shall not allow timeshares or fractional ownership residences anywhere in the Town.

### 3.3 Implementation Measures

The Community Character and Housing Element sets forth broad goals and policies related to community character and housing within the Town. Implementation requires translating these broad statements to specific actions, systematically evaluating progress, and active community participation.

The following implementation measures have been identified for Community Character and Housing and serve as a basis for the performance evaluation of Town staff, leadership and other Town volunteers in the execution of the General Plan.

Table 3.3-1. Community Character & Housing Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>1. Hillside Design</b> Continue to enforce and refine the Town's Hillside Code through periodic code assessments and updates.		X				X
<b>Implements Which Policy(ies)</b>	CC&H 2.1.4					
<b>Responsible Party(ies)</b>	Community Development Department					
<b>2. Hillside Code</b> Assess hillside code and amend if necessary to ensure the Town's prominent mountain peaks, ridges, and hillsides are minimally impacted by development.		X				X
<b>Implements Which Policy(ies)</b>	CC&H 2.4.2					
<b>Responsible Party(ies)</b>	Community Development Department					
<b>3. Neighborhood Inventory</b> Conduct an inventory of neighborhoods in Town including name, location, boundaries, and primary contact for the purposes of notification of projects requiring public notice to promote more neighborhood involvement via homeowners associations and neighborhood groups.		X				X
<b>Implements Which Policy(ies)</b>	2.1.1					
<b>Responsible Party(ies)</b>	Planning Department					
<b>4. Neighborhood Livability</b> Revise the application processes to require applicants to notify neighborhood groups on proposed development.		X				X
<b>Implements Which Policy(ies)</b>	CC&H 2.1.2					
<b>Responsible Party(ies)</b>	Planning Department					

## COMMUNITY CHARACTER AND HOUSING

Table 3.3-1. Community Character & Housing Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>5. Town Gathering Locations</b> Identify and promote existing and new locations and opportunities on public and private properties where residents and visitors may gather and interact.						
<b>Implements Which Policy(ies)</b>	CC&H 2.2.1, CC&H 2.2.2, CC&H 2.2.3, CC&H 2.2.4					
<b>Responsible Party(ies)</b>	Town Manager	X				X
<b>6. Key Gateways</b> Identify key gateways to the Town and develop a comprehensive and consistent design plan that differentiates the Town from surrounding communities and reflects the quality brand and positive image of the community with deference to private property rights and residential quality of life.						
<b>Implements Which Policy(ies)</b>	CC&H 2.3.3					
<b>Responsible Party(ies)</b>	Town Manager supported by Planning Commission and Town Council	X				X
<b>7. Visually Significant Corridors</b> Identify visually significant roadway corridors and develop individual design plans for each roadway that will result in significant visual elements that differentiate the Town from surrounding communities and reflect the quality brand and positive image of the community with deference to private property rights and residential quality of life.						
<b>Implements Which Policy(ies)</b>	CC&H 2.3.4, CC&H 2.4.3					
<b>Responsible Party(ies)</b>	Town Manager supported by Planning Commission and Town Council	X				X
<b>8. Design Guidelines</b> Develop and promote voluntary design guidelines that encourage and perhaps incentivize building and site design that promote native desert and low-density qualities that respond to the local context, use local materials where feasible, respond to the desert climate, and consider the Town's cultural and historic context.						
<b>Implements Which Policy(ies)</b>	CC&H 2.3.1, CC&H 2.3.2	X				X
<b>Responsible Party(ies)</b>	Planning Department supported by Planning Commission and Town Council					

Table 3.3-1. Community Character & Housing Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>9. Town Identity</b> Develop, promote and maintain a consistent and memorable identity and image for the Town to market the unique character, history and recreational opportunities of the community.		X				X
<b>Implements Which Policy(ies)</b>	CC&H 2.3.5					
<b>Responsible Party(ies)</b>	Town Manager supported by Town Council					
<b>10. Important Places</b> Recognize, support and promote the churches, schools, historic places, and public buildings throughout the community and the value they bring to the community.						X
<b>Implements Which Policy(ies)</b>	CC&H 2.3.6, CC&H 2.3.7, CC&H 2.2.4					
<b>Responsible Party(ies)</b>	Town Council					
<b>11. Mountain Views</b> Identify and protect mountain views as seen from visually significant corridors.						X
<b>Implements Which Policy(ies)</b>	2.4.1					
<b>Responsible Party(ies)</b>	Town Council					
<b>12. Dark Skies</b> Assess Town lighting regulations and amend as necessary to protect the Town's unique dark skies.		X				X
<b>Implements Which Policy(ies)</b>	CC&H 2.4.4					
<b>Responsible Party(ies)</b>	Town Manager supported by Town Council					



## COMMUNITY CHARACTER AND HOUSING

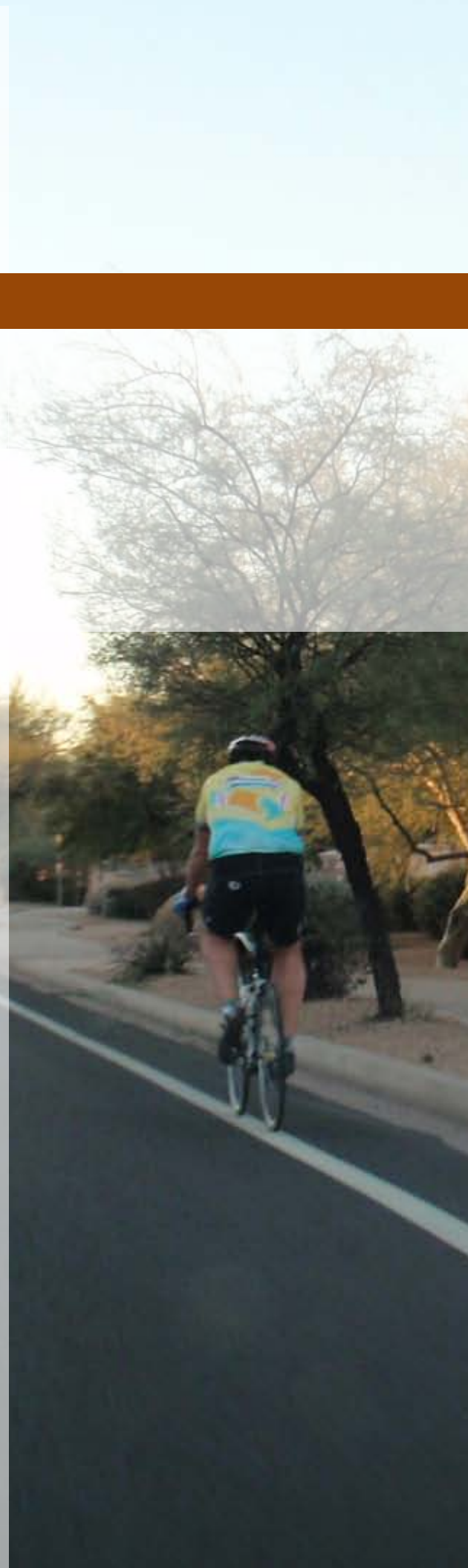
Table 3.3-1. Community Character & Housing Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>13. Utility Undergrounding</b> Complete the undergrounding the APS overhead utility lines in the Town and identify and define potential SRP areas for undergrounding.		X				X
<b>Implements Which Policy(ies)</b>	CC&H 2.4.5					
<b>Responsible Party(ies)</b>	Town Council					
<b>14. Telecommunication Aesthetics</b> Continue to scrutinize telecommunication applications to minimize the visual impact on the Town.						X
<b>Implements Which Policy(ies)</b>	CC&H 2.4.6					
<b>Responsible Party(ies)</b>	Planning Commission					
<b>15. Low-Density Residential</b> Maintain the Town's primarily owner-occupied, low-density residential character by continuing to require a minimum of one acre per residence except on new and existing Special Use Permit properties, where single-owner resort housing may be considered. No timeshare or fractional ownership residences shall be allowed anywhere in the Town.						X
<b>Implements Which Policy(ies)</b>	CC&H 2.1.3, CC&H 2.6.1, CC&H 2.6.2, CC&H 2.6.3					
<b>Responsible Party(ies)</b>	Town Council					

# MOBILITY

"We value our high-quality motorized and non-motorized circulation systems designed to support local travel and lessen impacts from cut-through traffic. We should continue to support traffic mitigation and calming programs on all streets utilizing any available technology. Road and street maintenance should include the installation of rubberized asphalt when possible.

The Town should better interconnect parts of the community with safe and aesthetic bike lanes, trails and walkways utilizing public rights-of-way, washes, and open space while respecting the privacy of residents."

Town of Paradise Valley  
Visioning Committee 2011



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## 4. Mobility

The Town of Paradise Valley recognizes the importance of developing a high-quality, efficient, multi-modal transportation system that minimizes negative impacts to the environment and neighborhoods while reinforcing a positive image and character of the town.

The Mobility Element provides guidance concerning the development of all aspects of the Town's transportation system. The most prominent aspect relates to the roadway system and the Town's plans and standards for improvement of the system. These plans and standards outline the Town's strategy for providing mobility for its residents and efficiently and enjoyably moving traffic through and within the Town.

The Mobility Element contains policies that will create a connector-arterial transportation system, which promotes walking, supports bicycling, improves transit (to serve highly frequented destinations), conserves energy resources, and reduces greenhouse gas emissions and air pollution while continuing to accommodate auto mobility.

The policy content of the Mobility Element is conveyed through a combination of mechanisms. The primary mechanism is the Circulation Map (Figure 4.1), which specifies the functional roles of all streets within the Town. Each street is assigned a functional classification (e.g., major arterial, minor arterial, collector, or local) including standards addressing design capacity, landscape, right-of-way pavement width, and other improvement standards. These standards are typically depicted in tabular and graphic form. The Mobility Element also includes a Bicycle Circulation Map (Figure 4.2) that shows designated bicycle pathways through the Town and associated improvement standards.

### 4.1 Motorized Circulation

Goals and policies in this section provide a systematic plan for ongoing motorized mobility that meets the needs of residents and visitors within the context of community character.

#### GOAL M 4.1.1

**Motorized Circulation System.** To provide a high-quality motorized circulation system that is effectively planned, managed, operated and maintained.

#### Policies

**M 4.1.1.1 Circulation.** The Town shall plan for and maintain a motorized circulation system that links residents to their destinations within and beyond the boundaries of the Town in a safe and

efficient manner, and maintains liaison with the adjacent communities for the benefit of all Town residents.

- M 4.1.1.2 Hierarchy of Streets.** The Town shall strengthen the image and perception of a clear hierarchy of streets as depicted in the Motorized Circulation Map (Figure 4.1).
- M 4.1.1.3 Emergency Service Providers.** The Town shall coordinate the development and maintenance of all transportation infrastructure with emergency service providers to ensure continued emergency service operation and service levels.
- M 4.1.1.4 Non-Emergency Service Providers.** The Town shall lessen the impact of non-emergency service provider vehicles on traffic volumes and roadway conditions throughout the Town.
- M 4.1.1.5 Through-Traffic.** The Town shall direct through-traffic, including automobiles, buses, trucks, and heavy equipment, to Lincoln Drive and Tatum Blvd., which will be designed to promote safety, but not increase speed or capacity.
- M 4.1.1.6 Cut-through Traffic.** The Town shall discourage regional “cut-through” traffic on all roadways via design, traffic controls, and enforcement.

#### Goal M 4.1.2

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**Neighborhood Traffic.** To enhance the quality of life within existing neighborhoods through the use of neighborhood traffic management techniques.

#### Policies

- M 4.1.2.1 Neighborhood Traffic Management.** The Town shall continue to design streets and approve development applications to reduce high-traffic flows and traffic speeds within residential neighborhoods wherever possible.
- M 4.1.2.2 Traffic Calming.** The Town shall apply the design principles of residential traffic control known as “traffic calming” to reduce speed and cut through traffic on residential streets.

## 4.2 Non-Motorized Circulation

Goals and policies in this section support the goal of making the Town of Paradise Valley a pedestrian and bicycle-friendly town. Safe, walkable environments will be maintained through an interconnected and continuous pedestrian network with sidewalks and trails that are enjoyable places to walk. A bicycle circulation system compatible with existing motorized circulation routes and local neighborhoods will be provided. Residents will be encouraged to integrate walking and bicycling into their daily activities to promote a healthier lifestyle and improve energy resource conservation.

### Goal M 4.2.1

**Non-Motorized Circulation System.** To provide a high-quality non-motorized circulation system throughout the Town to meet the needs of residents, employees, and resort guests.

### Policies

- M 4.2.1.1 Safe and Convenient Access.** The Town shall develop a non-motorized circulation system that promotes safe, convenient, and enjoyable access to all publicly owned parts of Town through roadways, sidewalks, paths, and trails for recreational and community social purposes.
- M 4.2.1.2 Comprehensive System.** The Town shall maintain existing sidewalks, paths, bicycle lanes, and trails, and seek ways through transfer, gift, easement, or governmental action to extend or to fill in the system, to better serve the health, welfare, aesthetic, and sociability needs of pedestrians and cyclists.
- M 4.2.1.3 Linkages.** The Town shall plan for and provide the development of non-motorized system linkages to neighboring community non-motorized networks.
- M 4.2.1.4 Right-of-Way.** The Town shall design existing and future roadway rights-of-way to provide safety for pedestrians and users of non-motorized modes of transportation.
- M 4.2.1.5 Construction Program.** The Town shall continue its long-range program for construction and maintenance of a continuous system of non-motorized circulation facilities for the benefit of the residents' health, safety, welfare, community pride, and enjoyment.

### Goal M 4.2.2

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**Integrated Pedestrian System.** Design a universally accessible, safe, experientially rewarding, convenient, and integrated pedestrian system that promotes walking, running and hiking.

#### Policies

- M 4.2.2.1 Interconnected and Continuous System.** The Town shall develop an interconnected and continuous pedestrian system of public sidewalks, paths, trails, and street crossings for convenient and safe walking free of major impediments and obstacles.
- M 4.2.2.2 Streetscape Design.** The Town shall require that pedestrian-oriented streets be designed to provide a pleasant environment for walking including shade trees; plantings; well-designed benches where appropriate; way-finding signage and other amenities.
- M 4.2.2.3 Safe Sidewalks.** The Town shall develop safe and convenient sidewalks, paths, and trails that are universally accessible, properly designed and maintained for the safety of pedestrians.
- M 4.2.2.4 Pedestrian-Friendly Streets.** The Town shall ensure that new streets in areas with high levels of pedestrian activity (e.g. mixed density areas, schools) support pedestrian travel by providing such elements as detached sidewalks, frequent and safe pedestrian crossings, and large medians to reduce perceived pedestrian crossing distances.

### Goal M 4.2.3

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**Integrated Bicycle System.** To create and maintain a safe, comprehensive, and integrated bicycle system throughout the town that is accessible and compatible with traffic patterns, local land uses, and neighborhoods.

#### Policies

- M 4.2.3.1 Bicycle Circulation.** The Town shall provide, improve, and maintain a Bicycle Circulation System of bicycle lanes and routes through the town as depicted on the Bicycle Circulation Map (Figure 4.9).
- M 4.2.3.2 Motorists, Bicyclists, and Pedestrian Conflicts.** The Town shall develop safe and convenient bikeways that reduce potential conflicts between bicyclists and motor vehicles and bicyclists and pedestrians.



## MOBILITY

- M 4.2.3.3 Bike Lanes.** The Town shall provide bike lanes in accordance with the Bicycle Circulation Map (Figure 4.9) along specific minor arterials and collector streets for efficient circulation through the town while minimizing bicycle through-traffic conflicts on major arterials and neighborhood streets.
- M 4.2.3.4 Bike Routes.** The Town shall designate bike routes in accordance with the Bicycle Circulation Map (Figure 4.9) along collector streets and neighborhood streets only where necessary to provide system interconnection, avoid travel on major arterials, or to provide linkages to neighboring community bikeways.
- M 4.2.3.5 Roundabouts.** The Town shall utilize roundabouts instead of stop signs for intersection traffic control along designated bikeways to improve safety and traffic flow, where deemed appropriate from a traffic engineering perspective.
- M 4.2.3.6 Speed Management Policies.** The Town shall develop and implement speed management policies that support safe and appropriate driving speeds on all public streets that are also designated for use by bicyclists.
- M 4.2.3.7 Regional Bikeway System.** The Town shall coordinate with regional transportation authorities to ensure that regional bikeway system designations are consistent with the Town's Bicycle Circulation Map (Figure 4.9).
- M 4.2.3.8 Connection to Schools and Community Facilities.** The Town shall ensure that its network of bicycle lanes and routes includes safe access and connection to schools and other community facilities throughout the Town, where deemed appropriate from a traffic engineering perspective.

## 4.3 Public Transit

Goals and policies in this section foster continued availability of public transit services through the Town and promote local transit opportunities for town residents that are destination-oriented.

### Goal M 4.3.1

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**Regional Transit Services.** To promote public transit services through the Town.

#### Policies

- M 4.3.1.1 Traffic Volumes.** The Town shall work closely with other jurisdictions to reduce the flow of traffic through the Town, by

reducing dependence upon the automobile, and by identifying and developing alternative routes and transit system services around and through the Town.

- M 4.3.1.2 Transit Service.** The Town shall cooperate with transit agencies and neighboring jurisdictions for the continued provision of regular public transit service along Tatum Blvd.

#### Goal M 4.3.2

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**Local Transit Services.** To promote local public transit services in and around the Town and to local destinations for residents, employees, and resort guests.

##### Policies

- M 4.3.2.1 Local Transit.** The Town shall promote local transit services for Town residents, employees, and resort guests.
- M 4.3.2.2 Special Event Transit.** The Town shall promote special event transit services for resort visitors during valley-wide events. Vehicles shall be restricted as possible to major and minor arterial streets and be absent of excessive or distracting external advertising.

## 4.4 Roadway Design

Goals and policies in this section provide for roadways designed to balance the diverse needs of pedestrians, bicyclists, transit riders, and motorists. Roadways will be categorized according to function and type with typical cross sections to be used for all future roadway reconstruction or new construction. Roadways will ensure the safe and efficient movement of people, goods, and services through the town while enhancing the quality of life for town residents and visitors. Street improvements will be designed to minimize negative environmental and neighborhood impacts and promote the image and character of the Town.

#### Goal M 4.4.1

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**Roadway System.** To create a roadway system that will ensure the safe and efficient movement of people, goods, and services that supports livable communities and reduces air pollution and greenhouse gas emissions.

##### Policies

- M 4.4.1.1 Road Closure or Abandonment.** The Town shall require proponents of abandonment or closure of any roadway to provide an analysis of potential effects on the operation of Town's roadway network.

## MOBILITY

- M 4.4.1.2 **Private Roadway Gates.** The Town shall discourage the installation of private roadway gates, but shall not require public access onto those created private roadways.
- M 4.4.1.3 **Access onto Major Arterials.** The Town shall require design of new developments to avoid direct access onto major arterial roadways where possible.
- M 4.4.1.4 **Access.** The Town shall ensure public access to all public roadways in the Town
- M 4.4.1.5 **Roundabouts.** The Town shall utilize roundabouts as an intersection traffic control option with demonstrated air quality and safety benefits, where deemed feasible and appropriate.

### Goal M 4.4.2

**Roadway Design.** To provide high-quality roadway design that promotes the character and image of the Town, reduces negative environmental impacts, and minimizes negative impacts to neighborhoods.

#### Policies

- M 4.4.2.1 **Community Design.** The Town shall incorporate the most effective principles of community design and traffic management to ensure the safety of property and residents, and to promote a sense of community within the Town.
- M 4.4.2.2 **Scale and Character.** The Town shall design streets in scale and character supporting the residential culture of the Town, while ensuring adequate access for emergency response vehicles.
- M 4.4.2.3 **Aesthetic Standards.** The Town shall maintain all public streets consistent with community aesthetic standards and continue to refine Town guidelines and standards, including the refinement and adoption of Town Landscape Guidelines.
- M 4.4.2.4 **Landscaping.** The Town shall utilize Sonoran Desert indigenous plant materials where appropriate in landscaping associated with construction or maintenance of public property for roads, medians, paths, and lanes.
- M 4.4.2.5 **Dust and Heat Reduction.** The Town shall reduce the generation of dust by requiring streets, driveways, and parking lots to be paved or finished with a stabilized surface. In the cases of driveways and parking lots, the Town shall further utilize paving materials and/or shade trees to minimize the “heat island” effect of asphalt finishing.

- M 4.4.2.6 Noise Reduction.** The Town shall incorporate noise-reducing pavement materials in all public roadway reconstruction or new construction projects where the benefits of such action will produce a positive qualitative impact to local neighborhoods.
- M 4.4.2.7 Right-of-Way Alignment.** The Town shall retain existing rights-of-way, as measured from the centerline of the street, in order to allow roadway design to respond to the physical features of the right-of-way and to preserve visual openness, even when pavement is narrowed.
- M 4.4.2.8 Right-of-Way Abandonment.** When evaluating requests for abandonment of excess right-of-way width, the Town shall consider the alignment and location of the existing pavement, the topography of the area, and the benefit that the excess right-of-way has for preserving the open space character of the roadway corridor.
- M 4.4.2.9 Rights-of-Way Extents.** The Town shall ensure that all new public roadway projects and major reconstruction projects provide appropriate and adequate rights-of-way for all users including bicyclists, pedestrians, and motorists except where pedestrians or bicyclists are discouraged.

#### Goal M 4.4.3

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**Visual Character.** To create high-quality street rights-of-way that shall demonstrate the positive character and image of the Town, Visually Significant Corridors will be designated to provide visual continuity through attractive, experientially rewarding, and cohesive design elements consistent with Town Landscaping Guidelines. All other roadway rights-of-way will demonstrate high-quality landscaping elements consistent with Town Landscaping Guidelines while permitting a diverse range of treatments of individual properties.

#### Policies

- M 4.4.3.1 Visually Significant Corridor Program.** The Town shall create and implement a program to improve and maintain rights-of-way corridors along Lincoln Drive and Tatum Blvd. to represent the positive character and image of the Town. The Town shall occasionally evaluate the designation of additional Town rights-of-way as Visually Significant Corridors.
- M 4.4.3.2 Visually Significant Corridor Treatment.** Town rights-of-way along Visually Significant Corridors shall have attractive, experientially rewarding, and cohesive design elements, including signage, landscaping, medians, interchanges and sidewalks while permitting a reasonable range of treatments of individual properties. Elements that create visual clutter such as

## MOBILITY

unnecessary signage or utility boxes will be eliminated, or their visibility reduced.

**M 4.4.3.3 Other Right-of-Way Treatment.** All other public roadway right-of-way corridors will demonstrate high-quality landscaping elements consistent with Town Landscaping Guidelines while permitting a diverse range of treatments of individual properties.

**M 4.4.3.4 Undeveloped and Vacant Property.** The Town shall develop strategies for addressing landscape maintenance of public rights-of-way on undeveloped and vacant property street frontages.

## 4.5 Implementation Measures

The Mobility Element sets forth broad goals and policies related to the transportation system within the Town. Implementation requires translating these broad statements to specific actions, systematically evaluating progress, and ensuring active community participation.

The following implementation measures have been identified for Mobility and serve as a basis for the performance evaluation of Town staff, leadership and other Town volunteers in the execution of the General Plan.

Table 4.5-1. Mobility Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
1. Town Engineer will continue coordinating with adjacent communities to ensure safe and efficient linkages and review and comment on projects that affect the Town.						X
<b>Implements Which Policy(ies)</b>	M 4.1.1.1., M 4.1.1.3, M 4.1.1.5, M 4.2.3.7					
<b>Responsible Party(ies)</b>	Community Development, Engineering Division supported by Town Council					
2. Evaluate the need, application, and cost sharing for the institution of traffic calming measures on a neighborhood basis as requested by individual neighborhoods. This should include an assessment of various techniques, development guidelines, cost sharing, administrative processes for the potential installation of individual devices, and maintain a list of various traffic calming measures.						X
<b>Implements Which Policy(ies)</b>	M 4.1.1.6, M 4.1.2.1, M 4.1.2.2, M 4.2.3.5, M 4.2.3.6, M 4.4.1.5					
<b>Responsible Party(ies)</b>	Community Development, Engineering Division supported by Town Council					
3. Update the Zoning Ordinance, incorporate the key provisions of the Town's Landscape Guidelines (originally adopted in October 1992 and amended in September 1996) that will require all landscaping associated with construction or maintenance of public property for roads, medians, paths, and lanes use desert adapted plant materials.		X				X
<b>Implements Which Policy(ies)</b>	M 4.2.2.3, M 4.2.2.5, M 4.2.2.6, M 4.4.3.2, M 4.4.3.3, M 4.4.3.4, M 4.4.2.3, M 4.4.2.4					
<b>Responsible Party(ies)</b>	Community Development, Planning Division					
4. Maintain an inventory of traffic counts for Major Arterial, Minor Arterial, and Collector roadways in the Town. This inventory will assist the Town in monitoring the performance of the roadway network, including tracking levels of service (LOS). The Town should work cooperatively with the Cities of Scottsdale and Phoenix and Maricopa Association of Governments to assemble this information.						X
<b>Implements Which Policy(ies)</b>	M 4.1.1.1, M 4.1.1.2, M 4.1.1.3, M 4.3.1.1					
<b>Responsible Party(ies)</b>	Community Development, Engineering Division					

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Table 4.5-1. Mobility Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
5. Promote local transit services for the Town and Special Event transit services for resort visitors; and, ensure that public transit stops in the Town are functional and attractive. Cooperate with transit agencies and neighboring jurisdictions for the continuance of regular public transit service along Tatum Blvd.		X				X
<b>Implements Which Policy(ies)</b>	M 4.3.2.1, M 4.3.2.2					
<b>Responsible Party(ies)</b>	Town Council, Town Manager supported by Public Works Department Community Development, Engineering Division					
6. Maintain and update an inventory and map of the Town's non-motorized transportation network, including sidewalks, bike lanes, bike routes, multi-use trails, recreational trails, and recreational pathways. This inventory will assist in determining priorities for ongoing improvement of the network.						X
<b>Implements Which Policy(ies)</b>	M 4.2.1.1, M 4.2.1.2, M 4.2.1.3, M 4.2.1.4, M 4.2.1.5, M 4.2.3.1, M 4.2.3.2, M 4.2.3.4, M 4.2.3.7, M 4.2.3.8					
<b>Responsible Party(ies)</b>	Community Development, Engineering Division supported by Public Works Department					
7. Define and implement long-range program for construction and maintenance of a continuous system of non-motorized circulation facilities for the benefit of the residents' health, safety, welfare, and community pride to improve access to local and regional parks and recreation systems.		X	X			X
<b>Implements Which Policy(ies)</b>	M 4.2.1.1, M 4.2.1.2, M 4.2.1.3, M 4.2.1.4, M 4.2.1.5, M 4.2.2.5, M 4.2.3.2, M 4.2.3.3, M 4.2.3.4, M 4.2.3.5, M 4.2.3.7, M 4.2.3.8					
<b>Responsible Party(ies)</b>	Community Development, Engineering Division, Public Works Department supported by Town Council					
8. Identify and implement policies to lessen the impact of non-emergency service provider vehicles on traffic volumes and roadway conditions throughout the Town.		X				X
<b>Implements Which Policy(ies)</b>	M 4.1.1.4, M 4.1.1.5					
<b>Responsible Party(ies)</b>	Town Manager supported by Town Council Community Development, Engineering Division					



Table 4.5-1. Mobility Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
9 Prepare, maintain and implement an adopted Pedestrian Master Plan that carries out the goals and policies of the General Plan and defines: the type and location for pedestrian-oriented streets and pathways; standards for sidewalk width, improvements, amenities, and street crossings; the schedule for public improvements; and developer responsibilities.			X			
<b>Implements Which Policy(ies)</b>	M 4.2.1.1, M 4.2.1.2, M 4.2.1.3, M 4.2.1.4, M 4.2.1.5, M 4.2.2.1, M 4.2.2.3, M 4.2.2.4, M 4.2.2.5, M 4.2.2.6					
<b>Responsible Party(ies)</b>	Community Development, Engineering Division supported by Town Council, Public Works Department					
10. Develop and implement Visually Significant Corridor Plans that promote the character and image of the Town, by providing specific landscape, hardscape, and infrastructure design guidelines for Town right-of-ways along Visually Significant Corridors, provides policy for the installation and maintenance of right-of-way landscaping, and carries out all other applicable goals and policies of the General Plan.		X				X
<b>Implements Which Policy(ies)</b>	M 4.1.1.2, M 4.4.3.1, M 4.4.3.2, M 4.4.3.3, M 4.4.3.4					
<b>Responsible Party(ies)</b>	Town Council, Town Manager supported by Community Development, Engineering Division Community Development, Planning Division Public Works Department					
11. Develop and maintain a high quality roadway design that promotes the character and image of the Town, reduces negative environmental impacts including noise and minimizes adverse impacts to the neighborhood through the use of roadway cross sections, traffic counts, high quality hardscaping and landscaping.						X
<b>Implements Which Policy(ies)</b>	M 4.4.1.3, M 4.4.1.4, M 4.4.2.1, M 4.4.2.2, M 4.4.2.3, M 4.4.2.4, M 4.4.2.5, M 4.4.2.6					
<b>Responsible Party(ies)</b>	Community Development, Engineering Division Public Works Department supported by Town Council					
12. Maintain existing Rights of Way cross sections and revise when necessary to allow for innovative alignments, abandonments, and shared use by non-motorized and motorized users where appropriate.						X
<b>Implements Which Policy(ies)</b>	M 4.4.2.7, M 4.4.2.8, M 4.4.2.9					
<b>Responsible Party(ies)</b>	Community Development, Engineering Division					

## MOBILITY

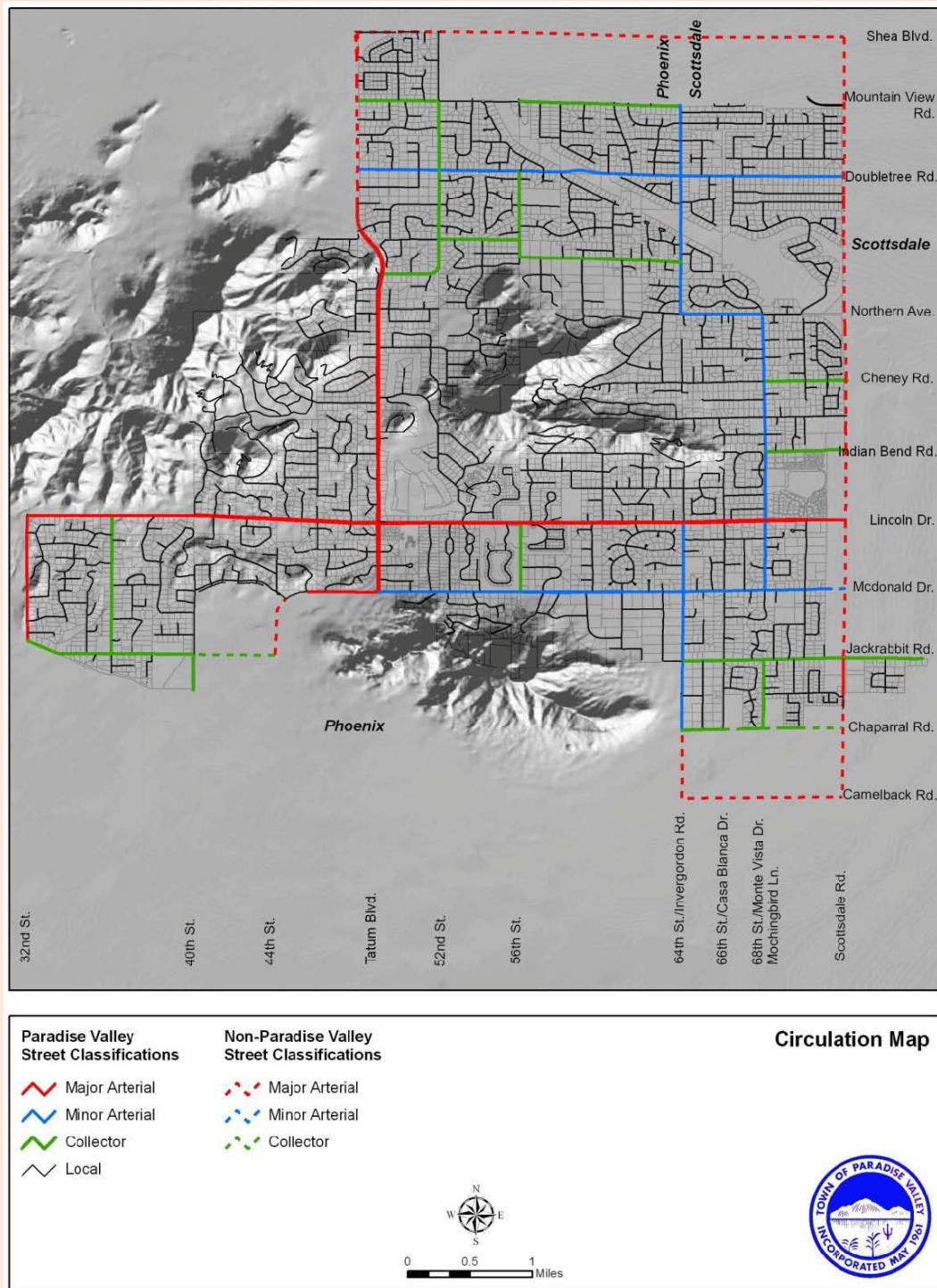
Table 4.5-1. Mobility Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
13. Develop and implement a Town notification policy for road closures and abandonments to include proper signage, neighborhood notification, and alternate routes		X				X
Implements Which Policy(ies)	M 4.4.1.1, M 4.4.1.4					
Responsible Party(ies)	Community Development, Engineering Division Public Works Department					
14. The Town shall notify gated communities as to a change in the public pedestrian and bicycle access policy and allow those communities whose Special Use Permit stipulations currently requires such access to seek and amendment for the purposes of removing any such stipulation.		X				
Implements Which Policy(ies)	M 4.4.1.2					
Responsible Party(ies)	Community Development Department					

## 4.6 Map and Standards

### Motorized Circulation

Figure 4.1 (Motorized Circulation Map) depicts four typical roadway classifications: Major Arterial, Minor Arterial, Collector, and Local. Each of these classifications is associated with a variety of functional and physical characteristics. Table 4.1 outlines the basic character of each classification and the cross-section diagrams that follow depict the standard design configurations for each classification. Figures 4.2 through 4.6 depict the typical recommended roadway cross-sections for each classification. While these cross-sections provide general guidance, the preferred solution for any particular roadway in Town will be determined by the Town Engineer with direction from the Planning Commission and Town Council, as appropriate. These standards will also apply to the Town's consideration of private roadways proposed in conjunction with special use permit applications.

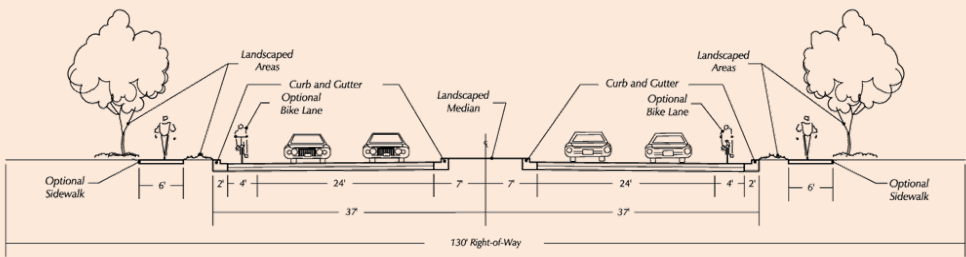
**Figure 4.1: Motorized Circulation Map**



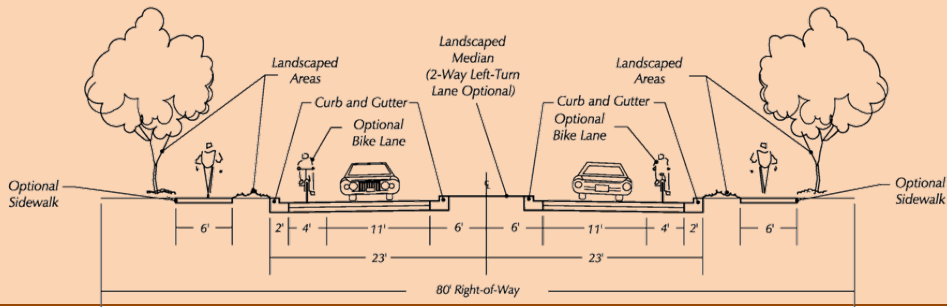
**Table 4.1: Circulation Map Classifications and Standards**

Classification	Function	Design Character (also see Cross-Sections)
Major Arterial	To provide regional unity and continuity.	<ul style="list-style-type: none"> <li>▪ Channelized intersections, limited access, crossings, and stops</li> <li>▪ Parking on rights-of-way prohibited</li> <li>▪ Landscaped medians and rights of way</li> <li>▪ Optional sidewalks on both sides, set back a minimum of 5 feet from traffic lanes</li> <li>▪ Bike lanes only where necessary to interconnect bikeway system</li> <li>▪ 4 through lanes</li> <li>▪ Full curbs and gutters</li> <li>▪ 130-foot right-of-way</li> </ul>
Minor Arterial	To serve as main feeder streets and provide linkages between major arterials.	<ul style="list-style-type: none"> <li>▪ Roundabouts encouraged for traffic control</li> <li>▪ Stop signs, if necessary, posted on intersecting side streets</li> <li>▪ Parking discouraged</li> <li>▪ Optional 4' bicycle lanes on both sides</li> <li>▪ Optional sidewalks on both sides, set back a minimum of 5 feet from traffic lanes</li> <li>▪ Optional medians/center turn lanes</li> <li>▪ 2 through lanes</li> <li>▪ Full curbs and gutters</li> <li>▪ 66- to 80-foot right-of-way (depending on median)</li> </ul>
Collector	To serve as main interior streets with limited through traffic, and they provide linkages into and out of local streets.	<ul style="list-style-type: none"> <li>▪ Stop signs, if necessary, posted on intersecting side streets</li> <li>▪ Optional 4' bicycle lanes on both sides</li> <li>▪ Limited on-street parking</li> <li>▪ Lighted signals not desirable</li> <li>▪ Optional sidewalks on both sides, set back a minimum of 5 feet from traffic lanes</li> <li>▪ 2 through lanes</li> <li>▪ Curbs (vertical, rolled and ribbon)</li> <li>▪ 60-foot right-of-way</li> </ul>
Local	To serve as interior streets intended to limit through traffic and provide access to immediate residences and other properties	<ul style="list-style-type: none"> <li>▪ Without bicycle lanes</li> <li>▪ Residential streets on the slopes of Mummy Mountain, Phoenix Mountain Preserve, and Camelback Mountain may be designed with variations to minimize cuts and fills.</li> <li>▪ 2 through lanes</li> <li>▪ 50-foot right-of-way</li> </ul> <p><b>Local A</b></p> <ul style="list-style-type: none"> <li>▪ Curbs</li> <li>▪ Optional sidewalks on one side of street</li> </ul> <p><b>Local B</b></p> <ul style="list-style-type: none"> <li>▪ Curbs</li> <li>▪ No sidewalks</li> </ul> <p><b>Local C</b></p> <ul style="list-style-type: none"> <li>▪ No improved curbs and gutters</li> <li>▪ No sidewalks</li> </ul>

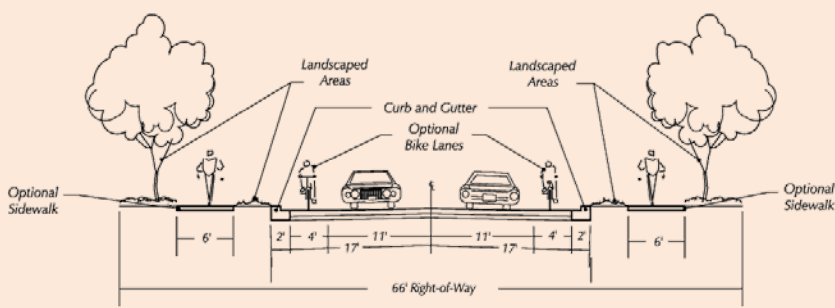
**Figure 4.2: Typical Major Arterial Cross-Section**



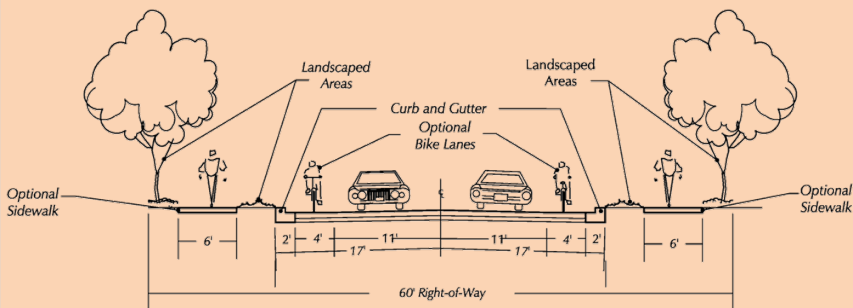
**Figure 4.3: Typical Minor Arterial Cross-Section (With Median)**



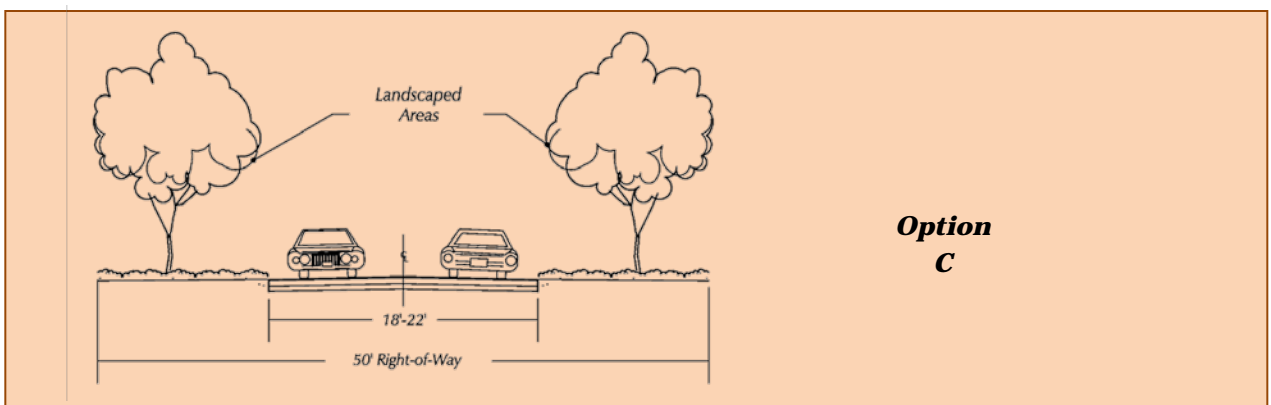
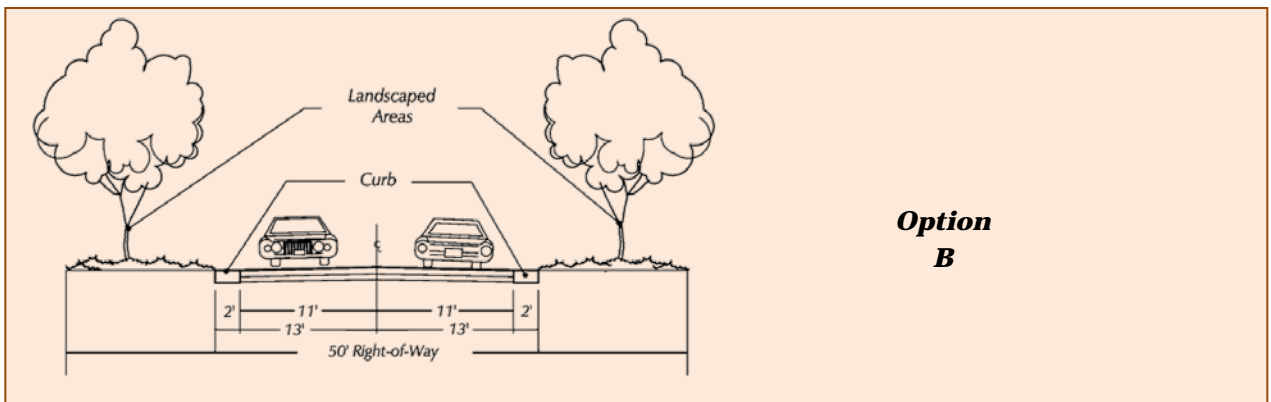
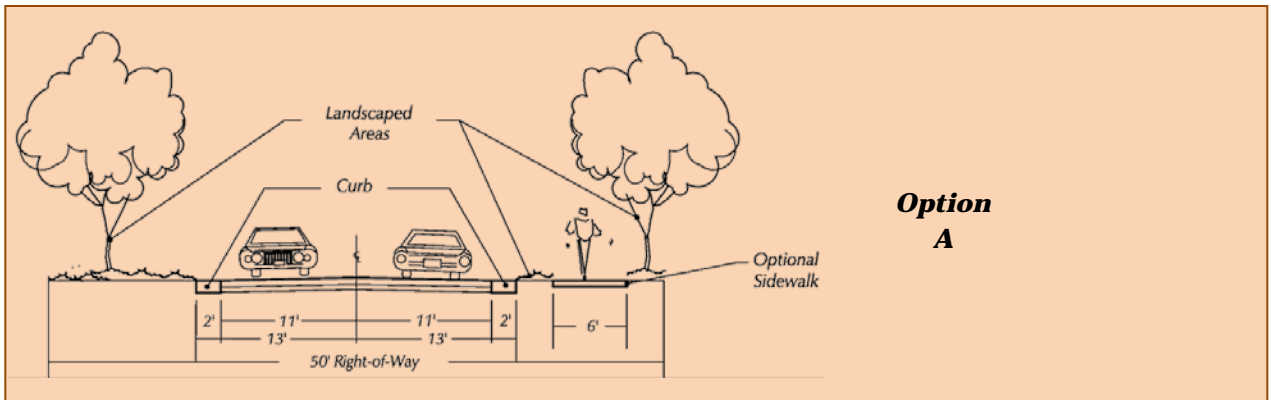
**Figure 4.4: Typical Minor Arterial Cross-Section (Without Median)**



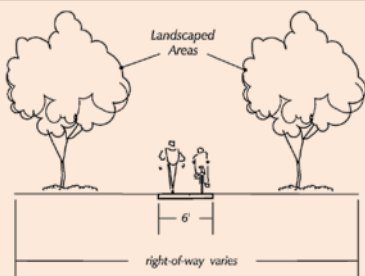
**Figure 4.5: Typical Collector Cross-Section**



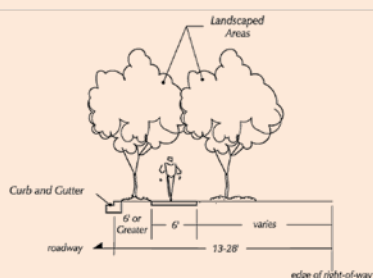
**Figure 4.6: Typical Local Cross-Sections (Options A, B, and C)**







**Figure 4.7: Typical Sidewalk Cross-Section**



**Figure 4.8: Typical Recreational Path Cross-Section**

## Non-Motorized Circulation

In addition to roadways and various forms of transit, non-motorized circulation alternatives shall be promoted in the Town. Non-motorized transportation can be for either trip-oriented travel or for recreation, and includes both pedestrian and bicycle travel. A Pedestrian Master Plan will be developed and implemented to provide walking, jogging, hiking and other non-motorized circulation options through the Town. Figures 4.7 and 4.8 depict typical recommended cross-sections for sidewalks and recreational paths. While these cross-sections provide general guidance, the preferred solution for any particular pathway in Town will be determined by the Town Engineer with direction from the Planning Commission and Town Council, as appropriate. These standards will also apply to the Town's consideration of Special Use Permit applications. A Bicycle Circulation Map (Figure 4.9) has been developed that designates bicycle lanes and routes through the Town.

### Bike Lane

On-Street Bike Lanes are established with appropriate pavement markings and signage along minor arterials and collector streets where there is significant bicycle demand. Bike lanes are designed to delineate the right-of-way assigned to motorists and to bicyclists, and to provide for more predictable movements by each.

### Bike Route

Bike Routes are established by signage only on minor arterials and collector streets. There are no special lane markings and bicycle traffic shares the roadway with motor vehicles. Pavement width should, however, be greater on roads that are designated as Bike Routes. Special regulations may be enacted and posted along such facilities to control motor vehicle speeds or restrict parking to enhance bicycling safety. Bicyclists must accommodate motorist and pedestrian crossflows at driveways and intersections.

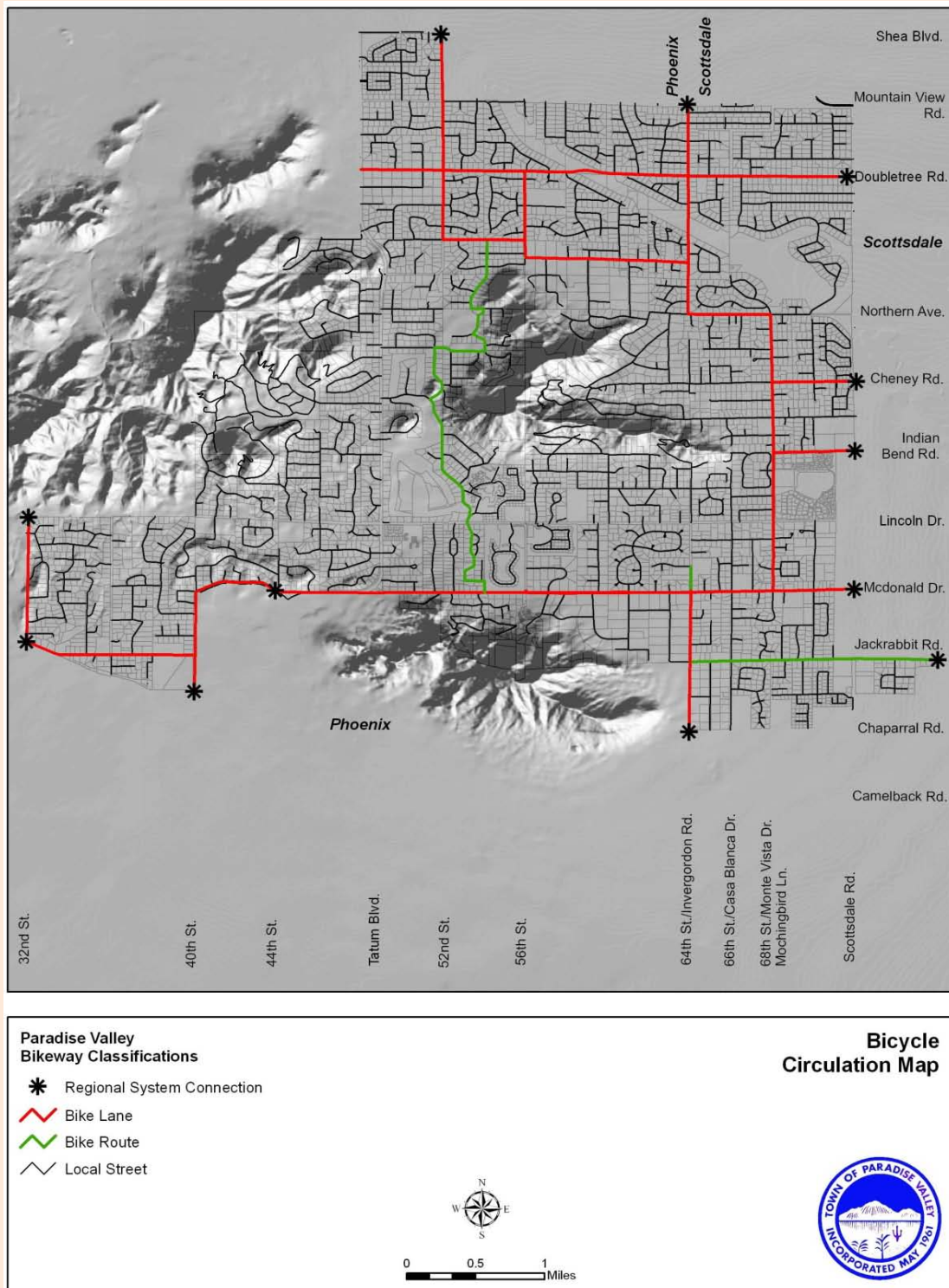
### Sidewalk

Sidewalks have their own alignments (i.e., they are not part of a roadway) and are typically a minimum of six feet wide and set-back five feet from the travel lanes. When they are adjacent to a roadway, sidewalks are usually paved and are encouraged to meander. In more natural locations (such as in hillside areas or mountain preserves), they can be unpaved with a graded compacted surface. Figure 4.8 shows the Town's generally preferred sidewalk cross-section; the actual configuration may vary depending on agreements between property owners and the Town.

### Multi-Use Trail

Multi-use trails are shared by bicyclists, pedestrians, and sometimes equestrians. These trails are sited in open space areas away from roadways and are signed and improved to identify the routes. All multi-use trails depicted on the Non-Motorized Circulation System Map are outside of the Town's jurisdiction.

**Figure 4.9 Non-Motorized Circulation Map**



### **Recreational Trail**

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Recreational trails are associated with natural setting parks and open space and are usually contoured to match the terrain. The routes up to the summit of Camelback Mountain are examples of recreational trails. Use of these trails is primarily for recreation, as opposed to destination travel. Recreational trails are typically designed for pedestrian use only, particularly where the terrain is too steep for bicycles. Recreational trails are typically natural surfaced and dimensions vary greatly, as determined by the topography.

### **Recreational Path**

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Recreational Paths are typically used to provide direct route off-street connections between popular destinations within neighborhoods. They cover short distances and are routed to suit local neighborhood planning purposes. These paths are typically six feet wide and may be striped to separate directional travel in high use locations. Recreational paths should be paved with concrete and may meander or they may be straight. Figure 4-9 shows the Town's generally preferred recreational path cross-section; the actual configuration may vary depending on agreements between property owners and the Town.

### **Design Standards**

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All non-motorized facility markings along roadways should be in conformance with the Americans with Disabilities Act (ADA) and the recommendations of the Arizona Department of Transportation (ADOT).





# OPEN SPACE AND RECREATION

“The Town celebrates and maintains the spectacular visual character of our Sonoran Desert setting and we value our open space, mountain views, washes, vegetation, and wildlife. We encourage private and public efforts to acquire, maintain, and preserve valuable open space for its intrinsic value and for its contribution in creating a strong sense of place.

We value recreational amenities and activities and seek to maximize external opportunities with neighboring communities, schools and Town resorts. As opportunities present themselves, we should identify and secure land throughout the community to provide visual relief, beautification, and enhanced community space.”

Town of Paradise Valley  
Visioning Committee 2011



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## 5. Open Space and Recreation

### 5.1 Open Space

The Town of Paradise Valley is nestled around the Camelback Mountain, Mummy Mountain and the Phoenix Mountain Preserve which offer residents and visitors unparalleled mountain views, an extensive wash system, and low impact recreation opportunities in between.

In November 1997 the Town Council created the Mummy Mountain Preserve Trust in order to perpetuate the natural landscape, desert plants, wildlife and scenic beauty of the mountain areas of the Town. Residents who take special pride in the distinctive scenic panoramas can continue to enjoy them and visitors from throughout the world can continue to share this beauty. Native desert plants and wildlife within the preserve can flourish without disruption. The Town desires to maintain and protect the mountain views and natural features by acquiring, maintaining, preserving and protecting undeveloped real property and developed real property that can be returned to its natural state on and around the mountains.

The Town has four categories of open space: 1) open space preserve – trust/easement; 2) open space preserve – privately owned; 3) private open space; and 4) public open space. Open space preserve is applied to those open space areas within the Town that are within a designated preserve area as described in the paragraph above that are either publicly owned, or under the control of private trusts. Private open space is applied to the turf areas of the Town's three golf courses as well as dedicated open space areas in certain subdivisions such as Judson. Public open space applies to all of the Town's rights-of-ways and designated open spaces such as the Barry Goldwater Memorial.

Open space views from private property are not regulated by the Town but should be preserved wherever possible. The Town encourages neighbors to discuss projects that may impact private open space views and reach a mutually acceptable outcome.

The Town's open spaces provide some of the most significant views, wash areas, and wildlife habitat in the county. These public and private areas define the community and are fundamental to the Town's high quality of life.

Goals and policies in the Open Space Element identify future needs and methods to increase, conserve, protect, and promote these areas and their functions as regional connections to other cities.

#### GOAL OS 5.1.1

**Open Space Protection.** To protect and expand open spaces, mountain views and natural features throughout the Town and enhance their physical or visual accessibility by Town residents, their guests and resort visitors.



## Policies

- OS 5.1.1.1 **Public Open Space.** The Town shall create and administer a new land use category, Public Open Space, which shall include the entire Town rights-of-way and any Town owned open spaces such as the Barry Goldwater Memorial, portions of the Town Hall campus, and the Berneil Wash corridor.
- OS 5.1.2.1 **Gifts of Land or Easements.** The Town shall pursue and target gifts of land or easements for the purpose of preserving and restoring open spaces and mountain views, and to encourage adjacent jurisdictions to accomplish similar objectives.
- OS 5.1.3.1 **Mummy Mountain Trust.** The Town shall encourage the preservation of Mummy Mountain and other steeply sloped, irregularly contoured, and highly visible terrain through donation or purchase.
- OS 5.1.4.1 **Preservation of Other Lands.** The Town shall encourage the preservation of culturally or historically significant properties that may contribute to the Town's open space inventory.
- OS 5.1.5.1 **Wash Preservation and Restoration.** The Town shall require the preservation and encourage the restoration of the area's natural washes to provide storm water drainage, aesthetic view corridors, wildlife habitat, and natural open spaces.
- OS 5.1.6.1 **Rights-of-way.** The Town shall utilize existing street rights-of-way to provide more public open space and increase mountain views.
- OS 5.1.7.1 **Landscape Guidelines.** The Town shall adopt landscape guidelines and require they be used on all Town projects and in public rights-of-way while allowing a diverse range of treatments on individual properties. Residents and builders shall be encouraged to utilize the guidelines to further the preservation and enhancement of the community's natural environment.
- OS 5.1.8.1 **Mountain Views.** The Town shall continue to monitor the effect of, and adjust where necessary and possible, Special Use Permit guidelines and building codes intended to minimize the impact of new development on mountain views from both the public rights-of-way and neighboring properties, recognizing that those mountain views are both a community and an individual asset.
- OS 5.1.9.1 **Mountain View Consideration.** The Town shall place a high priority on the preservation and restoration of mountain views from public rights-of-way during any new, intermediate or major Special Use Permit amendment process.

## OPEN SPACE AND RECREATION

**OS 5.1.10.1 Open Space Connectivity.** The Town shall require the dedication of land or easements during new, intermediate, or major SUP amendments for the purpose of connectivity and accessibility when the property to be developed is adjacent to an existing open space, park site, or area otherwise identified as high priority for open space uses.

### Goal OS 5.1.2

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**Open Space Program.** Manage an open space program that is responsive to public need and exemplifies the Town's commitment to leadership in providing open space, mountain views, and low impact recreation opportunities to improve the quality of life of residents, their guests and resort visitors.

### Policies

**OS 5.1.2.1 Citizen Involvement.** The Town shall support and encourage active citizen involvement in the development and management of open space.

**OS 5.1.2.2 Operations and Management.** The Town shall provide consistent and effective operations and maintenance for all public open space and facilities.

**OS 5.1.2.4 Additional Open Space.** The Town shall seek to provide additional open space through acquisition, incentives, dedication, or "set aside" for natural open spaces, mountain views from public rights-of-way, and to provide areas for low impact recreational activities.

**OS 5.1.2.5 Tourism Support.** The Town shall support resort tourism in the community by preserving, restoring, creating and maintaining public open space, mountain views from public rights-of-way, and low impact recreational facilities and opportunities.

## 5.2 Recreation

Since the Town's inception in 1961, the Town of Paradise Valley has been known for ensuring limited government and services and thus, has traditionally not offered conventional recreational opportunities such as parks and other public open spaces aside from bike lanes in the streets. Instead, the Town has historically encouraged new residential subdivisions to incorporate open space preservation features in order to maintain visual openness throughout the Town.

Some residents have expressed a desire for additional recreational opportunities throughout Town. However, the unique characteristics of Paradise Valley suggest little emphasis should be placed on playgrounds and neighborhood parks with

active areas for children such as play equipment. Rather, emphasis should be placed on creating more low impact recreational opportunities at existing public facilities such as churches and schools and in existing rights-of-way such as enhanced bike lanes and pedestrian walkways.

Low impact recreational activities include hiking, biking, in-line skating, and horseback riding. High impact recreation is prohibited in open space preserve areas. High impact recreation includes activities such as soccer, football, Frisbee, softball and any other activity that may harm or impact the fragile ecosystems in the open space preserve areas. High impact recreation may be allowed on private open space tracts.

Goals and policies in the Recreation Element identify future needs and methods to provide for recreational opportunities for town residents and visitors.

### Goal R 5.2.1

**Recreational Opportunities.** To support the provision of low impact recreation facilities and activities for Town residents, their guests and resort visitors.

#### Policies

- R 5.2.1.1 Public Facilities.** The Town shall encourage the use of public and quasi-public facilities (e.g., schools, places of worship, Town Hall) for public recreation programs and activities.
- R 5.2.1.2 Resort Facilities.** The Town shall encourage the use of resort properties for private recreation programs and activities for Town residents.
- R 5.2.1.3 Citizen Involvement.** The Town shall strive for citizen involvement in all phases of the planning and delivery of recreational programs, services, and amenities.
- R 5.2.1.4 Periodic Assessment.** The Town shall conduct periodic assessments of community needs and preferences in recreation programming and services.
- R 5.2.1.5 Resident and Visitor Wellness.** The Town shall support and encourage involvement in recreation programs to improve the wellness and well-being of all residents and visitors.
- R 5.2.1.6 Trailhead Parking.** The Town shall pursue a solution that minimizes the impacts of recreational user parking on residential neighborhoods in the vicinity of the Echo Canyon and Cholla Trail trailheads.
- R 5.2.1.7 Linkages.** The Town shall encourage the linkage of open space and recreational resources within the community and with adjacent municipalities/regional networks.

### **5.3 Implementation Measures**

The Open Space and Recreation Element sets forth broad goals and policies related to open areas and recreation within the Town. Implementation requires translating these broad statements to specific actions, systematically evaluating progress, and active community participation.

The following implementation measures have been identified for Open Space and Recreation and serve as a basis for performance evaluation of Town staff, leadership and Town volunteers in the execution of the General Plan.

Table 5.3-1. Open Space and Recreation Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>1. Open Space Land/Easement Donations</b> Identify parcels of land and solicit the owners for donations of land or easements in order to preserve and restore open space and mountain views, Mummy Mountain, and other culturally and/or historically significant properties.		X				X
<b>Implements Which Policy(ies)</b>	O 1.1.1, O 1.1.2, O 1.1.3, O1.2.4					
<b>Responsible Party(ies)</b>	Town Council supported by Town Manager					
<b>2. Wash Preservation &amp; Restoration</b> Continue to preserve the Town's washes through periodic code enforcement inspections and encourage the restoration of washes via development incentives such as setback flexibility.		X				X
<b>Implements Which Policy(ies)</b>	O 1.1.4					
<b>Responsible Party(ies)</b>	Community Development supported by Planning Commission and Town Council					
<b>3. Right-of-way Utilization</b> Utilize existing rights-of-way to create more open space by reevaluating how the space is used and designing a universally accessible, safe, experimentally rewarding open space system that promotes passive recreation such as walking and biking.		X				
<b>Implements Which Policy(ies)</b>	O 1.1.5					
<b>Responsible Party(ies)</b>	Town Council supported by Planning Commission					

## OPEN SPACE AND RECREATION

Table 5.3-1. Open Space and Recreation Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>4. SUP Open Space</b> During the review of new, intermediate or major SUP amendments, preserve mountain views and open space from rights-of-way potentially affected by SUP development and require the dedication of land or easements for connectivity and accessibility when SUP property is adjacent to an existing open space, park site or other area identified as a high-priority open space.		X				X
<b>Implements Which Policy(ies)</b>	O 1.1.6, O 1.1.7, R 1.1.5					
<b>Responsible Party(ies)</b>	Town Council supported by Planning Commission					
<b>5. Citizen Involvement</b> Provide recommendations to the Town Council on the development and management of open space and recreational programs and services in the Town and to conduct and ongoing assessment of community needs and preferences in recreation programming and services.		X				
<b>Implements Which Policy(ies)</b>	O 1.2.1, R 1.1.2, R 1.1.3					
<b>Responsible Party(ies)</b>	Town Council supported by Town Manager					
<b>6. Open Space Operations and Maintenance</b> Continue to provide consistent and effective operations for all public open space and facilities.						X
<b>Implements Which Policy(ies)</b>	O 1.2.2.					
<b>Responsible Party(ies)</b>	Public Works supported by Town Manager					

Table 5.3-1. Open Space and Recreation Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>7. Tourism Support</b> Identify ways to preserve, restore, create and maintain low impact recreational opportunities and open space experiences for resort visitors such as publishing a trails/bike path brochure for the resorts to distribute.		X				X
<b>Implements Which Policy(ies)</b>	O 1.2.5, R 1.1.4					
<b>Responsible Party(ies)</b>	Town Manager supported by Town Council					
<b>8. Public Facility Use</b> Encourage schools and places of worship in the Town to create and promote recreation programs and activities for Town residents.						X
<b>Implements Which Policy(ies)</b>	R 1.1.1					
<b>Responsible Party(ies)</b>	Community Development, Planning, Engineering and Building Divisions supported by Town Council , Water Utility Committee					
<b>9. Trailhead Parking</b> Periodically evaluate current measures to alleviate parking problems related to the Echo Canyon and Cholla Trail, such as the trolley service and no parking signs, to ensure effectiveness and amend as necessary.		X				X
<b>Implements Which Policy(ies)</b>	R 5.2.1.6					
<b>Responsible Party(ies)</b>	Town Manager supported by Town Council					





# ENVIRONMENTAL PLANNING AND WATER RESOURCES

“The Town recognizes the importance of water in its ability to maintain a highly desirable desert environment. The Town will continue to pursue opportunities to ensure an adequate water supply by staying vigilant and engaged in the regulatory process and with the water suppliers.

Air quality, noise reduction, drainage control and preservation of natural resources continue to be critical in ensuring the health and safety of our residents and the continuation of Paradise Valley as a destination resort community.”

Town of Paradise Valley  
Visioning Committee 2011

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## 6. Environmental Planning and Water Resources

### 6.1 Environmental Planning

Environmental Planning considers the overall environmental implications of the general plan, with a specific focus on natural features and vegetation, air quality, and water quality. The Town's limited remaining development potential and the goals, policies, and implementation measures of this Element, as well as those in the Water Resources Element of this Plan, combine to ensure that local air and water quality and the Town's natural features and vegetation will not be adversely affected by development within the Town.

#### GOAL EP 6.1.1

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**Vegetation and Wildlife.** To protect the Town's native plants and animals and maintain the Town's visual landscape.

#### Policies

- EP 6.1.1.1 **Native Landscaping.** The Town shall require the use of landscaping as defined in the Town's Landscape Design Guidelines on all Town-owned properties, and promote the preservation and protection of natural vegetation and wildlife areas through the use of indigenous and compatible landscaping on private properties, especially along street frontages.
- EP 6.1.1.2 **Desert Restoration.** The Town shall strongly promote the restoration of indigenous Sonoran Desert vegetation in areas that have been disturbed or scarred by development, neglect, or improper use, especially on hillsides or in washes. The Town shall promote restoration practices that minimize potential wildfire hazards
- EP 6.1.1.3 **Mature Landscape Preservation.** The Town shall require new development and redevelopment to preserve mature indigenous and compatible landscaping on-site where feasible.
- EP 6.1.1.4 **Community Involvement.** The Town shall promote community volunteerism and stewardship to help identify, protect, rehabilitate and maintain the area's natural resources.
- EP 6.1.1.5 **Maximum Feasible Preservation.** The Town shall monitor new development and redevelopment to ensure the maximum

feasible preservation of native plants and wildlife and existing vegetation.

- EP 6.1.1.6 **Resource Preservation.** The Town shall encourage new development to preserve on-site natural elements that contribute to the community's native plant and wildlife species value and to its aesthetic character.

#### Goal EP 6.1.2

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**Community Trees.** Manage and increase the Town's inventory of trees as an environmental, economic, and aesthetic resource to improve residents' quality of life.

#### Policies

- EP 6.1.2.1 **Tree City USA.** The Town shall continue to participate in the Tree City USA program, sponsored by the Arbor Day Foundation in cooperation with the USDA Forest Service and the National Association of State Foresters.
- EP 6.1.2.2 **Manage and Enhance.** The Town shall continue to plant new indigenous and compatible trees, ensure new developments have sufficient rights-of-way width for tree plantings; manage and care for all Town-owned trees including training, maintenance, removal and replacement.
- EP 6.1.2.3 **Tree Dedication.** The Town shall create and promote a program that allows property owners and builders to dedicate surplus trees from their properties that they cannot accommodate on site for use on Town-owned property.
- EP 6.1.2.4 **Urban Heat Island Effects.** The Town shall continue to promote planting indigenous and compatible shade trees with substantial canopies, and require site design which uses trees to shade, where feasible, parking facilities, streets, and other facilities to minimize heat island effects.
- EP 6.1.2.5 **Shade Tree Planting Program.** The Town shall continue to provide indigenous and compatible trees along major and minor arterials within the Town as part of right-of-way improvement projects.

#### Goal EP 6.1.3

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**Visual Resource Preservation.** Maintain and protect significant visual resources and aesthetics that define the Town of Paradise Valley.

## ENVIRONMENTAL PLANNING AND WATER RESOURCES

### Policies

- EP 6.1.3.1 Protect Scenic Views.** The Town shall continue to seek to protect views from public places to Camelback Mountain, Mummy Mountain and Phoenix Mountain Preserve with deference to private property rights.
- EP 6.1.3.2 Visually Complimentary Development.** The Town shall encourage new development and redevelopment be located and designed to visually complement the natural environment/setting.
- EP 6.1.3.3 Standards for SUP Development.** The Town shall require that Special Use Permit developments not create major adverse impacts on the town's natural and semi-urban landscapes.
- EP 6.1.3.4 Lighting.** The Town, through its Dark Sky Ordinance, shall minimize outdoor lighting that is inappropriately directed excessive, or unnecessary.
- EP 6.1.3.5 Glare.** The Town shall require, through development design features, new development avoid the creation of excessive glare that makes seeing difficult due to the presence of reflected sunlight or artificial light such as floodlights.

### Goal EP 6.1.4

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**Air Quality.** Reduce noise pollution, air pollution, and improve air quality by promoting alternative transportation, reduced emissions vehicles and equipment and discouraging cut-through traffic in order to improve air quality in the Town and the region.

### Policies

- EP 6.1.4.1 No Refuse Burning.** The Town shall prohibit burning refuse.
- EP 6.1.4.2 Alternate Transportation.** The Town shall promote walking, bicycling, car pooling, and public transit as alternatives to the use of the single-occupant automobile.
- EP 6.1.4.3 Fleet Operations.** The Town shall continue to evaluate the purchase of low-emission vehicles for the Town's fleet and the use of available clean fuel sources for trucks and heavy equipment for the provision of Town services based on operating requirements and financial feasibility.
- EP 6.1.4.4 Reduced Emissions for Town Operations.** The Town shall promote reduced idling, fuel consumption, trip reduction, routing for efficiency, and the use of public transportation, carpooling, and alternate modes of transportation.

- EP 6.1.4.5 Reduced Noise and Air Pollution.** The Town shall continue to be proactive in the protection of its airspace from noise and air pollution caused by commercial, private and military air traffic over the Town.
- EP 6.1.4.6 Zero-Emission and Low-Emission Vehicle Use.** The Town shall encourage the use of zero-emission vehicles, low-emission vehicles, bicycles and other non-motorized vehicles, and car-sharing programs by requiring sufficient and convenient infrastructure and parking facilities in new SUP developments to accommodate these vehicles.
- EP 6.1.4.7 Consideration for Reduced-Emission Equipment.** The Town shall give consideration to contractors using reduced emission equipment for Town construction projects and contracts for services (e.g., garbage collection), as well as businesses which practice sustainable operations.

## 6.2 Water Resources

Water Resources addresses a broad range of issues related to water, including water supply, water quality, wastewater, and drainage/flood control. These issues are addressed in goals, policies, and implementation measures that will ensure that the Town will have sufficient supplies of good quality water to address the Town's future development needs. The administration of these goals, policies, and measures will require continued cooperation among the Town, its residents, and local water service providers.

### Goal WR 6.2.1

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**Water Supply.** To ensure the adequacy of the Town's water supply and to support improvements to the water supply.

### POLICIES

- WR 6.2.1.1 Water Supply Assessment.** The Town shall encourage the water service providers to regularly undertake assessments of currently available and forecasted water supplies for their service areas and customers.
- WR 6.2.1.2 Meeting Future Water Needs.** The Town shall encourage the water service providers to analyze how future growth will be adequately served by the legally and physically available water supply and/or to plan to obtain additional water supplies, while ensuring that new or expanded services do not adversely affect existing water users.
- WR 6.2.1.3 Ensuring Efficient and Adequate Operational Conditions.** The Town shall encourage the water providers to

## ENVIRONMENTAL PLANNING AND WATER RESOURCES

continually make available water in the distribution system for water pressure for direct customers use and for fire suppression.

**WR 6.2.1.4 Renewable Water Resources.** The Town shall work with the Arizona Corporation Commission and/or water service providers to encourage the local water providers use renewable water resources, other than groundwater, to supply water to the Town's residents.

**WR 6.2.1.5 Water Conservation.** The Town shall encourage water conservation for new and existing developments through the use of water-conserving fixtures and devices, conversion and installation of desert adapted landscaping, and other conservation techniques.

**WR 6.2.1.6 Water Delivery and Supply.** The Town shall continue to pursue documentation and understanding of water pressure and delivery, working with the Town's providers. The documentation should also identify future demand, available water sources, state of delivery system, and fire safety concerns.

### Goal WR 6.2.2

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**Water Quality.** To ensure the adequacy of the Town's water quality and support improvements to the water quality.

**WR 6.2.2.1 Coordination with Service Providers.** The Town shall coordinate with the water service providers to undertake improvements to the pressure and quality of water where necessary.

**WR 6.2.2.2 Septic Systems.** The Town shall cooperate with the Maricopa County Department of Environmental Services to ensure that new on-site wastewater storage and treatment systems (i.e., septic systems) do not jeopardize the local groundwater supply.

**WR 6.2.2.3 Groundwater Recharge.** The Town shall encourage the preservation and restoration of the area's washes to assist in natural groundwater recharge.

**WR 6.2.2.4 Stormwater Management.** The Town shall participate in Phase II of the National Pollutant Discharge Elimination System (NPDES) stormwater program.

### Goal WR 6.2.3

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**Flood Control/Drainage.** To ensure the safe and economic control of stormwater in the Town.



- WR 6.2.3.1 Flood Control.** The Town shall manage flood control and drainage facilities to have minimal impact on natural washes and their associated habitat.
- WR 6.2.3.2 Drainage and Retention.** The Town shall encourage the preservation and restoration of the area's washes to ensure that their natural drainage and stormwater retention functions are maintained.
- WR 6.2.3.3 Wash Maintenance.** The Town shall require Town property owners to properly maintain wash corridors on privately-owned land, and shall require appropriate easements for such purposes as a condition of development.
- WR 6.2.3.4 Wash Restoration.** The Town shall encourage property owners to restore or improve washes on their property to a natural state.
- WR 6.2.3.5 Regional Coordination.** The Town shall cooperate with the flood control efforts and regulations of neighboring municipalities and to coordinate with regional, state, and national flood control authorities.
- WR 6.2.3.6 On-Site Retention.** The Town shall continue to require adequate on-site retention for new development and redevelopment and require the provision of appropriately-sized facilities to retain and transport stormwater.

## 6.3 Implementation Measures

The Environmental Planning and Water Resources Element sets forth broad goals and policies related to planning for the conservation of the environment and water resources within the Town. Implementation requires translating these broad statements to specific actions, systematically evaluating progress, and active community participation.

The following implementation measures have been identified for Environmental Planning and Water Resources and serve as a basis for the performance evaluation of Town staff, leadership and other Town volunteers in the execution of the General Plan.

## ENVIRONMENTAL PLANNING AND WATER RESOURCES

Table 6-3.1 Environmental Planning and Water Resources Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>1. Desert Protection and Restoration</b>  The Town shall revise the Native Plant Preservation Ordinance to preserve and protect natural vegetation and wildlife areas, mature trees and landscaping, and to promote the restoration of indigenous Sonoran Desert vegetation that has been disturbed or scarred and on new developments. In addition, the Town shall strictly monitor new development and redevelopment through site inspections to ensure the maximum feasible protection of native plants.		X				X
<b>Implements Which Policy(ies)</b>	EP 6.1.1.1, 6.1.1.2, 6.1.1.3, 6.1.1.5, 6.1.1.6					
<b>Responsible Party(ies)</b>	Town Council with support of Town Manager					
<b>2. Community Involvement</b>  The Town shall recruit volunteers as part of an annual event to identify, protect, rehabilitate, and maintain the area's natural resources.		X			X	
<b>Implements Which Policy(ies)</b>	EP 6.1.1.4					
<b>Responsible Party(ies)</b>	Town Manager with support of Development Services Department					
<b>3. Tree City USA</b>  The Town shall continue to apply for the Tree City USA designation on an annual basis. The Town shall ensure that all Tree City USA requirements are met before the submitting the application every year.						X
<b>Implements Which Policy(ies)</b>	EP 6.1.2.1					
<b>Responsible Party(ies)</b>	Town Manager					

Table 6-3.1 Environmental Planning and Water Resources Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>4. Trees</b>  The Town shall continue to plant indigenous and compatible trees along major and minor arterials as part of right-of-way improvement projects in sufficient areas to allow for growth, and shall manager and care for all Town-owned trees including training, maintenance, removal and replacement.		X				X
<b>Implements Which Policy(ies)</b>	EP 6.1.2.2, 6.1.2.5					
<b>Responsible Party(ies)</b>	Town Manager with support of Development Services Department					
<b>5. Tree Dedication Program</b>  The Town shall create and promote a tree dedication program that encourages property owners and builders to donate surplus trees from their properties that they cannot accommodate for use on Town owned property.		X				
<b>Implements Which Policy(ies)</b>	EP 6.1.2.3					
<b>Responsible Party(ies)</b>	Town Manager with support of Development Services Department					
<b>6. Urban Heat Island Reduction</b>  The Town shall revise the Zoning Ordinance to require site design which uses trees to shade parking facilities, streets, and other facilities to minimize the heat island effect.		X				
<b>Implements Which Policy(ies)</b>	EP 6.1.2.4					
<b>Responsible Party(ies)</b>	Town Manager with support of Development Services Department					
<b>7. Scenic View Protection</b>  The Town shall explore ways to protect views from public places to Camelback Mountain, Mummy Mountain, and the Phoenix Mountain Preserve with reasonable deference to private property rights.		X				
<b>Implements Which Policy(ies)</b>	EP 6.1.3.1					
<b>Responsible Party(ies)</b>	Town Manager					

## ENVIRONMENTAL PLANNING AND WATER RESOURCES

Table 6-3.1 Environmental Planning and Water Resources Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>8. Visually Complimentary Development</b>  The Town shall develop incentives to encourage new development and redevelopment to be located and designed to visually compliment the natural environment and setting.		X				
<b>Implements Which Policy(ies)</b>	EP 6.1.3.2					
<b>Responsible Party(ies)</b>	Town Manager with support of Development Services Department					
<b>9. SUP Development</b>  The Town shall revise the SUP ordinance to require SUP developments not create major adverse impacts on the Town's natural and semi-urban landscapes.		X				
<b>Implements Which Policy(ies)</b>	EP 6.1.3.3					
<b>Responsible Party(ies)</b>	Town Manager with support of Development Services Department					
<b>10. Lighting and Glare</b>  The Town shall examine the existing Dark Sky Ordinance, and if necessary, make revisions to minimize outdoor lighting that is inappropriately directed, excessive or unnecessary. In addition, the Town shall create and implement development design standards to eliminate excessive glare created by reflected sunlight or artificial light.		X				
<b>Implements Which Policy(ies)</b>	EP 6.1.3.4, 6.1.3.5					
<b>Responsible Party(ies)</b>	Town Manager with support of Development Services Department					
<b>11. Improved Air Quality</b>  The Town shall continue to prohibit the burning of refuse. In addition, the Town shall create a promotional campaign to encourage walking, biking, car pooling and alternative transportation as alternatives to the automobile in order to improve air quality. The Town shall also work with the FAA and airports to protect the airspace from noise and air pollution caused by air traffic.		X				X
<b>Implements Which Policy(ies)</b>	EP 6.1.4.1, 6.1.4.2, 6.1.4.5					
<b>Responsible Party(ies)</b>	Town Manager with support of Development Services Department					

Table 6-3.1 Environmental Planning and Water Resources Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>12. Reduced Air Emissions</b>  The Town shall require an analysis of a low emissions vehicle option when purchasing new vehicles for the Town's fleet and if it is financially feasible, preference should be given to the low emissions vehicle option. In addition, the Town shall provide employee incentives for reduced idling, trip reduction, carpooling, and other alternatives that reduce air emissions. SUP developments shall be required to provide the infrastructure necessary to accommodate low emission vehicles, car-sharing options, and other alternative modes of transportation.		X				
<b>Implements Which Policy(ies)</b>	EP 6.1.4.3, 6.1.4.4, 6.1.4.6					
<b>Responsible Party(ies)</b>	Town Manager with support of Development Services Department					
<b>13. Reduced Emission Equipment for Town Contracts</b>  The Town shall give consideration to contractors and service providers who use reduced emission equipment for Town construction projects and service contracts.		X				
<b>Implements Which Policy(ies)</b>	EP 6.1.4.7					
<b>Responsible Party(ies)</b>	Town Manager with support of Development Services Department					
<b>14. Water Supply</b>  The Town shall continue to pursue opportunities for an adequate water supply by staying engaged in the regulatory process and with the water suppliers. The Town should focus on water supply, meeting future water needs, ensuring efficient and adequate operational conditions, utilizing renewable water sources, and encouraging water conservation.		X				X
<b>Implements Which Policy(ies)</b>	WR 6.2.1.1, 6.2.1.2, 6.2.1.4, 6.2.1.4, 6.2.1.5					
<b>Responsible Party(ies)</b>	Town Manager with support of Water Utility Committee					

## ENVIRONMENTAL PLANNING AND WATER RESOURCES

Table 6-3.1 Environmental Planning and Water Resources Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
15.	<b>Water Quality</b>  The Town shall work with the water providers to undertake improvements to the pressure and quality of water in the Town. In addition, the Town shall work with the Maricopa County Department of Environmental Services to ensure septic systems do not compromise the groundwater supply and the Town shall continue to comply with Phase II of the National Pollutant Discharge Elimination System (NPDES) storm water program. The Town shall continue to encourage the preservation and restoration of washes to assist in natural groundwater recharge.	X				X
	<b>Implements Which Policy(ies)</b> WR 6.2.2.1, 6.2.2.2, 6.2.2.3, 6.2.2.4					
	<b>Responsible Party(ies)</b> Town Manager with support of Development Services Department					
16.	<b>Flood Control/Drainage</b>  The Town shall continue to manage flood control/drainage facilities to have minimal impact on washes. At the same time, the Town shall encourage the maintenance, preservation, and restoration of the washes to maintain the natural storm water retention function.					X
	<b>Implements Which Policy(ies)</b> WR 6.2.3.1, 6.2.3.2, 6.2.3.3, 6.2.3.4					
	<b>Responsible Party(ies)</b> Town Manager with support of Development Services Department					
17.	<b>Regional Coordination</b>  The Town shall continue to cooperate with the flood control effort and regulations of neighboring municipalities and with regional, state, and national flood control authorities.					X
	<b>Implements Which Policy(ies)</b> WR 6.2.3.5					
	<b>Responsible Party(ies)</b> Town Manager with support of Development Services Department					
18.	<b>On-site Retention</b>  The Town shall continue to require on-site retention for new development and redevelopment and require the provision of adequately sized facilities to retain and transport storm water.					X
	<b>Implements Which Policy(ies)</b> WR 6.2.3.6					
	<b>Responsible Party(ies)</b> Town Manager with support of Development Services Department					
19.	<b>Water Delivery and Supply</b>  The Town shall work with the water providers to obtain documentation and understanding of the existing water infrastructure's delivery system, pressure levels, and condition while also identifying future demand needs, available water sources and fire safety concerns.	X				X

Table 6-3.1 Environmental Planning and Water Resources Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
Implements Which Policy(ies)	WR 6.2.1.6					
Responsible Party(ies)	Town Manager					



# SUSTAINABILITY

“The Town supports and respects the magnificent Sonoran Desert in which it is located and recognizes its responsibility in protecting it. The preservation and utilization of indigenous landscaping, water conservation, protection of the quiet desert lifestyle, clear dark skies and a strong economic backbone allow future generations to enjoy what has been created here.”

Town of Paradise Valley  
Visioning Committee 2011



TOWN OF PARADISE  
MUNICIPAL COL  
6401 E. LINCOLN DR

FORMAT PAGE

## 7. Sustainability

The definition of sustainability means maintaining a culture of stewardship to enhance the natural environment; maintaining existing stable economic interests; and maintaining and promoting an equitable quality of life for present and future generations. Given the Town of Paradise Valley's smaller size, land-locked location, primarily large residential lots, and minor quantity of commercial properties, the focus is on enhancement opportunities for the established community tapestry.

Locally, sustainability is important to ensure the social, environmental and economic systems that make up our community are providing a healthy, productive and meaningful life for residents and visitors alike. There are many benefits to prioritizing sustainability including fostering a culture of innovation and creativity; staying ahead of new environmental trends; strengthening reputation, increasing loyalty and improving stakeholder relations; retaining employees and increasing productivity; enhancing short and long term economic interests; and increasing meaningful citizen participation.

The Town of Paradise Valley has developed a comprehensive inventory of current policies, ordinances, and programs that support the Town's commitment to sustainability. The inventory revealed the Town already has many sustainable measures in place, including a hybrid vehicle fleet, audio/video conferencing, crime prevention classes and two "green" fire stations. In addition, the Town is exploring alternate energy sources to power the Town Hall campus.

The Town is committed to the environmental, economic, and social stewardship of Town operations and the Town of Paradise Valley community. Many of the following goals and policies require the Town to adhere to certain sustainable practices. By imposing sustainable measures on itself, the Town is leading the community by example. Special Use Permit properties will also be required to adhere to a higher sustainable standard as part of the legislative planning process. The Town's residents, through education and awareness, shall be encouraged to follow sustainable practices recognizing that doing so furthers the Town's vision of a healthy desert environment.

### 7.1 Social Sustainability

#### Goal S 7.1.1

**Community Education and Involvement.** Cultivate broad community participation in programs to promote sustainability and provide the information people need to live in a sustainable way.

#### Policies

**S 7.1.1.1 Town Programs.** The Town shall create and promote Town programs to inform the community about sustainability and

measures they can take to make sustainable choices and be informed on potential financial incentives and rebates.

**S 7.1.1.2 School Programs.** The Town shall create and promote enriched educational programs about sustainability for local schools.

**S 7.1.1.3 Town Demonstration Projects.** The Town shall set standards of sustainability in Town buildings and practices for purposes of education and demonstration.

**S 7.1.1.4 Sustainability Tools.** The Town shall create and promote avenues to link interested residents with sustainable products and practices such as energy efficient products, water conservation measures, and waste reduction practices such as composting so that people have the tools they need to implement sustainable lifestyles.

**S 7.1.1.5 Policy Prioritization.** The Town shall involve the community in shaping sustainability policies and in determining which measures are essential, which are desirable, and which are possible to further sustainability within our Town.

## 7.2 Sustainable Environment

### Goal S 7.2.1

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**Residential Buildings.** Encourage the use of energy efficient features and practices and the use of “green” building design standards in new projects and remodeling projects.

#### Policies

**S 7.2.1.1 Energy Audits.** The Town shall encourage residents to undertake energy audits of their homes and implement the audit recommendations to reduce energy consumption.

**S 7.2.1.2 Energy Efficiency.** The Town shall encourage an increase in energy efficiency of existing homes when they are remodeled.

**S 7.2.1.3 Reuse and Recycling.** The Town shall encourage reuse and recycling of materials when buildings are deconstructed or torn down.

### Goal S 7.2.2

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**Non-Residential Buildings.** Require, where feasible, new non-residential buildings to adhere to “green” building design standards.

## SUSTAINABILITY

### Policies

- S 7.2.2.1 Green Building Standards.** The Town shall require all new government buildings and Special Use Permit projects to achieve a minimum level of sustainability based on an accepted “green” evaluation system (i.e. LEED, or NAHB program).
- S 7.2.2.2 Project Balance.** The Town shall balance the objectives of sustainability and conservation of resources in Special Use Permit projects with the objectives of the applicant in terms of the extent and design of site and building improvements.
- S 7.2.2.3 Energy Audits.** The Town shall conduct energy audits for all public facilities and encourage energy audits for Special Use Permit properties.
- S 7.2.2.4 Energy Tracking & Management.** The Town shall implement an energy tracking and management system for Town departments and public facilities.
- S 7.2.2.5 Lighting Retrofits.** Where economically feasible, the Town shall install energy-efficient lighting retrofits and occupancy sensors on public facilities and encourage Special Use Permit properties to do the same.
- S 7.2.2.6 Renewable Energy.** The Town shall explore opportunities for Town installation of renewable energy and clean generation technologies and/or the purchase of renewable energy certificates to reduce the Town’s contribution to greenhouse gas emissions.

### Goal S 7.2.3

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**Greenhouse Gas Emissions.** Transition Town operations and non-residential operations to operations that reduce greenhouse gas emissions and work with surrounding Cities to reduce their greenhouse gas emissions produced by services provided in our community. Additionally, encourage residents to reduce their carbon emissions.

### Policies

- S 7.2.3.1 Pollution-free Town Operations.** The Town shall manage civic operations to be as pollution free as economically feasible; including landscape maintenance equipment, Town building’s maintenance, and Town use of chemicals for pest management.
- S 7.2.3.2 Energy Efficient Town Vehicles.** The Town shall transition to the use of energy efficient low or zero emission vehicles.

**S 7.2.3.3 Town Inventory and Reduction.** The Town shall complete and maintain a Greenhouse Gas Emissions Inventory for Town and non-residential operations and the community to set baselines for comparison purposes and establish goals for reduction.

**S 7.2.3.4 Carbon Footprint Calculator.** The Town shall educate residents on how to reduce their own carbon footprint and continue to provide a “carbon footprint calculator” on the Town’s website for individuals.

#### Goal S 7.2.4

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**Water Conservation.** Encourage the responsible consumption and recycling of water through various conservation practices and limiting new impervious surfaces in new and redeveloped properties in order to reduce the Town’s very high water consumption rate.

##### Policies

**S 7.2.4.1 Consumption Reduction.** The Town shall encourage the reduced consumption of water through conservation and more efficient appliances and fixtures.

**S 7.2.4.2 Low Water Use Plants.** The Town shall encourage the use of drought resistant and desert adapted plants in developments.

**S 7.2.4.3 Water Reuse.** The Town shall encourage the harvesting of rainwater and grey water for reuse and recycling of other waters when feasible.

**S 7.2.4.4 Impervious Surface Reduction.** The Town shall limit the scope of new impervious surfaces and encourage reduction of existing impervious surfaces for all new developments in order to reduce storm water runoff.

#### Goal S 7.2.5

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**Solid & Hazardous Waste.** Require efforts designed to reduce the amount of solid waste generated and ensure that generated waste is recycled or efficiently disposed of in an environmentally safe manner.

##### Policies

**S 7.2.5.1 Trash Service.** The Town shall pursue efficient and responsible methods of trash collection for the Town that results in reduced solid waste production and reduced impacts on the Town’s streets and air quality.



## SUSTAINABILITY

- S 7.2.5.2 Resident Recycling.** The Town shall encourage residents to recycle when possible and review the possibility of initiating a recycling program in the Town.

## 7.3 Sustainable Economics

### Goal S 7.3.1

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**Finances.** Require efforts to ensure the Town's short and long term economic interests are sustained over time.

#### Policies

- S 7.3.1.1 Expenditures and Revenue.** The Town shall support ongoing operating expenditures by ongoing, stable revenue sources and will not be funded by debt issuance.
- S 7.3.1.2 Capital Improvement Plan.** The town shall prepare a long range capital improvement plan and update it each year. The plan shall be developed within the constraints of the Town's ability to finance improvements.
- S 7.3.1.3 Adequate Reserve.** The Town shall maintain an adequate reserve of the annual general governmental (General and HURF funds) operating expenditures for unforeseen emergencies, such as significant loss of revenues or catastrophic impacts on the Town.
- S 7.3.1.4 Fund Evaluation.** The town shall evaluate all fund designations and reserves periodically for long-term adequacy and financial sustainability.

## 7.4 Implementation Measures

The Sustainability Element sets forth broad goals and policies related to sustainability within the Town. Implementation requires translating these broad statements to specific actions, systematically evaluating progress, and active community participation.

The following implementation measures have been identified for Sustainability and serve as a basis for the performance evaluation of Town staff, leadership and other Town volunteers in the execution of the General Plan.



Table 7.4-1. Sustainability Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>1. Coordination with Flood Control District of Maricopa County</b>  Continue coordinating with the Flood Control District of Maricopa County to review the design and function of flood control and drainage facilities in the Town.						X
<b>Implements Which Policy(ies)</b>	S 7.1.5.1, S 7.1.5.4, 7.1.5.6					
<b>Responsible Party(ies)</b>	Community Development, Engineering Division supported by Planning Staff					
<b>2. Stormwater Management Plan</b>  Continue to comply with the Town's stormwater management plan and program in conformance with the NPDES requirements and guidelines to protect and improve stormwater quality in the Town.						X
<b>Implements Which Policy(ies)</b>	S 7.1.4.1, S 7.1.4.2, S 7.1.5.3, S 7.1.5.4, S 7.1.5.5					
<b>Responsible Party(ies)</b>	Public Works; Community Development, Engineering and Building Divisions					
<b>3. Public Outreach</b>  Maintain and update Town Website with sustainable news and practices.		X				X
<b>Implements Which Policy(ies)</b>	S 7.1.2.1, S 7.1.2.4, S 7.1.2.5, S 7.1.4.4					
<b>Responsible Party(ies)</b>	Community Development, Planning Division; Management Services supported by Information Technology					
<b>4. Public Education</b>  Continue working with local schools, Town Residents and the general public to educate all those interested on sustainable practices.						X
<b>Implements Which Policy(ies)</b>	S 7.1.2.2, S 7.1.2.3, S 7.1.3.1					
<b>Responsible Party(ies)</b>	Community Development, Planning Division supported by Town Council					

## SUSTAINABILITY

Table 7.4-1. Sustainability Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>5. Green Building</b> Encourage the use of Green Building through incentives such as reduced permit fees and minor variations from the area regulations. Acknowledge contractors who adopt green building practices. Consider feasibility of adopting green building codes. Require all new or remodeled Town owned buildings to meet an accepted green rating system.		X				X
<b>Implements Which Policy(ies)</b>	S 7.1.3.2, S 7.1.3.3, S 7.1.3.4, S 7.1.3.5, S 7.1.3.7, S 7.1.3.8, S 7.1.3.9, S 7.1.6.1, S 7.1.6.2, S 7.1.6.3, S 7.1.6.4					
<b>Responsible Party(ies)</b>	Community Development, Planning and Building Divisions supported by Town Council; Water Utility Committee					
<b>6. Greenhouse Gas Emissions Inventory</b> Maintain and complete the greenhouse gas emissions inventory for Town operations. Encourage changes to lower greenhouse gas emissions where possible.		X				X
<b>Implements Which Policy(ies)</b>	S 7.1.4.1, S 7.1.4.2, S 7.1.4.3.					
<b>Responsible Party(ies)</b>	Community Development, Planning Division; Public Works; Town Council					
<b>7. Wash Maintenance</b> Maintain and update wash inventory map and annual inspections of all washes.		X			X	
<b>Implements Which Policy(ies)</b>	S 7.1.5.1, S 7.1.5.2, S 7.1.5.3,					
<b>Responsible Party(ies)</b>	Community Development, Code Enforcement and Engineering Divisions supported by Information Technology					

Table 7.4-1. Sustainability Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>8. Sustainable Water</b> Encourage the responsible consumption and recycling of water through various conservation practices and limiting new impervious surfaces in new and redeveloped properties.						X
<b>Implements Which Policy(ies)</b>	S 7.1.6.1, S 7.1.6.2, S 7.1.6.3, S 7.1.6.4					
<b>Responsible Party(ies)</b>	Community Development, Planning, Engineering and Building Divisions supported by Town Council, Water Utility Committee.					
<b>9. Regeneration</b> Require efforts to reduce the amount of solid waste generated and require refuse companies and residents to dispose of generated waste via responsible methods. Review the possibility of a Town-wide recycling program.		X				X
<b>Implements Which Policy(ies)</b>	S 7.1.7.1, S 7.1.7.2, S 7.1.7.3					
<b>Responsible Party(ies)</b>	Town Council, Management Services supported by Community Development, Planning Division					
<b>10. Trash and Recycling</b> The Town shall require a review of the possibility of a Town wide recycling program and consolidation of solid waste collection.					X	
<b>Implements Which Policy(ies)</b>	S 7.2.5.1					
<b>Responsible Party(ies)</b>	Finance Department supported by Town Council, Town Manager, Engineering Division					
<b>11. Sustainable Economics</b> Prepare an annual budget, capital improvement plan, and long range financial forecast to ensure the Town's short and long term economic interests are sustained over time.					X	

## SUSTAINABILITY

Table 7.4-1. Sustainability Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
Implements Which Policy(ies)	S 7.1.8.1, S 7.1.8.2, S 7.1.8.3, S 7.1.8.4					
Responsible Party(ies)	Finance Department supported by Town Council, Town Manager, Engineering Division					

The background of the slide is a photograph of a modern, single-story building with a light-colored stone or brick facade. A tall flagpole stands to the right of the building, flying the United States flag. The foreground shows a dry, desert-like landscape with several agave plants and a cactus. The sky is clear and blue.

# PUBLIC FACILITIES /SERVICES AND COST OF DEVELOPMENT

“We value the upgrading of the Town’s infrastructure to serve residents and improve the quality of life while recognizing the Town’s legacy of limited governmental services.

Visual physical improvements are important in maintaining our world-class community and all public improvements will reflect that standard. We sustain excellence by providing high quality police, fire and emergency services. All services and utilities are provided efficiently and effectively through the Town and private providers. As new technologies evolve, the town should prepare and embrace these opportunities as a way to enhance the quality of life of residents.”

Town of Paradise Valley  
Visioning Committee 2011

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## 8. Public Facilities/Services and Cost of Development

Public services and facilities represent the public's commitment to the design and delivery of services, and the physical facilities required, to meet the needs of the community. These systems are necessary to support and maintain the high quality of social, physical, and economic health, safety, comfort, and general well-being expected by town residents and visitors.

The Public Facilities/Services and Cost of Development element accomplishes two objectives. First, it articulates the Town's commitment to maintaining a high level of public services in the Town, particularly those related to public safety. Second, it addresses the Cost of Development Element requirements outlined in the Growing Smarter/Plus statutes. These statutes are intended to ensure that new development pays for the public infrastructure and services that are required to serve that development.

### 8.1 Public Facilities

The Public Facilities Element discusses the public structures and properties required to meet the public infrastructure needs of the community. The Town's investments in public buildings and facilities are designed to respond to the identified needs of both the existing population and those who are expected to be here in the future.

Policies in this section provide for high quality public facilities to serve the needs of town residents and visitors.

#### GOAL PFS 8.1.1

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**Public Facilities.** Provide safe, accessible, and sustainable public buildings and facilities to meet the needs of the community.

#### Policies

**PFS 8.1.1.1 Town Campus.** The Town shall focus primary community activities, town government, and administrative services in the Town Campus complex, the "heart" of the Town of Paradise Valley.

**PFS 8.1.1.2 Accessibility.** The Town shall provide accessible public buildings and facilities to all community members.

**PFS 8.1.1.3 Green Building Design and Practices.** The Town shall design, construct, and maintain public buildings and facilities in ways that reduce negative impacts on the environment and occupants by incorporating green building design and practices.



**PFS 8.1.1.4 Excellence in Design.** The Town shall design and construct town buildings and facilities that demonstrate excellence in architectural design and showcase the town's leadership in sustainability.

**PFS 8.1.1.5 Character and Context.** The Town shall design town buildings and facilities to complement the character and context of the surrounding area in particular the Sonoran Desert environment.

## 8.2 Police Services

Policies in this section provide for quality police services to serve and protect the long-term health, safety, and well-being of all areas of the Town. Cooperative programs with adjoining jurisdictions and State and Federal agencies will continue to be implemented to facilitate prompt response for a major emergency or event.

### GOAL PFS 8.2.1

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**Crime and Law Enforcement.** Work cooperatively with the community, regional law enforcement agencies, local government and other entities to provide quality police service that protects the long-term health, safety, and well-being of our Town, reduces current and future criminal activity, and incorporates design strategies into new development.

#### Policies

**PFS 8.2.1.1 Staffing Standards.** The Town shall maintain sufficient staffing levels for both sworn police officers and civilian support staff in order to provide quality police services to the community.

**PFS 8.2.1.2 Response Time Standards.** The Town shall strive to achieve and maintain appropriate response times for all call priority levels to provide adequate police services for the safety of all Town residents and visitors.

**PFS 8.2.1.3 Technology to Improve Safety.** The Town shall work in partnership with appropriate agencies to incorporate technology in public and private development to increase public and personal safety.

**PFS 8.2.1.4 Coordinate With Neighbors.** The Town shall coordinate with the public safety service providers in neighboring municipalities to provide additional public safety services when necessary.

**PFS 8.2.1.5 Monitor Data.** The Town shall monitor data for the delivery of police services in the Town.

**PFS 8.2.1.6 Communication with the Community.** The Town shall maintain communication with the community to improve

relationships and customer satisfaction, while continually exploring innovative means of communication.

## 8.3 Fire and Emergency Services

Policies in this section provide for coordinated fire protection and emergency medical services that serve all areas of the Town and support the needs of residents and businesses.

### GOAL PFS 8.3.1

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**Fire Protection and Emergency Medical Services.** Provide coordinated fire protection and emergency medical services that support the needs of residents and visitors and maintains a safe and healthy community.

**PFS 8.3.1.1 Response Time Standards.** The Town shall require its service providers to maintain appropriate emergency response times to provide optimum fire protection and emergency medical services to the community.

**PFS 8.3.1.2 Advances in Technology.** The Town shall invest in, and incorporate, future technological advances that enhance the Town's ability to deliver emergency medical response, fire-rescue, and fire prevention services more efficiently and cost-effectively.

**PFS 8.3.1.3 Regional Cooperative Delivery.** The Town shall work with other agencies to promote regional cooperative delivery of fire protection and emergency medical services.

**PFS 8.3.1.4 Water Supplied for Fire Suppression.** The Town shall continue to pursue opportunities to ensure an adequate water supply by staying vigilant and engaged in the regulatory process and with the water providers.

**PFS 8.3.1.5 Wildfire Hazards on Private Properties.** The Town shall continue to require private property owners to remove excessive/overgrown vegetation (e.g., trees, shrubs, weeds) and rubbish to prevent and minimize fire risks to surrounding properties.

**PFS 8.3.1.6 Monitor Data.** The Town shall monitor data for the delivery of fire and emergency services in the Town.

**PFS 8.3.1.7 Communication with the Community.** The Town shall maintain communication with the community to improve relationships and customer satisfaction, while continually exploring innovative means of communication.

## 8.4 Code Compliance

Policies in this section focus on enforcing code requirements and providing adequate code department facilities, services, and staffing. Properties with public nuisance violations will not be permitted, and dangerous buildings must be either repaired or demolished. Effort will be taken to remedy blighted and deteriorated properties through Code Enforcement. Maintaining communication with residents and businesses is supported to develop public outreach, provide education, and to facilitate voluntary compliance with Town ordinances.

### GOAL PF 8.4.1

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**Compliance with Health and Safety Codes.** Improve the health, safety, and visual quality of the community by ensuring compliance with health, safety and zoning codes.

**PF 8.4.1.1 Facilities, Services and Staffing.** The Town shall provide facilities and staffing to maintain an aggressive and visible code enforcement program.

**PF 8.4.1.2 Code Requirements.** The Town shall enforce code requirements to ensure that existing properties meet health and safety standards.

**PF 8.4.1.3 Public Nuisance.** The Town shall require properties with identified public nuisance violations to eliminate or remove the conditions.

**PF 8.4.1.4 Deterioration, Blight, and Deferred Maintenance.** The Town shall require that properties be maintained to ensure a safe and healthy living environment, preventing blight and deterioration resulting from extensive deferred maintenance.

**PF 8.4.1.5 Communication and Education.** The Town shall work with residents, businesses, community organizations and news outlets in conducting public outreach and educational programs to promote voluntary compliance with Town ordinances.

## 8.5 Other Services

Policies in this section provide for the effective delivery of other services by the Town, other agencies, businesses or with the support from Town residents.

### GOAL PF 8.5.1

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**Other Facilities and Services.** To ensure that other public facilities and services are adequate to meet the needs of Town residents and businesses.

**PF 8.5.1.1 Monitor Services.** The Town shall plan for, and continue monitoring, the provision by other public service agencies or

## PUBLIC FACILITIES/SERVICES AND COST OF DEVELOPMENT

businesses for gas, water, electricity, telecommunications, cable, fire protection, and trash disposal. The Town shall intervene, when necessary, to ensure that such services are provided in a manner that is consistent with this General Plan and for the benefit of Town residents.

**PF 8.5.1.2     Undergrounding Utilities.** The Town shall encourage residents to continue participating in the cost sharing for underground utility conversion districts for the undergrounding of utility lines.

**PF 8.5.1.3     Environmental Design.** The Town shall ensure that municipal buildings, public landscaped open spaces and rights-of-way, and publicly-owned native habitat areas within the Town are designed to sustain and exemplify the environmental quality promoted by this Plan.

**PF 8.5.1.4     Community Events.** The Town shall continue to host and promote community events for Town residents such as the annual art show, Vintage Car Show, the Martin Luther King Day celebration, Vehicle Identification Number etching events, and other similar events that bring the community together.

**PF 8.5.1.5     Volunteer Services.** The Town shall continue to recruit and rely on volunteers to serve on the Town Council, various boards, commissions, and committees and as judges for the municipal court to reduce the cost of government and to keep in close touch with the needs of the community.

## 8.6 Cost of Development

The Cost of Development Element's objective is to avoid public subsidies of private development. It is possible new public infrastructure will be required for new developments or redevelopments. Also, the need for ongoing maintenance and upgrading of existing infrastructure will continue. The goals, policies, and programs of this element ensure that infrastructure maintenance and upgrading is financially feasible through the combined efforts of the Town, private developers and private suppliers of services to Town residents.

### GOAL CD 8.6.1

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**Cost of Development.** To ensure the provision of high quality public services and infrastructure while maintaining the Town's fiscal sustainability.

#### Policies

**PF 8.6.1.1     Evaluate Funding.** The Town shall identify and evaluate funding mechanisms for the provision of new and public

facilities and services for the improvement of existing Town facilities and services.

**PF 8.6.1.2 Legal, Reasonable Funding.** The Town shall ensure that capital improvement and infrastructure funding mechanisms adopted by the Town are legal and reasonable to new and/or existing development.

**PF 8.6.1.3 Impact Fees.** The Town shall investigate the need and potential to adopt development impact fees covering the cost of additional Town facilities and services required to meet the needs of new development.

## 8.7 Implementation Measures

The Public Facilities/Services and Cost of Development Element sets forth broad goals and policies related to community character and housing within the Town. Implementation requires translating these broad statements to specific actions, systematically evaluating progress, and active community participation.

The following implementation measures have been identified for Public Facilities/Services and Cost of Development and serve as a basis for the performance evaluation of Town staff, leadership and other Town volunteers in the execution of the General Plan.

## PUBLIC FACILITIES/SERVICES AND COST OF DEVELOPMENT

Table 8.7-1 Public Facilities/Services and Cost of Development Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>1. Public Buildings and Facilities</b> The Town shall concentrate government facilities and activities in the Town Campus complex and ensure the facilities are accessible, incorporate green building design, demonstrate architectural excellence, and complement the character and context of the Sonoran Desert environment. Also, public landscaped open spaces, rights-of-ways and native habitat areas shall be designed to sustain and exemplify environmental excellence.						X
<b>Implements Which Policy(ies)</b>	PFS 8.1.1.1, 8.1.1.2, 8.1.1.3, 8.1.1.4, 8.1.1.5, 8.5.1.3					
<b>Responsible Party(ies)</b>	Town Council with the support of Town Manager					
<b>2. Annual Report</b> The Town shall include in the Town Manager's annual report an assessment of police, fire, and emergency service levels.		X			X	
<b>Implements Which Policy(ies)</b>	PFS 8.2.1.1, 8.2.1.2, 8.3.1.1					
<b>Responsible Party(ies)</b>	Town Manager					
<b>3. Technology</b> The Town shall invest in and incorporate new technology into the Town's police, fire, and emergency services in order to enhance the Town's ability to deliver public safety services more efficiently and cost effectively.						X
<b>Implements Which Policy(ies)</b>	PFS 8.2.1.3, 8.3.1.2					
<b>Responsible Party(ies)</b>	Town Council with support of Town Manager					
<b>4. Regional Cooperation</b> The Town shall continue to coordinate with public safety service providers, including police, fire and emergency services, in neighboring municipalities, and other state and federal agencies.						X
<b>Implements Which Policy(ies)</b>	PFS 8.2.1.4, 8.3.1.3					
<b>Responsible Party(ies)</b>	Town Manager with support of Police Chief and Fire Marshal					

Table 8.7-1 Public Facilities/Services and Cost of Development Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>5. Monitor Police Data</b> The Town shall continue to monitor and publish in the Town Manager annual report, public safety data including but not limited to: response rates to service calls, types of service calls, number of arrests, number of moving violations, traffic fatalities, number of DUIs, and civilian complaints received against members in service.					X	X
<b>Implements Which Policy(ies)</b>	PFS 8.2.1.5					
<b>Responsible Party(ies)</b>	Town Manager with support from Police Chief					
<b>6. Monitor Fire and Emergency Data</b> The Town shall continue to monitor and publish in the Town Manager annual report, fire and emergency service data including but not limited to: fire incident outcomes, critical incident response standard, workforce safety, satisfaction rating, and financial management.					X	X
<b>Implements Which Policy(ies)</b>	PFS 8.3.1.6					
<b>Responsible Party(ies)</b>	Town Manager with support from Fire Marshall and Town's fire service provider					
<b>7. Community Communication</b> The Town shall maintain communication with the community through community meetings, the Town's website, social networking, media, and other methods deemed appropriate.						X
<b>Implements Which Policy(ies)</b>	PFS 8.2.1.6, 8.3.1.7, 8.4.1.5					
<b>Responsible Party(ies)</b>	Town Manager with support from Police Chief , Fire Marshall, and Code Enforcement					
<b>8. Water for Fire Suppression</b> The Town shall continue to stay engaged in discussions with the Town's water providers, Arizona Corporation Commission, and the Department of Water Resources to pursue opportunities for an adequate water supply.						X
<b>Implements Which Policy(ies)</b>	PFS 8.3.1.4					
<b>Responsible Party(ies)</b>	Town Manager with support from Town Council and Water Utility Committee					



## PUBLIC FACILITIES/SERVICES AND COST OF DEVELOPMENT

Table 8.7-1 Public Facilities/Services and Cost of Development Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>9. Code Enforcement for Health and Safety</b> The Town shall continue to require private property owners remove excessive vegetation through fire department and code enforcement efforts to prevent and minimize fire risks and shall strictly enforce code requirements to meet health and safety and zoning standards.						X
<b>Implements Which Policy(ies)</b>	PFS 8.3.1.5, 8.4.1.2					
<b>Responsible Party(ies)</b>	Town Manager with support of Code Enforcement and Fire Marshal					
<b>10. Code Enforcement Staffing</b> The Town shall provide staffing, facilities, resources, and training necessary to maintain an aggressive and visible code enforcement program.						X
<b>Implements Which Policy(ies)</b>	PFS 8.4.1.1					
<b>Responsible Party(ies)</b>	Town Manager					
<b>11. Nuisance, Blight, and Deteriorated Properties</b> The Town shall utilize all code enforcement resources, including prosecution, to require private property owners to remedy identified public nuisance violations, and shall require properties be maintained to ensure safety and health.						X
<b>Implements Which Policy(ies)</b>	PFS 8.4.1.3, 8.4.1.4					
<b>Responsible Party(ies)</b>	Town Manager with support of Code Enforcement, Fire Marshall, and Town Attorney					
<b>12. Monitor Services</b> The Town shall continue to monitor, through the Town Manager annual report, services provided by others such as gas, water, electricity, telecommunications, cable, fire protection and trash disposal and intervene when necessary.					X	X
<b>Implements Which Policy(ies)</b>	PFS 8.5.1.1					
<b>Responsible Party(ies)</b>	Town Manager with support of Town Council					
<b>13. Undergrounding Utilities</b> The Town shall encourage residents to continue participating in the cost sharing for undergrounding utilities, hosting informational meetings and facilitating discussions between residents and the utility companies.		X				X
<b>Implements Which Policy(ies)</b>	PFS 8.5.1.2					

Table 8.7-1 Public Facilities/Services and Cost of Development Implementation Program		2012-2015	2016-2020	2021-2030	Annual	Ongoing
<b>Responsible Party(ies)</b>	Town Manager with support of Town Council					
<b>14. Community Events</b> The Town shall continue to host and promote events such as the annual art show, the Vintage car show, the Martin Luther King Day celebration, and explore ideas for new events and activities.						X
<b>Implements Which Policy(ies)</b>	PFS 8.5.1.4					
<b>Responsible Party(ies)</b>	Town Manager with support of Town Council					
<b>15. Volunteer Services</b> The Town shall continue to promote volunteering for the Council, various boards, commissions and committees, and judges for the municipal court.						X
<b>Implements Which Policy(ies)</b>	PFS 8.5.1.5					
<b>Responsible Party(ies)</b>	Town Manager with support of Town Council					
<b>16. Cost of Development</b> The Town shall identify legal and reasonable funding mechanisms, including the possibility of additional impact fees, as required for new development or redevelopment for the provision of additional public facilities and services						X
<b>Implements Which Policy(ies)</b>	PFS 8.6.1.1, 8.6.1.2, 8.6.1.3					
<b>Responsible Party(ies)</b>	Town Manager with support of Town Council					





# IMPLEMENTATION

The General Plan includes an ambitious list of actions and programs. Given the large number of policies and actions and the limited resources that are available to the Town annually, it is not possible to fund every action and program in the plan at once. Effective implementation of this General Plan will require a periodic process to prioritize the actions and programs to determine the priority for funding specific actions and programs each year over the 10-year life of the General Plan.

FORMAT PAGE



## 9. Implementation

To ensure that the Town's annual budget decisions are consistent with the General Plan and the community has the opportunity to prioritize General Plan actions and programs prior to the Town Council's budget decisions, the Implementation Element establishes a public process for making recommendations to the Town Council on the status of the plan and proposed budget allocations. This approach to General Plan implementation ensures that the plan remains a dynamic, responsive document and that the Town's budget decisions are consistent with the long-term goals of the Town's General Plan.

The objectives of the Implementation Chapter are to:

1. Ensure effective implementation of the General Plan by coordinating General Plan priorities with the Town Council's budget and capital improvement decisions.
2. Ensure that annual budget and capital improvement plan expenditures address current community priorities and needs as well as long-term goals for the physical development of the Town.
3. Ensure that the General Plan remains a dynamic, up-to-date, responsive guide for the physical development of the Town, and provides steps to amend the Plan if necessary.

### 9.1 Implementation Strategies

The General Plan sets forth broad goals and policies. Implementation requires translating these broad statements to specific actions, systematically evaluating progress, and active community participation. Implementation measures identified at the end of each Element will be prioritized by the Town Manager and executed by Town staff over the next several years. A number of implementation strategies are available to the Town Manager and include but are not limited to:

**Regulatory actions.** Regulations rely on government's police power to control what people can and cannot do in the interest of the public's health, safety, or welfare. The Town administers and enforces various regulations to control land use. These regulations include the zoning code, subdivision code, flood control code, grading code, sign code, and building code. The Town also administers requirements imposed by the Federal and State governments.

**Incentive measures.** Where regulatory controls are the government's "sticks", incentives are the "carrots" to encourage certain actions. Too often, regulation is the solution. Regulation can be restrictive, reactive, and divisive. Incentive measures, on the other hand, can invite creative "win-win" solutions. Examples of incentive measures include rear yard property set-back modifications for properties that front on Major Arterials, expedited permit processing, density bonuses, and discounted permit fees.

**Acquisition actions.** Where significant resources are located on private property, it may be more appropriate for government to purchase the

development rights or fee simple title rather than to severely regulate the owner's use of the property. Obviously, purchasing in reaction to development proposals is expensive.

**Capital budgeting actions.** The Town annually prepares a capital improvements budget where public facility projects (new construction or major repairs) are identified. The budget is accompanied by a five-year Capital Improvement Program (CIP). The CIP process is explained in more detail below.

**Programs.** Certain community needs do not necessarily require land or a new facility, but rather a focused commitment of time and money towards achieving specific objectives. These operational projects are referred to as programs. Too often, resources are diverted to studies that could be more effectively used for pilot programs that actually try to achieve results and provide lessons through action.

**Development/Redevelopment.** In very special situations, it may be appropriate for government to take the lead and act as developer either singly or as a public/private partnership. These situations arise when the private market fails to address certain needs or when the situation is quite large-scale or complex.

## 9.2 Capital Improvement Program (CIP)

Capital improvement projects have the potential to influence infrastructure, to more equitably distribute Town services, and to promote important objectives of the General Plan. The Town sets forth the procedure for the submittal and adoption of the CIP:

1. The various departments submit project requests and cost estimates to the Town Manager. The Town Manager reviews the lists and recommends priorities.
2. The Town Manager submits the CIP to the Town Council together with a message explaining each project proposed in the capital budget, estimated cost, and proposed method of financing.
3. The Town Manager may submit amendments together with a message that describes the changes and the circumstances, which justify the changes.
4. The Council shall adopt the capital budget. The capital budget for the upcoming fiscal year is adopted. The five-year CIP is for information purposes.

In order for the CIP to comprehensively prioritize and allocate the financial resources available to the Town within the context of the General Plan, the CIP shall be prepared as follows:

- The CIP shall be based on clear priority criteria;
- The CIP shall integrate the several sources of funding improvements;

## IMPLEMENTATION

- The CIP shall coordinate Town projects with State, City of Phoenix and City of Scottsdale CIP projects and available federal funding;
- The total Town costs for the projects selected for the CIP shall not exceed an amount that could be prudently financed;
- The CIP process shall provide opportunity for community review of the CIP proposed by the Town Manager prior to submittal to the Town Council;
- Where further study is needed to scope or prioritize projects, additional special or specific plans may be funded through the CIP;
- A system shall be established to monitor the status of appropriated projects.

### 9.3 Annual Report

The Town Manager shall prepare an annual report to monitor progress towards achieving the General Plan goals and policies. To the extent possible, the annual report should develop measurable indicators related to the policies. The Town Manager shall submit the annual report to the Town Council together with the capital and operational budgets in accordance with the budget submittal timetable. The annual report and CIP shall be the means to reconcile and prioritize competing community needs from a Town-wide perspective.

### 9.4 Major Amendments

This section of the General Plan addresses the State's Growing Smarter/Plus statutory requirements for addressing "major amendments" to the plan. The statute provides the following definition of a "major amendment" to a general plan:

For purposes of this subsection [9-461.06.G], "major amendment" means a substantial alteration of the municipality's land use mixture or balance as established in the municipality's existing general plan land use element. The municipality's general plan shall define the criteria to determine if a proposed amendment to the general plan effects a substantial alteration of the municipality's land use mixture or balance as established in the municipality's existing general plan land use element.

Once a proposed amendment is defined as major, it is subject to a higher standard of procedural review and public scrutiny than would be required of any other plan amendment. Specifically, major amendments are subject to the same review requirements outlined for the adoption of a general plan, with the exception that they are not subject to ratification by popular election, as is the case with initial general plan adoption. Changes that are not considered major amendments will be processed as minor amendments in accordance with State and Town regulations concerning timing, notice, public hearing, and action.



**9.4.1.1 General Plan Amendment Process.** The Town shall identify and implement a transparent application process for the consideration of General Plan amendments.

### Definition

The Town is unique in terms of the factors that influence the way that a major amendment is defined, as cited above. It is a small community, both in terms of physical size and population; the existing mix/balance of uses is homogenous, with most of the community being designated for low-density residential uses; and it is a mature community with little developable land remaining. All of these factors combine to indicate that the Town is likely to be more sensitive to land use changes than other communities might be and that relatively small changes would have greater effects on the overall land use balance. Also, since traffic is such an important issue in the Town, changes in the way the roadway network operates are likely to have a more pronounced effect than they would in larger communities.

Based on the factors described above, an amendment of this plan will be major if it meets either of the following criteria:

**1. Land Use Map**

Typically, a change in the land use designation on the General Plan Land Use Map from one classification to an increased density classification shall be considered a major amendment. Table 9.4-1 illustrates changes that would be considered major amendments. The size of the area proposed for change is immaterial.

**2. Circulation Map**

A change in the functional classification of a roadway to higher capacity classification on the General Plan Circulation Map shall be considered a major amendment. This would include changing any street to a higher level in the hierarchy (e.g., Local to any other class, Collector to Minor or Major Arterial).

## IMPLEMENTATION

Table 9.4-1: Major Amendment Definition Land Use Map Changes								
Existing Map Designation	Proposed Map Designation Change							
	VLDR	LDR	MDR	R/CC	MO	PQP	OS Pub	OS Priv
Very Low Density Residential (VLDR)								
Low Density Residential (LDR)								
Medium Density Residential (MDR)								
Resort/Country Club (R/CC)								
Medical Office (MO)								
Public/Quasi-Public (PQP)								
Public Open Space (OS Pub)								
Private Open Space (OS Priv)								

Major Amendment



Minor Amendment



No Change



# **GLOSSARY**

FORMAT PAGE

## 10. Glossary

**ADA:** Americans with Disabilities Act

**ADOT:** Arizona Department of Transportation.

**AZTech:** AZTech is a cooperative regional entity that is intended to develop and implement regional traffic control technology, including synchronized signalization systems and travel information systems.

**Circulation Element:** The section of the general plan that includes a circulation element map depicting roadway classifications and a non-motorized circulation map that shows bike facilities, sidewalks, and trails, as well as associated standard cross-sections.

**Cluster Housing/Cluster Development:** A development approach that retains the same house per acre proportion, but permits reduced lot size while allowing undeveloped land to be preserved as open space. This approach may preserve natural features or may provide greater than normal setbacks from heavily traveled thoroughfares.

**Development:** Any man-made change to improved or unimproved property that requires a permit or approval from the Town or other agencies, including but not limited to construction, placement, addition, or alteration of any building or structure, site grading, clearing of land, dredging, filling, grading, paving, excavation, or drainage work. The use of the term shall be taken to include redevelopment in all cases.

**Functional Classification:** A system to describe the various types of roadways by their primary purpose. Classifications typically describe not only the number of lanes, but also the types of access (e.g., curb cuts, intersections) permitted to the roadway.

**General Plan:** A municipal or county planning document consisting of text policies and corresponding maps that is general, comprehensive, and long-range in nature. The State of Arizona requires municipalities and counties in Arizona to have a general plan, with certain required elements, depending upon the size and growth rate of the municipality or county. A general plan may also be known as a “comprehensive plan,” “master plan,” “city plan,” or “county plan”.

**Goal:** The ultimate purpose of an effort stated in a way that is general in nature and immeasurable. Goals are not quantifiable, time-dependent, or suggestive of specific actions for achievement. There is at least one general plan goal per element, with more than one goal per element where appropriate or necessary. Goals often refer to one or more aspects of the vision and incorporate specific values. They are typically presented as “to” statements.

**Growing Smarter:** Legislation enacted by the State of Arizona in 1998 modifying existing general plan requirements and placing additional general plan requirements on Arizona municipalities and counties. The general plan requirements vary by population size and/or population growth rate.

**Growing Smarter/Plus:** Additional legislation enacted by the State of Arizona in 2000 that modifies and supplements the Growing Smarter legislation.

**Implementation Measure:** An action, procedure, program, or technique that carries out general plan policy. Implementation measures also specify primary responsibility for carrying out the action and a time frame for its accomplishment. Collectively, the plan's implementation measures will constitute the Town's General Plan Implementation Program.

**Land Use Designation:** The allowed type and intensity of development specified in a general plan. Typically, the land use designation is defined in the text and shown graphically on a land use map. Designations may specify residential uses (e.g., low density residential) and non-residential uses (e.g., parks/open space, resort), with each specifying land use intensity standards.

**Land Use Element:** The section of the general plan that includes the land use map, along with descriptions of permitted uses and standards of density and intensity for all of the designations that appear on the map. Also includes a separate section addressing amendments to the general plan, with a particular focus on defining what constitutes a "major amendment" per the requirements of Growing Smarter/Plus

**Land Use Intensity Standards:** Standards of population density and building intensity for each land use designation. Standards of building intensity for residential uses are stated in this *General Plan* in terms of the allowable range of dwelling units per net acre. Standards of population density for residential uses can be derived by multiplying the maximum number of dwellings per net acre by the average number of persons per dwelling unit.

**MAG:** Maricopa Association of Governments.

**Major Amendment:** According to the State's Growing Smarter/Plus statutes [9-461.06.G], "major amendment" means a substantial alteration of the municipality's land use mixture or balance as established in the municipality's existing general plan land use element. Each community's general plan defines what constitutes a "major amendment".

**Non-Motorized Transportation:** Modes of transportation other than the automobile or other motorized forms of transportation. Non-motorized modes include walking, biking, and horseback riding.

**Policy:** A specific statement in text or diagram guiding action and implying clear commitment. Typically, each policy statement corresponds to a particular goal and there may be multiple policy statements per goal. Policies are typically presented as active, affirmative statements, beginning with "The Town shall . . ."

**Roadway Classifications:** The allowed types of roadways specified in a general plan. Typically, the classification are defined in the text and shown graphically on a circulation map. Designations may range from local streets to federal highways, with each specifying roadway standards

**Roadway Standards:** For each roadway classification, there are standards prescribing the preferred right-of-way width, number of lanes, lane widths, medians, landscaped areas, bike lanes, and multi-modal paths.

**RPTA:** The Regional Public Transportation Authority.

**Streetscape:** Landscaping and other elements (e.g., street furniture, lighting) located within and adjacent to public streets and their rights-of-way.

## GLOSSARY

**Zoning District:** A specific area of a municipality or county that has prescribed land use requirements, such as land use type and development standards (e.g., minimum lot size, set-backs, building design, landscaping). The districts may also be known as zones or areas.

**Zoning, Zoning Ordinance:** The formal regulations for the administration and implementation of the general plan which divide a city or county into zones specifying allowable uses and building restrictions within the zones. The zones may also be known as districts or areas.





# TOWN OF PARADISE VALLEY REQUEST FOR PROPOSAL

**SOLICITATION  
NUMBER:  
TITLE:** RFP No. 20-114-CMD  
General Plan Update

**PUBLISHED  
DATE:** August 24, 2020

**PRE-  
SUBMITTAL** September 3, 2020 2:00 PM Local Time

**CONFERENCE** THIS MEETING WILL BE CONDUCTED BY ZOOM CONFERENCE:

(a) Computer:  
<https://us02web.zoom.us/j/86579994701?pwd=bThxeklmdlJMNnBodk1jUFlsdFd6Zz09>

Meeting ID: 865 7999 4701

Passcode: 943011

Find your local number: <https://us02web.zoom.us/u/klaEbDixS>

For help on day of conference, call 480-348-3594

(see full details in Bonfire)

**PROPOSAL  
DUE DATE AND  
TIME:**

**September 14, 2020, 2:00 PM Local Time**

Proposal must be submitted in the Town's E-Procurement system at  
<https://paradisevalleyaz.bonfirehub.com>.

**NOTE:** This is a sealed proposal process requiring proposals to be uploaded in the Town's E-Procurement system, Bonfire, before the date/time shown above. All proposals will be date/time stamped upon receipt. **LATE SUBMITTALS WILL NOT BE ACCEPTED.**

**CONTACT:** Peggy Ferrin,  
Procurement Coordinator  
480-348-3594  
[purchasing@paradisevalleyaz.gov](mailto:purchasing@paradisevalleyaz.gov)

Proposals shall be opened at the time, date, and location identified herein; and, the name of each Offeror shall be publicly read and recorded. All other information contained in the proposals shall be confidential to avoid disclosure of contents prejudicial to competing Offerors.

**IN-PERSON ATTENDANCE IS CURRENTLY SUSPENDED UNTIL FURTHER NOTICE. IF OPENING IS CONDUCTED BY ZOOM CONFERENCE, ATTENDANCE INFORMATION WILL BE PROVIDED AT A LATER DATE.**

**OFFERORS ARE STRONGLY ENCOURAGED TO READ THE ENTIRE SOLICITATION**

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## INSTRUCTIONS TO OFFERORS/PROPOSERS

### 1. SUBMITTAL RECEIPT AND OPENING

Proposal Due Date and Time. Offers/Proposals must be submitted to the Town via the Town's E-Procurement system at <https://paradisevalleyaz.bonfirehub.com> on or before on **September 14 2020 at 2:00 p.m. Arizona time.**

Late Offers/Proposals. Late submittals and/or unsigned Offers/Proposals will not be considered under any circumstances. It is the sole responsibility of the Offeror/Proposer to assure that the Offer/Proposal is delivered and received by the proper time and at the proper place.

Duty to Examine. It is the responsibility of each Offeror/Proposer to examine the entire Solicitation, seek clarification (inquiries), and examine its RFP response for accuracy before submitting the RFP response. Lack of care in preparing an RFP response shall not be grounds for modifying or withdrawing the RFP response after the RFP response due date and time, nor shall it give rise to any Contract claim.

No Facsimile or Mail Offers/Proposals. All Offers/Proposals must be uploaded into Bonfire. Offers/Proposals may not be submitted by hand-delivery or facsimile. A hand-delivery or facsimile RFP response shall be rejected.

Amendment or Withdrawal. An RFP response may be withdrawn any time before the Offer/Proposal Due Date and Time. An RFP response may not be amended or withdrawn after the due date and time, except as otherwise provided by applicable law.

Offer/Proposal Acceptance Period. All Offers/Proposals shall remain open for 90 days after the day of the opening of RFP response(s). No Offeror/Proposer may withdraw his/her RFP response during this period.

RFP Response Opening. Offers/Proposals shall be opened, and the name of the offeror shall be read on the Offer/Proposal Due Date, at the place and within a half hour of the time designated on the cover page of this solicitation as the due time, unless amended in writing by the Town.

### 2. PRE-SUBMITTAL CONFERENCE

A non-mandatory pre-submittal conference will be held on September 3, 2020 at 2:00 PM local time, as indicated on the cover page of this solicitation. **Proposers are highly encouraged to attend the pre-submittal conference.**

### 3. SOLICITATION AND ADDENDA AVAILABILITY

All solicitation documents and addenda are available for download. Solicitation documents will NOT be available to pick-up in person. You must download the solicitation from the following: <https://paradisevalleyaz.bonfirehub.com>.

#### **4. SUBMITTAL PROCEDURE**

No submittal will be considered unless it is submitted on the forms contained herein (or as otherwise specified). Offerors/Proposers shall submit their RFP response on the following: <https://paradisevalleyaz.bonfirehub.com>.

The RFP response shall be typed or in ink. Erasures, interlineations or other modifications in the submittal shall be initialed by the Authorized Representative signing the Offer & Acceptance/Proposal Signature Page document. **Faxed or hand-delivered or emailed submittals will not be considered.** LATE SUBMITTALS WILL NOT BE CONSIDERED.

The Pricing Proposal page (if applicable) containing pricing must be completed. The name of the Consultant/Company must be listed on the page.

To be considered a Responsive Proposal, the Offer and Acceptance Form/Proposal Signature page must be signed and dated by an Authorized Representative(s) eligible to sign contract documents for the party and is part of the original bid/proposal submittal due at the stated due date and time indicated in the solicitation.

#### **5. SOLICITATION QUESTIONS**

Contact with Town Personnel. Any inquiry related to a Solicitation, including any requests for or inquiries regarding standards referenced in the Solicitation, should be directed solely to the Procurement Coordinator (Town contact) listed on the cover page of the solicitation. **During pendency of this Solicitation, contact with other Town Staff, elected or appointed officials, or selection committee members concerning this Solicitation at any time, in any venue, is strictly prohibited and will be grounds for disqualification.**

Solicitation Questions. All solicitation questions, except those presented at the pre-submittal meeting, **MUST** be posted in the Town's E-Procurement system, Bonfire at <https://paradisevalleyaz.bonfirehub.com>, no later than **4:00 PM LOCAL TIME, September 4, 2020**, so that adequate time is available to post any response as an Addendum to the Solicitation. Any inquiries received after the specified time will be reviewed on an individual basis to determine if a response would be advantageous to the Town.

It is your responsibility to give notice, in the form of written questions, before the RFP response opening on any item or issue in this solicitation that you believe should not be included or contained in any amendment to this solicitation or that the Town failed to include in this solicitation or that should have been included, and by your notice the Town could have cured the problem if the item or issue had been timely raised or objected to. Failure to give notice may constitute a waiver of your right to object to the inclusion or lack of inclusion of the item or issue in this solicitation in any subsequent protest you file.

Town shall consider the relevancy of the inquiry but is not required to respond. Verbal inquiries, in person or by telephone, will not be answered.

#### **6. ADDENDUM**

This RFP may only be modified by a written Addendum. An Offeror/Proposer shall not rely on verbal responses to inquiries. **A verbal reply to an inquiry does not constitute a modification of the Solicitation.**

Potential Offerors/Proposers are responsible for obtaining all Addendums via the Town's E-Procurement system at: <https://paradisevalleyaz.bonfirehub.com>. You must download the solicitation from this website in order to be automatically notified of associated Addenda.

Any Addenda shall become part of the resulting Contract. By signing and submitting an offer or proposal, the Offeror/Proposer is acknowledging that it will abide by all Addenda issued prior to

the opening of the Offers/Proposals and agreeing that all pricing takes into account all such Addenda. **The Offeror/Proposer is responsible to be aware of ALL addenda before submitting a proposal.** The Town takes no responsibility for any Addenda that an Offeror/Proposer has failed to address in its submittal and will hold the Offeror/Proposer responsible that its Offer and all pricing encompasses all issued Addenda.

THE TOWN WILL NOT BE RESPONSIBLE FOR OFFERORS/PROPOSERS MAKING ADJUSTMENTS TO PROPOSALS BASED ON ORAL REPRESENTATIONS OR INSTRUCTIONS BY ANY MEMBER OF THE TOWN STAFF OR ANY AGENT. SUBMITTALS DEVIATING FROM THE REQUIREMENTS CONTAINED IN THIS SOLICITATION BY ANY MEANS OTHER THAN AN AUTHORIZED ADDENDUM ISSUED BY THE TOWN ARE SUBJECT TO REJECTION.

#### **7. PROPOSER'S PRESENTATION**

Proposers may be invited to make a presentation. If invited, Offerors/Proposers will be notified of the date and time of the presentation by the Town. Interviews with the selected top ranked firms is tentatively scheduled for September 21, 2020. Please hold this date available.

## STANDARD TERMS AND CONDITIONS

THE FOLLOWING TERMS AND CONDITIONS ARE AN EXPLICIT PART OF THE SOLICITATION AND ANY RESULTANT CONTRACT.

1. **CERTIFICATION:** By signature in the Offer section of the Proposal Signature Page, the Services Provider (Consultant), certifies:
  - a. The submission of the offer did not involve collusion or other anti-competitive practices.
  - b. The Consultant shall not discriminate against any employee or applicant for employment in violation of Federal Executive Order 11246.
  - c. The Consultant has not given, offered to give, nor intends to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip favor, or service to a public servant in connection with the submitted offer. Failure to sign the offer, or signing it with a false statement, shall void the submitted offer or any resulting contracts, and the Consultant may be debarred.
2. **GRATUITIES:** The Town may, by written notice to the Consultant, cancel this Contract if it is found by the Town that gratuities, in the form of entertainment, gifts or otherwise, were offered or given by the Consultant or any agent or representative of the Consultant, to any officer or employee of the Town or any member of the RFP evaluation committee with a view toward securing favorable treatment with respect to the awarding or amending of the Contract, or securing an order, or the making of any determinations with respect to the performing of such order. In the event this contract is cancelled by the Town pursuant to this provision, the Town shall be entitled to any other rights and remedies.
3. **APPLICABLE LAW:** In the performance of this Contract, Consultants shall abide by and conform to any and all laws of the United States, State of Arizona, Maricopa County and Town of Paradise Valley including but not limited to federal and state executive orders providing for equal employment,, the Federal Occupational Safety and Health Act and any other federal, state, county or local laws applicable to this Contract.

Consultant specifically understands and acknowledges the applicability to it of the Americans with Disabilities Act, including Section 508, the Immigration Reform and Control Act of 1986, and the Drug Free Workplace Act of 1989. In addition, if this Contract pertains to construction, Consultant must also comply with A.R.S. § 34-301, as amended (Employment of Aliens on Public Works Prohibited) and A.R.S. § 34-302, as amended (Residence Requirements for Employees).

Under the provisions of A.R.S. § 41-4401, Consultant hereby warrants to the Town that Consultant and each of its subcontractors ("Subcontractors") will comply with, and are contractually obligated to comply with, all Federal immigration laws and regulations that relate to their employees and A.R.S. § 23-214(A) (hereinafter, "Consultant Immigration Warranty").

A breach of the Consultant Immigration Warranty shall constitute a material breach of this Contract and shall subject Consultant to penalties up to and including termination of this Contract at the sole discretion of the Town. Pursuant to Arizona law, the Town may, at its sole discretion, conduct random verification of the employment records of Consultant and any Subcontractors to ensure compliance with the Consultant Immigration Warranty. Consultant agrees to assist the Town in regard to any random verifications performed.



Neither Consultant nor any Subcontractor shall be deemed to have materially breached the Consultant Immigration Warranty if Consultant or the Subcontractor establishes that it has complied with the employment verification provisions prescribed by §§ 274A and 274B of the Federal Immigration and Nationality Act and the E-Verify requirements prescribed by A.R.S. §23-214(A).

The provisions of this Paragraph must be included in any contract Consultant enters into with any Subcontractors who provide services under this Contract or any subcontract.

“Services” is defined as furnishing labor, time or effort in the State of Arizona by a Consultant or subcontractor. Services include construction or maintenance of any structure, building or transportation facility or improvement to real property.

Consultant warrants, for the term of this Contract and for six months thereafter, that it has fully complied with the requirements of the Immigration Reform and Control Act of 1986 and all related or similar legal authorities.

This contract shall be governed by the laws of the State of Arizona and suit pertaining to this Contract may be brought only in courts in Maricopa County, in the State of Arizona.

4. **CANCEL FOR CONFLICT:** This Contract is subject to the provisions of ARS §38-511. The Town may, within three years after its execution, cancel any contract, without penalty or further obligation, if any person significantly involved in initiating, negotiating, securing, drafting or creating the contract on behalf of the Town or any of its departments or agencies, is at any time while the contract or any extension of the contract is in effect, an employee or agent of any other party to the contract in any capacity or a consultant to any other party of the contract with respect to the subject matter of the contract.
5. **CONTRACT:** The Contract between the Town and the Consultant shall consist of (1) the Contract to be executed with the successful Offeror/Proposer; 2) the Solicitation, including instructions, all terms and conditions, specifications, scopes of work, attachments, and any amendments thereto, and (3) the offer submitted by the Consultant in response to the solicitation.

Document Order of Precedence. In the event of a conflict in the provisions of the Contract, the following shall prevail in the order set forth below:

- i. Signed and fully executed Amendments, if any, to this Contract, Contract No. CON-20-114-CMD
  - ii. Signed and fully executed Contract No. CON-20-114-CMD, including Exhibits and Attachments
  - iii. Consultant’s Response to RFP No. 20-114-CMD
  - iv. Addenda to RFP No. 20-114-CMD
  - v. RFP No. 20-114-CMD
  - vi. Instructions to Bidders
  - vii. Other documents referenced or included in the RFP or Contract
6. **CONTRACT AMENDMENTS:** This Contract may be modified only by a written Contract Amendment signed by persons duly authorized to enter into contracts on behalf of the Town and the Consultant.
  7. **CONTRACT APPLICABILITY:** The Offeror shall conform to the terms, conditions, specifications and other requirements found within the text of this specific Solicitation. All

previous agreements, contracts, or other documents, which have been executed between the Offeror and the Town are not applicable to this Solicitation or any resultant contract.

8. **PROVISIONS REQUIRED BY LAW:** Each and every provision of law and any clause required by law to be in the Contract will be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not correctly inserted, then upon the application of either party, the Contract will forthwith be physically amended to make such insertion or correction.
9. **SEVERABILITY:** The provisions of this Contract are severable to the extent that any provision or application held to be invalid shall not affect any other provision or application of the Contract which may remain in effect without the invalid provision or application.
10. **RELATIONSHIP TO PARTIES:** It is clearly understood that each party will act in its individual capacity and not as an agent, employee, partner, joint venture, or associate of the other. An employee or agent of one party shall not be deemed or construed to be the employee or agent of the other for any purpose whatsoever. The Consultant is advised that taxes or Social Security payments will not be withheld from any Town payments issued hereunder and that the Consultant should make arrangements to directly pay such expenses, if any.
11. **INTERPRETATION-PAROL EVIDENCE:** This Contract represents the entire agreement of the Parties with respect to its subject matter, and all previous agreements, whether oral or written, entered into prior to this contract are hereby revoked and superseded by this contract. No representations, warranties, inducements or oral agreements have been made by any of the Parties except as expressly set forth herein, or in any other contemporaneous written agreement executed for the purposes of carrying out the provisions of this contract. This Contract may not be changed, modified or rescinded except as provided for herein, absent a written agreement signed by both Parties. Any attempt at oral modification of this Contract shall be void and of no effect.
12. **NO DELEGATION OR ASSIGNMENT:** Consultant shall not delegate any duty under this Contract, and no right or interest in this Contract shall be assigned by Consultant to any successor entity or third party, including but not limited to an affiliated successor or purchaser of Consultant or its assets, without prior written permission of the Town. The Town, at its option, may cancel this Contract in the event Consultant undertakes a delegation or assignment without first obtaining the Town's written approval. Consultant agrees and acknowledges that it would not be unreasonable for the Town to decline to approve a delegation or assignment that results in a material change to the services provided under this Contract or an increased cost to the Town.
13. **SUBCONTRACTS:** No subcontract shall be entered into by the Consultant with any other party to furnish any of the material, service or construction specified herein without the advance written approval of the Town. The prime Consultant shall itemize all sub-contractors which shall be utilized on the project. Any substitution of sub-contractors by the prime Consultant shall be approved by the Town and any cost savings will be reduced from the prime Consultant's bid amount. All subcontracts shall comply with Federal and State laws and regulations which are applicable to the services covered by the subcontract and shall include all the terms and conditions set forth herein which shall apply with equal force to the subcontract as if the Subcontractor were the Consultant referred to herein. The Consultant is responsible for Contract performance whether or not Subcontractors are used.
14. **RIGHTS AND REMEDIES:** No provision in this document or in the Consultant's Offer shall be construed, expressly or by implication, as waiver by the Town of any existing or future right and/or remedy available by law in the event of any claim of default or breach of contract. The failure of the Town to insist upon the strict performance of any term or condition of the Contract or to exercise or delay the exercise of any right or remedy provided in the Contract, or by law,

or the Town's acceptance of and payment for materials or services, shall not release the Consultant from any responsibilities or obligations imposed by this Contract or by law, and shall not be deemed a waiver of any right of the Town to insist upon the strict performance of the Contract.

15. **INDEMNIFICATION:**

a. To the fullest extent permitted by law, Consultant must defend, indemnify, and hold harmless Town and its elected officials, officers, employees and agents (each, an "Indemnified Party," collectively, the "Indemnified Parties") for, from, and against any and all claims, demands, actions, damages, judgments, settlements, personal injury (including sickness, disease, death, and bodily harm), property damage (including loss of use), infringement, governmental action and all other losses and expenses, including attorneys' fees and litigation expenses (each, a "Demand or Expense" collectively "Demands or Expenses") asserted by a third-party (i.e. a person or entity other than Town or Consultant) and that arises out of or results from the breach of this Contract by the Consultant or the Consultant's negligent actions, errors or omissions (including any Subconsultant or Subcontractor or other person or firm employed by Consultant), whether sustained before or after completion of the Project.

b. This indemnity and hold harmless provision applies even if a Demand or Expense is in part due to the Indemnified Party's negligence or breach of a responsibility under this Contract, but in that event, Consultant will be liable only to the extent the Demand or Expense results from the negligence or breach of a responsibility of Consultant or of any person or entity for whom Consultant is responsible.

c. Consultant is not required to indemnify any Indemnified Parties for, from, or against any Demand or Expense resulting from the Indemnified Party's sole negligence or other fault solely attributable to the Indemnified Party.

d. Insurance provisions set forth in this Contract are separate and independent from the Indemnification requirements and provisions of this Contract and shall not be construed in any way to limit the scope and magnitude of the Indemnification requirements and provisions. The Indemnification requirements and provisions of this Contract shall not be construed in any way to limit the scope and magnitude and applicability of the insurance provisions.

16. **OVERCHARGES BY ANTITRUST VIOLATIONS:** The Town maintains that, in practice, overcharges resulting from antitrust violations are borne by the purchaser. Therefore, to the extent permitted by law, the Consultant hereby assigns to the Town any and all claims for such overcharges as to the goods and services used to fulfill the Contract.

17. **FORCE MAJEURE:** Except for payment for sums due, neither party shall be liable to the other nor deemed in default under this Contract if and to the extent that such party's performance of this Contract is prevented by reason of force majeure. The term "*force majeure*" means an occurrence that is beyond the control of the party affected and occurs without its fault or negligence. Without limiting the foregoing, force majeure includes acts of God, riots, acts of war, epidemics, disaster, strikes (except those involving a Party's employees, sub-contractors, or agents), fire, power failures, governmental regulations imposed after the fact, or other similar occurrences beyond the control of the party declaring force majeure which such party is unable to prevent by exercising reasonable diligence. The force majeure shall be deemed to commence when the party declaring force majeure notifies the other party of the existence of the force majeure and shall be deemed to continue as long as the results or effects of the force majeure prevent the party from resuming performance in accordance with this Contract.

Force majeure shall not include the following occurrences:

- i. Last minute failure of equipment, including but not limited to office equipment, is not force majeure.
- ii. Late performance by a sub-contractor unless the delay arises out of a force majeure occurrence in accordance with this Force Majeure term and Condition.

Any delay or failure in performance by either party hereto shall not constitute default hereunder or give rise to any claim for damages or loss of anticipated profits if, and to the extent that such delay or failure is caused by force majeure. If either party is delayed at any time in the progress of the work by force majeure, then the delayed party shall notify the other party in writing of such delay within forty-eight (48) hours commencement thereof and shall specify the causes of such delay in such notice. Such notice shall be hand delivered or mailed *Certified-Return Receipt* and shall make a specific reference to this Paragraph, thereby invoking its provisions. The delayed party shall cause such delay to cease as soon as practicable and shall notify the other party in writing. The time of completion shall be extended by Contract modification for a period of time equal to the time that the results or effects of such delay prevent the delayed party from performing in accordance with this Contract.

18. **RIGHT TO ASSURANCE:** Whenever one party to this Contract in good faith has reason to question the other party's intent to perform he may demand that the other party give a written assurance of this intent to perform. In the event that a demand is made and no written assurance is given within five (5) days, the demanding party may treat this failure as an anticipatory repudiation of the Contract.
19. **RIGHT TO AUDIT RECORDS:** The Town may, at reasonable times and places, audit the books and records of any Consultant as related to any Contract held with the Town. This right to audit also empowers the Town to inspect the papers of any Consultant or Subcontractor employee who works on this Contract to ensure that the Consultant or Subcontractor is complying with the Consultant Immigration Warranty made pursuant to Paragraph 3 above.
20. **WARRANTIES/STANDARD OF CARE:** Consultant warrants that all services delivered under this Contract shall conform to the specifications of this Contract. Consultant warrants that all services shall be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances. Additional warranty and/or standard of care requirements may be set forth in the solicitation and/or Contract.
21. **NO REPLACEMENT OF DEFECTIVE TENDER:** Every tender of materials shall fully comply with all provisions of the Contract. If a tender is made which does not fully conform, this shall constitute a breach of the Contract as a whole.
22. **DEFAULT IN ONE INSTALLMENT TO CONSTITUTE TOTAL BREACH:** Consultant shall deliver conforming materials in each installment of lot of this Contract and may not substitute nonconforming materials. Delivery of nonconforming materials or a default of any nature, at the option of the Town, shall constitute a breach of the Contract as a whole.
23. **LICENSES:** Consultant shall maintain in current status all Federal, State and Local licenses and permits required for the operation of the business conducted by the Consultant as applicable to this Contract.
24. **PATENTS AND COPYRIGHTS:** All services, information, computer program elements, reports and other deliverables, which may be patented or copyrighted and created under this Contract are the property of the Town and shall not be used or released by the Consultant or any other person except with the prior written permission of the Town.
25. **PREPARATION OF SPECIFICATIONS BY PERSONS OTHER THAN TOWN PERSONNEL:** All specifications shall seek to promote overall economy for the purposes intended and

encourage competition and not be unduly restrictive in satisfying the Town's needs. No person preparing specifications shall receive any direct or indirect benefit from the utilization of specifications, other than fees paid for the preparation of specifications.

26. **COST OF PROPOSAL PREPARATION:** The Town shall not reimburse the cost of developing presenting or providing any response to this solicitation. Offers submitted for consideration should be prepared simply and economically, providing adequate information in a straightforward and concise manner.
27. **PUBLIC RECORD:** All offers submitted in response to this solicitation shall become the property of the Town and shall become a matter of public record available for review, subsequent to the award notification, in accordance with the Town's Procurement Code. However, subsequent to the award of the contract, any information and documents obtained by the Town during the course of an audit conducted in accordance with Paragraph 19 above for the purpose of determining compliance by Consultant or a Subcontractor with the Consultant Immigration Warranty mandated by Paragraph 3 above shall remain confidential and shall not be made available for public review or produced in response to a public records request, unless the Town is ordered or otherwise directed to do so by a court of competent jurisdiction.
28. **ADVERTISING:** Consultant shall not advertise or publish information concerning this Contract without prior written consent of the Town.
29. **PURCHASE ORDERS:** The Town shall issue a Purchase Order for the services covered by this contract. All such documents shall reference the contract number as indicated on the Offer and Contract Award.
30. **FUNDING:** If the Town Council does not appropriate funds to continue this Contract after the current fiscal year (July 1, 2020 to June 30, 2021), the Town may terminate this Contract at the end of the current fiscal period. The Town agrees to give written notice of termination to the Consultant at least 30 days before the end of its current fiscal period and will pay to the Consultant all approved charges incurred through the end of that period.
31. **PAYMENT:** A separate invoice shall be issued for each service performed, and no payment will be issued prior to receipt of services and correct invoice.
32. **PROHIBITED LOBBYING ACTIVITIES:** The Offeror, his/her agent or representative shall not contact, orally or in any written form any Town elected official or any Town employee other than the, the procuring department, Town Manager, or Town Attorney's office (for legal issues only) regarding the contents of this solicitation or the solicitation process commencing from receipt of a copy of this request for proposals and ending upon submission of a Notice of Award. The Procurement Coordinator shall disqualify an Offeror's proposal for violation of this provision.

## SPECIAL TERMS AND CONDITIONS

1. **Purpose:** Pursuant to provisions of the Town Procurement Policy, the Town of Paradise Valley intends to establish a contract for services for the 2022 General Plan to update the Town's 2012 General Plan.
2. **Authority:** This Solicitation as well as any resultant Contract is issued under the authority of the Town. No alteration of any resultant Contract may be made without the express written approval of the Town in the form of an official contract amendment. Any attempt to alter any contract without such approval is a breach of the contract and the Town Procurement Policy. Any such action is subject to the legal and contractual remedies available to the Town inclusive of, but not limited to, contract cancellation, suspension and/or debarment of the Consultant.
3. **Offer Acceptance Period:** In order to allow for an adequate evaluation, the Town requires an offer in response to this Solicitation to be valid and irrevocable for ninety (90) days after the opening time and date.
4. **Eligible Agencies:** Any Contract resulting from this Solicitation shall be for the exclusive use of the Town of Paradise Valley.
5. **Contract Type:** Fixed Price with payment split between two (2) fiscal year budgets.
6. **Term of Contract:** The term of any resultant contract shall commence upon award and shall continue for a period of the earlier of twenty-four (24) months from the date of award or until all work required by the Consultant is completed and accepted by the Town. Work shall not commence until authorization to proceed is received from the Town.
7. **Contract Extension:** By mutual written contract amendment, any resultant Contract may be extended for one (1) additional six (6) month period. If the Contract is extended, the total length of the contract shall not exceed thirty (30) months.
8. **Affirmative Action:** It is the policy of the Town that suppliers of goods or services to the Town adhere to a policy of equal employment opportunity and demonstrate an affirmative effort to recruit, hire, and promote regardless of race, color, religion, gender, national origin, age or disability. The Town of Paradise Valley encourages diverse suppliers to respond to solicitations for products and services.
9. **Price Adjustment:** No price adjustment will be allowed for the resultant Contract.
10. **Performance Warranty:** This section does not relieve Consultant from its obligation to provide Work and Materials/Design Materials appropriate to the purposes of this Project. Nothing in this Contract creates any contractual liability between the Town of Paradise Valley and any Subcontractor; however, the Town of Paradise Valley is an intended third-party beneficiary of all contracts for services, all Subcontracts, purchase orders and other agreements between the Consultant and third parties. The Consultant must incorporate the obligations of this Contract into its respective Subcontracts, supply agreements and purchase orders.
11. **Permits and Approvals:** Consultant agrees and undertakes to obtain necessary permits and approvals, as per the scope of work, from all local, state and federal authorities for the project. In all other cases, the consultant agrees to assist the Town to obtain all necessary permits and approvals from all local, state, and federal authorities for the project.
12. **Scope of Work Deliverable:** The successful Consultant may prepare amendments to and provide a further detailed Scope of Work for the project. The finalized Scope of Work shall

include the agreed upon approach, method, format, and timing of the individual project phases and for the completion of the project.

13. **Work Review:** All work shall be subject to comment and review, by the Town and/or the public at project milestones, completion of various phases, and other reasonable times during the Contract. The Consultant shall provide and maintain both a comment matrix and a review and routing system which is acceptable to the Town.
14. **Investigation of Conditions:** The Consultant warrants and agrees familiarity of the work that is required, is satisfied as to the conditions under which is performed and enters into this contract based upon the Consultants own investigation.
15. **Acceptance:** Determination of the acceptability of work shall be completed by the Town in a responsive and professional manner and in accordance with the specifications, schedules, or plans which are incorporated in the Scope of Work.
16. **Compensation:** Compensation for services shall be based upon pricing identified in Consultant's Response to RFP-20-112-CMD and as more fully set forth in the resultant Contract.
17. **Invoices:** The Consultant shall submit invoices to the Town of Paradise Valley Accounts Payable Department, 6401 East Lincoln Drive, Paradise Valley AZ 85253.
18. **Payments:** The Town shall pay the Consultant pursuant to the agreed-upon schedule based upon Consultant's Response to RFP 20-114-CMD and as more fully described in the resultant Contract. All invoices shall document and itemize all work completed to date. The invoice statement shall include a record of time expended and work performed in sufficient detail to justify payment.
19. **Insurance Requirements:** The Consultant, at Consultant's own expense, shall purchase and maintain insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of all tasks or work performed under the Contract. Such insurance shall cover Consultant, its agent(s), representative(s), employee(s) and any subcontractors. The herein stipulated minimum insurance shall be placed with companies duly licensed, possessing a current A.M. Best, Inc. Rating of A- or better.

All insurance required herein shall be maintained in full force and effect until all work or service required to be performed under the terms of the Contract is satisfactorily completed and formally accepted; failure to do so may, at the sole discretion of the Town, constitute a material breach of this Contract.

The Consultant's insurance shall be primary insurance as respects the Town, and any insurance or self-insurance maintained by the Town shall not contribute to it.

Any failure to comply with the claim reporting provisions of the insurance policies or any breach of an insurance policy warranty shall not affect coverage afforded under the insurance policies to protect the Town.

The insurance policies, except Workers' Compensation, shall contain a waiver of transfer rights of recovery (subrogation) against the Town, its agents, representatives, directors, officers, and employees for any claims arising out of the Consultant's acts, errors, mistakes, omissions, work or service.

The insurance policies may provide coverage which contain deductibles or self-insured retentions. Such deductible and/or self-insured retentions shall not be applicable with respect to the coverage provided to the Town under such policies. The Consultant shall be solely responsible for the deductible and/or self-insured retention and the Town, at its option, may



require the Consultant to secure payment of such deductibles or self-insured retentions by a Surety Bond or an irrevocable and unconditional letter of credit.

The Town reserves the right to request and to receive, within 10 working days, certified copies of any or all of the herein required insurance policies and endorsements. The Town shall not be obligated, however, to review same or to advise Consultant of any deficiencies in such policies and endorsements, and such receipt shall not relieve Consultant from, or be deemed a waiver of the Town's right to insist on, strict fulfillment of Consultant's obligations under this Contract.

The insurance policies, except Workers' Compensation and Professional Liability, required by this Contract, shall name the Town, its agents, representatives, officers, directors, officials and employees as Additional Insureds.

20. **Required Insurance Coverage:**

a. Commercial General Liability

Consultant shall maintain Commercial General Liability insurance with limits of no less than \$500,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to the work under this Contract or the general aggregate limit shall be twice the required occurrence limit. The policy shall include coverage for bodily injury, broad form property damage, personal injury, products and completed operations and blanket contractual coverage including, but not limited to, the liability assumed under the indemnification provisions of this Contract which coverage will be at least as broad as Insurance Service Office, Inc. Policy Form CG 00011207 or any replacements thereof. The coverage shall not exclude X, C, U.

Such policy shall contain a severability of interest provision and shall not contain a sunset provision or commutation clause, nor any provision which would serve to limit third party action over claims.

The Commercial General Liability additional insured endorsement shall be at least as broad as the Insurance Service Office, Inc.'s Additional Insured, Form B, CG 20370704, and shall include coverage for Consultant's operations and products and completed operations.

b. Automobile Liability

Consultant shall maintain Commercial/Business Automobile Liability insurance with a combined single limit for bodily injury and property damage of not less than \$1,000,000 each occurrence with respect to the Consultant's any owned, hired, and non-owned vehicles assigned to or used in performance of the Consultant's work. Coverage will be at least as broad as coverage code 1, "any auto", (Insurance Service Office, Inc. Policy Form CA 00010306, or any replacements thereof). Such insurance shall include coverage for loading and off loading hazards.

c. Workers' Compensation

The Consultant shall carry Workers' Compensation insurance to cover obligations imposed by federal and state statutes having jurisdiction of Consultant's employees engaged in the performance of the work or services; and, Employer's Liability insurance of not less than \$100,000 for each accident, \$100,000 disease for each employee, and \$500,000 disease policy limit.

In case any work is subcontracted, the Consultant will require the Subcontractor to provide Workers' Compensation and Employer's Liability to at least the same extent as required of the Consultant.

21. **Certificates of Insurance:** Prior to commencing work or services under this Contract, Consultant shall furnish the Town with Certificates of Insurance, and formal endorsements as required by the Contract, issued by Consultant's insurer(s), as evidence that policies providing the required coverages, conditions and limits required by this Contract are in full force and effect.

In the event any insurance policy(ies) required by this contract is(are) written on a "claims made" basis, coverage shall extend for two years past completion and acceptance of the Consultant's work or services and as evidenced by annual Certificates of Insurance.

If a policy does expire during the life of the Contract, a renewal certificate must be sent to the Town fifteen (15) days prior to the expiration date.

All Certificates of Insurance shall be identified with Solicitation or Contract number and title. A \$25.00 administrative fee will be assessed for all certificates received without the appropriate number and title.

22. **Cancellation and Expiration Notice:** Insurance required herein shall not expire, be canceled, or materially changed with respect to coverage or rating of carrier. All other changes shall be with thirty (30) days prior written notice to the Town.

23. **Independent Contractor:**

a. General

- i. The Consultant acknowledges that all services provided under this Contract are being provided by him as an independent Consultant, not as an employee or agent of the Town Manager or the Town of Paradise Valley.
- ii. Both parties agree that this Contract is nonexclusive, and that Consultant is not prohibited from entering into other contracts nor prohibited from practicing his profession elsewhere.

b. Liability

- i. The Town of Paradise Valley shall not be liable for any acts of Consultant outside the scope of authority granted under this Contract or as the result of Consultant's acts, errors, misconduct, negligence, omissions and intentional acts.
- ii. To the fullest extent permitted by law, the Consultant shall defend, indemnify and hold harmless the Town, its agents, representatives, officers, directors, officials and employees for costs or damages for which the Consultant is legally responsible or for which the Town is vicariously liable on account of the Consultant's willful or negligent acts, errors or omissions.

The amount and type of insurance coverage requirements set forth herein will in no way be construed as limiting the scope of the indemnity in this paragraph.

c. Other Benefits

The Consultant is an independent contractor; therefore, the Town will not provide the Consultant with health insurance, life insurance, workmen's compensation, sick leave, vacation leave, or any other fringe benefits. Further, Consultant acknowledges that he is exempt from coverage of the Comprehensive Benefit and Retirement Act (COBRA).

24. **Key Personnel:** It is essential that the Consultant provide adequate experienced personnel, capable of and devoted to the successful accomplishment of work to be performed under this contract. The Consultant must agree to assign specific individuals to the key positions.

- a. The Consultant agrees that, once assigned to work under this contract, key personnel shall not be removed or replaced without written notice to the Town.
- b. If key personnel are not available for work under this contract for a continuous period exceeding 30 calendar days or are expected to devote substantially less effort to the work than initially anticipated, the Consultant shall immediately notify the Town, and shall, subject to the concurrence of the Town, replace such personnel with personnel of substantially equal ability and qualifications.

25. **Confidential Information:**

- a. If a person believes that a proposal, offer, specification, or protest contains information that should be withheld, a statement advising the Procurement Coordinator of this fact shall accompany the submission and the information shall be identified.
- b. The information identified by the person as confidential shall not be disclosed until the Procurement Coordinator makes a written determination.
- c. The Procurement Coordinator shall review the statement and information and shall determine in writing whether the information shall be withheld.
- d. If the Procurement Coordinator determines to disclose the information, the Procurement Coordinator shall inform the person in writing of such determination.

26. **Identity Theft Prevention:** The Consultant shall establish and maintain Identity Theft policies, procedures and controls for the purpose of assuring that “personal identifying information,” as defined by A.R.S. § 13-2001(10), as amended, contained in its records or obtained from the Town or from others in carrying out its responsibilities under the Contract, is protected at all times and shall not be used by or disclosed to unauthorized persons. Persons requesting such information should be referred to the Town. Consultant also agrees that any “personal identifying information” shall not be disclosed other than to employees or officers of Consultant as needed for the performance of duties under the Contract. Consultant agrees to maintain reasonable policies and procedures designed to detect, prevent and mitigate the risk of identity theft. Consultant is required under this contract to review the Town of Paradise Valley’s Identity Theft Program and to report to the Program Administrator any Red Flags as defined within that program. At a minimum, the Consultant will have the following Identity Theft procedures in place:

- a. Solicit and retain only the “personal identifying information” minimally necessary for business purposes related to performance of the Contract.
- b. Ensure that any website used in the performance of the contract is secure. If a website that is not secure is to be used, the Town shall be notified in advance before any information is posted. The Town reserves the right to restrict the use of any non-secure websites under this contract.
- c. Ensure complete and secure destruction of any and all paper documents and computer files at the end of the contract’s retention requirements.
- d. Ensure that office computers are password protected and that computer screens lock after a set period of time.
- e. Ensure that offices and workspaces containing customer information are secure.
- f. Ensure that computer virus protection is up to date.

27. **Confidentiality of Records:** The Consultant shall establish and maintain procedures and controls that are acceptable to the Town for the purpose of assuring that information contained in its records or obtained from the Town or from others in carrying out its functions

under the Contract shall not be used or disclosed by it, its agents, officers, or employees, except as required to efficiently perform duties under the Contract. Persons requesting such information should be referred to the Town. Consultant also agrees that any information pertaining to individual persons shall not be divulged other than to employees or officers of Consultant as needed for the performance of duties under the Contract. These provisions shall not restrict the Consultant from giving notices required by law or complying with an order to provide information or data when such order is issued by a court, administrative agency or other authority with proper jurisdiction.

28. **Business in Arizona:** The Town will not enter contracts with foreign corporations not granted authority to transact business, or not in good standing, in the state of Arizona by the Arizona Corporation Commission. Businesses outside of Arizona may file documents to obtain a business license from the Arizona Corporation Commission. Information is available on the Arizona Corporation Commission's website at <https://www.azcc.gov> for more information. Businesses are cautioned the processing time can be lengthy.
29. **Contract Termination:** Any contract entered into as a result of this Solicitation is for the convenience of the Town and as such, may be terminated without default by the Town by providing a written notice of termination.
30. **Cancellation:** The Town reserves the right to cancel the whole or any part of this contract due to failure by the Consultant to carry out any obligation, term or condition of the contract. The Town will issue written notice to the Consultant for acting or failing to act as in any of the following:
  - a. The Consultant provides material that does not meet the specifications of the contract;
  - b. The Consultant fails to adequately perform the services set forth in the specifications of the contract;
  - c. The Consultant fails to complete the work required or to furnish the materials required within the time stipulated in the contract;
  - d. The Consultant fails to make progress in the performance of the Contract and/or gives the Town reason to believe that the Consultant will not or cannot perform to the requirements of the Contract.

Upon receipt of the written notice of concern, the Consultant shall have ten (10) days to provide a satisfactory response to the Town. Failure on the part of the Consultant to adequately address all issues of concern may result in the Town resorting to any single or combination of the following remedies:

- a. Cancel any Contract;
  - b. Reserve all rights or claims to damage for breach of any covenants of the Contract;
  - c. Perform any test or analysis on materials for compliance with the specifications of the contract. If the results of any test or analysis find a material non-compliant with the specifications, the actual expense of testing shall be borne by the Consultant;
  - d. In case of default, the Town reserves the right to purchase materials, or to complete the required work. The Town may recover any actual excess costs from the Consultant by:
    - i. Deduction from an unpaid balance;
    - ii. Or any other remedies as provided by law.
31. **Contract Default:** The Town, by written notice of default to the Consultant, may terminate the whole or any part of this Contract in any one of the following circumstances:
    - a. If the Consultant fails to make delivery of the supplies or to perform the services within the

time specified; or

- b. If the Consultant fails to perform any of the other provisions of this Contract; and fails to remedy the situation within a period of ten (10) days after receipt of notice.

In the event the Town terminates this Contract in whole or part, the Town may procure supplies or services similar to those terminated, and the Consultant shall be liable to the Town for any excess costs for such similar supplies or services.

- 32. **Protest:** A Protest must be in writing and be filed with the Procurement Officer, c/o Town Clerk, within seven (7) days after the Offeror/Proposer knows or should have known the facts and circumstances upon which the protest is based but in no event shall the protest be filed later than seven (7) days after issuance of the Notice of Intent to Award. Firms wishing to respond to a disqualification or a procurement outcome may refer to Town Code, Article 3-8 (Procurement and Materials Management) and the Town of Paradise Valley Administrative Policy 14 (AP14 – Procurement), Section 2.3.19, which governs protest procedures utilized throughout the selection process.

A protest must include:

- a. The name, address, telephone number and email of the protester;
- b. The signature of the protester or its representative;
- c. Identification of the solicitation or contract number;
- d. A detailed statement of the legal and factual grounds of the protest, including copies of relevant documents; and
- e. The form of relief requested.

- 34. **Town of Paradise Valley Procurement Code and Policy:** All procurement activities shall be pursuant to the requirements of the Town Procurement Code (Art. 3-8 Procurement and Materials Management) and the Town's Procurement Policy, (Administrative Policy, AP 14).

Town Code can be found at:

<http://paradisevalleyaz.gov/DocumentCenter/Home/Index/30>

Administrative Policy 14 can be found at:

<http://www.paradisevalleyaz.gov/DocumentCenter/View/5172>

or obtained as a hard copy by request to the Purchasing department for a fee of 10 cents per page for copying.

## **SCOPE OF WORK**

### ***Section 1.1: GENERAL PROJECT OBJECTIVES***

The general objective by the Town of Paradise Valley (the “Town”) is to develop a 2022 General Plan to update the Town’s 2012 General Plan through a process that complies with Arizona Revised Statutes, Town codes, and meets the concierge level of engagement Town residents expect for a long-range planning process. The overall timeframe for the General Plan update process from hiring of the consultant to ratification is October 2020 to August 2022. The consultant should anticipate active engagement by the Town Council, Planning Commission, and Town residents that requires quick responses, detailed explanations by experts on that topic, and planning on unexpected meetings to accommodate focused discussions that may arise during the process. As such, the proposed scope of work from the consultant shall take this into consideration.

The end deliverable will be the new 2022 General Plan the Town can rely on for the next ten years. However, the expectation is that the 2022 General Plan will be as succinct as possible and not result in a major shift of the Town’s vision and values. The 2022 General Plan will likely retain many of the same or similar components that promote the Town’s vision and values and will refine aspects in the current General Plan that have been met or no longer align with the Town’s vision and values. These vision and values include enhancing the premier, low density, residential character of the Town; preserving the sense of privacy, quiet, dark skies, open spaces, and natural environment that residents enjoy; following a limited government model on land use decisions that balance the powers of local government and individual property rights; and limits commercial development to best harmonize with the Town’s vision and values in a way that respects the quality of life of Town residents while still affording the ability of the Town’s world-class resorts and other existing non-residential properties to evolve and change.

The Town’s limited government approach and limited staff require the need to seek consultant services for the 2022 General Plan. The consultant’s proposal shall seek to keep overall costs low by identifying opportunities for cost-saving measures. Said proposal shall incorporate the following items in the phases outlined in this request but does not necessarily need to be exactly as described. The Town encourages the consultant to bring forward approaches, tasks, and other public engagement methods its finds will work for current demographics within the Town of Paradise Valley. The proposal shall highlight projects and consultant member experience in working in a community similar to Paradise Valley.

The selected consultant will lead the planning process and develop project deliverables with oversight from the Special Projects Planner. All work shall be completed in accordance with applicable State Statutes and Town standards within the agreed upon timeline. The intent of the Scope of Work is to serve as a framework which consultants can use to develop a more detailed scope of services based on their professional expertise and knowledge. The final scope of services will be developed in collaboration with the selected firm and Town staff prior to contract approval by the Town Council.

❖ **PHASE 1: PROJECT START-UP** *(estimated this Project Start-Up phase would start in October of 2020).*

**The Consultant Shall:**

1. Conduct preliminary administrative tasks including, but not limited to:
  - a. Review the current 2012 General Plan and other background materials such as the Town's history, demographic and Census data, other Town plans such as the Visually Significant Corridors Master Plan, Walk and Bike Plan, and other relevant information;
  - b. Meet with Town staff and elected officials to discuss issues such as the project goals, opportunities, information needs, roles and responsibilities, expectations, and logistical issues;
  - c. Gather base GIS data, maps, and other technical information needed from staff; and
  - d. Review adjacent agencies, regional, and other General Plans or plans that may impact the Town of Paradise Valley, in particular the Cities of Phoenix and Scottsdale and Maricopa County, with a deliverable that summarizes the key components of this research and how these key components may impact the Town.
2. Prepare a Public Participation Plan that meets or exceeds Arizona Revised Statutes and the Citizen Review Process typical for rezoning and Zoning Ordinance text amendments as described in Section 2-5-2 of the Town Code. The goals of the Public Participation Plan are to:
  - a. Create awareness and understanding of the General Plan;
  - b. Seek to receive input from a broad, cross-section of the community;
  - c. Understand residents' attitudes and opinions regarding the direction of the Town's growth and development, key issues facing the Town, and their views regarding the Town's future;
  - d. Affirm community vision and values;
  - e. Identify common ground on issues where there is a diversity of perspectives;
  - f. Promote intergovernmental and interagency cooperation and collaboration;
  - g. Include follow-up meetings with stakeholders to report on project progress and findings and solicit feedback on findings and recommendations; and
  - h. Use approaches that recognize that the 2022 General Plan vision and many components will likely be similar to or more of an updating of the 2012 General Plan.

The Public Participation Plan should include various ways to encourage resident involvement and broad-based participation. The consultant proposal should identify how best to accomplish this participation as well as a timeline for creation and adoption of the Public Participation Plan.

3. Attend and assist Town staff during the Town Council approval of the Public Participation Plan. Approval of the Public Participation Plan will require at least one study session meeting and an action meeting by the Town Council. Approval of the Public Participation Plan shall include an explanation of the scope of work to be performed, explanation of stakeholder level of involvement, and an overview of the project schedule.



4. Conduct a kick-off meeting with the Town Council and others who will be responsible for regularly reviewing the progress of the project and providing input to the consultant and staff in a public setting.
5. Research, collect, and synthesize the necessary background data for the 2022 General Plan that will culminate into an existing data background report or appendix. This would include, and may not be limited to, the historical context for the Town of Paradise Valley, annexation data, existing land use data by zoning district, undeveloped land, water service improvements, and other related information collected on the elements in the 2022 General Plan. Town staff will provide the consultant with any available data.

## ❖ **PHASE 2: VISIONING AND GATHERING INPUT**

### **The Consultant Shall:**

1. Prepare and edit with Town Staff review an informational brochure of Frequently Asked Questions (FAQs) about the General Plan update to be placed on the Town's website and available for distribution at General Plan public meetings.
2. Develop drafts and prepare a final vision statement for the 2022 General Plan from the input received by the various approaches used in the Public Participation Plan.
3. Conduct visioning workshops, stakeholder meetings, and/or other public meetings as identified in the Public Participation Plan in such a manner that encourages interaction and public input. Conducting the meetings includes, and may not be limited to, preparing notices, preparing meeting material, providing large scale color maps and visuals, providing attendee contact information, and documenting the input for retention purposes. Town staff will manage any Town media sources such as the Town website, Alert software, and newspaper notices.
4. Prepare meeting minutes for all workshops, stakeholder meetings and/or other public meetings per the Public Participation Plan. Input shall be recorded and addressed in the plan or an explanation as to why the comments were not addressed is to be provided, in writing, to Town staff. The consultant will be responsible for all preparation required and meeting coordination for said meetings (i.e. attendee sign-in sheets, meeting setup). The consultant is also responsible for the development of meeting notification material, (i.e. press release and meeting flyers). Town staff will be responsible for the coordination of location, issuing press releases, and notifying the public. Also, Town staff will prepare meeting minutes for any Planning Commission and Town Council meetings.
5. Prepare future projections and impact based on the elements in the 2022 General Plan that will be included as part of the background report or appendix. This may include, and is not limited to, the following: land use assumptions on future land use, density, and development intensity; identification of relevant sustainable development trends that may impact the Town of Paradise Valley, such as impacts on circulation and parking from autonomous vehicles and ridesharing; other green infrastructure; population projections; housing type data; evaluation of street cross sections, including impacts on types of curbing; and options to address cut-through vehicular and non-motorized traffic in neighborhoods.

## ❖ **PHASE 3: DEVELOPMENT OF 2022 GENERAL PLAN DRAFT**

### **The Consultant Shall:**

1. Prepare a 2022 General Plan draft for staff and stakeholder review, which shall include the following:
  - a. Include an introduction, elements as required by ARS § 9-461.05 and an implementation section and glossary section;
  - b. Provide an implementation section that reflects the Town's Capital Improvement Program (CIP); identifies tasks, timeframe, and responsible parties. Where applicable, this component shall cover estimated costs;
  - c. Consider a different plan format, adding/removing elements or components, and/or combining elements based on Phase 1, Project Start-Up, and Phase 2, Visioning and Gathering Input. The Town of Paradise Valley 2012 General Plan has seven (7) elements: Land Use and Development, Community Character and Housing, Mobility, Open Space and Recreation, Environmental Planning and Water Resources, Sustainability, and Public Facilities/Services and Cost of Development;
  - d. Consider drafting and reviewing elements individually or in groups to make the process manageable for consultants, reviewers and the public;
  - e. Draft a plan that is easy to use, easy to read and easy to understand. Design the plan to be inspiring visually, graphically and intellectually;
  - f. Present the 2022 General Plan draft and/or elements for review and input in a manner that is consistent with the adopted Public Participation Plan;
  - g. Provide opportunity for periodic Town Council and Planning Commission updates and/or review of the 2022 General Plan draft, draft plan components, and/or preliminary plan drafts; and
  - h. Prepare a complete draft plan at each stage of the review and approval process for staff and the public reviewing body. Each new draft shall include all up-to-date edits and changes agreed upon by the previous reviewing body along with an updated comment matrix. Based on the Town Council action, the consultant may be required to make final edits or other changes to the 2022 General Plan prior to the Plan being submitted for ratification by the public in August 2022.
2. Create the artwork (maps, graphics, photos and visuals) for the 2022 General Plan. Maps and visuals may be provided in PDF format during Phases 1 through 4, unless directed otherwise by Town staff. All visuals that include such items as charts, tables, maps, and cross-sections in the General Plan shall be in an editable format acceptable to the Town in Adobe InDesign 8.0 or newer or ArcGIS 10.3.

## ❖ **PHASE 4: PUBLIC BODY RECOMMENDATION AND APPROVAL**

### **The Consultant shall:**

1. Assist Town staff with the coordination and material for the sixty (60) day notice noticing to agencies and other local governments for review and comment of the 2022 General Plan draft in conformance with the Arizona Revises Statutes, including Maricopa County, Cities of Scottsdale and Phoenix, Maricopa Association of Governments and related Committees such as the Population Technical Advisory Committee and the Transportation Policy

Committee, Arizona Commerce Authority, Arizona Department of Water Resources, Arizona State Land Department, as well as other regional, state and federal agencies, and any person or entity that requests in writing a copy of the proposed plan.

2. Prepare an executive summary of the 2022 General Plan at least thirty (30) days prior to the Planning Commission action of the 2022 General Plan for Town staff review and approval, with any revisions made to this summary as the 2022 General Plan completes Phase 4, Public Body Recommendation and Approval
3. Prepare, make revisions to the 2022 General Plan, and attend a minimum of four (4) Planning Commission meetings during Phase 4, Public Body Recommendation and Approval. These minimum meetings include three (3) work sessions and one (1) meeting at which the Planning Commission votes on a recommendation of the 2022 General Plan draft to the Town Council. Participation by the consultant will require preparation of the 2022 General Plan draft, drafting plan components, any related requested research from the work session(s) and may require presentation and/or addressing questions.
4. Prepare, make all recommended revisions to the 2022 General Plan after the Planning Commission meeting(s), and attend a minimum of three (3) Town Council meetings during Phase 4, Public Body Recommendation and Approval. These minimum meetings include two (2) work sessions and one (1) meeting at which the Town Council votes on the 2022 General Plan draft. Participation by the consultant will require preparation of the 2022 General Plan draft, drafting plan components, any related requested research from the work session(s), and may require presentation and/or addressing questions.
5. Draft the final 2022 General Plan, making all recommended changes, after completion of Phase 4, Public Body Recommendation and Approval.

## ❖ **PHASE 5: VOTER RATIFICATION**

### **The Consultant shall:**

1. Be aware, and if necessary, adjust the project scope accordingly to meet the Town's goal in placing the 2022 General Plan on the August 2022 ballot. Town staff will make most of the necessary arrangements to place the 2022 General Plan on the ballot. However, the consultant's proposal should include an option to assist with promotion of the 2022 General Plan. Notifications include, and are not limited to, the following:
  - a. Notify at least one hundred twenty (120) days prior to the election, the Maricopa County Elections Department of the intent to place the 2022 General Plan on the August 2022 ballot; and
  - b. Notify at least one hundred five (105) days prior to the election the final ballot language to the Town Clerk.
2. Include in the consultant's proposal an option to assist Town staff with promotion of the 2022 General Plan which may include, and not be limited to the following:
  - a. Prepare a general description of the 2022 General Plan and its elements in a Town pamphlet, with copies available in at least two locations accessible to the public;
  - b. Write and disseminate press releases and articles in the "Town Reporter", *Paradise Valley Independent* and the *Scottsdale Republic*;

- c. Continue to reference and update the Town's website;
- d. Add flyers to utility bills regarding the upcoming vote;
- e. Continue to post the schedule of meetings on the website and Town bulletin board;
- f. Place static displays at Town facilities; and
- g. Prepare, promote, and deliver a public outreach program to homeowners' associations and other community groups.

## ❖ **PHASE 6: PROJECT CLOSE OUT**

### **The Consultant shall:**

1. Provide the final 2022 General Plan document and any associated appendices in an electronic, editable format acceptable to the Town within thirty (30) calendar days after Town Council approval of the 2022 General Plan. This format shall allow for the ease of making hard copy prints of the General Plan and appendices. There shall be at least two versions of the General Plan, one version in PDF and one version in Microsoft Word 2010.
2. Provide all final artwork, including but not limited to, such items as graphic, photos, charts, tables, maps, and cross-sections in the General Plan shall be in an editable format acceptable to the Town such as Adobe InDesign 8.0 or newer or ArcGIS 10.3. Photos shall be in JPEG format.
3. Provide the executive summary, background report or appendices that includes all the primary General Plan drafts, visioning and public input material, public outreach materials and pamphlets, noticing, and associated project material in PDF format.

## **Section 1.2: OTHER TASKS**

### **The Consultant shall:**

1. Prepare and timely submit, to the Town's project manager of the 2022 General Plan, such periodic, intermediate performance reporting, financial status, and final reports and records, as may be requested by the Town and as are applicable to the project, which will include: (a) At least monthly written progress/performance reports due the last day of each month; (b) As needed between monthly progress reports, conference calls and/or meetings with Town staff to share ideas, gather information, clarify items, and discuss other information related to the project; and (c) Written notice of any proposed substantial change in the project, including proposed changes in the agreed upon scope, design and layout of the General Plan, and changes to the timeline
2. Be available to attend and may require providing information for regular briefings during the project to the Town Council and/or Planning Commission to keep them informed of actions concerning the development of the update to the General Plan. The proposal should include a total of at least four (4) briefings to either the Planning Commission and/or Town Council.
3. Indicate in the proposal any additional tasks that add value and will enhance the 2022 General Plan process that are currently not included in the scope of work. The scope should clearly identify tasks, if any, which the Town of Paradise Valley will be responsible to do.
4. Include an option and/or fee should the consultant be needed at additional Planning Commission and Town Council meetings.

### **Section 1.3: *DELIVERABLES***

The proposal from the consultant shall take into consideration the following deliverables, although the proposer may identify additional deliverables within their proposal:

1. A Public Participation Plan that meets or exceeds Arizona Revised Statutes and the Citizen Review Process typical for rezoning and Zoning Ordinance text amendments as described in Section 2-5-2 of the Town Code.
2. A background report or appendix on existing and proposed trends related to the elements in the 2022 General Plan. Town staff will assist the consultant with available data.
3. An informational brochure of Frequently Asked Questions (FAQs) about the General Plan.
4. A 2022 General Plan in a finished format for ratification. The consultant should expect to produce three (3) complete draft plans of the 2022 General Plan, in addition to making edits and changes between draft plans as the draft plan moves to the different bodies reviewing, making recommendation, or approving the 2020 General Plan.
5. An executive summary of the 2022 General Plan at least thirty (30) days prior to the Planning Commission action of the General Plan update for Town staff review and approval, with any revisions made to this summary as the draft 2022 General Plan completes Phase 4, Public Body Recommendation and Approval.
6. A Town pamphlet with a general description of the 2022 General Plan and its elements for use during the voter ratification phase.
7. Physical copies of the 2022 General Plan, background report or appendix, executive summary, voter ratification pamphlet, and any plan components, artwork, maps or visuals. The consultant proposal shall indicate the number to be provided and a per unit cost should additional copies be required.

# PROPOSAL EVALUATION

## 1. GENERAL

Definitions:

**Responsible Proposer** means a Proposer who has the capability to perform the Services described in this RFP and who has the integrity and reliability required by the Town.

**Responsive Proposer** means a Proposer who submits a Proposal which appropriately responds, in the judgment of the Town, to this RFP.

After receipt of all Proposals, each submittal shall be screened to determine if any shall be deemed a non-Responsive Proposal. Unsigned proposals, incomplete proposals, non-conformance with mandatory requirements, etc., may result in the determination of a non-Responsive Proposal.

Subsequent to the initial review, all remaining proposals shall be reviewed by the Proposal Evaluation Committee.

Disqualification. A Proposer (including each of its principals) who is currently debarred, suspended or otherwise lawfully prohibited from any public procurement activity may have its RFP response rejected.

Clarifications. Town reserves the right to obtain Offeror/Proposer clarifications where necessary to arrive at full and complete understanding of Offeror/Proposer's product, service, and/or Solicitation response. Clarification means a communication with an Offeror/Proposer for the sole purpose of eliminating ambiguities in the RFP response and does not give Offeror/Proposer an opportunity to revise or modify its RFP response.

Waiver and Rejection of Proposals. The Town reserves the right to reject any or all Offers/Proposals or to cancel the Solicitation altogether, to waive any informality or irregularity in any RFP response received, and to be the sole judge of the merits of the respective Offers/Proposals received.

Selection Process: The proposal screening committee will include representatives from the Town and may include representatives from other agencies. After initial review by the proposal screening committee, one or more of the firms/consultants who submitted proposals may be invited, at the Town's sole discretion, to make either an in-person or a virtual presentation and to answer questions regarding their proposal. If such an in-person or virtual presentation with question and answer session is held it may be used to evaluate the complete proposal, along with the written proposal itself.

Interviews with the selected top ranked firms may be held the week of September 21, 2020. Please hold this date available.

## 2. EVALUATION CRITERIA

All Responsive Proposals shall be evaluated by the Proposal Evaluation Committee using the weighting and criteria listed below. The recommendation for Contract Award will be made to the

Responsive and Responsible Proposer whose proposal is determined to be the most advantageous to the Town when applying the following criteria and weighting.

The following is the weighting of criteria that will be used to review the Proposals:

PROPOSAL EVALUATION CRITERIA	WEIGHT (100 POINTS)
Methodology	45
Experience/Expertise and References	30
Cost of Services to the Town	20
Compliance with the Towns Terms and Conditions	5

Each Proposal will be reviewed in its entirety and assigned a score with respect to each of the criteria. The Proposals will be ranked by the Evaluation Committee according to their total weighted ranking. The Town reserves the right to consider historic information and facts, whether gained from the Offeror's proposal, questions and answer conferences, references, or other source and the views of the evaluator(s) with prior Contract or service delivery experience with any of the Offerors, while conducting the proposal evaluations.

The Proposal Evaluation Committee may establish a short list of those Proposals considered most advantageous to the Town.

- a. Short-listed Proposers may be invited to make a presentation/interview. After the presentation, the Proposal Evaluation Committee will re-score each Proposer.
- b. During any requested interview, be prepared to discuss your firm's proposal, staff assignments, project approach and other pertinent information. The presentation shall be approximately 15 minutes, allowing 30 minutes for a question and answer session. The Consultant's Project/Team Manager shall lead the presentation team and answer questions on behalf of the Consultant. If work involves a major sub-consultant, the firms Project/Team Manager's presence may also be requested (by the Town) at the interview.
- c. At the conclusion of all presentations, the Proposals will be assigned scores with respect to each of the criteria and ranked according to their total weighted ranking.

**Award of Project and Approval of Contract:** Once the top consultant has been determined, Town staff will start contract negotiations with the consultant. If contract negotiations are not successful, the second ranked consultant may be asked to negotiate a contract with the Town.

Award of a contract to the successful Proposer is subject to funding approved by the Paradise Valley Town Council. The Town reserves the right to negotiate the terms of an agreement for the General Plan Update project with one or more Proposers, as the Town deems fit and most advantageous to the Town's completion of the project.

3. **SOLICITATION TIMELINE:** The solicitation, receipt, and evaluation of submittals and the selection will conform to the following schedule.

(Note: Dates are subject to change.)

Request for Proposal Issued	August 24, 2020
Pre-Proposal Conference	September 3, 2020



Deadline to Submit Questions/Inquires (end of day)	September 4, 2020
Deadline for RFP Submittal*	September 14, 2020
Shortlisting of Proposers	September 18, 2020
Interviews (if necessary)	Week of Sept. 21, 2020
Deadline for Evaluation, Selection	Week of Sept.28, 2020
Contract Negotiation	October 2, 2020
Contract Approval by Council	October 8, 2020
Notice to Proceed	October 12, 2020

## PROPOSAL FORMAT AND REQUIRED RESPONSES

Firms interested in providing these services must submit a proposal that addresses the following items. Failure to provide any of the information requested by these paragraphs may be grounds for the Town to reject a proposal.

### **Proposal Format:**

1. All proposals shall include the Town forms and be in the format as outlined in the "Scope of Work" of this Request for Proposal. Proposals are limited to 8 1/2" & 11" pages of one-sided text or graphics.
2. A maximum of twelve (12) pages of information total is highly recommended. An Appendix of resumes for proposed team participants shall be included (in addition to the 12-page limit). Likewise, the required Town forms in the RFP (Cost Sheet, Questionnaire and Affidavit) shall be in addition to the 12-page limit.
3. All submittal information must contain data for only the local office(s) which will be performing the work.

**In order for the Town to conduct a uniform review process, all proposals should be submitted in the format set forth below.**

1. **Cover Letter:** The proposal shall be transmitted with a cover letter. The cover letter does not count in the page limit listed below. The letter must include:
  - a. A statement of the Offeror's understanding of the services required by the Scope of Work and the consultant's interest and commitment to the proposed project.
  - b. A statement that the proposal shall be valid for a 90-day period and should include the name, title, address and telephone number of the individual to whom correspondence and other contacts should be directed during the consultant selection process.
  - c. The person authorized by the consultant to negotiate a contract with the Town shall sign the cover letter.
  - d. The name of the prime and supportive firm(s) and the project manager.
2. **Table of Content:** The Table of Content must indicate the material included in the proposal by section/task and page number. A proposal's table of content should mirror the "Scope of Work" and must include all the items set forth in this section of the Request for Proposal.
3. **Detailed Proposal/Methodology:** This section shall clearly convey the consultant understands the Scope of Work, including coordination with the stakeholders, the community, other agencies and approvals from the Town. The Town Selection Committee will rate the proposal on the understanding of the Scope of Work, comprehensiveness of the response to the RFP, creativity and professionalism of the approach in addressing the issues and needs in the RFP, the submitted schedule, and project budget.
  - a. Describe your preliminary approach methods and plan to carry out the Scope of Work.

Describe the anticipated interaction with Town Staff. Items to be included are as follows:

- i. Provide a proposed scope and schedule to complete the project beginning from the issuance of a notice to proceed to the completion of the adopted plan. Discuss how subcontracted staff, if any, will participate in the implementation defined by the Scope of Work. The scope shall include all items identified in the Scope of Work along with any additions, the consultant deems as adding value to the project.
  - b. The proposal shall provide a staffing plan (detailed by major task) required for providing professional services for the General Plan Update. Discuss the workload, both current and anticipated, for all Key Team Members, and their capacity to perform the requested services according to your proposed staffing schedule. Key team members are expected to be committed for the duration of the project. Replacement of key team members will not be permitted without prior consultation with and approval of the Town
4. **Firm/Project Team Roles:** Provide a brief description of the submitting firm or firms that comprise the consultant team for the project. Identify the specific roles for each firm/project team and the key personnel who will be assigned specifically to this project. Identify specific experience for the firm(s)/project team on similar or related projects that you believe closely reflects this project specified in the Scope of Work and provide a brief description of the services provided by the firm(s)/project team in those projects.
5. **Qualifications of the Firm/Project Team:** Vendors must demonstrate proven knowledge and experience in providing the services, including deliverables, described in the Scope of Work. Please provide a list of projects where the firm(s)/project team has provided such services for municipalities comparable in size and business function to the Town of Paradise Valley. In addition to this information, the Qualifications of the firm must include:
  - a. Number of years the prime company and supportive firm(s) have been in business in Arizona
  - b. A brief description of the company size and organization
6. **Relevant Experience/Expertise and References:** From the list of project experience mentioned above provide details on at least three (3) projects of your choice with a comparable scope, size, character and complexity (particularly for the Project Manager and the managers of key disciplines). The projects referenced should be within the last five (5) years of this RFP submittal date. Each project must include at least one reference. The reference must include the contact name, organization, phone number, and e-mail address using the form provided in the questionnaire section of this RFP.
7. **Personnel:** In this section please identify all the individuals who will be part of the project team as well as the project manager. Provide their qualifications and relevant experience (including subcontracted staff that may be involved in this project), time commitment to this project, and resumes for those individuals assigned to this project. If detailed staff resumes are provided, they should be included in the appendix. In addition, provide the following information on the project personnel:

- a. A project team table/chart should be provided that clearly identifies which proposed personnel would be responsible for each specific tasks described in the Scope of Work, estimate of total project hours per task and member, and their rate/hour.
  - b. For each key person identified, list their length of time with the firm and at least three comparable projects in which they have played a primary role. If a project selected for a key person is the same as one selected for the firm, provide just the project name and the role of the key person. For other projects provide the following: description of project, role of the person, contract dates, project owner, and reference information
8. **Cost Proposal:** This section shall identify the fees, including an estimate of any expenses, to complete the Scope of Work outlined in this RFP. When evaluating all the proposals, the consultant proposal with the lowest fees will receive the maximum number of points. The Town has a maximum budget of \$120,000 for the 2022 General Plan Update; with this budget split between two (2) fiscal years. In your response, please provide a full description of the expected expenditure of funds for the proposed work within each fiscal year. The Town prefers preliminary work to be completed in fiscal year 20-21, with a greater allocation of expenditures to be incurred in fiscal year 21-22. The cost breakdown should include, but is not limited to, the following:
  - a. Task Budget: a breakdown of expenses by task and key personnel, to insure a full understanding of resources committed to this work. The task budget should also address the scope of work as described in this document and include any possible optional tasks;
  - b. Billing Rate Breakdown: Please provide a breakdown of billing rates (direct labor, overhead, fee, etc.).
  - c. Community Outreach: Provide a project budget, separating out the costs for the community outreach component as a specific category.
9. **Project Time Schedule:** Submit a recommended project schedule that identifies the project tasks corresponding with their duration, project milestones, and deliverable submittals. The schedule should show the dependencies, relationships, and timing of each task relative to each other. It should also include and indicate the time for Town to review and comment on draft deliverables, the public body review and approval process, and the voter ratification deadlines.
10. **Disclosures:** Disclose any professional or personal financial interest, which could be a possible conflict of interest in providing products and services to the Town of Paradise Valley.
11. **Additional Information;**
  - a. Certification as a minority owned, women owned, or disadvantaged business enterprise, if applicable.
  - b. Any additional information the proposer would like to submit reflecting on the firm or team's ability to perform the tasks described in this RFP.
  - c. Proposer shall identify any exceptions taken to the terms and conditions as specified in this solicitation document, any award documents, or attached contracts. All exceptions taken by the Proposer shall be clearly defined and the changes requested clearly

identified in their submittal document. The proposed Form of Contract is included as part of this Solicitation. In your Proposal document you must include a statement that you have reviewed the contract and list any exceptions. Exceptions taken by the Proposer shall be used in the evaluation process. If the Proposer does not indicate exceptions in their submittal document this will signify to the Town that the Proposer is in full agreement with all areas of the solicitation document, attached award documents and contracts, and agree to all terms as stated. An RFP response that takes exception to a material requirement of any part of the Solicitation, Specifications or proposed Form of Contract, may be rejected as non-responsive.

12. **Proposal Signature Page:** To be considered a Responsive Proposal, the Offer and Acceptance Form/Proposal Signature page must be signed and dated by an Authorized Representative(s) eligible to sign contract documents for the party and is part of the original bid/proposal submittal due at the stated due date and time indicated in the solicitation. Failure to return the Offer and Acceptance Sheet and to sign it is grounds for the Town to reject a proposal.
13. **Proposer Questionnaire:** Fully completed Proposer Questionnaire.
14. **Reference Form:** Fully completed Reference List. List three (3) references from public agencies/entities, whom the Town may contact regarding work your consultant/firm completed under a similar scope as this Request for Proposal, during the past three years. Include the length of any contracts listed.
15. **Affidavit of Non-Collusion:** Fully completed Affidavit of Non-Collusion, signed in ink.
16. **Litigation Disclosure Form:** Fully completed Litigation Disclosure Form, signed in ink.
17. **Affidavit of Israel Boycott:** Fully complete Affidavit of Israel Boycott Form, signed in ink.

**COST PROPOSAL FORM**

**COMPANY NAME:** \_\_\_\_\_

## PROPOSAL SIGNATURE PAGE

The undersigned hereby offers and agrees to furnish the material, or service, in compliance with all the terms and conditions, instructions, and any amendments contained in this Request for Proposal document and attached Form of Contract for General Plan Update Contract and any written exceptions in the offer accepted by the Town.

The Offeror also certifies it is in compliance with the Non-Collusion and the Immigration Compliance and Federal and Arizona State Immigration Laws requirements of the solicitation.

---

Company Name

---

Signature of Authorized Person

---

Address

---

Printed Name

---

City State Zip

---

Title

---

Telephone Number

---

Fax Number

---

Date

---

E-Mail Address

Proposal must be signed by a duly authorized representative eligible to sign contract documents for the firm. Consortiums, joint ventures, or teams submitting proposals will not be considered Responsive Proposal(s) unless it is established that all contractual responsibility rests solely with one Consultant or one legal entity. The Proposal must indicate the responsible entity.

Offerors should be aware that joint responsibility and liability will attach to any resulting contract and failure of one party in a joint venture to perform will not relieve the other party or parties of total responsibility for performance.



## PROPOSER QUESTIONNAIRE

Offerors are to indicate below any exceptions they have taken to the Terms, Conditions, or Scope of Work. These Questions will be answered directly in Bonfire.

Offeror acknowledges that NO changes to the Town's Insurance Requirements, Indemnification and Document Use requirements will be granted, and that any changes or modifications requested may result in the offeror's proposal being considered non-responsive.

☐ Yes ☐ No *If no, give reason below*

Offeror acknowledges acceptance of the Town of Paradise's Valley Standard Terms and Conditions and Special Terms and Conditions and takes no exceptions.

☐ Yes ☐ No *If no, give reason below*

Offeror acknowledges acceptance of the Town of Paradise Valley 's Scope of Work and takes no exceptions.

☐ True ☐ False *If False, give reason below*

Has your firm been certified by any jurisdiction in Arizona as a minority or woman owned business enterprise? ☐ Yes ☐ No If yes, please provide details and documentation of the certification.

For **Clarification** of this offer contact:

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
E-Mail Address

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Telephone Number

If Applicable, Consultant's License Number and Classification:

\_\_\_\_\_

The Offeror hereby acknowledges that the proposal, including pricing, is based on the addenda that were issued and posted on the Town's website at <http://www.paradisivalleyaz.gov/bids.aspx>. by the Town prior to opening of this proposal, as follows (Itemize Addenda, if Any):

Addendum No(s). \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_, \_\_\_\_

### **NOTE:**

"Please **do not** return a copy of the solicitation/addenda(s) with your proposal/submittal.

## REFERENCE FORM

**Please list a minimum of three (3) owner references from similar projects whom the Town may contact:**

1.	Company:	_____
	Contact Name:	_____ Phone: _____
	Email:	_____
	Project Name:	_____
	Project Cost:	_____
	Project Description:	_____ _____
2.	Company:	_____
	Contact Name:	_____ Phone: _____
	Email:	_____
	Project Name:	_____
	Project Cost:	_____
	Project Description:	_____ _____
3.	Company:	_____
	Contact Name:	_____ Phone: _____
	Email:	_____
	Project Name:	_____
	Project Cost:	_____
	Project Description:	_____ _____

## AFFIDAVIT OF NON-COLLUSION

\_\_\_\_\_, being first duly sworn, deposes and says:

That he/she is \_\_\_\_\_ of \_\_\_\_\_  
(Title) (Name of Business)

submitting an Offer/Proposal in response to Request for Proposal No. 20-112-CMD for General Plan Update in the Town of Paradise Valley, Arizona.

That, in connection with the above-mentioned project, neither the affiant, nor anyone associated with the aforesaid business has, directly or indirectly, participated in any collusion, entered into any contract, combination, conspiracy or other act in restraint of trade or commerce in violation of the provisions of A.R.S. § 34-251, Article 4, as amended.

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Printed Name and Title of Authorized Representative

STATE OF ARIZONA       )  
                                      ) ss  
COUNTY OF MARICOPA   )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_ for the purposes contained herein.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

## LITIGATION DISCLOSURE FORM

The Proposer shall include disclosure of any issue or potential issue that may have a material bearing on the Consultant's ability to complete the Scope of Work, including but not limited to any material contingent liabilities or uninsured potential losses, and involuntary contract terminations in any jurisdiction

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

**COMPANY NAME:** \_\_\_\_\_

## AFFIDAVIT OF ISRAEL BOYCOTT

The Arizona legislature enacted legislation to prohibit public entities from contracting with companies currently engaged in a boycott of Israel. To ensure compliance with A.R.S. §35-393.01, this form must be completed and returned with the Bid in order that the Town may determine compliance.

As defined by A.R.S. §35-393.01:

1. "Boycott" means engaging in a refusal to deal, terminating business activities or performing other actions that are intended to limit commercial relations with Israel or with persons or entities doing business in Israel or in territories controlled by Israel, if those actions are taken either:

(a) In compliance with or adherence to calls for a boycott of Israel other than those boycotts to which 50 United States Code section 4607(c) applies.

(b) In a manner that discriminates on the basis of nationality, national origin or religion and that is not based on a valid business reason.

2. "Company" means a sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company or other entity or business association, and includes a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate.

3. "Direct holdings" means all publicly traded securities of a company that are held directly by the state treasurer or a retirement system in an actively managed account or fund in which the retirement system owns all shares or interests.

4. "Indirect holdings" means all securities of a company that are held in an account or fund, including a mutual fund, that is managed by one or more persons who are not employed by the state treasurer or a retirement system, if the State treasurer or retirement system owns shares or interests either:

(a) together with other investors that are not subject to this section.

(b) that are held in an index fund.

5. "Public entity" means this State, a political subdivision of this STATE or an agency, board, commission or department of this state or a political subdivision of this state.

6. "Public fund" means the state treasurer or a retirement system.

7. "Restricted companies" means companies that boycott Israel.

8. "Retirement system" means a retirement plan or system that is established by or pursuant to title 38.

### You must select one of the following:

\_\_\_\_\_ My company **does not** participate in, and agrees not to participate in during the term of the contract a boycott of Israel in accordance with A.R.S. §35-393.01. I understand that my response will become public record.

\_\_\_\_\_ My company **does** participate in a boycott of Israel as defined by A.R.S. §35-393.01.

By submitting this affidavit, the undersigned person or entity with whom the Town of Paradise Valley is contracting agrees to indemnify and hold the Town of Paradise Valley, its officials, officers, directors, employees, volunteers and agents, harmless from any claims or causes of action relating to the Town of Paradise Valley's action based upon reliance on the above representations, including the payment of all costs and attorney fees incurred by the Town of Paradise Valley in defending such an action.

\_\_\_\_\_  
Signature of persons Authorized to Sign

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

## **APPENDIX 1 - TOWN OF PARADISE VALLEY SAMPLE CONTRACT**

Contract Pursuant to Solicitation  
2022 General Plan Update

To be Posted Separately

# **TOWN OF PARADISE VALLEY**

## **2022 General Plan Update Process**

**September 10, 2020**





# TONIGHT'S GOAL

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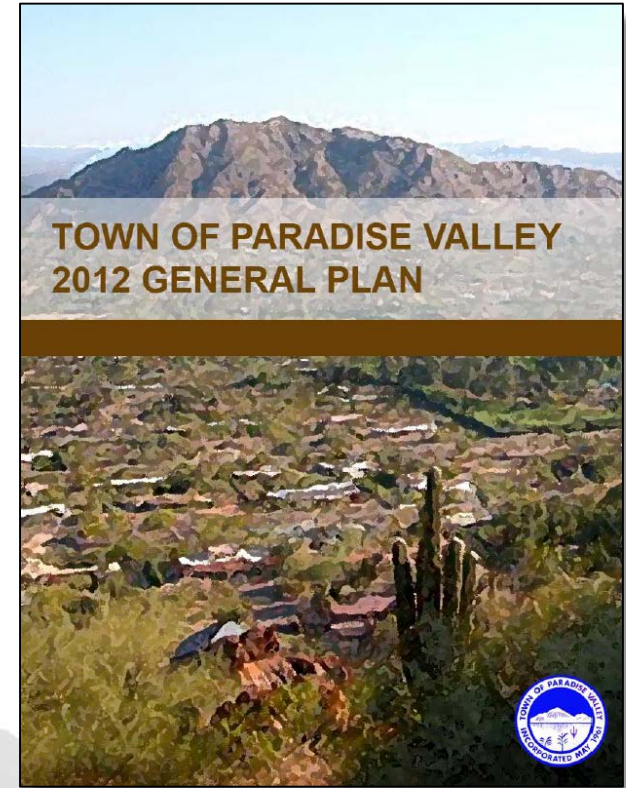
To provide Council a brief update on the 2022 General Plan Project

- Discussion of the project budget
- Consultant selection process
- Review process going forward

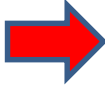
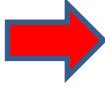
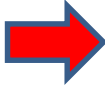
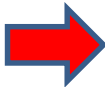


# AGENDA

- What is a General Plan
- State Requirements
- Preliminary Schedule
- Discussion Items



# WHAT IS A GENERAL PLAN

- Re-adoption shall occur on or before 10<sup>th</sup> anniversary  Current 2012 General Plan is an update of 2003 General Plan
- Created through public input; is an expression of community aspirations, goals, and intentions that are used to guide future community decisions  Public Participation Plan outlines opportunities for public engagement
- Adopted by Council, and ratified by the voters  General Election in August 2022
- Foundational document that guides decisions about growth, development and services  Implementation as a tool to align, as much as possible and reasonable, the Town's annual budget and Capital Improvement Plan (CIP)



# STATE REQUIREMENTS

## Required elements per A.R.S

1. Land Use Element
2. Circulation Element
3. Open Space Element
4. Growth Area Element
5. Environmental Planning Element
6. Cost of Development Element
7. Water Resource Element

## 2012 General Plan elements

1. Land Use and Development
2. Community Character and Housing
3. Mobility
4. Open Space and Recreation
5. Environmental Planning and Water Resources
6. Sustainability
7. Public Facilities/Services and Cost of Development



# STATE REQUIREMENTS

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Other required elements per A.R.S. for larger cities (pop.) than Paradise Valley include:

- ✓ Conservation Element
- ✓ Recreation Element
- ✓ Transportation Element (additional topics required to be covered)
- ✓ Public Services & Facilities Element
- ✓ Public Buildings Element
- ✓ Housing Element
- ✓ Conservation, Rehabilitation & Redevelopment Element
- ✓ Safety Element
- ✓ Bicycling Element
- ✓ Energy Element
- ✓ Neighborhood Preservation & Revitalization Element



# WHAT A GENERAL PLAN IS NOT

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The General Plan is **NOT**:

- A Zoning Map
- An unchangeable document
- A detailed policy for specific properties or areas
- A Capital Improvement Program



# PRELIMINARY SCHEDULE

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<b>Request for Proposal Issued</b>	<b>August 24, 2020</b>
<b>Deadline for RFP Submittal (via Bonfire)</b>	<b>September 14, 2020</b>
<b>Selection Committee Shortlist</b>	<b>Sept. 18, 2020</b>
<b>Interviews</b>	<b>Week of Sept. 21, 2020</b>
<b>Contract Approval by Council</b>	<b>October 8, 2020</b>



# DISCUSSION ITEMS

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- Discussion of the project budget
  - ✓ \$120,000 budget split between fiscal years 2020 and 2021
- Consultant selection process
  - ✓ Proposers will be shortlisted and selected for interviews
  - ✓ Town Manager, Planning Manager, Special Projects Planner
- Review process going forward
  - ✓ Public Participation Plan – will outline committee(s), milestones etc.
- Project Deliverable
  - ✓ Council expectations





# THANK YOU

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## Additional Questions?





## Action Report

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**File #:** 20-329

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**TO:** Mayor Bien-Willner and Town Council Members

**FROM:** Jill Keimach, Town Manager  
Peter Wingert, Chief of Police

**DATE:** September 10, 2020

**DEPARTMENT:** Police Department

**AGENDA TITLE:**

Police Department Update

**SUMMARY STATEMENT:**

On June 16, 2020, President Trump signed an Executive Order reforming law enforcement training, tactics, policies and reporting. Members of both the U.S. House of Representatives and the U.S. Senate have introduced and voted on police reform measures. Since June 15, 2020, 27 of states in the Union have introduced legislative bills on police reform, with several of those states passing and implementing those legislative efforts. Other groups, including the U.S. Conference of Mayors, the International Association of Chiefs of Police, and the American Civil Liberties Union have come out with best practices on law enforcement use of force, training and reporting. This presentation will summarize the police reform efforts nationwide and compare where the PVPD currently stands in compliance with those new best practices.

**BUDGETARY IMPACT:**

There is no budget impact to receiving this presentation.

**ATTACHMENT(S):**

Powerpoint titled "091020 Police Department Update"

# **POLICE DEPARTMENT UPDATE: EXECUTIVE ORDER ON POLICE REFORM**





# Police Reform

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- Since June 1, 2020:
  - President Trump signed an Executive Order to reform policing
  - The U.S. House of Representatives voted on a police reform bill
  - The U.S. Senate voted on a police reform bill
  - 27 States have considered measures to reform policing
  - The U.S. Conference of Mayors suggested reform measures



# Reform Categories

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- Most reform measures fall into four broad categories:
  - Reporting
  - Policy
  - Training
  - External factors



# Reporting Reform

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- Reporting:

1. Mandate state licensing for officers
2. Mandate policing agencies seek credentialing
3. Mandate FBI Use of Force data collection
4. Report Use of Force, including Show of Force
5. Mandate tracking traffic stops, arrests, and searches by demographic
6. Implement national registry of officer misconduct
7. Mandate nationwide standards for reporting to Brady Lists





# Policy Reform: Officer Actions

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1. Ban chokeholds except as deadly force-implemented June 2020
2. Duty to intervene-implemented June 2020
3. Use deadly force as a last resort-implemented June 2020
4. Recognize Sanctity of Life
5. Use minimum force necessary
6. Do not fire a firearm at a moving vehicle
7. Officer to identify self prior to using force
8. Require a use of force continuum
9. Mandate Body Worn Cameras
10. Restrict high speed pursuits



# Policy Reform: Department Action

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1. Limit or ban “no knock” warrants-implemented June 2020
2. Publish use of force data
3. Eliminate “Broken Windows” and “Stop & Frisk” policing practices
4. Implement “Hot Spot” policing practices
5. Accept anonymous complaints against officers
6. Vision toward community policing
7. Policy towards citation / warning





# Training Reform: Mandatory

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1. De-escalation training-September 2020
2. Autism training-January 2021
3. Anti-bias/Implicit bias training
4. Procedural justice training
5. Cultural literacy training
6. Regular training on department's use of force policy



# Industry External Factors

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1. Mandate Independent Investigations on use of force
2. Do not purge discipline records-AZ law already
3. Reform asset forfeiture policies
4. Reduce availability of surplus military equipment to law enforcement
5. Ban police unions
6. Reform qualified immunity
7. Consider liability / malpractice insurance
8. Civilian review panel for use of force
9. Restrict less-lethal during 1<sup>st</sup> Amendment functions (tear gas, rubber projectiles)
10. Compensate victims of excessive force
11. Post settlements on website



# *Continual*

## Law Enforcement Improvements

- A. Reconsider police officer tasks
  - 1. Response to mental health issues
  - 2. Response to homelessness
  - 3. Response to addiction treatment
  - 4. Response to neighbor disputes
  - 5. Response to school truancy/discipline issues
- B. Consider alternatives for non-violent disputes
- C. Mediation programs



# Questions?

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## Action Report

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**File #:** 20-332

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**TO:** Mayor Bien-Willner and Town Council Members

**FROM:** Jill Keimach, Town Manager  
Peter Wingert, Chief of Police

**DATE:** September 10, 2020

**DEPARTMENT:** Police Department

**AGENDA TITLE:**

Discussion of License Plate Recognition Contract

**RECOMMENDATION:**

Staff will provide information on License Plate Recognition (LPR) Request for Proposal (RFP) completed over the summer. Staff recommends that the Town Council approve the purchase of LPR equipment at the September 24, 2020 Business meeting.

**SUMMARY STATEMENT:**

During FY 21, \$350,000 was requested and approved to purchase and install new license plate recognition equipment at the current LPR sites. During the summer, staff issued an RFP that received 11 responses. Staff requested presentations from two of the respondents, Motorola and PCS Mobile. After the presentations, the evaluation team expressed that Motorola was best solution for the town based their qualifications and project submission.

After negotiations, Motorola submitted a quote of just under \$310,000 to complete the project and support the purchase for five years of service. The Contract is under legal review and will be ready for the September 24, 2020 Council session.

This presentation will provide the Town Council with the background information needed to decide on signing the contract with Motorola during the September 24, 2020 Business meeting.

**BUDGETARY IMPACT:**

During FY 21, \$350,000 was budgeted for this Capital Improvement Project.

**ATTACHMENT(S):**

"09102020 LPR RFP study session"

"Procurement Summary document final"

# TOWN OF PARADISE VALLEY

## License Plate Recognition

September 10, 2020





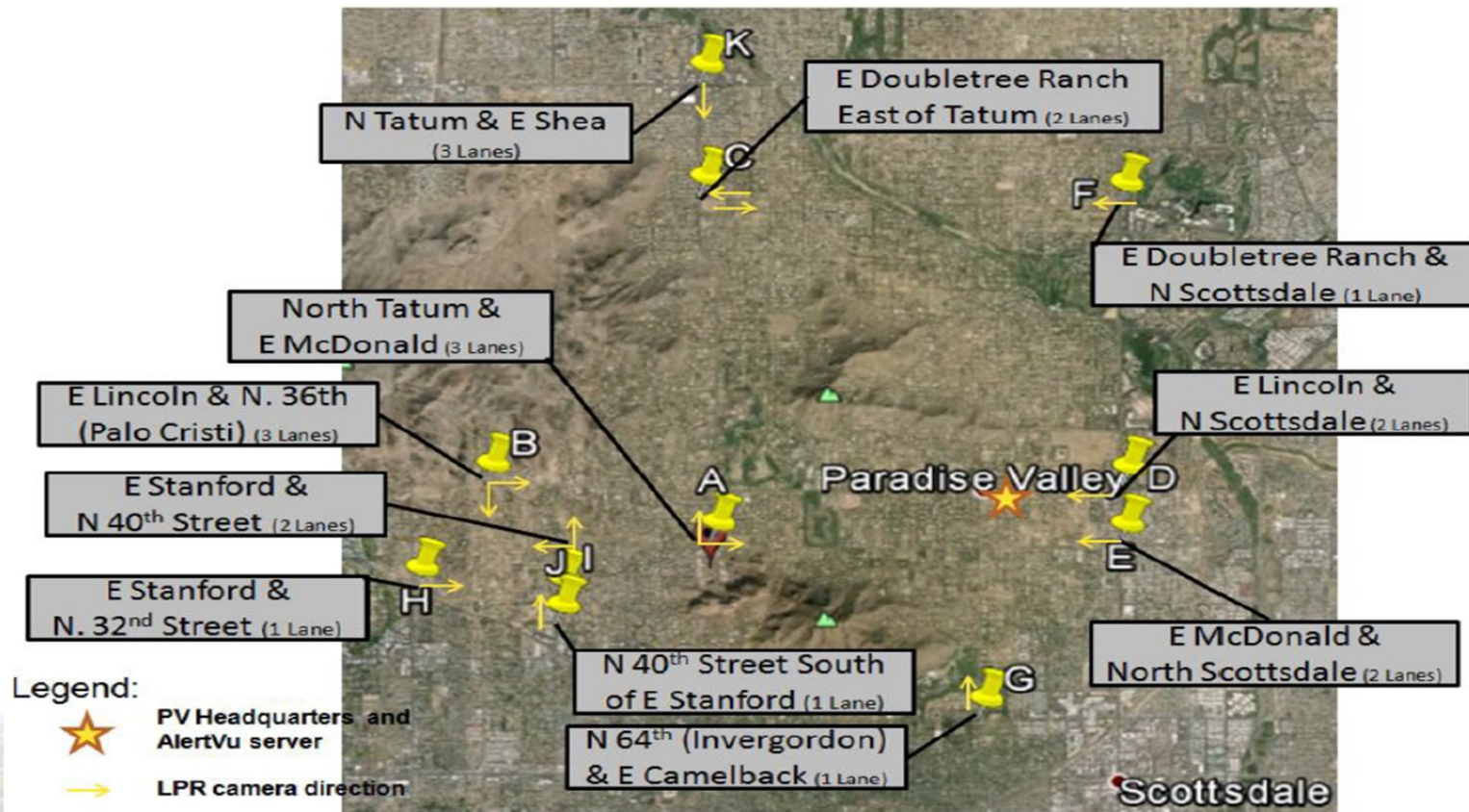
# Key Question

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Is the Council ready to invest in the next generation of Paradise Valley's LPRs?



# L P R Locations





# L P R History

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- License plate recognition--Why?
  - Shapiro homicide (1/2012)
  - Residents anxiety increase in property crime (Late 2012)
  - Perceived year over year increases in property crime in PV (2013)
  - Public Safety Task Force (04/2013)
  - Approved in FY 15 Budget
- First 7 units live in May 2015
- Final 4 units live in September 2015



# L P R Results

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- Between 2015 and 2018 LPR direct results:
  - 54 arrests
  - 13 recovered stolen vehicles
  - Highlights:
    - Aggravated assault in Phoenix in August 2015
    - Armed robbery in December 2017
    - Recovery of Mercedes AMG in February 2017



# LPR Request for Proposal

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- Budgeted \$350,000 in CIP in FY 21 budget.
- Published RFP during Summer 2020.
- Received 11 responses.
  - Maintain the current LPR locations.
  - Upgrade equipment within current infrastructure.



# LPR Request for Proposal

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- Evaluation team reviewed and ranked proposals.
- Two respondents were asked to provide virtual presentations.



# LPR Request for Proposal

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- Motorola Solutions and PCS Mobile provided virtual presentations on July 22, 2020.
- After presentations, Motorola was selected based on the highest scoring, most qualified response.



# Costs

- Five-year contract costs \$308,006.67.
  - Includes 2% discount for paying years 2 through 5 in advance
  - Includes all maintenance fees



# Next Steps

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- September 24, 2020 Council meeting
  - Authorization to sign contract to start replacement of LPR system.





# Key Question

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Is the Council ready to invest in the next generation of Paradise Valley's LPRs?



# L P R

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## Questions or Comments







## Cactus Camera

Aesthetically mounted cameras





## PROCUREMENT SUMMARY

**PROCUREMENT NUMBER:** 20-112-POL  
**PROCUREMENT TITLE:** Automated License Plate Reader (ALPR)

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**DATE PUBLISHED ON Bonfire (E-procurement webpage):**

March 6, 2020

**DATE CLOSED:** May 31, 2020

**CONTRACT TYPE:**

**NUMBER OF PROPOSALS SOLICITED:** 28

**NUMBER OF RESPONSES RECEIVED:** 11

**CONTRACT TERM:**

CONTRACT TERM (5) Years. Term shall commence on the date of award and continue for a period of (1) year and may be extended for supplemental periods of up to maximum of (48) months.

**CONTRACT ANNUAL VALUE (EST.):** Year one \$78,170.00 Total 5 Year Contract \$294,890.00

**FINANCIAL IMPLICATIONS (EST.):**

The initial expenditure is anticipated at \$78,170.00 and the annual renewal expense is \$44,000.00 and has been budgeted. Firm has offered a 2% discount for annual renewable subscription paid in advance.

**1. Number (11) responses were received in response to this procurement. The respondents were:**

- |                              |                                     |
|------------------------------|-------------------------------------|
| 1.1 CelPlan Technologies     | 1.6 Neology                         |
| 1.2 Comsonics                | 1.7 PCS Mobile                      |
| 1.3 Flock Safety             | 1.8 Quest Solution                  |
| 1.4 Jenoptik                 | 1.9 Rekor Recognition Systems, Inc. |
| 1.5 Motorola Solutions, Inc. | 1.10 SF Mobile-Vision, Inc.         |
|                              | 1.11 Turn-Key Mobile Inc.           |

**2. Contract Intent:** The purpose of the contract(s) is to contract with a comprehensive Automated License Plate Reader (ALPR) company who can assist the Town with upgrading our current fixed ALPR locations throughout the Town. The Proposer should provide an integrated solution that allows fixed locations to run off of a common database, interface in the same analytical investigative software, provide information to officers in the patrol vehicles and to the dispatcher in the communications center, and provide technical assistance to the Town in identifying additional desirable locations for fixed ALPR for investigative purposes. Proposers must be able to integrate with existing in-car technology, which currently consists of Mobile Data Computers (MDCs), Tyler Technology CAD/RMS, e-ticketing, Automated Vehicle Locators (AVL), in-car cameras, body worn cameras, etc. The ALPR project will be completed by replacing the 13 outdated ALPR with the possibility of identifying additional desirable locations.

**3. Evaluation Committee composed of the following team members:**

Peter Wingert - Chief of Police	Peggy Ferrin – Procurement Coordinator
Freeman Carney – Police Commander	Michael Cole – Police Commander
Heather Beckwith – Lead Police Dispatch	William Perea – Public Safety System Analyst
Andrea Ford – Crime Analyst	Walter Wonjono – Information Technology Analyst

4. **The responses were evaluated to select the most responsible offer whose proposal is determined in writing to be the most advantageous based on the following criteria in relative order of importance:**

- a) Project Understanding and Project Approach
- b) Cost Consideration
- c) Experience/Similar Projects
- d) Training and Ongoing Technical Support
- e) Conformation to Request for Technical Proposals

5. **In the initial evaluation the results of the evaluation scoring were as follows:**

<b>Respondent</b>	<b>Score</b>	<b>Respondent</b>	<b>Score</b>
Motorola Solutions, Inc.	82.58	PCS Mobile	81.08
Jenoptik	75.58	Flock Safety	68.00
Flock Safety	68.00	Rekor Recognition Systems, Inc.	65.67
Quest Solution	63.17	Neology	63.17
CelPlan Technologies	59.67	Turn-Key Mobile Inc.	58.92
Comsonics	58.25	SF Mobile-Vision, Inc	50.75

6. **The Evaluation Committee shortlisted the following respondents: In the shortlist evaluation the results of the evaluation scoring were as follows:**

<b>Respondent</b>	<b>Score</b>	<b>Respondent</b>	<b>Score</b>
Motorola Solutions, Inc.	178.17	PCS Mobile	135.83

7. **The Evaluation Committee found it adventitious to hold Best and Final Evaluations to clarify the cost consideration, technical requirements, preventive maintenance plans and extend the validity of the proposal timeline.**

**In the Best and Final evaluation, the results of the evaluation scoring were as follows:**

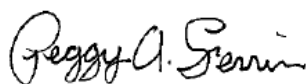
<b>Respondent</b>	<b>Score</b>	<b>Respondent</b>	<b>Score</b>
Motorola Solutions, Inc.	274.83	PCS Mobile	208.17

8. **Recommendation of Contract Award: Motorola Solutions, Inc.**

Basis of Award: Highest scoring, most qualified response.

9. **Additional Comments:**

The respondent shortlist was announced on July 7, 2020. The notice requesting Best and Final Offers was sent to the shortlisted finalists on July 24, 2020.



Peggy A. Ferrin, CPPB, Procurement Coordinator

August 11, 2020

Date



## Action Report

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**File #:** 20-346

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**TO:** Mayor Bien-Willner and Town Council Members

**FROM:** Jill Keimach, Town Manager  
Douglas Allen, CFO

**DATE:** September 10, 2020

**DEPARTMENT:** Finance

**AGENDA TITLE:**

**Discussion and possible direction on options for Banking and Investment Services**

**SUMMARY STATEMENT:**

The approach to selecting the Town's banking and investment service providers was discussed by the "Banking and Investment Summer Workgroup" and is being brought to the Mayor and Town Council in the spirit transparency, to continuously find improvements and to regularly review processes that support the Town's tradition of judicious fiscal management. The discussion was not initiated by or a result of dissatisfaction or concern with the Town's current banking services or investment practices.

**Three services areas under consideration:**

- I. Government banking services;
- II. Merchant Services (Credit Cards); and
- III. Investment pool participation.

**I. GOVERNMENT BANKING**

The Town has used Wells Fargo as its primary bank for all governmental banking services for an extended period. The pricing contract has expired. Like all other contracts with the Town, a formal procurement process is required.

With the complexity and infrequent nature of procuring banking services, governments typically engage a consultant to assist in this process. However, compared to medium and large municipalities, the cost benefit of a consultant for Paradise Valley is a factor to consider.

**Recommended Action:**

Extend with Wells Fargo through December 2021 via a co-op agreement for new pricing and



examine the feasibility of procurement options during the 2022 budget process.

*Why Change Pricing Models before Request for Proposal (“RFP”)?*

- The duration of a banking RFP can be extensive;
- The current pricing contract is expired and can be negotiated; and
- The Town may benefit from an estimated savings of \$4,921 per year, based on “analyzed charges” and Wells Fargo new rate structure.

*Why look to do an RFP procurement rather than extend long-term via co-op agreement?*

- Adequate assurance the selected servicing bank:
  - Is the best for the Town’s current needs; and
  - Can meet the Town’s long-term strategic financial services plan.
- Allows time for:
  - Reviewing the cost / benefit of the formal processes; and
  - Considerations and process to hire a consultant for assistance

*Can this be done administratively, or does it require Council action?*

- Extending through December 2021 can be done administratively:
  - The service is specifically budgeted; and
  - The full contract cost is less than \$100,000.
- Extending into CY2022 would require Council action:
  - The full multi-year contract costs are estimated over \$100,000.
- The FY2021/22 budget would charter the course beyond December 2021.

## **II. MERCHARGE SERVICES (CREDIT CARDS)**

Currently the Town has two service providers:

- “Wells Fargo” terminals are physically in Municipal Court and Post Office; and
- “Express Bill Pay” on-line services are utilized by Community Development and Finance Departments.

Community Development passes the credit cards fees along to the customer, all other departments do not. Any proposals for these services will require a concerted effort of all impacted departments.

### **Recommended Action:**

Continue with status quo and review concurrently, but separately with Banking Services before adoption of the FY2021/22 budget. The goal is to find / validate what is best for the Town and its customers.

## **III. INVESTMENT POOLS**

The Town’s Investment Policy allows for the selection of various banks, investment pools and investment managers by the Town Manager or designee that meet the Town’s objectives as stated and defined in the Investment Policy.

Per policy, Management is to “maintain a list” of potential and eligible providers. The current list includes one investment manager, one service bank and participation in two investment pools:

- PFM, Investment Management;
- Wells Fargo, Service Bank;
- Wells Fargo Money Market pool account; and
- State of Arizona Treasurer’s Local Government Investment Pool #5 (LGIP).

**Scheduled Action:**

A Request for Proposal is scheduled to be released September 15<sup>th</sup>, 2020 to expand the current list of qualified banks with investment pools and services. Any number (none, one, or more) responding investment banks may be selected and added to the list of options for the Town.

**ATTACHMENT(S):**

Banking Services Presentation v1

# Banking and Investment Services



September 10<sup>th</sup>, 2020

# Banking and Investment Services

Scope

## PURPOSE OF AGENDA ITEM

The approach to selecting the Town’s banking and investment service providers was discussed by the “*Banking and Investment Summer Workgroup*” and is being brought to the Mayor and Town Council in the spirit of transparency, to continuously find improvements and to regularly review processes that support the Town’s tradition of judicious fiscal management.

## NOT DISSATISFIED WITH SERVICES

The discussion was not initiated by or a result of dissatisfaction or concern with the Town’s current banking services or investment practices.

## THREE SERVICE AREAS

- I. Government banking services;
- II. Merchant Services (Credit Cards); and
- III. Investment pool participation.



# Banking and Investment Services

## I. Banking

### CURRENT STATUS

The pricing contract for Banking Services with Wells Fargo has expired.

With the complexity and infrequent nature of banking Request for Proposals (“RFP”), experts are typically engaged.

### RECOMMENDED ACTION

- Extend with Wells Fargo through December 2021 via coop agreement;
- Receive new pricing; and
- Examine the feasibility of procurement options during the 2022 budget process, such as a Request for Proposal (“RFP”).

### WHY CHANGE PRICING BEFORE RFP?

- Duration of RFP; Pricing contract negotiable
- Estimated cost savings of \$4,921

### WHY RFP vs CO-OP?

Find what is best for the Town’s current and long-term strategic financial services plan.

### ADMINISTRATIVELY OR COUNCIL ACTION

- Extending to Dec 2021 can be done administratively; (budgeted and cost < \$100,000)
- Into CY2022 requires Council action as estimated cost over \$100,000;
- The FY2021/22 budget would give direction beyond December 2021.





### CURRENT STATUS

The Town has two service providers:

- “Wells Fargo” terminals are physically in Municipal Court and Post Office; and
- “Express Bill Pay” on-line services are utilized by Community Development and Finance Departments.

Community Development passes the credit cards fees along to the customer, all other departments do not.

Any RFPs for these services will require a concerted effort of all impacted departments.

### RECOMMENDED ACTION

Continue with status quo and review concurrently but separately with Banking Services before adoption of the FY2021/22 budget.

Goal will be to find / validate what is best for the Town and its customers.



### CURRENT STATUS

Per the investment policy, Management is to “maintain a list” of potential and eligible providers.

The current list of options includes one investment manager, one service bank and participation in two investment pools:

- PFM, Investment Management;
- Wells Fargo, Service Bank;
- Wells Fargo Money Market pool account;
- State of Arizona Treasurer’s Local Government Investment Pool #5 (LGIP).

### SCHEDULED ACTION

A Request for Proposal is scheduled to be released September 15th, 2020 to expand the current list of qualified banks with investment pools and services.

Any number (one, one or more) responding investment banks may be selected and added to the list of options for the Town.





# Banking and Investment Services

## Costs and Question

### Current WF Cost Estimates

Fund / Department	FY2020/21 Estimated Costs	
	Banking	Credit Card
General Fund	\$ 23,062	-
Alarm Fund	437	-
Fire Service	7,993	-
Sewer Fund	2,552	-
Courts *	-	\$ 15,486
Post Office *	-	8,593
CDD	-	**
Finance	-	**
Total WF	\$ 34,044	\$ 24,079

\* Based on 2019 activity

\*\* FY2020 "Express bill pay" = \$ 68,940

### IMPACT OF NEW PRICING

The next slide was provided by WF. It containing "analyzed charges" under a new pricing and shows an annual savings in banking services of \$4,921.

### COUNCIL DIRECTION (Question)

Continue as outlined and bring back before May 2021 ? Go full procurement now ? Or other ?



# Pricing Update and Subsequent Savings

As the result of the pricing extension, the following products will be updated, resulting in an annual savings of \$4,921.80 in analyzed charges:

AFP Code	Service Description	Charge Basis	New Price	Existing Price	Volume	New Charges	Existing Charges	Savings
010000	DDA STMT W/IMAGE CLASSIC-MTHLY BASE	Account	2.00000	5.00000	1	2.00	5.00	3.00
050401	WTLBX TRANSMISSION MONTHLY BASE	Transmission	75.00000	220.00000	1	75.00	220.00	145.00
100416	CEO RETN ITEM SUBSCRIPTION PER ACCT	Subscription	35.00000	75.00000	1	35.00	75.00	40.00
109999	SMART DECISION-ELEC CHECK ACH	Check deposited	0.06000	0.12000	125	7.50	15.00	7.50
109999	SMART DECISION-ELEC CHECK ACH ONUS	Check deposited	0.06000	0.12000	32	1.92	3.84	1.92
150240	PYMT AUTH MAX CHECK MTHLY BASE	Account	10.00000	60.00000	3	30.00	180.00	150.00
350300	WIRE IN DRAWDOWN- DOMESTIC	Message	10.00000	22.00000	2	20.00	44.00	24.00
40022Z	CEO EVENT MESSAGING SERVICE - EMAIL	Email	0.10000	0.30000	97	9.70	29.10	19.40
400272	CEO PREV DAY REPORTING ITEMS LOADED	Item loaded	0.03500	0.06000	173	6.06	10.38	4.33
40005Z	CEO BASIC BANKING - MONTHLY BASE	Company	5.00000	20.00000	1	5.00	20.00	15.00
								<b>410.15</b>

**\$2,837**

Existing monthly charges

**\$2,427**

New monthly charges after the  
above pricing changes

**\$4,921.80**

Total approximate annual savings in  
analyzed charges

# Banking and Investment Services



September 10<sup>th</sup>, 2020



## Action Report

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**File #:** 20-347

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**TO:** Mayor Bien-Willner and Town Council Members

**FROM:** Jill Keimach, Town Manager  
Jinnett Hancock, Human Resources Manager

**DATE:** September 10, 2020

**DEPARTMENT:** Town Manager

**AGENDA TITLE:**  
**Discussion of Sick Leave Donation Policy**

**SUMMARY STATEMENT:**

Over the last several months, we have had a number of employees who have had to use an inordinate amount of sick time not only for COVID-19 related issues, but also for other serious health issues. The Town's current policy (Section 904 L, Leave Donation Policy) allows employees to donate vacation leave to other employees who are on Family Medical Leave and who have exhausted their paid time off. Vacation time is donated on a one-hour for one-hour basis (1 hour of vacation donation = 1 hour of sick).

It is recommended to amend the policy to also allow employees to donate sick leave to employees with serious health issues who have exhausted all of their paid time off.

Donated sick time will be calculated at 50%, on a two-hour to one-hour basis (2 hours donated sick = 1 hour of sick) the same way that the year-end sick hour conversion is calculated in Section 904 J. You may recall that this policy was temporarily suspended earlier this year as Town cost saving measure. Please see Attachment A with the recommended policy revision.

Approval of this amendment would allow for not only the employee with a serious health issue to gain needed sick time, but it also reduces the Town's outstanding liability without incurring any additional costs. Also important is that it allows employees to show support and to help out their coworkers when they need it the most.

**ATTACHMENT(S):**

1. Attachment A - Section 910 L Leave Donation Policy Amendment
2. PowerPoint Presentation



## ATTACHMENT A

### SECTION 904

L. Donation of Vacation ~~and Sick~~ Leave: Vacation ~~and Sick~~ may be donated to other employees on extended Family Medical Leave and who have exhausted their paid leave accruals. The following stipulations apply:

1. Vacation ~~and sick~~ may be donated by any employee to any other employee who has exhausted all of their paid leave accruals (sick, vacation) because of a medical condition as verified by a health care provider. Employees ~~who are eligible for disability benefits are prohibited from receiving both disability benefits and~~ donated hours ~~at the same time.~~
2. The employee donating vacation time must have at least 80 hours remaining after the donation. ~~The employee donating sick time must have at least 160 hours remaining.~~
3. If an employee wishes to donate hours, an Authorization for Voluntary Leave Donation and Transfer form, signed by the donating employee indicating the number of hours donated and to whom, shall be submitted to the donating employee's Department Director for approval. Once approved, the form will be forwarded to the Personnel Officer to verify vacation ~~and/or sick~~ and make the appropriate adjustments.
4. The donated vacation leave will be hour-for-hour ~~(1 to 1)~~, regardless of the employee's rate of pay, and credited to the employee's sick leave bank by the Personnel Officer.
5. ~~The donated sick leave will be two hours to one hour (2 to 1), regardless of the employee's rate of pay, and credited to the employee's sick leave bank by the Personnel Officer.~~
5. Donated hours will be credited from the date the receiving employee exhausts paid leave.
6. Upon issuance of a health care provider's release back to duty (either regular or modified duty where offered), no further donated leave will be transferred to the receiving employee.
7. Hours will be used in the order they are donated by pay period. If any hours remain unused in the receiving employee's sick leave bank, they will be returned to the donating employees in reverse order of contribution (last in, first out) based on the date the donating employee signed the Authorization for Voluntary Leave Donation and Transfer form. In the event more than one employee donated leave on the same day, the hours will be split proportionately based on their amount of respective donations.

**Deleted:** who are eligible for disability benefits are not eligible

**Deleted:** to receive

**Deleted:** value of

# TOWN OF PARADISE VALLEY

## Amendment to Human Resources Policy Section 904 L – Leave Donation



# Current Leave Donation Policy

- Allows employees to donate vacation hours to employees on Family Medical Leave who have exhausted all Town paid leave
- Hours donated on a 1 to 1 basis (1 hour of vacation = 1 hour of sick)
- Donating employee must have 80 hours left after donation





# Proposed Amendment to Leave Donation Policy

- Allow employees to donate either vacation or sick hours to employees
- Sick hours donated at 50% on a 2 to 1 basis (2 hours donated sick = 1 hour of sick)
- Calculation based on Section 904 J – 50% conversion (temporarily suspended as cost saving measure)
- Donating employee must have 160 hours left after donation (twice the vacation minimum)



# Advantages to Amendment

- Helps the employee with a serious health issue
- Reduces Town's outstanding liability
- No cost incurred by the Town
- Allows employees to help and support coworkers in need

# Amendment to Human Resources Policy Section 904L – Leave Donation Policy

Questions?



## Action Report

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**File #:** 20-335

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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); 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); and legal advice regarding zoning application for Palmeraie as authorized by A.R.S. §38-431.03(A)(3).



## Action Report

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**File #:** 20-334

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Discussion or consultation with the Town Attorney to consider the Town's position regarding Development Agreement negotiations related to the Smoke Tree Resort authorized by A.R.S. §38 431.03(A)(4), discussion or consultation with the Town representatives concerning negotiations for the purchase, sale, or condemnation of real property in the vicinity of 7100 E Lincoln Drive as authorized by A.R.S. §38 431.03(A)(7), and/or legal advice regarding Special Use Permit zoning as authorized by A.R.S. §38 431.03(A)(3.)



## Action Report

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**File #:** 20-345

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**Discussion and consultation with the Town Attorney for legal advice regarding Memorandum of Understanding between the Town of Paradise Valley and the Paradise Valley Public Safety Foundation as authorized by A.R.S. §38-431.03(A)(3).**



## Action Report

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**File #:** 20-333

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**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).**





# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Action Report

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**File #:** 20-337

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**TOWN COUNCIL MEETING  
6401 E. LINCOLN DRIVE  
PARADISE VALLEY, ARIZONA 85253  
MINUTES  
Tuesday, June 23, 2020**

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**1. CALL TO ORDER / ROLL CALL**

Mayor Bien-Willner called to order the Town Council Meeting for Tuesday, June 23, 2020 at 6:00 PM in the Town Hall Boardroom and Zoom Conference.

**COUNCIL MEMBERS PRESENT**

Mayor Jerry Bien-Willner attended by video conference  
Council Member Ellen Andeen attended by video conference  
Council Member Paul Dembow attended by video conference  
Council Member Scott Moore attended by video conference  
Council Member Anna Thomasson attended by video conference

**NOT PRESENT**

Vice Mayor Julie Pace (arrived at 6:50 PM for discussion of item 20-294)  
Council Member Mark Stanton (arrived at 6:50 PM for discussion of item 20-294)

**STAFF MEMBERS PRESENT**

Town Manager Jill Keimach attended by video conference  
Town Attorney Andrew Miller  
Town Clerk Duncan Miller  
Chief Financial Officer Douglas Allen

**A motion was made by Council Member Dembow, seconded by Council Member Thomasson, to go into executive session at 3:00 PM to discuss item number 20-293 and 20-294. The motion passed by the following vote:**

**Aye:** 5 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Council Member Thomasson

**Absent 2 -**  
Vice Mayor Pace (arrived at 6:50 PM)  
Council Member Stanton (arrived at 6:50 PM)

## 2. EXECUTIVE SESSION

- 20-293**      Discussion or consultation with the Town Attorney to consider the Town's position regarding contract negotiations with Experience Scottsdale as authorized by A.R.S. §38 431.03(A)(4) and legal advice as authorized by A.R.S. §38 431.03(A)(3).
- 20-294**      Discussion of Town Manager and Town Attorney annual performance review as authorized by A.R.S. §38 431.03(A)(1) and/or discussion regarding the Town Manager and Town Attorney employment agreements as authorized by A.R.S. §38 431.03(A)(4).

## 3. ADJOURN

A motion was made by Mayor Bien-Willner, seconded by Council Member Andeen, to adjourn. The motion passed by the following vote:

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

Mayor Bien-Willner adjourned the meeting at 9:15 PM

**TOWN OF PARADISE VALLEY**

SUBMITTED BY:

\_\_\_\_\_  
Duncan Miller, Town Clerk

**STATE OF ARIZONA**                    )  
  :ss.  
**COUNTY OF MARICOPA**            )

**CERTIFICATION**

I, Duncan Miller, Town Clerk of the Town of Paradise Valley, Arizona hereby certify that the following is a full, true, and correct copy of the minutes of the regular meeting of the Paradise Valley Town Council held on Tuesday, June 23, 2020.

I further certify that said Municipal Corporation is duly organized and existing. The meeting was properly called and held and that a quorum was present.

\_\_\_\_\_  
Duncan Miller, Town Clerk



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Action Report

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**File #:** 20-338

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**TOWN COUNCIL MEETING  
6401 E. LINCOLN DRIVE  
PARADISE VALLEY, ARIZONA 85253  
MINUTES  
Thursday, June 25, 2020**

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**1. CALL TO ORDER / ROLL CALL**

Mayor Bien-Willner called to order the Town Council Meeting for Thursday, June 25, 2020 at 2:00 p.m. in the Town Hall Boardroom and through remote participation as authorized by Resolution 2020-08.

**COUNCIL MEMBERS PRESENT**

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

**STAFF MEMBERS PRESENT**

Town Attorney Jill Keimach attended by video conference  
Town Attorney Andrew Miller  
Assistant Town Attorney Deborah Robberson attended by video conference  
Town Clerk Duncan Miller  
CFO Douglas Allen attended by video conference

**A motion was made by Council Member Dembow, seconded by Council Member Thomasson, to go into executive session to discuss agenda items 20-292 and 20-205 at 2:02 PM. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

Mayor Bien-Willner reconvened the Study Session at 3:18 PM

**A motion was made by Council Member Dembow, seconded by Council Member Thomasson, to go into executive session to discuss agenda items 20-276 regarding agenda item 20-284 at 3:18 PM. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

## **2. EXECUTIVE SESSION**

- 20-292** Discussion or consultation with the Town representatives concerning negotiations for the purchase, sale, or condemnation of real property in the vicinity of 7100 E Lincoln Drive as authorized by A.R.S. §38 431.03(A)(7) and/or discussion and consultation with the Town Attorney for legal advice as authorized by A.R.S. §38 431.03(A)(3.)
- 20-305** Discussion and consultation with the Town Attorney regarding contract negotiations or pending or contemplated litigation, related to Five Star Development project as authorized by A.R.S. §38-431.03(A)(4); 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); and legal advice regarding zoning application for Palmeraie as authorized by A.R.S. §38-431.03(A)(3).
- 20-276** 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).

Mayor Bien-Willner convened the study session at 3:25 PM.

## **3. STUDY SESSION ITEMS**

### **COUNCIL MEMBERS PRESENT**

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



**STAFF MEMBERS PRESENT**

Town Attorney Jill Keimach attended by video conference

Town Attorney Andrew Miller

Assistant Town Attorney Deborah Robberson attended by video conference

Town Clerk Duncan Miller

Town Engineer Paul Mood attended by video conference

Chief of Police Peter Wingert attended by video conference

Community Development Director Jeremy Knapp

CFO Douglas Allen attended by video conference

**20-282                      Discussion of a Revised Statement of Direction for a Major Special Use Permit Amendment (SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort**

Community Development Director Jeremy Knapp summarized the history of the Smoke Tree Resort Special Use Permit application, the amended application, and the Council's decision to return the application to the Planning Commission for review.

The Council discussed each provision of the revised Statement of Direction and offered suggested edits. There was consensus to take action on the revised Statement of Direction later during the business meeting.

**20-299                      Discussion of the Federal Cares Act, the AzCares Fund, AzDEMA, and FEMA Reimbursements for the Town**

Chief Financial Officer Douglas Allen explained the state and federal CARES Act reimbursement opportunities for COVID-19 expenses, including who is eligible and what can be reimbursed.

There was Council consensus to take action on the related Resolutions during the business meeting.

**20-274                      Discussion of Building Pad Height**

Town Engineer Paul Mood summarized previous discussions related to building pad height. At the May 14 Council meeting, staff was directed to prepare a list of items for Planning Commission review and recommendation. Mr. Mood presented the following proposed topic list:

- Limit on building pad heights
- Limit on finished floor heights
- Limits on fill outside of building pad (patios, pools & landscape areas)
- Definitions
- Impacts to drainage
- Impacts to surrounding properties
- Requirement and timing of finished floor elevation and structure height certifications.
- Feedback from residents and development community

There was Council consensus to direct the Planning Commission to review the list of items over the summer and report back on their recommendations.

### **20-283            Discussion of Cut-Through Traffic**

Town Engineer Paul Mood, Police Chief Peter Wingert, and Community Development Director Jeremy Knapp discussed options to address cut-through traffic including:

- **Education:**
  - Influence social mapping platforms (waze, google maps, etc.)
  - Public Outreach
- **Engineering**
  - Cut-Through Traffic Data Collection
  - Signage, Speed Radar Signs, etc.
  - Speed Humps (adopt policy for use on residential streets only)
  - Chicanes
  - Roundabouts
  - Thresholds for Implementation
  - Cost considerations (resident participation)
- **Enforcement:**
  - Patrols
  - Hot Spot Program
    - Speed Trailer
    - Mobile Photo Enforcement

It was agreed that cut-through traffic should be studied more in conjunction with the mobility element of the General Plan update. There was Council consensus to send these items to the Planning Commission for study.

### **20-298            Discussion and Direction to Enact a Summer Work Group for Banking and Investment Services and Related Policies**

Chief Financial Officer Douglas Allen presented a proposal to set up a summer work group to review the following policies:

- Banking services;
- Participation in investment pools;
- Updating the Town's investment policies;
- Drafting a PSPRS pension liability reserve policy; and
- Other improvements related to banking, investments and policies.

There was Council support for setting up a group made up of Council Member Andeen, Council Member Thomasson, and Scott Moore to advise the CFO. Mr. Allen stated he would present recommendations to the Council in the fall.

**20-288          Discussion of the Town's Actual Revenue Collections to-date**

Mr. Allen stated that as part of the Fiscal Year 2020-2021 budget, staff committed to providing monthly updates to Council regarding revenue collections. He presented data on local Transaction Privilege Taxes and Occupancy Taxes received through April 2020. (Presentation included with agenda packet and may be accessed online or by visiting the Town Clerk's Office)

Mayor Bien-Willner recessed the meeting at 5:44 PM.

**4. BREAK**

**5. RECONVENE FOR REGULAR MEETING**

Mayor Bien-Willner reconvened the meeting at 6:00 PM.

**6. ROLL CALL****COUNCIL MEMBERS PRESENT**

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

**STAFF MEMBERS PRESENT**

Town Attorney Jill Keimach attended by video conference  
Town Attorney Andrew Miller  
Assistant Town Attorney Deborah Robberson attended by video conference  
Town Clerk Duncan Miller  
Town Engineer Paul Mood attended by video conference  
Chief of Police Peter Wingert attended by video conference  
Community Development Director Jeremy Knapp  
Chief Information Officer Steven Brunasso attended by video conference  
Chief Financial Officer Douglas Allen attended by video conference  
Senior Planner George Burton

**7. PLEDGE OF ALLEGIANCE\***

Mayor Bien-Willner led Pledge of Allegiance.

**8. PRESENTATIONS**

**20-301            Recognition of Donors to the Paradise Valley Mountain Preserve Trust**

Mayor Bien-Willner presented a proclamation to resident Christa Berlanti recognizing her for donating two conservation easements to the Paradise Valley Mountain Preserve Trust. He also recognized Pam Hait, Estelle Cohen and Sebastien Millon for writing and illustrating the children's book *The Story of Camelback Mountain* with proceeds benefitting the PVMPT.

**9. CALL TO THE PUBLIC**

There were no public comments.

**10. CONSENT AGENDA**

**20-278 Minutes of Town Council Meeting May 28, 2020**

**20-279 Minutes of Town Council Special Meeting June 2, 2020**

**20-280 Minutes of Town Council Meeting June 11, 2020**

**20-289 Call a Special Meeting for August 20, 2020 to Canvass the Election**

**Recommendation:** Call a Special Meeting for August 20, 2020 to Canvass the Vote and Authorize that a quorum of the Town Council may attend and vote electronically.

**20-285 Approval of 1st Amendment to Maricopa County Animal Care and Control Intergovernmental Agreement**

**Recommendation:** Approve the 1st Amendment to the IGA with Maricopa County to provide Animal Care and Control services.

**20-286 Approve Resolution 2020-27 Amending the Fiscal Year 2019/20 Adopted Budget**

**Recommendation:** Approve Resolution 2020-27 Amending the Fiscal Year 2019/20 Adopted Budget

**20-287 Approve Resolution 2020-24 Designating the Chief Fiscal Officer as the Town's Filing Agent for the Annual Expenditure Limitation Report for FY 2020/21**

**Recommendation:** Approve Resolution 2020-24 Designating the Chief Fiscal Officer as the Town's Filing Agent for the Annual Expenditure Limitation Report for FY 2020/21

**20-290 Approve Resolution 2020-23 Designating Applicant's Agent**

**Recommendation:** Approve Resolution 2020-23 Designating Applicants Agent

**20-291 Approve Resolution 2020-22 Authorizing an Application for and Acceptance of AzCares Funding and to Authorize the Town Manager to Execute Required Documents**

**Recommendation:** Approve Resolution 2020-22 Authorizing an Application for and Acceptance of AzCares Funding and to Authorize the Town Manager to Execute Required Documents

- 20-296      Approval of an Infrastructure Improvement Agreement With Mountain Shadows Resort (“Resort”) Providing For Payment By The Resort Of The Town’s Design And Construction Costs For A New Median And Deceleration Lane On Lincoln Drive To Allow Left-Turn Access For Westbound Traffic Into The Resort’s Westernmost Driveway**

**Recommendation:** Authorize the Town Manager to execute an infrastructure improvement agreement with Mountain Shadows Resort.

- 20-297      Approval of Amendment to the Town Manager’s Employment Agreement**

**Recommendation:** Authorize the Mayor to execute Amendment No. 1 to the Town Manager’s Employment Agreement, Contract No. CON-19-063-TMG-A1, and waive the Council’s policy to delay execution of the agreement until expiration of the two-week waiting period.

- 20-302      Adoption of Resolution 2020-26; Authorizing The Mayor And Town Manager To Advocate On Behalf Of Town Council During Council Recess**

**Recommendation:** Adopt Resolution 2020-26 Authorizing the Mayor and Town Manager to advocate on behalf of Town Council during council recess

**A motion was made by Vice Mayor Pace, seconded by Council Member Thomasson, to approve the Consent Agenda as submitted. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

## **11. PUBLIC HEARINGS**

There were no public hearings.

**12. ACTION ITEMS****20-273 Award of Construction Contract for Sanitary Sewer Repairs**

Town Engineer Paul Mood presented a contract with Achen-Gardner Construction in the amount of \$281,842.96 to repair sewer lines at the following locations:

1. Saguaro Place: 152 feet
2. Mockingbird Lane: 337 feet
3. 69<sup>th</sup> Place: 322 feet
4. Roadrunner Lane: 299 feet
5. Malcomb Lane: 73 feet
6. Invergordon Road: 80 feet

There was no discussion and no public comment.

**A motion was made by Council Member Moore, seconded by Council Member Stanton, to authorize the Town Manager to execute the construction contract with Achen Gardner Construction, LLC in the amount not to exceed \$281,842.96 and waive the 14-day contract execution waiting period. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

**20-295 Award of Construction Contract for Lincoln Drive Median Improvements**

Vice Mayor Pace declared that she had a conflict of interest on this item and would not participate.

Mr. Mood presented a contract with Markham Contracting in the amount not to exceed \$2,333,226.88 to improve the median islands on Lincoln Drive between 32<sup>nd</sup> St and Mockingbird Lane.

There was no discussion and no public comment.

**A motion was made by Council Member Moore, seconded by Council Member Stanton, to authorize the Town Manager to execute the construction contract with Markham Contracting Co., Inc. in the amount not to exceed \$2,333,226.88 and waive the 14-day contract execution waiting period. The motion carried by the following vote:**

**Aye:** 6 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Council Member Stanton  
Council Member Thomasson



**Recused:** 1 - Vice Mayor Pace

**20-272          Adoption of Ordinance No. 2020-08; Amending Article 5-8-4 Native Plant Preservation and Article 5-10-5 Grading and Dust Control Regulations**

Community Development Director Jeremy Knapp presented Ordinance 2020-08 expanding the list of trees and cacti that must be inventoried as part of the Native Plant Preservation Plan when constructing a new home or remodel with a value of \$500,000 or more.

There was no discussion and no public comments.

**A motion was made by Council Member Moore, seconded by Council Member Thomasson, to Adopt Ordinance Number 2020-08. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

**20-303          Adoption of Resolution 2020-21 (Adopt Board and Commission Training Manual and Institute Training); Ordinance 2020-03 (Modify Town Code to have Council Approve Rules for Commission, BOA and HBC); Resolution 2020-09 (Adopting Rules for Commission); Resolution 2020-10 (Adopting Rules for BOA); Resolution 2020-11 (Adopting Rules for HBC)**

Town Attorney Andrew Miller presented Ordinance 2020-03 and associated resolutions adopting rules of procedures for the Planning Commission, Board of Adjustment, and Hillside Building Committee; and adopting a training manual.

There were no public comments.

**A motion was made by Council Member Thomasson, seconded by Council Member Moore, to adopt Resolution 2020-21, Ordinance 2020-03, Resolution 2020-09, Resolution 2020-10, and Resolution 2020-11 The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

**20-300            Motion to Reconsider Ordinance Number 2020-07 and the Adoption of Resolution Number 2020-25 and the Adoption of amended Ordinance Number 2020-07; Adopting Amendments to the Floodplain Section of the Town Code by Reference**

Mr. Miller stated that Ordinance 2020-07 amending the Floodplain Section of the Town Code was adopted unanimously at the June 11<sup>th</sup> meeting. Subsequently, staff determined that the Town could save printing costs by readopting the ordinance by reference. There were no changes or amendments to the text adopted at the previous meeting. This action was simply a cost-saving opportunity.

**A motion was made by Council Member Dembow, seconded by Council Member Moore, to reconsider Ordinance Number 2020-07. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

**A motion was made by Council Member Stanton, seconded by Council Member Dembow, to adopt of Resolution Number 2020-25 and adopt Ordinance Number 2020-07. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

**20-284            Approval of a Revised Statement of Direction for a Major Special Use Permit Amendment (SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort**

Community Development Director Jeremy Knapp summarized the edits made to the Statement of Direction based on feedback from the study session. He stated that the applicant waived the hearing requirement on the application and agreed to have the Planning Commission review the amended application.

Attorney Paul Gilbert addressed the Council on behalf of the applicant. The applicant was agreeable to the language and anxious to bring back the application for a hearing in the fall.

A motion was made by Council Member Moore, seconded by Council Member Stanton, to approve the revised Statement of Direction for Smoke Tree Resort, remand the Special Use Permit application to the Planning Commission, and direct staff to work on the development agreement related to land dedications and right-of-way construction. The motion carried by the following vote:

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

**20-304            Consideration of a New 3-year Contract with Two One-Year Extensions with Experience Scottsdale**

Vice Mayor Pace and Council Member Stanton declared conflicts and did not take part in this item.

Town Manager Jill Keimach presented a new contract with Experience Scottsdale for destination marketing services for the Town's resorts.

There was no public comment.

A motion was made by Council Member Moore, seconded by Council Member Dembow, to authorize the Town Manager to execute an agreement with Experience Scottsdale and waive 14 day waiting period. The motion carried by the following vote:

**Aye:** 5 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Council Member Thomasson

**Recused:** 2 - Vice Mayor Pace  
Council Member Stanton

**13. FUTURE AGENDA ITEMS**

**20-277            Consideration of Requests for Future Agenda Items**

Town Manager Keimach summarized the future agenda schedule.

There were no motions to add any items to the future agenda list.

**14. MAYOR / COUNCIL / MANAGER COMMENTS**

The Mayor, Manager, and Council Members provided updates.

**16. ADJOURN**

A motion was made by Council Member Dembow, seconded by Council Member Stanton, to adjourn. The motion carried by the following vote:

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

Mayor Bien-Willner adjourned the meeting at 8:30 PM.

**TOWN OF PARADISE VALLEY**

SUBMITTED BY:

\_\_\_\_\_  
Duncan Miller, Town Clerk

**STATE OF ARIZONA**                    )  
  :SS.  
**COUNTY OF MARICOPA**            )

**CERTIFICATION**

I, Duncan Miller, Town Clerk of the Town of Paradise Valley, Arizona hereby certify that the following is a full, true, and correct copy of the minutes of the regular meeting of the Paradise Valley Town Council held on Thursday, June 25, 2020.

I further certify that said Municipal Corporation is duly organized and existing. The meeting was properly called and held and that a quorum was present.

\_\_\_\_\_  
Duncan Miller, Town Clerk



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Action Report

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**File #:** 20-339

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**TOWN COUNCIL MEETING  
6401 E. LINCOLN DRIVE  
PARADISE VALLEY, ARIZONA 85253  
MINUTES  
Monday, July 6, 2020**

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**1. CALL TO ORDER / ROLL CALL**

Vice Mayor Pace called to order the Town Council Meeting for Monday, July 6, 2020 at 5:04 PM in the Town Hall Boardroom and Zoom Conference.

**COUNCIL MEMBERS PRESENT**

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

Outside Counsel Susan Goodwin, Gust Rosenfeld attended by video conference

**STAFF MEMBERS PRESENT**

Town Attorney Andrew Miller

**A motion was made by Mayor Bien-Willner, seconded by Council Member Thomasson, to go into executive session at 5:04 PM to discuss item number 20-310. The motion passed by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

**2. EXECUTIVE SESSION**

**20-310**

**Discussion or consideration regarding Town Attorney personnel matters (employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation) as authorized by A.R.S. 38-431.01(A)(1), including, but not limited to, annual performance review and terms of employment.**

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Note: Minutes of Town Council meetings are prepared in accordance with the provisions of Arizona Revised Statutes. These minutes are intended to be an accurate reflection of action taken and direction given by the Town Council and are not verbatim transcripts. Video recordings of the meetings along with staff reports and presentations are available online and are on file in the Office of the Town Clerk.

Persons with disabilities who experience difficulties accessing this information may request accommodation by calling 480-948-7411 (voice) or 480-348-1811 (TDD).

**3. ADJOURN**

**A motion was made by Mayor Bien-Willner, seconded by Council Member Andeen, to adjourn. The motion passed by the following vote:**

**Aye:** 7 - Mayor Bien-Willne  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

Mayor Bien-Willner adjourned the meeting at 7:16 PM

**TOWN OF PARADISE VALLEY**

SUBMITTED BY:

\_\_\_\_\_  
Duncan Miller, Town Clerk

**STATE OF ARIZONA**                    )  
  :SS.  
**COUNTY OF MARICOPA**            )

**CERTIFICATION**

I, Duncan Miller, Town Clerk of the Town of Paradise Valley, Arizona hereby certify that the following is a full, true, and correct copy of the minutes of the regular meeting of the Paradise Valley Town Council held on Monday, July 6, 2020.

I further certify that said Municipal Corporation is duly organized and existing. The meeting was properly called and held and that a quorum was present.

\_\_\_\_\_  
Duncan Miller, Town Clerk





# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Action Report

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**File #:** 20-340

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**TOWN COUNCIL MEETING  
6401 E. LINCOLN DRIVE  
PARADISE VALLEY, ARIZONA 85253  
MINUTES  
Tuesday, July 14, 2020**

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**1. CALL TO ORDER / ROLL CALL**

Vice Mayor Pace called to order the Town Council Meeting for Tuesday, July 14, 2020 at 5:02 PM in the Town Hall Boardroom and Zoom Conference.

**COUNCIL MEMBERS PRESENT**

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

Outside Counsel Susan Goodwin, Gust Rosenfeld attended by video conference

**STAFF MEMBERS PRESENT**

Town Attorney Andrew Miller

**A motion was made by Council Member Dembow, seconded by Council Member Stanton, to go into executive session at 5:02 PM to discuss item number 20-310. The motion passed by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

**2. EXECUTIVE SESSION**

**20-311**

**Discussion or consideration regarding Town Attorney personnel matters (employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation) as authorized by A.R.S. 38-431.01(A)(1), including, but not limited to, annual performance review and terms of employment; and discussion or consultation for legal advice with special counsel for the Town regarding the Town's procurement code as authorized by A.R.S. § 38-431.03(A)(3).**

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# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Action Report

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**File #:** 20-341

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**TOWN COUNCIL MEETING  
6401 E. LINCOLN DRIVE  
PARADISE VALLEY, ARIZONA 85253  
MINUTES  
Thursday, August 20, 2020**

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**1. CALL TO ORDER / ROLL CALL**

Mayor Bien-Willner called to order the Town Council Meeting for Thursday, August 20, 2020 at 8:30 AM in the Town Hall Boardroom and Zoom Conference.

**COUNCIL MEMBERS PRESENT**

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

**STAFF MEMBERS PRESENT**

Town Manager Jill Keimach attended by video conference  
Town Attorney Andrew Miller attended by video conference  
Town Clerk Duncan Miller

**2. ACTION ITEMS**

**20-318                      Adoption of Resolution Number 2020-28; Approving the Canvass of  
the 2020 Primary Election**

Town Clerk Duncan Miller presented the results of the 2020 Primary Election held on August 4, 2020. He stated that 4,583 valid ballots were cast equaling a 43% voter turnout. Jerry Bien-Willner was elected Mayor and Scott Moore, Julie Pace, and Mark Stanton were elected to the Town Council.

There was no discussion and no public comment.

**A motion was made by Council Member Thomasson, seconded by Council Member Stanton, to Adopt Resolution Number 2020-28. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

### **3. ADJOURN**

**A motion was made by Council Member Thomasson, seconded by Council Member Andeen, to adjourn. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

Mayor Bien-Willner adjourned the meeting at 8:40 AM

**TOWN OF PARADISE VALLEY**

SUBMITTED BY:

\_\_\_\_\_  
Duncan Miller, Town Clerk

**STATE OF ARIZONA**                    )  
  :ss.  
**COUNTY OF MARICOPA**            )

**CERTIFICATION**

I, Duncan Miller, Town Clerk of the Town of Paradise Valley, Arizona hereby certify that the following is a full, true, and correct copy of the minutes of the regular meeting of the Paradise Valley Town Council held on Thursday, August 20, 2020.

I further certify that said Municipal Corporation is duly organized and existing. The meeting was properly called and held and that a quorum was present.

\_\_\_\_\_  
Duncan Miller, Town Clerk





# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Action Report

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**File #:** 20-342

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**TOWN COUNCIL MEETING  
6401 E. LINCOLN DRIVE  
PARADISE VALLEY, ARIZONA 85253  
MINUTES  
Monday, August 31, 2020**

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**1. CALL TO ORDER / ROLL CALL**

Mayor Bien-Willner called to order the Town Council Meeting for Monday, August 31, 2020 at 4:02 PM in the Town Hall Boardroom and Zoom Conference.

**COUNCIL MEMBERS PRESENT**

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

Outside Counsel Susan Goodwin, Gust Rosenfeld attended by video conference

**A motion was made by Council Member Moore, seconded by Council Member Dembow, to go into executive session at 5:02 PM to discuss item number 20-322. The motion passed by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

**2. EXECUTIVE SESSION**

**20-322**

**Discussion or consideration regarding Town Attorney personnel matters (employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation) as authorized by A.R.S. 38-431.01(A)(1), including, but not limited to, annual performance review and terms of employment; and discussion or consultation with Special Counsel in order to consider its position and instruct Special Counsel regarding the Town's position regarding an amendment to the employment agreement with the Town Attorney that is the subject of negotiations, as authorized by A.R.S. § 38-431.03(A)(4).**

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Persons with disabilities who experience difficulties accessing this information may request accommodation by calling 480-948-7411 (voice) or 480-348-1811 (TDD).

**3. ADJOURN**

**A motion was made by Council Member Moore, seconded by Council Member Andeen, to adjourn. The motion passed by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Vice Mayor Pace  
Council Member Stanton  
Council Member Thomasson

Mayor Bien-Willner adjourned the meeting at 5:15 PM

**TOWN OF PARADISE VALLEY**

SUBMITTED BY:

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Duncan Miller, Town Clerk

**STATE OF ARIZONA**                    )  
**COUNTY OF MARICOPA**            ) :ss.

**CERTIFICATION**

I, Duncan Miller, Town Clerk of the Town of Paradise Valley, Arizona hereby certify that the following is a full, true, and correct copy of the minutes of the regular meeting of the Paradise Valley Town Council held on Monday, August 31, 2020.

I further certify that said Municipal Corporation is duly organized and existing. The meeting was properly called and held and that a quorum was present.

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Duncan Miller, Town Clerk



## Action Report

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**File #:** 20-343

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**TO:** Mayor Bien-Willner and Town Council Members

**FROM:** Jill Keimach, Town Manager  
Duncan Miller, Town Clerk

**DATE:** September 10, 2020

**DEPARTMENT:** Town Manager

**AGENDA TITLE:**

**Consideration of Liquor License Transfer for Smoke Tree Resort**

**RECOMMENDATION:**

Forward the Smoke Tree Resort liquor license application for a Series 6 Person Transfer to the Arizona Department of Liquor Licenses and Control with a recommendation for approval.

**SUMMARY STATEMENT:**

The Smoke Tree Resort located at 7101 E Lincoln Drive requests a liquor license person transfer from Interwestern Management Corporation to Andrea Lewkowitz, agent for Gentree F&B LLC.

Although liquor license applications are filed with the State, which has the primary responsibility for reviewing the application and conducting background checks on the owners and agents, A.R.S. §4-201 requires that the Town Council hold a public hearing to receive comment on whether or not the issuance of the liquor license is in the best interest of the community. Notice of the application was posted on the applicant's premises for 20 days in accordance with state law. The Town did not receive any arguments in support of or opposition to this application. There are no violations on file with the Arizona Department of Liquor Licenses and Control against Smoke Tree Resort.

The Paradise Valley Police Department has reviewed the application and finds no reason to oppose it. Additionally, the Community Development Department has no objections to the application insofar as issuance of a liquor license is consistent with the Special Use Permit for this property.



## Action Report

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**File #:** 20-344

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**TO:** Mayor Bien-Willner and Town Council Members

**FROM:** Jill Keimach, Town Manager  
Paul Michaud, Planning Manager

**DATE:** September 10, 2020

**DEPARTMENT:** Community Development

**AGENDA TITLE:**

**Consideration of a Statement of Direction Extension for Major Special Use Permit Amendment (SUP-18-05) - 7101 E Lincoln Drive - Smoke Tree Resort**

**RECOMMENDATION:**

Approve the requested modification to the Statement of Direction (SOD) for the Smoke Tree Resort application (SUP-18-05) from September 30, 2020 to December 15, 2020.

**SUMMARY STATEMENT:**

**REQUEST:**

Gentree LLC, the property owner of the Smoke Tree Resort, is seeking redevelopment of the property located at 7101 East Lincoln Drive (APN 174-64-003A) via a major amendment to the site's existing Special Use Permit - Resort zoning. The proposed redevelopment of this property will be a complete demolition of all existing structures and construction of a resort. The Planning Commission at their September 1, 2020 meeting, in a vote of 5 to 0 (with Commissioners Covington and Lewis not in attendance when the vote occurred), requested that the Town Council consider extension of the September 30, 2020 review deadline in the Statement of Direction (SOD) to December 15, 2020. This extension will allow for more time to review SUP-18-05. The Planning Commission goal is to hold special meetings in October 2020 to complete its review, with a public hearing for recommendation to Town Council by the end of October 2020 or early November 2020. The December deadline was selected to avoid having to seek another extension from Town Council should there be unexpected delays.

**BACKGROUND:**

The applicant filed the major amendment to the site's Special Use Permit zoning (SUP-18-05) in May 2018, with a SOD first issued in October 2018. After several months of review, the Planning Commission recommended denial of the application request in March 2019. The applicant had a couple meetings with Town Council and subsequently revised the 2018 proposed plan to remove for

sale units, reduce the number of guest units, parking and other changes to the current project plan under review by the Planning Commission. With this revised plan, the Town Council then issued an updated SOD in June 2020. The June 2020 SOD gave the Planning Commission until September 30, 2020 to complete their review and recommendation.

Some of the items being worked through include the following points:

- The Planning Commission continues to review the proposed density and 3<sup>rd</sup> story height elements. Although the traffic study, several parking studies, perimeter landscaping, and other aspects of the application have been discussed; the Planning Commission has not reviewed the Parking Management Plan nor fully reviewed the valet plan. There have been numerous exchanges between the applicant's consultant, Town staff, and the Town's 3<sup>rd</sup> party reviewer on this plan, creating delays in the Planning Commission's review.
- The applicant submitted an acoustical study in mid-July that Town staff then sought a third-party peer review. The applicant is expected to respond back to the third-party review comments by mid-September.
- The applicant and Town staff are working with a neighbor off Quail Run Road regarding proposed pavement improvements south of the Quail Run Road resort entrance to best deter traffic from passing this entrance.
- Due to other discussion items, the Planning Commission was unable to start reviewing the draft ordinance stipulations at its August 17<sup>th</sup> work session as planned. The applicant has not returned their comments back to Town staff on these draft stipulations. In part, this is due to the concerns over density and height, along with expected stipulation edits after review of the Parking Management Plan and acoustical study.

**ATTACHMENT(S):**

- A Application
- B Statement of Direction (June 2020)
- C Proposed Revised Statement of Direction (September 2020)
- D Applicant Correspondence

**APPLICATION FOR SPECIAL USE PERMIT AND  
MAJOR AMENDMENT TO THE SPECIAL USE PERMIT**

**PARCEL NO.:** 174-64-003A **DATE:** 5/4/18  
(County Tax Assessor Number)

**NAME OF SUBDIVISION OR PARCEL:** \_\_\_\_\_

**ADDRESS OR LOCATION OF PROPERTY:** \_\_\_\_\_

7101 E. Lincoln Dr. Paradise Valley, AZ 85253

**OWNER:** Gentree, LLC  
NAME

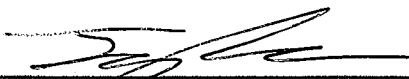
3620 E. Campbell Ave., Suite B (602)952-8811  
ADDRESS PHONE #

\_\_\_\_\_  
SIGNATURE OF OWNER

**AUTHORIZED AGENT:** Taylor Robinson  
NAME

3620 E. Campbell Ave., Suite B  
ADDRESS

(602)952-8811 ( )  
PHONE # FAX #

  
SIGNATURE OF AUTHORIZED AGENT

**APPLICATION FOR SPECIAL USE PERMIT AND MAJOR  
AMENDMENT TO SUP**

**(REQUIRED)** PLEASE PROVIDE A NARRATIVE/DESCRIPTION OF THE PROPOSAL

(Please Attach Additional Sheets as Necessary):

SEE BOOKLET

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**ADDITIONAL APPLICATIONS:**

GUARD GATES	<u>                    </u>	<u>                    </u>
	YES	X
		<u>                    </u>
		NO
ROADWAY ABANDONMENT	<u>                    </u>	<u>                    </u>
	YES	X
		<u>                    </u>
		NO
REZONING	<u>                    </u>	<u>                    </u>
	YES	X
		<u>                    </u>
		NO
HILLSIDE	<u>                    </u>	<u>                    </u>
	YES	X
		<u>                    </u>
		NO

**IF YES, SEE ADDITIONAL APPLICATIONS**

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When recorded, return to:

88012753-3-6-4--  
morenoa

GENTREE, LLC  
c/o Chester & Shein, P.C.  
6720 North Scottsdale Road, Suite 261  
Scottsdale, Arizona 85253  
Attention: David E. Shein, Esq.

---

**SPECIAL WARRANTY DEED**

FOR THE CONSIDERATION of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are acknowledged, SMOKE TREE RESORT, LLC, an Arizona limited liability company (formerly known as Smoke Tree Resort Merger, LLC, an Arizona limited liability company, as successor by merger to Smoke Tree Resort, LLLP, an Arizona limited liability partnership and Smoke Tree Resort, an Arizona limited partnership) ("Grantor"), hereby grants, sells, and conveys to GENTREE, LLC, an Arizona limited liability company, the real property situated in Maricopa County, Arizona and described on **Exhibit A** (the "Property");

TOGETHER WITH all buildings, improvements and fixtures located thereon as of the date hereof and all right, title and interest, if any, that Grantor may have in and to all rights, privileges and all easements benefitting the Property, appurtenances pertaining thereto including all of Grantor's right, title and interest, if any, in and to all rights-of-way, open or proposed streets, alleys, easements, strips or gores of land adjacent thereto;

SUBJECT TO current taxes and assessments not yet due and payable, easements and restrictions of public record, and encroachments visible upon the Property;

And Grantor hereby binds itself and its successors and assigns to warrant and forever defend the title to the Property, as against all acts of Grantor herein and none other, subject to the matters above set forth.

[Signatures appear on the following page]

Dated as of April 2<sup>nd</sup>, 2018.

**GRANTOR:**

SMOKE TREE RESORT, LLC,  
an Arizona limited liability company

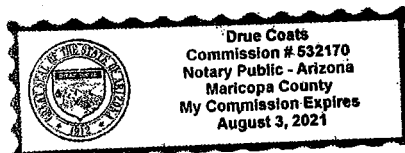
By: [Signature]  
Name: Eric Williams  
Title: Authorized Signer

STATE OF ARIZONA       )  
                                      ) ss.  
County of MARICOPA     )

The foregoing instrument was acknowledged before me on April 2<sup>nd</sup>, 2018, by Eric Williams, the Authorized Signer of SMOKE TREE RESORT, LLC, an Arizona limited liability company, on behalf of the company.

[Signature]  
Notary Public

My commission expires: 8/3/21



**Exhibit A**

(Legal Description of the Property)

**PARCEL NO. 1:**

The North half of the Northwest quarter of the Northeast quarter of the Southeast quarter of Section 10, Township 2 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

EXCEPT the East 200 feet, thereof.

**PARCEL NO. 2:**

The North half of the South half of the Northwest quarter of the Northeast quarter of the Southeast quarter of Section 10, Township 2 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

EXCEPT the East 200 feet, thereof.

## **SUP-18-05 Smoke Tree Resort -Revised Statement of Direction- June 25, 2020**

Gentree LLC submitted a Major Special Use Permit amendment application for redevelopment of the Smoke Tree Resort located at 7101 E Lincoln Drive. The current proposal is for a complete redevelopment of the 4.6 net acre site with 122 hotel guest rooms, a restaurant, bar, rooftop lounge, associated resort retail, group meeting function space, event gardens, and resort pool areas.

In March of 2019, the Planning Commission voted 4-3 to deny the previous application based on a site plan and proposal that included 150 hotel rooms, 30 for sale resort residences, limited right-of-way dedication along the adjoining public streets, and a different site layout from the current application since the Planning Commission recommendation. Based on the revisions of the modified proposal the applicant and the Town Council agree that the Planning Commission should further consider the amended application.

The Statement of Direction is not a final decision of the Town Council and does not create any vested rights to the approval of a Special Use Permit. Any applicant for a Special Use Permit shall not rely upon the matters addressed in the Statement of Direction being the same as those that may be part of an approved Special Use Permit.

Therefore, the Town Council issues the following Statement of Direction for the Smoke Tree Resort:

- The General Plan encourages the continued revitalization and improvement of the Town's Special Use Permit properties while protecting the adjacent residential neighborhoods (General Plan Land Use Policy 2.1.2).
- The site is in a designated Development Area pursuant to the General Plan. As such, in addition to other applicable policies, the following policies may be considered:
  - a. Consideration of Development Area Special Use Permit applications should balance a need for the Town's fiscal health against a steadfast commitment to protecting adjacent low-density residential character and quality of life (General Plan Land Use Policy 2.2.1.2).
  - b. The Town shall require development or redevelopment within Development Areas to provide reasonable separation of incompatible land uses from adjacent residential areas through context and scale appropriate land planning and architectural design, greater setback distances, noise mitigation, resort property programming, and landscape buffering (General Plan Land Use Policy 2.2.1.3).
  - c. The Town should encourage moderate intensity, mixed-use, and context appropriate resort development within the East Lincoln Drive Development Areas that includes reasonable separation between incompatible uses and adjacent residential areas and effective buffering of unwanted noise, light, traffic and other adverse impacts (General Plan Land Use Policy 2.2.3.3).

The Planning Commission shall focus their review on the visible, audible, and operational effects the major amendment may have on the neighbors. Additionally, the Planning Commission shall receive public feedback on the current proposal including, but not limited to, a Citizen Review Session to allow for public comment and a Public Hearing for recommendation of the amended application to the Town Council. The Citizen Review Session may include a separate neighborhood meeting(s) by the applicant and at least one Planning Commission Work Session meeting open for public comment. The applicant shall provide at least a 10-day advance notice of the Citizen Review Session and at least a 15-day advance notice of the Public Hearing to property owners within 1,500 feet of the site. Due to the circumstances surrounding the current Covid-19 Pandemic, the Town Staff and Planning Commission shall be cognizant that some members of the public may not be comfortable with providing comments through technology and should look for other ways to maximize

public input. Notice for both meetings can be combined into one notice. In particular, the Planning Commission shall focus their review on:

1. Use.

While the primary resort use will not change, more information is needed regarding the hotel quality standards and the new accessory uses. The applicant has proposed fourteen accessory uses for the forward-facing portions of the site that should be considered and defined or narrowed as appropriate as well as the specific operational factors (hours of operation, outdoor seating, etc.) shall be studied.

2. Density.

The proposed 122 units creates a density of approximately 26 units per acre. The Planning Commission shall take into consideration the 4.6 net acre site area and reduced density on the west and south sides of the site, particularly how the density impacts safety and quality of life of town residents.

3. Lot Coverage/Floor Area Ratio.

The Planning Commission shall consider lot coverage and floor area ratio while acknowledging the unique characteristics considered in the Development Area and the amendments made to the proposed site development since the Planning Commission last heard this request on March 5, 2019. The review shall address reasonable separation between incompatible uses and effective buffering of unwanted noise, light, traffic, views of the buildings offsite, and other adverse impacts. The lot coverage and floor area ratio shall both be calculated based on net lot area, excluding all dedicated area. There may be consideration of lowering the proposed lot coverage and floor area ratio and/or requiring specific mitigation measures.

4. Height.

The Planning Commission shall evaluate the proposed height and its impact on adjacent properties. The minimum height is encouraged on the west side of the site closest to existing residential properties, transitioning to higher heights on the east side of the site adjacent to Lincoln Medical Plaza. A compelling reason must be given for heights proposed over 36', with such height to be limited in area and considered when necessary for mechanical screening and architectural elements. It is recommended that all heights be taken from original natural grade. If any portion of the rooftop is visible off-site, care should be taken to minimize the impact and screen mechanical equipment. White roofing material is discouraged if visible off-site.

5. Viewsheds.

The Planning Commission shall consider the impact to adjoining properties of any encroachment outside of the imaginary plane suggested by the Open Space Criteria. Due to the size of this property being one quarter the suggested 20-acre size per the Special Use Permit Guidelines and the location adjoining other commercial uses, a limited amount of encroachment is proposed and may be permissible. Structures are suggested to generally stair-step from one-story/lowest height closer to the subject site property lines to not more than three-story/36 feet in height from Lincoln Drive, Quail Run Road, and the adjoining Andaz resort. Planning Commission focus shall be that the overall mass of the structures are of an appropriate scale, with special consideration given to the views from the south side bordering the Andaz resort and the west side bordering Quail Run Road.

6. Setbacks.

The amended proposal increased building setbacks along much of the perimeter of the site. The Planning Commission shall explore appropriate setbacks, with particular attention to the privacy and noise levels for residents west of the site and resort guests south of the site. Consideration should be given to a 100-foot SUP guideline setback to the adjacent residential property lines. The Commission shall also identify any mitigating circumstances that may buffer the development (e.g. the use of vegetation, modified setbacks or heights, reorientation of the structures, etc.).

7. Impact to Adjacent Uses.

The proposal has the resort restaurant and market (with outside tables) along the north side of the property near Lincoln Drive. Additionally, a third story bar/lounge with indoor/outdoor space is proposed, which should be evaluated for square footage (bar/rooftop deck), types of uses, impacts of light and noise trespass off-site; a sound study shall be required and certified by an acoustical engineer. The Planning Commission shall consider impacts including noise, light, traffic and any other adverse impacts, particularly for those existing residential properties west of the site along Quail Run Road. In particular, outdoor employee areas and service uses such as maintenance, maid service/laundry, trash collection/storage, mechanical equipment (roof/ground), and all other noise generating elements shall be studied and buffering of uses shall be considered.

8. Landscaping, Utilities and Exterior Lighting.

Planning Commission focus on landscaping and exterior lighting shall be along the perimeter of the site, including review of appropriate screening or relocation of the utility cabinets along Lincoln Drive. Consideration for possible relocation of utility cabinets shall consider aesthetics, long-term maintenance and operation, safety and cost. Elements of the Visually Significant Corridors Plan shall be considered for landscaping along Lincoln Drive. A stipulation shall be considered to ensure replacement of any landscaping should it die.

9. Traffic, Parking, Access, and Circulation. The proposed density and location within a heavily-traveled and mixed-use density area near the City of Scottsdale creates a heightened need for ensuring the proposed redevelopment does not have a negative impact on traffic safety, parking, and circulation. The Town Council has worked with the owner of Smoke Tree Resort and Lincoln Plaza Medical Center on access with a solution for a shared driveway, along with right-of-way improvements. The Planning Commission shall focus their review on the following:

- Location and screening of loading zones and dumpsters
- Deceleration turn lane for eastbound traffic entering the site
- Cross-access easement(s) with Lincoln Medical Plaza
- Sidewalk and other pedestrian circulation
- Necessary roadway dedication for Lincoln Drive and Quail Run Road
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10. Signage.

Planning Commission review shall focus on the impact of project sign location, dimensions, and illumination on the resulting impact to the streetscape. The Commission shall look at the broader signage plan for Lincoln Drive including proposed gateway signs, identification signs, and Ritz-Carlton and Lincoln Medical Plaza signage.

As per Section 1102.3.C.3.c of the Zoning Ordinance, at any time during the review process, the Planning Commission may request clarification and/or expansion of this Statement of Direction based on additional information that has evolved. However, the Planning Commission shall complete their review of this application and make a recommendation to Town Council, including a draft Ordinance, no later than September 30, 2020.

**SUP-18-05 Smoke Tree Resort**  
**-Revised Statement of Direction-**  
**June 25, 2020 September 10, 2020**

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As per Section 1102.3.C.3.c of the Zoning Ordinance, at any time during the review process, the Planning Commission may request clarification and/or expansion of this Statement of Direction based on additional information that has evolved. However, the Planning Commission shall complete their review of this application and make a recommendation to Town Council, including a draft Ordinance, no later than September 30, 2020 December 15, 2020.

**From:** [Paul E. Gilbert](#)  
**To:** [Planning Commissioner Jonathan Wainwright](#); [Planning Commissioner Daran Wastchak](#); [Planning Commissioner Campbell](#); [Planning Commissioner Charles Covington](#); [Planning Commissioner Orme Lewis](#); [Planning Commissioner Pamela Georgelos](#); [Planning Commissioner Jim Rose](#)  
**Cc:** [Jill Keimach](#); [Paul Michaud](#); ["Taylor Robinson \(Taylor@GenevaAZ.com\)"](#); [Sam Robinson](#); [Paul E. Gilbert](#); [Cassandra Ayres](#)  
**Subject:** Smoke Tree - September 1 Planning Commission  
**Date:** Monday, August 31, 2020 5:23:45 PM

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**EXTERNAL**

Chairman Wainwright,

We continue to appreciate the willingness of the Planning Commission to meet regarding the Smoke Tree application. These meetings have been productive and fruitful, and the project continues to benefit from the feedback received in these meetings.

After giving the future schedule some additional thought and after conferring with Town representatives, it is our view that going forward, a change in the schedule would make the process more efficient and benefit all participants. Accordingly, we would like to submit a proposed revised schedule and timetable for future meetings going forward. This proposed schedule revision and timetable is below the line further in this correspondence.

We are hoping to discuss this revised schedule and timetable and proceed consistent therewith beginning with our forthcoming meeting on September 1, 2020.

We are taking the liberty of providing all members of the PC with a copy of this correspondence and attendant revised schedule. We look forward to discussing this with you on September 1, 2020.

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- September 1
  - Ask that the PC take the action item first and vote to approve asking the Town Council to extend the SOD voting deadline to November 18<sup>th</sup>.
  - Ask that the PC focus the study session on receiving public input, since this Study Session was noticed as the Town's Citizen Review Meeting.
  - Ask that the PC not discuss any substantive issues related to the submittal at this study session and not have any further study sessions until the first PC meeting in October. That give us the next several weeks to work on addressing and resolving the plethora of substantive (and very individualized) comments from the Commissioners, as well as work with staff on the Parking Management Plan and Acoustical Study.
- October PC Meetings
  - Ask that the PC hold special meetings in October so that we can make sure we're covering everything. There isn't enough time to address everything holding a 3-hour meeting every two weeks.
  - If this is agreeable, we'd be having study sessions with the PC on October 6, 13, 20, and 27

- November Hearing and Vote
  - There are no scheduled meetings for the PC after September 15<sup>th</sup> on Town's online calendar, but if we follow the regular schedule (and we assume the Council agrees to extend the SOD deadline), then the PC will vote on November 3<sup>rd</sup> or 17<sup>th</sup>.

---

Very truly,

Paul

**Paul E. Gilbert**

**BEUS GILBERT McGRODER PLLC**

**701 North 44th Street | Phoenix, AZ 85008**

Direct: 480.429.3002 | Main: 480.429.3000 | Fax: 480.429.3100

Email: [PGilbert@beusgilbert.com](mailto:PGilbert@beusgilbert.com)

Secretary: Jeanette Williams | 480.429.3102 | [JWilliams@beusgilbert.com](mailto:JWilliams@beusgilbert.com)

This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.



## Action Report

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**File #:** 20-349

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**TO:** Mayor and Town Council

**FROM:** Andrew Miller, Town Attorney

**DATE:** September 10, 2020

**CONTACT:**

**AGENDA TITLE:**

Adoption of Ordinance No. 2020-10 Amending Chapter 10 Offenses, Section 10-13-2, Definitions; Section 10-13-3, Unruly Gatherings; and Section 10-13-7, Penalties.

**RECOMMENDATION:**

Adopt Ordinance Number 2020-10.

**BACKGROUND:**

At its June 10, 2020 meeting, Council asked staff to research & provide improvements to the unruly gathering ordinance during the summer break. Staff has prepared draft ordinances to expand the scope of the responsibility of Owners of properties where an Unruly Gathering occurs (whether it is a short term rental, long term rental or otherwise) and to increase the penalties for Owners where possible. The amendment to be discussed is a fairly narrow issue and does not include other broader land issues, including issues related to short term rental legislation or general short term rental problems. Such broader discussions may be scheduled for a later date.

Changes to the Unruly Gatherings Section 10-13-2, Section 10-13-3 and Section 10-13-7 of Chapter 10 of the Town Code, will provide greater enforcement powers over Owners who are not present at an Unruly Gathering that occurred on their property, particularly if the property had a prior Unruly Gathering within 180 days of a subsequent Unruly Gathering; along with increased penalties for civil violations.

It is also requested by staff that Section VIII b) 2) of the Council Rules of Procedure be waived for this Ordinance so that these simple changes to the Unruly Gathering Ordinance can be heard and implemented quickly.

The ordinance revisions also contain an emergency clause due to the need to have these updates to the Unruly Gathering ordinance take effect immediately. The emergency in this case is that the Police Department has seen a significant increase in Unruly Gatherings and these ordinance changes will allow for needed language clarity and additional enforcement options for the rapidly growing problem of unruly gatherings in the Town. Pursuant to A.R.S. § 19-142(B) for the emergency clause to take effect Ordinance 2020-10 must be approved by a  $\frac{3}{4}$  vote of the Council, and also

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**File #:** 20-349

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approved by the Mayor.

**NEXT STEPS**

Review and adopt Ordinance No. 2020-10

**ATTACHMENTS:**

Ordinance No. 2020-10

PowerPoint Presentation

**ORDINANCE NUMBER 2020-10**

**AN ORDINANCE OF THE TOWN OF PARADISE VALLEY,  
ARIZONA, AMENDING CHAPTER 10 OFFENSES, SECTION  
10-13-2, DEFINITIONS; SECTION 10-13-3, UNRULY  
GATHERINGS; AND SECTION 10-13-7, PENALTIES.**

**BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF  
PARADISE VALLEY, ARIZONA:**

**Section 1.** Chapter 10, Offenses, Section 10-13-2 is hereby amended (with deletions shown as ~~striketroughs~~ and additions shown in **bold type**):

10-13-2      Definitions

In the Article, unless the context otherwise requires, the following terms or phrases are defined as follows:

1.      “Increased Response” means the response of two or more uniformed officers to the scene of an Unruly Gathering in which eleven (11) or more persons are present and where it becomes necessary to restore the public peace, health, safety and/or general welfare.
2.      “Juvenile” means a minor under the age of eighteen (18) years.
3.      “Minor” means any person under the age of twenty-one (21) years.
4.      “Owner” means any owner, as well as any agent of an owner such as a landlord, acting on behalf of the owner, who controls or otherwise regulates the occupancy or use of the property.
5.      “Premises” means any property that is the site of an Unruly Gathering. For residential properties, Premises can mean the dwelling unit, units or other common areas where the unruly gathering occurs.
6.      “Police Service Fee” means the fee to reimburse the cost of services provided by the Police Department in response to the Unruly Gathering. The Police Service Fee is more fully defined in §10-13-7(C).
7.      “Responsible Person” means any person in attendance at an Unruly Gathering including any Owner, occupant, tenant, or tenant's guest or any sponsor, host or organizer of a social activity or special occasion **or Owner that was aware of the social activity or special occasion** constituting the Unruly Gathering, even if such person is not in attendance, **or any Owner who had been notified that an Unruly Gathering had previously occurred on the same Premises within one hundred eighty (180) days**

**prior to a subsequent Unruly Gathering.** If such a person is a Juvenile, the term "Responsible Person" includes, in addition to the Juvenile, the Juvenile's parents or guardians. Responsible Person does not include Owners or persons in charge of Premises where an Unruly Gathering takes place if the persons in attendance obtained use of the Premises through illegal entry or trespassing. A person need not be present at the time of the party, gathering or event to be deemed responsible.

8. "Special Security Assignment" means the police services provided during any call-in response to complaints or other information regarding unruly gatherings.
9. "Unruly Gathering" means a gathering of five (5) or more persons on any private property, including property used to conduct business, **which constitutes a threat to the public peace, health, safety or general welfare including, but not limited to:** ~~in a manner which causes a disturbance of the quiet enjoyment of private or public property by any person or persons and also includes one of the following:~~ excessive noise, impeding traffic, obstruction of public streets by crowds or vehicles, use or possession of illegal drugs, drinking in public **areas**, the service of alcohol to minors or consumption of alcohol by minors, fighting, disturbing the peace, and/or littering.
10. "Unruly Gathering Notice (Notice)" means be a document identifying the Premises as the site of an Unruly Gathering in which a citation was issued and advising the Owner, occupants, guests or other persons entering the Premises that any future Unruly Gathering upon the Premises shall have additional consequences.

**Section 2.** Chapter 10, Offenses, Section 10-13-3, is hereby amended (with deletions shown as ~~strikethroughs~~ and additions shown in **bold type**):

Section 10-13-3      Unruly Gathering

- A. When ~~any~~ **a** police officer responds to any Unruly Gathering and that police officer determines that there is a **threat to the public peace, health, safety or general welfare, the police officer may issue a citation for Unruly Gathering to any Responsible Person. If the Responsible Person is the Owner and the Owner is not present and was not the sponsor, organizer or host of the event and the Owner had notice that an Unruly Gathering had occurred on the Premises within the prior one hundred eighty (180) days, the Owner shall be charged with a civil citation. All other Responsible Persons shall be charged with a class one misdemeanor.** ~~disturbance to the quiet enjoyment of public or private property, the police officer may issue a citation for Unruly Gathering. Said violation is a class 1 misdemeanor.~~
- B. A police officer may abate an Unruly Gathering by reasonable means including, but not limited to, citation or arrest of violators under applicable ordinances or state statutes, and dispersing any remaining gathered participants. Any participant not a tenant on a lease document who fails to disperse may be deemed a Responsible Person and cited for Unruly Gathering.

- C. The police officer or other police employees shall provide an Unruly Gathering Notice to the Responsible Person(s) and/or Owner in any of the following manners:
1. By personal service of any Responsible Person(s) being cited at the Unruly Gathering; or,
  2. By posting of the Notice on the door of the Premises of the Unruly Gathering; or,
  3. By mailing the Notice to the Owner, at the address shown on the Maricopa County property tax assessment records. Such notification shall be made by certified mail; with the return receipt serving as evidence of service.
- D. Any Responsible Person(s) receiving a citation for an Unruly Gathering requiring Increased Response shall be assessed a Police Service Fee for Special Security Assignments relating to the Unruly Gathering as provided §10-13-7(C). In the event of more than one person is identified as a Responsible Person, any and all Responsible Persons shall be jointly and severally responsible for the entire Police Service Fee.
- E. Upon request, the Owner must provide the names of any and all occupants listed on the leasing documents at any location where the Police Department responds to an Unruly Gathering.
- F. On a first offense, an Owner who was present at the Unruly Gathering and who made contact with the responding officers at the scene may apply retroactively for a special event permit under Article 8-8 of the Town Code of Paradise Valley by the close of business on the next business day. A special event permit may or may not be granted by the Town Manager retroactively.

**Section 3.** Chapter 10, Offenses, Section 10-13-7, is hereby amended (with deletions shown as ~~strike throughs~~ and additions shown in **bold type**):

Section 10-13-7

Penalties

- A. ~~For Responsible Person(s).~~ **Criminal Offense.** If the Responsible Person is convicted of an Unruly Gathering, the penalty shall be a minimum mandatory fine of one thousand dollars (\$1000.00) or up to the maximum associated with a class one misdemeanor. Additionally, if the Responsible Person for an Unruly Gathering has previously been convicted for an Unruly Gathering, regardless of the location of the prior violation, the penalty shall be a minimum mandatory fine of two thousand dollars (\$2,000.00) for a second ~~conviction~~ **violation**, and a minimum mandatory fine of two thousand five hundred dollars (\$2,500.00) for a third or subsequent violation.
- B. ~~For Premises.~~ **Civil Offense.** If the ~~Owner of a Premises is convicted of an Unruly Gathering, the penalty for conviction of an Unruly Gathering~~ **Responsible Person is an Owner that was not present at the Unruly Gathering, was not aware of the social**



**activity or special occasion constituting the Unruly Gathering, and was not an organizer, host or sponsor of the Unruly Gathering, but had been notified that an Unruly Gathering had previously occurred on the property within one hundred eighty (180) days prior an Unruly Gathering, then the civil penalty shall be a minimum mandatory fine of one thousand dollars (\$1000.00) for a first violation, a minimum mandatory fine of two thousand dollars (\$2,000.00) for a second violation, and minimum mandatory fine of **the maximum amount permitted by law for civil violations** ~~two thousand five hundred dollars (\$2,500.00)~~ for a third or subsequent violation.**

- C. Police Service Fee. The Police Service Fee shall be an amount equal to the actual costs (essentially a reimbursement) of the law enforcement response to an Unruly Gathering, including:
1. the salaries, and associated benefits of the responding law enforcement officers corresponding to the amount of time actually spent in responding to and remaining at the Unruly Gathering; and,
  2. the salaries, and associated benefits of any dispatcher or other police personnel involved with the response for the amount of time actually spent in responding to Unruly Gathering; and
  3. any actual costs of any medical treatment to injured officers and/or the costs of repairing any damage to town equipment or property; and
  4. the associated overhead costs including, but not limited to, vehicle and equipment used; with such overhead costs to be set annually within the first 60 days of the new fiscal year and available for inspection.

**Section 4.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**Section 5.** Any person found guilty of violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$2,500, or imprisonment not to exceed six months, or by both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as described. A violation of the provisions of this Ordinance or amendments thereto may constitute a civil offense, and any person who is served with a citation charging such violation and who admits, or is found responsible for such offense shall be liable to pay to the Town a civil sanction in an amount not to exceed seven hundred fifty dollars. Each day that a violation continues shall be a separate offense punishable as described.

**Section 6.** Emergency. Whereas the immediate operation of the provisions of this ordinance is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this ordinance shall be in full force and effective from and after its passage by the Council.

PASSED AND ADOPTED by the Mayor and Council of the Town of Paradise Valley, Arizona,  
this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Jerry Bien-Willner, Mayor

SIGNED AND ATTESTED TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020.

ATTEST:

\_\_\_\_\_  
Duncan Miller, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Andrew M. Miller, Town Attorney

# TOWN OF PARADISE VALLEY

## Unruly Gatherings Ordinance Update

Town Code, Chapter 10 Offenses, Section 10-13-2,  
Section 10-13-3, Unruly Gatherings, Section 10-13-7,  
Penalties, and Chapter 1, Article 1-9, Penalty, Section 1-  
9-3, Civil Penalty Prescribed

Town Council  
September 10, 2020



# BACKGROUND

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- At is June 10, 2020 meeting, Council asked staff to research & provide improvements to the Unruly Gathering ordinance during the summer break
- Staff has prepared draft ordinances to expand the scope of the responsibility of Owners of properties where an Unruly Gathering occurs (whether it is a short term rental, long term rental or otherwise) and to increase the penalties for Owners where possible



# UNRULY GATHERINGS

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- Ordinance No. 2020-10 amends Sections 10-13-2, 10-13-3 and 10-13-7 of Chapter 10 of the Town Code so as to provide greater penalties (criminal charges) for Owners who are not present at an Unruly Gathering that occurs on their property but who:
  - were aware of the social activity on their property that led to an Unruly Gathering; or
  - had been notified that an Unruly Gathering had occurred on their property within 180 days of a subsequent Unruly Gathering
- Greater civil penalties, up to \$2,500, may now be assessed to an Owner who was not present and not aware of the occurrence of the social activity that led to an Unruly Gathering citation on their property but had been notified that an Unruly Gathering had previously occurred on the property within one hundred eighty (180) days prior
- Allows for increased penalties for civil violations



# CHAPTER 1, CIVIL PENALTIES

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Ordinance No. 2020-11 changes Article 1-9 Penalty, and is amending outdated Section 1-9-3 of the Town Code to remove the cap of \$750 for civil code violations and updating it to “the maximum permitted by law,” which is currently \$2,500 per violation





# WAIVER

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Section VIII b) 2) of the Council Rules of Procedure regarding the adoption of ordinances will be waived for these two Ordinances and they may be adopted immediately



# QUESTIONS?

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Does the Council desire to adopt Ordinance No. 2020-10 and Ordinance No. 2020-11?







## Action Report

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**File #:** 20-348

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**TO:** Mayor and Town Council

**FROM:** Andrew Miller, Town Attorney

**DATE:** September 10, 2020

**CONTACT:**

**AGENDA TITLE:**

Adoption of Ordinance No. 2020-11 Amending Chapter 1 General, Article 1-9, Penalty, Section 1-9-3, Civil Penalty Prescribed.

**RECOMMENDATION:**

Adopt Ordinance Number 2020-11.

**BACKGROUND:**

At its June 10, 2020 meeting, Council asked staff to research & provide improvements to the unruly gathering ordinance during the summer break. Staff has prepared draft ordinances to expand the scope of the responsibility of Owners of properties where an Unruly Gathering occurs (whether it is a short term rental, long term rental or otherwise) and to increase the penalties for Owners where possible.

In addition to the recommended changes to the Unruly Gathering Ordinance contained in companion Ordinance 2020-10, changes are recommended to Article 1-9 as the civil penalty provisions in section 1-9-3 of the Town Code are outdated. Section 1-9-3 sets a limit of \$750 for civil code violations, however, Arizona statutory changes have now increased the authority for municipalities to assess up to \$2,500 per civil code violation. Draft Ordinance 2020-11 will update Town Code Section 1-9-3 to now provide that the maximum penalty for a civil violation will be "the maximum permitted by law," (currently \$2,500 per violation). Adopting the new language will permit the maximum penalty to "float" with future changes in the state statutes that may increase the maximum amount of a civil penalty over time instead of requiring future amendments to Section 1-9-3.

It is also requested by staff that Section VIII b) 2) of the Council Rules of Procedure be waived for this Ordinance so that these simple changes to the civil penalty provisions in the Town Code can be heard and implemented quickly.

The ordinance revisions also contain an emergency clause due to the need to have these updates in effect as a supplemental civil enforcement tool in response to the burgeoning Unruly Gathering problems noted in the Action Report for Ordinance No 2020-10. Pursuant to A.R.S. § 19-142(B), for the emergency clause to take effect Ordinance 2020-10 must be approved by a  $\frac{3}{4}$  vote of the

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**File #:** 20-348

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Council, and also approved by the Mayor.

**NEXT STEPS**

Review and adopt Ordinance No. 2020-11.

**ATTACHMENTS:**

Ordinance No. 2020-11  
PowerPoint Presentation

## ORDINANCE NUMBER 2020 -11

### AN ORDINANCE OF THE TOWN OF PARADISE VALLEY, ARIZONA AMENDING CHAPTER 1 GENERAL, ARTICLE 1- 9, PENALTY, SECTION 1-9-3, CIVIL PENALTY PRESCRIBED

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA:

**Section 1.** Chapter 1, General, Section 1-9-3 is hereby amended (with deletions shown as ~~strike throughs~~ and additions shown in **bold type**):

#### Article 1-9 **PENALTY** <sup>1 178 496</sup>

Section 1-9-1	Unlawful Acts as Misdemeanor
Section 1-9-2	Punishment for Misdemeanor When Not Otherwise Prescribed
Section 1-9-3	Civil Penalties Prescribed
Section 1-9-4	Repeat Offender

#### Section 1-9-1 Unlawful Acts as Misdemeanor

When an act or omission is declared by statute or by this code or by any ordinance of the Town to be unlawful and no penalty is prescribed by such statute, code or ordinance, the act or omission is punishable as a misdemeanor.

#### Section 1-9-2 Punishment For Misdemeanor When Not Otherwise Prescribed

Except when a different punishment is prescribed, an unlawful act or omission which is declared to be a misdemeanor is punishable by imprisonment for a period of time not to exceed six months or by a fine not to exceed two thousand five hundred dollars or by both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as described.

#### Section 1-9-3 Civil Penalties Prescribed

Any violation of the provisions of this Code or amendments thereto shall also constitute a civil offense, and any person who is served with a citation charging such violation and who admits, or is found responsible for such offense shall be liable to pay to the Town a civil sanction in an amount **that does not exceed the maximum amount permitted by law.** ~~not to exceed seven hundred and fifty (\$750) dollars.~~ Each day that a violation continues shall be a separate offense punishable as described.

**Section 4.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**Section 5.** Emergency. Whereas the immediate operation of the provisions of this ordinance is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this ordinance shall be in full force and effective from and after its passage by the Council.

PASSED AND ADOPTED by the Mayor and Council of the Town of Paradise Valley, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Jerry Bien-Willner, Mayor

SIGNED AND ATTESTED TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020.

ATTEST:

\_\_\_\_\_  
Duncan Miller, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Andrew M. Miller, Town Attorney

# TOWN OF PARADISE VALLEY

## Unruly Gatherings Ordinance Update

Town Code, Chapter 10 Offenses, Section 10-13-2,  
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Town Council  
September 10, 2020



## BACKGROUND

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# UNRULY GATHERINGS

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# CHAPTER 1, CIVIL PENALTIES

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# WAIVER

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Section VIII b) 2) of the Council Rules of Procedure regarding the adoption of ordinances will be waived for these two Ordinances and they may be adopted immediately



# QUESTIONS?

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Does the Council desire to adopt Ordinance No. 2020-10 and Ordinance No. 2020-11?





## Action Report

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**File #:** 20-336

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**TO:** Mayor Bien-Willner and Town Council Members

**FROM:** Jill B. Keimach, Town Manager  
Duncan Miller, Town Clerk

**DEPARTMENT:** Town Manager

**AGENDA TITLE:**  
Consideration of Requests for Future Agenda Items

**Council Goals or Other Policies / Statutory Requirements:**  
Resolution 2018-09: Town Council Rules of Procedure

**RECOMMENDATION:**  
Review the current list of pending agenda topics.

**SUMMARY STATEMENT:**  
Attached is the most recent Town Council Study Session Topic Schedule. Pursuant to the Council's Rules and Procedures, as adopted by Resolution Number 2018-09, any member of the Council may move to have the Town Manager add an item to a future agenda. Upon concurrence of two or more Council Members, which may include the Mayor, the item will be added to the pre-business meeting study session agenda within the next two regularly scheduled Town Council meetings.

Discussion on the motion to add an item to a future agenda shall be limited to the propriety of placing the item on an agenda and shall not include discussion on the merits of the topic itself.

**BUDGETARY IMPACT:**  
None

**ATTACHMENT(S):**  
Future agenda topics schedule

# TOWN COUNCIL STUDY SESSION TOPIC SCHEDULE

## September 4, 2020

09/24	10/08	10/22	11/05
<b>3 PM STUDY SESSION</b> <ul style="list-style-type: none"> <li>Financial Update</li> <li>Mountain Shadows Oleanders and Replacement Landscaping</li> <li>Current Practice HR Manual Adoption</li> </ul> <b>EXECUTIVE SESSION</b> <ul style="list-style-type: none"> <li>Crown Castle Small Cell MLA</li> <li>Medical Marijuana Ordinance</li> <li>Quail Run Road Dedication of ROW</li> </ul> <b>PRESENTATION</b> <b>CONSENT</b> <ul style="list-style-type: none"> <li>Sick Donation Policy</li> </ul> <b>PUBLIC HEARING</b> <b>ACTION ITEMS</b> <ul style="list-style-type: none"> <li>LPR Contract</li> <li>Banking Service Contract</li> <li>Town Attorney Contract</li> </ul> <b>STUDY SESSION CONTINUED</b>	<b>3 PM STUDY SESSION</b> <ul style="list-style-type: none"> <li>General Plan Consultant Contract</li> <li>Phoenix IGA for Fire Vehicle Replacement</li> <li>Historic Property Recognition Policy</li> <li>Ambulance Contract</li> </ul> <b>EXECUTIVE SESSION</b> <ul style="list-style-type: none"> <li>Reasonable Accommodation Process Improvements</li> </ul> <b>PRESENTATION</b> <b>CONSENT</b> <ul style="list-style-type: none"> <li>HR Manual Adoption</li> <li>Accept Quail Run Rd ROW Deed</li> </ul> <b>PUBLIC HEARING</b> <b>ACTION ITEMS</b> <ul style="list-style-type: none"> <li>Award of General Plan Consultant Contract</li> <li>Crown Castle Small Cell MLA</li> </ul> <b>STUDY SESSION CONTINUED</b>	<b>3 PM STUDY SESSION</b> <ul style="list-style-type: none"> <li>Financial Update</li> <li>Five Star Area C Lot Line Adjustment</li> </ul> <b>EXECUTIVE SESSION</b> <b>PRESENTATION</b> <ul style="list-style-type: none"> <li>Experience Scottsdale</li> </ul> <b>CONSENT</b>  <b>PUBLIC HEARING</b> <ul style="list-style-type: none"> <li>Medical Marijuana Dispensary Regulations</li> </ul> <b>ACTION ITEMS</b> <ul style="list-style-type: none"> <li>Ambulance Contract</li> <li>Phoenix IGA for Fire Vehicle Replacement</li> </ul> <b>STUDY SESSION CONTINUED</b>	<b>3 PM STUDY SESSION</b> <ul style="list-style-type: none"> <li>General Plan Update Public Outreach/Participation Plan</li> </ul> <b>EXECUTIVE SESSION</b> <b>PRESENTATION</b> <b>CONSENT</b>  <b>PUBLIC HEARING</b>  <b>ACTION ITEMS</b> <b>STUDY SESSION CONTINUED</b>

11/19	12/03	12/17	01/14
<b>3 PM STUDY SESSION</b>  <b>EXECUTIVE SESSION</b>  <b>PRESENTATION</b>  <b>CONSENT</b>  <b>PUBLIC HEARING</b>  <b>ACTION ITEMS</b>  <b>STUDY SESSION CONTINUED</b>	<b>3 PM STUDY SESSION</b> <ul style="list-style-type: none"> <li>General Plan Update Public Outreach Participation Plan</li> </ul> <b>EXECUTIVE SESSION</b>  <b>PRESENTATION</b>  <b>CONSENT</b>  <b>PUBLIC HEARING</b>  <b>ACTION ITEMS</b> <ul style="list-style-type: none"> <li>Approval of General Plan Update Public Outreach Participation Plan</li> </ul> <b>STUDY SESSION CONTINUED</b>	<b>3 PM STUDY SESSION</b>  <b>EXECUTIVE SESSION</b>  <b>PRESENTATION</b>  <b>CONSENT</b>  <b>PUBLIC HEARING</b>  <b>ACTION ITEMS</b>  <b>STUDY SESSION CONTINUED</b>	<b>Inaugural Meeting</b>

<u><b>Items to be scheduled</b></u> <ol style="list-style-type: none"> <li>EPCOR Rate Case-Executive Session (Attorney)</li> <li>SUP Guidelines (Community Development)</li> <li>Cell Service Task Force Update (Mayor / Manager)</li> <li>Cell Infrastructure on SUP</li> <li>Ordinance – Amending Chapter 12 Municipal Court (Court)</li> <li>Investment Policy (Finance)</li> <li>Award of Contract for Pavement Management Program</li> <li>STR Issues, Enforcement, and Future Legislation (Attorney)</li> <li>Non-residential Land Uses – Group Homes (Attorney)</li> <li>Pad Height (Engineering)</li> </ol>	<ol style="list-style-type: none"> <li>Scooter/Bike Share Policy (Manager)</li> <li>Crown Castle Agreement (Attorney)</li> <li>Towing Services Contract (Attorney)</li> <li>General Plan (Community Development)</li> <li>Alarm Ordinance (Police Department)</li> <li>Stormwater Regulations (curbing) (Engineering)</li> <li>Sanitary Sewer – Executive Session (Attorney)</li> <li>IGA with Scottsdale for roundabout at Indian Bend and Palmeraie (Attorney)</li> <li>Hillside Safety Manual added to Town Code (Attorney)</li> <li>Council Minutes Policy (Manager)</li> <li>Legal Services</li> <li>Mockingbird Lane Realignment</li> </ol>
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