



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Action Summary

### Town Council

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

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Thursday, January 27, 2022

3:00 PM

Council Chambers

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## 1. CALL TO ORDER / ROLL CALL

**Present:** 7 - Mayor Jerry Bien-Willner  
Council Member Ellen Andeen  
Council Member Paul Dembow  
Council Member Scott Moore  
Council Member Julie Pace  
Council Member Mark Stanton  
Vice Mayor Anna Thomasson

## 2. EXECUTIVE SESSION

### 22-034

Discussion or consultation with the Town's Attorneys for legal advice and to consider the Town's position regarding the following pending litigation: Town of Paradise Valley v. Gentree, LLC; Smoke Tree Resort, LLC; et al, Case No. CV2019-015736, Maricopa County Superior Court and In re: Gentree LLC (Debtor and Movant) v. Smoke Tree Resort, LLC, Case No. 2:21-bk-05347-BKM, United States Bankruptcy Court for the District of Arizona as authorized by A.R.S. §38 431.03(A)(3) and A.R.S. §38 431.03(A)(4).

**A motion was made by Council Member Dembow, seconded by Council Member Stanton, to go into executive session to receive legal advice on items 22-034, 22-047, and 22-030. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Council Member Pace  
Council Member Stanton  
Vice Mayor Thomasson

[22-047](#) Discussion or consultation with Town representatives in order to consider employment, assignment, and recruitment of a Town Attorney, as authorized by A.R.S. § 38-431.03(A)(1) and A.R.S. § 38-431.03(A)(4).

**to go into Executive Session**

[22-030](#) Discussion or consultation for legal advice with the Town Attorney regarding Town Code amendments related to code enforcement (special events, nuisance noise, unruly gatherings, and rental registration) as authorized by A.R.S. § 38-431.03(A)(3).

**to go into Executive Session**

[22-031](#) 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).

**No Reportable Action**

### **3. STUDY SESSION ITEMS - APPROXIMATE START TIME 4:30 PM**

[22-039](#) Informational Item on the Town of Paradise Valley Water Supplies by Senior Research Fellow of the Kyl Center for Water Policy, Kathleen Ferris  
45 Minutes

**Received and Filed**

[22-054](#) Discussion regarding the Submittal for certain ARPA funds for the First Phase of our integrated IT Service Model Strategy (Digital Citizens Services) related to the Town's Finance Budget and Planning Technology Improvements.

45 Minutes

**Received and Filed**

### **4. BREAK**

**5. RECONVENE FOR REGULAR MEETING 6:00 PM****6. ROLL CALL**

**Present:** 7 - Mayor Jerry Bien-Willner  
Council Member Ellen Andeen  
Council Member Paul Dembow  
Council Member Scott Moore  
Council Member Julie Pace  
Council Member Mark Stanton  
Vice Mayor Anna Thomasson

**7. PLEDGE OF ALLEGIANCE\*****8. PRESENTATIONS\***[22-046](#)

Presentation of Paradise Valley Vintage Car Show Proceeds to the Sentinels of Freedom and the Military Assistance Mission

**Received and Filed**

[22-050](#)

Recognition of the Government Finance Officers Association Awards for the Town's Comprehensive Annual Financial Report, Popular Annual Financial Report (PAFR), and Budget Document

**Received and Filed**

**9. CALL TO THE PUBLIC****10. CONSENT AGENDA**

Approval of the Consent Agenda

**A motion was made by Council Member Stanton, seconded by Council Member Pace, 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  
Council Member Pace  
Council Member Stanton  
Vice Mayor Thomasson

[22-032](#)

Minutes of Town Council Meeting January 13, 2022

**Approved**

[22-036](#)

Discussion and Action to Approve Contract Amendment No. 1 with Kimley-Horn for the Mockingbird Lane Design Concept Report for Drainage Improvements from 56th Street to Invergordon Road

**Recommendation:** Authorize the Town Manager to execute Kimley-Horn Contract Amendment No. 1 CON-20-108-ENG-A1 in the amount not to exceed \$12,650 and to extend contract term to June 30, 2022 for contract.

**Approved**

[22-037](#)

Discussion and Action to Award a Contract to Michael Baker International for the Design of 54th Street and Solano Drive Drainage Improvements

**Recommendation:** Authorize the Town Manager to execute contract CON-22-204-ENG with Michael Baker International in the amount not to exceed \$94,000

**Approved**

[22-041](#)

Discussion and Action to Award a Contract to Kimley-Horn and Associates for the Design of the Doubletree Ranch Road Drainage Improvements at Indian Bend Wash

**Recommendation:** Authorize the Town Manager to execute contract CON-22-205-ENG with Kimley-Horn and Associates in the amount not to exceed \$62,430.

**Approved**

[22-043](#)

Discussion and Action to Award a Contract to Kimley-Horn and Associates for the Design of the Golf Drive and Northern Avenue Drainage Improvements

**Recommendation:** Authorize the Town Manager to execute contract CON-22-206-ENG with Kimley-Horn and Associates in the amount not to exceed \$67,560.

**Approved**

[22-042](#)

Discussion and Action to Approve a Contract Extension with PFM Asset Management for Investment Services

**Recommendation:** Authorize the Town Manager to execute an agreement with PFM Asset Management LLC for Investment Advisory Services

**Approved**

## 11. PUBLIC HEARINGS

## 12. ACTION ITEMS

[22-053](#) Discussion and Action Concerning Ordinance 2022-03 Amending the Paradise Valley Town Code Regarding Nuisances, Unruly Gatherings, Non-Compliant Short-Term Rentals, and the Peace, Health, Safety, and Welfare of the General Public

**Recommendation:** Adopt Ordinance Number 2022-03.

**A motion was made by Vice Mayor Thomasson, seconded by Council Member Moore, to Adopt Ordinance Number 2022-03. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Council Member Pace  
Council Member Stanton  
Vice Mayor Thomasson

[22-045](#) Discussion and Action to Adopt Resolution 2022-01: Accepting the FY 2020-2021 Comprehensive Annual Finance Report and Associated Financial Reports

**Recommendation:** Adopt Resolution 2022-01

**A motion was made by Council Member Pace, seconded by Council Member Andeen, to Adopt Resolution 2022-01 The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Council Member Pace  
Council Member Stanton  
Vice Mayor Thomasson

[22-049](#) Discussion and Action to Adopt Resolution 2022-04: Accepting the FY 2020-2021 Popular Annual Finance Report

**Recommendation:** Adopt Resolution 2022-04

**A motion was made by Council Member Pace, seconded by Council Member Andeen, to Adopt Resolution 2022-04 The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Council Member Pace  
Council Member Stanton  
Vice Mayor Thomasson

[22-040](#)

Discussion and Action to Approve a One Year Extension of the Town's Current Pavement Management Contract; and Authorize Expenditure of Funds for the 2021-2022 Annual Pavement Preservation Project

**Recommendation:**

1. Approve the final one-year contract extension of the pavement maintenance contract between the Town of Paradise Valley and M.R. Tanner Development & Construction, Inc. (M.R. Tanner)
2. Implement fiscal year 2021/22 Annual Pavement Preservation Projects in Maintenance Districts 5,12 and selected streets in13, including the Avenida Del Sol Drainage Project, by approving the funds from budget line item 20-40-871/Pavement Maintenance Program to M.R. Tanner in the amount of \$2,491,680.45

**A motion was made by Council Member Pace, seconded by Council Member Dembow, to:**

- 1. Approve the final one-year contract extension of the pavement maintenance contract between the Town of Paradise Valley and M.R. Tanner Development & Construction, Inc. (M.R. Tanner)**
- 2. Implement fiscal year 2021/22 Annual Pavement Preservation Projects in Maintenance Districts 5,12 and selected streets in13, including the Avenida Del Sol Drainage Project, by approving the funds from budget line item 20-40-871/Pavement Maintenance Program to M.R. Tanner in the amount of \$2,491,680.45**

**The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Council Member Pace  
Council Member Stanton  
Vice Mayor Thomasson

[22-044](#)

Discussion and Action to Approve Contract Amendment Number Five to the Agreement for Third Party Plan Review and Inspection Services with Brown and Associates and Contract Amendment Number 4 to the Third-Party Inspection Agreement with Five Star Resort Owner, LLC and Five Star Land Owner, LLC.

**Recommendation:**

1. Authorize the Town Manager to execute amendment five to the agreement with Brown and Associates for Third Party Plan Review and Inspection Services; and
2. Authorize the Town Manager to execute amendment number four to the agreement with Five Star Resort Owner, LLC and Five Star Land Owner, LLC for third-party inspection services.

**A motion was made by Council Member Pace, seconded by Mayor Bien-Willner, to:**

**1. Authorize the Town Manager to execute amendment five to the agreement with Brown and Associates for Third Party Plan Review and Inspection Services; and**

**2. Authorize the Town Manager to execute amendment number four to the agreement with Five Star Resort Owner, LLC and Five Star Land Owner, LLC for third-party inspection services.**

**The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Council Member Pace  
Council Member Stanton  
Vice Mayor Thomasson

[22-051](#)

Discussion and Action to Continue Consideration of the Casa Blanca Estates Subdivision Wall Application to a Future Meeting

**Recommendation:**

Continue consideration of the Casa Blanca Estates Subdivision Wall located at 5219 N. Casa Blanca Drive to February 24, 2022.

**A motion was made by Council Member Pace, seconded by Council Member Stanton, to continue consideration of the Casa Blanca Estates Subdivision Wall located at 5219 N. Casa Blanca Drive to Study Session on March 10, 2022 and Public Meeting on March 24, 2022. The motion carried by the following vote:**

**Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Council Member Pace  
Council Member Stanton  
Vice Mayor Thomasson

### 13. FUTURE AGENDA ITEMS

[22-033](#)

Consideration of Requests for Future Agenda Items

**Recommendation:** Review the current list of pending agenda topics.

**A motion was made by Council Member Pace, seconded by Council Member Andeen, to add an item to a future study session agenda related to waiver of attorney-client privilege on a memo written by the Town Attorney dated November 3, 2021. The motion failed by the following vote:**

- Aye:** 2 - Council Member Andeen  
Council Member Pace
- Nay:** 5 - Mayor Bien-Willner  
Council Member Dembow  
Council Member Moore  
Council Member Stanton  
Vice Mayor Thomasson

### 14. MAYOR / COUNCIL / MANAGER COMMENTS

### 15. ADJOURN

**A motion was made at 9:47 PM by Council Member Dembow, seconded by Council Member Pace, to adjourn. The motion carried by the following vote:**

- Aye:** 7 - Mayor Bien-Willner  
Council Member Andeen  
Council Member Dembow  
Council Member Moore  
Council Member Pace  
Council Member Stanton  
Vice Mayor Thomasson