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**TOWN COUNCIL MEETING  
6401 E. LINCOLN DRIVE  
PARADISE VALLEY, ARIZONA 85253  
MINUTES  
Thursday, May 14, 2020**

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**1. CALL TO ORDER / ROLL CALL**

Mayor Bien-Willner called to order the Town Council Meeting for Thursday, May 14, 2020 at 2:10 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 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

**A motion was made by Council Member Thomasson, seconded by Council Member Andeen, to go into executive session at 2:10 PM to discuss items 20-195 and 20-193. 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**

- |               |   |
|---------------|---|
| <b>20-195</b> | <b>Discussion or consultation with the Town Attorney for legal advice regarding Article XI, Section 1102.2.B as authorized by A.R.S. §38 431.03(A)(3.)</b>  |
| <b>20-214</b> | <b>Discussion or consultation with the Town representatives concerning negotiations for the purchase, sale, or lease of real property in the vicinity of the 6500 block of East Bar Z Lane as</b> |

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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).

authorized by A.R.S. §38 431.03(A)(7) and/or discussion and consultation with the Town Attorney for legal advice regarding zoning law as authorized by A.R.S. §38 431.03(A)(3.)

**20-193**      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).

**20-194**      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 3:30 PM.

### **3. STUDY SESSION ITEMS**

#### **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 attended by video conference

Public Works Director Brent Skoglund attended by video conference

Police Chief Peter Wingert attended by video conference

Senior Planner George Burton

#### **20-199      Discussion of Building Pad Height**

Town Engineer Paul Mood explained how building pad height is measured in Paradise Valley. He presented possible Town Code amendments. The Council discussed clarifying definitions in the Code and if the interpretation of pad height had changed over the years.

There was Council consensus to separate the issues regarding esthetics and drainage from pad height. Staff was directed to prepare a check list of items for the Planning Commission to consider related to pad height definitions and certification timelines for the Council to review in a study session. The two other items would be scheduled for a future meeting in the fall.

**20-201 Discussion of Native Plant Preservation Requirements**

Community Development Director Jeremy Knapp described the Town's native plant preservation regulations and compared them with regulations in Carefree, Cave Creek, Sedona, and Scottsdale. He noted the Town does not regulate landscaping on flatland private property. He suggested the following possible improvements:

1. Clarifying need for Native Plant Preservation Plan for Grading Plan;
2. Requiring a pre-inspection prior to commencement of grading/building activity;
3. Provide a list of approved Plant Preservation contractors; and,
4. Expand the list of protected plants that are found in Maricopa County.

The proposed changes would involve Town Code and policy changes. There was consensus to prepare a draft ordinance for the Council to review.

**20-190 Discussion of Planning Process Applicant Interaction & Public Outreach**

This item was not discussed.

**20-187 Discussion on Release of Drainage Easement at 3310 E. Stella Lane**

Senior Planner George Burton presented a request to abandon and relocate a drainage easement that was recorded on the plat map for the Preserve at Lincoln. The existing drainage easement for 3310 E Stella Lane is being modified to accommodate a new single-family residence. The easement was relocated to the east side of the property. The Town Engineer reviewed the request and determined that it meets Town Code requirements.

There were no Council comments.

**20-204 Update from and Discussion with Experience Scottsdale Regarding its Strategic Recovery Plan**

Experience Scottsdale President and CEO Rachel Sacco, joined by colleagues Caroline Stoeckel, Laura McMurchie, Deanne Boynton Grupp, Kelli Blubaum, summarized their strategic recovery plan in response to the post-pandemic stay-at-home orders.

Mountain Shadows General Manager and Experience Scottsdale Board Member Andrew Chippindall offered perspectives on how resorts have responded to the significant reduction in bookings and to safely reopen resort properties.

The Council expressed support for the resort community and asked them to reach out to the

Council or Town Manager if there were things the Town could do to be helpful now that stay-at-home orders have been lifted.

**20-206          Discussion of Resolution Authorizing Temporary Rescission and Amendments to Certain Zoning Ordinance Provisions During the Effective Dates for Social Distancing in Response to the Covid-19 Pandemic**

This item was not discussed.

**4. BREAK**

**5. RECONVENE FOR REGULAR MEETING**

Mayor Bien-Willner reconvened the meeting at 6:11 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 attended by video conference  
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 attended by video conference  
Chief Information Officer Steven Brunasso attended by video conference  
Chief Financial Officer Douglas Allen attended by video conference  
Capital Projects Administrator Jason Harris attended by video conference

**7. PLEDGE OF ALLEGIANCE\***

Mayor Bien-Willner led Pledge of Allegiance.

**8. PRESENTATIONS**

There were no presentations.

**9. CALL TO THE PUBLIC**

There were no public comments.

**10. CONSENT AGENDA**

**20-196            Minutes of Town Council Meeting April 23, 2020**

**20-203            Approval of Board of Adjustment Chair**

**Recommendation:** Approve Quinn Williams to serve a one-year term as Chair of the Board of Adjustment.

**A motion was made by Vice Mayor Pace, seconded by Council Member Dembow, to approve the Consent Agenda. 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

### **20-192 Award of Construction Contract for Lincoln Drive and Invergordon Road Intersection Realignment Improvements**

Vice Mayor Pace declared that her law firm represents the contractor and that she would recuse herself from consideration of this item.

Town Engineer Paul Mood presented a construction contract with B&F Contracting to realign and make other improvements to the intersection of Lincoln Drive and Invergordon Road including:

1. Relocation of the northwest traffic signal pole
2. Dedicated left turn green arrows from Lincoln Drive onto Invergordon Road
3. Sidewalk ramp reconstruction to meet ADA requirements
4. Additional 4' of asphalt pavement and 2' ribbon curb on Invergordon Road
5. Removal and reconstruction of residential driveways as required
6. Landscape restoration
7. Traffic control and off-duty police officer required for work at intersection

He stated that The construction contract in the amount of \$188,658.91 is a Cooperative Purchasing Agreement based on the City of Peoria's Job Order Contract for Traffic Systems held by B&F Contracting. He stated that the contractor has done quality work for the Town in the past and have the expertise to complete this project. It is anticipated that the project will be completed by June 30, 2020.

**A motion was made by Council Member Moore, seconded by Council Member Andeen, to authorize the Town Manager to execute the construction contract with B&F Contracting, Inc. in the amount not to exceed \$188,658.91 and waive the 14-day contract execution wait 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

**20-200            Adoption of Resolution Number 2020-14 Expressing Appreciation  
for the Response to the Covid-19 Pandemic**

Town Manager Jill Keimach stated that this resolution recognizes the efforts and team work by many people across many different industries. Mayor Bien-Willner read the Resolution.

**A motion was made by Vice Mayor Pace, seconded by Council Member Dembow, to adopt Resolution Number 2020-14. 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

**20-207            Adoption of Resolution 2020-15: Authorizing Temporary Rescission  
and Amendments to Certain Zoning Ordinance Provisions During  
the Effective Dates for Social Distancing in Response to the  
Covid-19 Pandemic and Related Town Practices to Stop the Spread  
of Covid-19**

Ms. Keimach stated that this resolution is intended to provide staff flexibility in approving temporary structures and signage that are needed in direct response to this pandemic. There have been two recent requests directly related to the new social distancing recommendations from the Jones-Gordon School and Houses of Worship.

Dana Herzberg from the Jones-Gordon School submitted a comment supporting the resolution.

**A motion was made by Vice Mayor Pace, seconded by Council Member Moore, to adopt Resolution 2020-15, with the following amendments:**

**1) Page 4, Section 1, subsection (a) From March 17, 2020 until the Town Council decides to rescind, modify or renew the terms of this Resolution, or until April 1, 2021 (the "Pandemic Period") the use of banner signs at Special Use Permit properties is hereby modified and amended as follows: [...]**

**2) Page 6, Section 2,  
The Town Manager is hereby authorized to waive the temporary use permit application fees for temporary storage containers, temporary tents and other temporary facilities as needed during the Pandemic Period. The Town Manager shall notify the Council of each temporary approval made hereunder.**

**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

### 13. FUTURE AGENDA ITEMS

#### 20-198 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.

**A motion was made by Council Member Andeen, seconded by Council Member Thomasson, to go into executive session at 7:41 PM to discuss item 20-214 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 8:26 PM

### 15. STUDY SESSION CONTINUED

#### 20-202 Information, discussion and direction on the Town's Recommended Budget for Fiscal Year 2020/21 (Beginning July 1, 2020 and Ending June 30, 2021) and Capital Improvement Plan for Fiscal Years 2019/20 through 2024/25

Chief Financial Officer Doug Allen presented an executive summary of the FY 2021 budget and updated the Council on revenue projections. He stated that the Town experienced a sharp revenue drop with a duration and rebound that is still uncertain. He explained that the recommended departmental budgets have been scaled back from initial requested amounts but there is a built-in mechanism to transition back to 2019 service levels as the Town's revenues rebound. In FY 21, staff will focus on monitoring and tracking revenue recovery on a month-to-month basis. If revenue recover proves to resemble the "L-shaped" curve, further budget and service reductions will be implemented.

Mr. Allen summarized the Strategic Revenue Plan and how it could be used to trigger a review of expenditures. He summarized historical and projected revenues and operating expenditures.



He then explained the Town's enterprise including alarm monitoring, fire services, wastewater and impact fees. He detailed program budgets including public transit, tourism, grants and donations, public safety retirement, and contingencies.

Town Engineer Paul Mood and Capital Projects Manager Jason Harris presented how Capital Improvement Projects are identified, scored and ranked. They summarized the CIP Program for FY 2021.

Mr. Allen stated that the FY 2021 Tentative Budget would be considered for adoption on May 28<sup>th</sup> and the Final Budget would be considered at a public hearing on June 11<sup>th</sup>.

**A motion was made by Council Member Moore, seconded by Council Member Thomasson, to go into executive session at 10:00 PM to discuss item 20-193. 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

## 16. ADJOURN

**A motion was made by Council Member Moore, seconded by Council Member Dembow, to adjourn. The motion carried 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  
Council Member Stanton

Mayor Bien-Willner adjourned the meeting at 10:52 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, May 14, 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