



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
THURSDAY, SEPTEMBER 24, 2020**

1. CALL TO ORDER / ROLL CALL

Mayor Bien-Willner called to order the Town Council Meeting for Thursday, September 24, 2020 at 3:00 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 attended by video conference
Assistant Town Attorney Deborah Robberson attended by video conference
Town Clerk Duncan Miller

A motion was made at 3:35 PM by Council Member Dembow, seconded by Council Member Moore, to go into executive session to discuss item 20-361. 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

**20-365 Discussion or consultation with the Town Attorney for legal advice
regarding the Federal Fair Housing Act and reasonable
accommodation law as s as authorized by A.R.S. §38 431.03(A)(3.)**

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).

- 20-361** Discussion or consultation with the Town Attorney for legal advice regarding medical marijuana, marijuana establishments, and municipal zoning laws related to medical marijuana dispensaries and marijuana establishments as authorized by A.R.S. §38 431.03(A)(3.)
- 20-362** Discussion or consultation with the Town representatives concerning the recognition of a prior deed that dedicated right-of-way in the vicinity E Lincoln Drive and Quail Run Rd as authorized by A.R.S. §38 431.03(A)(7), and/or legal advice regarding right-of-way dedication as authorized by A.R.S. §38 431.03(A)(3).
- 20-360** The Town Council may go into executive session at one or more times during the meeting as needed to confer with the Town Attorney for legal advice regarding any of the items listed on the agenda as authorized by A.R.S. §38-431.03(A)(3).

3. STUDY SESSION ITEMS

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 in-person

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
Planning Manager Paul Michaud
CFO Douglas Allen attended by video conference
Senior Planner George Burton
Human Resources Manager Jinnett Hancock

Mayor Bien-Willner reconvened the study session at 4:30 PM

20-351 Mountain Shadows Resort Landscaping & Replacement Landscape

Senior Planner George Burton updated the Town Council on the Mountain Shadows Resort's

conceptual plans to improve perimeter landscaping consistent with their Special Use Permit. He noted that sections of oleander hedge are dying and will be addressed by a combination of new landscaping, rehabilitating current oleanders, and installing concrete block fencing and decorative mesh fencing.

Mountain Shadows General Manager Andrew Chippendall responded to questions and discussed the proposed timeline taking into consideration financial pressures caused by the COVID-19 pandemic.

20-371 Paradise Valley Public Safety Foundation and Other Options for Receiving PVPD Donations

Town Manager Jill Keimach presented the following options for the Police Department specifically and the Town in general to receive charitable contributions:

1. Maintain current relationship with the Paradise Valley Public Safety Foundation
2. Create a new in-house process with public transparency with Town Council approval of all donations
3. Create a new limited non-profit organization for allocating enhancement funds

There was Council consensus to direct staff to develop a transparent in-house process to accept donations that would be reviewed and approved by the Town Council. Ms. Keimach stated that she would work with the Chief Financial Officer to develop a process, seek input from the Town's auditors, and report back to the Council.

20-367 Discussion of FY2020/21 Monthly Financial Update No. 1 for September 2020

Chief Financial Office Douglas Allen presented the monthly financial update. It included:

1. Analysis and introduction to the FY2021 revenue monitoring models;
2. Results of closing the Year ended FY2020 (unaudited);
3. Status of the Town's emergency reserve fund balance; and
4. Illustration of the mechanics and relationship of the Town's:
 - a. Three tiers of revenues; and
 - b. Three levels of expenditure priorities

(Complete report available in the online meeting archive or at the Town Clerk's Office)

20-368 Discussion of Human Resources Handbook Policy Updates

Human Resource Manager Jinnett Hancock presented the following three recommended amendments to the Human Resources Handbook to bring the policies into compliance with current practice and in preparation for the federal single audit of CARES Act funding:

1. Amend Section 204 - Revisions to Human Resources Policies and Procedures Handbook
 - a. Recommend Amendment to allow the Town Manager authorization to revise or add Handbook policies to ensure legal compliance and proper administration of employee affairs based on Council policy direction
 - b. The Town Council will continue to have sole authority of all Handbook policy amendments regarding employee compensation and policies with fiscal implications to the Town
2. Adopt amendment of Section 910 E - Holiday Pay for Dispatchers, Officers and Supervisors Assigned to Patrol to reflect existing practice. (Allows 8 hours Holiday to be paid out or banked at the at the over-time rate (1.5))
3. Eliminate Section 809 E - Supervisory Differential (Allows Supervisors to be paid 5% more than highest paid subordinate)

She also recommended authorizing the Town to retain an outside employment law attorney to review the Handbook and recommend amendments to ensure it is in compliance with federal, state, and local laws.

There was consensus to schedule the policy amendments for a vote at a future meeting. The Council requested further clarification of the amendment to Section 204, and requested the addition of a requirement to formally notify the Council of any administrative changes to the Handbook in the future.

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 in-person

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
Chief Information Officer Steven Brunasso attended by video conference
Chief Financial Officer Douglas Allen attended by video conference
Planning Manager Paul Michaud
Human Resources Manager Jinnett Hancock 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

Town Manager Keimach summarized the items on the Consent Agenda.

20-359 Minutes of Town Council Meeting September 10, 2020

**20-369 Approval of Amendment to Section 910(L) of the Human Resources
Policies and Procedures Handbook**

Recommendation: Approve the amendment to Section 904 L Leave Donation Policy to allow employees the ability to donate sick hours to employees on Family Medical Leave who have exhausted all paid leave.

A motion was made by Council Member Dembow, seconded by Council Member Thomasson, 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

20-366 Award of Contract to Purchase License Plate Recognition Equipment and Support

Police Chief Peter Wingert presented a contract to purchase and install new license plate recognition (LPR) equipment at the current LPR locations in the approximate amount of \$310,000 over the five-year term.

There were no public comments.

A motion was made by Council Member Andeen, seconded by Council Member Dembow, to Authorize the Town Manager to execute a contract with Motorola (a.k.a. Vigilant Solutions) to purchase License Plate Recognition equipment and support. 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

20-372 Acceptance of Town Attorney Andrew Miller's Letter of Retirement

Town Attorney Andrew Miller announced his intention to retire effective December 17, 2020. The Council thanked Mr. Miller on his 22 years of distinguished service to the Town.

A motion was made by Vice Mayor Pace, seconded by Council Member Stanton, to Accept Andrew Miller's letter of retirement. 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

20-364 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.

15. STUDY SESSION CONTINUED

20-370 Presentation of Five Star Palmeraie Application with City of Scottsdale

Attorney Jason Morris of Withey Morris, PLC, counsel for Five Star Development, and Richard Frazee, Five Star Construction Manager, presented the Five Star Palmeraie application under consideration in the City of Scottsdale and responded to questions. The Palmeraie, located at the corner of Indian Bend Rd and Scottsdale Road, is part of the Five Star/Ritz Carlton Development but located within the jurisdiction of Scottsdale. The development is envisioned as a high-quality project complete with hospitality, retail, fitness, commercial spaces, and open space amenities.

16. ADJOURN

A motion was made by Vice Mayor Pace, 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 8:03 PM.

TOWN OF PARADISE VALLEY

SUBMITTED BY:

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 Thursday, September 24, 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