



**TOWN COUNCIL MEETING
6401 E. LINCOLN DRIVE
PARADISE VALLEY, ARIZONA 85253
MINUTES
THURSDAY, June 24, 2021**

1. CALL TO ORDER / ROLL CALL

Mayor Bien-Willner called to order the Town Council Meeting for Thursday, June 24, 2021 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 Mark Stanton 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 Julie Pace 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 J. McGuire attended by video conference
Assistant Town Attorney Deborah Robberson attended by video conference
Town Clerk Duncan Miller
CFO Douglas Allen attended by video conference
Chief of Police Peter Wingert attended by video conference
Town Engineer Paul Mood attended by video conference
Community Development Director Lisa Collins attended by video conference
Public Works Director Brent Skoglund attended by video conference

A motion was made at 3:03 PM by Council Member Thomasson, seconded by Vice Mayor Stanton, to go into executive session to receive legal advice on item 21-245. The motion carried by the following vote:

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

2. EXECUTIVE SESSION

21-245 Discussion or consultation with Town Attorney for legal advice regarding privileged documents from outside counsel as authorized by A.R.S. §38-431.03(A)(3).

21-246 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 reconvened the public meeting at 4:30 PM

3. CONSENT AGENDA

Town Manager Keimach summarized the items on the Consent Agenda. She requested that agenda item 21-253 be removed for separate discussion.

A motion was made by Council Member Thomasson, seconded by Vice Mayor Stanton, to approve the Consent Agenda with the exception of item 21-253. The motion carried by the following vote:

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

21-249 Adoption of Resolution 2021-15 Amending the Fiscal Year 2020/21 Budget

Recommendation: Adopt Resolution 2021-15.

21-250 Authorization of Merit Bonus for Acting Town Attorney

Recommendation: Adopt Resolution 2021-20.

21-253 Consideration of Waiving the Attorney/Client Privilege with Respect only to a Summary of Findings from Scott Rhodes Regarding his Conflicts of Interest Investigations

Recommendation: Authorize waiving the attorney/client privilege only with respect to the summary findings letter, dated June 23, 2021, from attorney Scott Rhodes to Town Manager Keimach, regarding his conflicts of interest investigation.

A motion was made by Council Member Pace, seconded by Council Member Andeen, to authorize waiving the attorney/client privilege only with respect to conflict of interest summary of findings by attorney Scott Rhodes. The motion carried by the following vote:

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

4. ACTION ITEMS

**21-248 Adoption of Resolution Number 2021-18 Accepting Federal
American Rescue Plan Act (“ARPA”) Funding and Authorizing
Certain ARPA Funds for Sewer System Improvements**

CFO Douglass Allen explained that the federal American Rescue Plan (2021) Act was signed into law on March 11, 2021 and continues many programs started by the CARES Act (2020) and the Consolidated Appropriations Act (2021) by adding new phases, allocations and guidance to address issues related to the continuing COVID-19 pandemic and recovery efforts, which provides \$350 billion funding to state, local, territorial and Tribal governments. He said Paradise Valley is eligible to receive \$4,888,467.26 in funding. He summarized for what purposes the funds may be used and stated that the Council has already expressed support for using \$350,000 for sewer system improvements. Responding to a question from Council, he confirmed that the funds are exempt from the state expenditure limitation.

There were no public comments.

A motion was made by Council Member Pace, seconded by Vice Mayor Stanton, to adopt Resolution Number 2021-18. The motion carried by the following vote:

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

**21-251 Adoption of Resolution 2021-19, for an Intergovernmental
Agreement Between the Town and the City of Scottsdale for Plan
Review, Permitting, Inspection and Maintenance of
Cross-Jurisdictional Road and Utility Improvements.**

Assistant Town Attorney Deborah Robberson explained that the Five Star Development project at the southwest corner of Scottsdale Road and Indian Bend Road cross jurisdictional boundaries between Paradise Valley and Scottsdale. She said the two jurisdictions wish to cooperate to allow one municipality

to perform plan review, permitting, and inspections services for the design and construction of the improvements and to establish future maintenance and permitting authority. She summarized the intergovernmental agreement designating Scottsdale as the lead agency to perform the services.

She stated that Scottsdale's City Council is scheduled to consider the IGA on July 2.

There were no public comments.

A motion was made by Council Member Pace, seconded by Council Member Andeen, to adopt Resolution No. 2021-19. The motion carried by the following vote:

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

5. PUBLIC HEARINGS

Consideration of the FY 2021/2022 Final Budget

CFO Douglas Allen presented the Fiscal year 2021 – 2022 Final Budget. He stated that the budget is a policy document, financial plan, operations guide, and communication tool. The adopted budget cannot exceed the total Tentative Budget. The total recommended budget is comprised of the Operating fund, Capital projects, Debt service, Other governmental programs and three Enterprises (Alarm, Fire and Wastewater services). The total recommended budget was \$57,139,540, which is 11% less than prior year. He said the primary reason for the decrease is the completion of major capital improvement projects and a prior issuance of excise tax proceeds to hedge cash flows for a development agreement where the Town fronts cash and then is reimbursed for capital improvements.

He summarized the changes from the adopted Tentative Budget and summarized the state budget forms attached to Resolution 2021-12.

Mayor Bien-Willner opened the public hearing. There were no public comments.

Mayor Bien-Willner closed the public hearing.

6. SPECIAL MEETING

Mayor Bien-Willner recessed the regular meeting and convened the Special Meeting to consider the adoption of the final budget.

21-244 Adoption of Resolution Number 2021-12 Adopting the FY2021/22 Final Budget, Capital Improvement Plan and the Strategic Revenue Plan.

There was no further discussion.

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

- 1. Amend the Tentative Budget State Forms by increasing the Information Technology Department and decreasing the General Fund Contingency by \$321,150;**
- 2. Amend the Tentative Budget State Forms by authorizing up to \$345,000 of ARPA funding for sewer repairs, as allowed under ARPA;**
- 3. Adopt Resolution 2021-12 adopting the Final Budget, and the Capital Improvement and Strategic Revenue Plans for 2021/2022, as amended.**

The motion carried by the following vote:

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

Mayor Bien-Willner adjourned the Special Meeting and reconvened the Regular Meeting.

7. ADJOURN

A motion was made by Council Member Dembow, seconded by Council Member Thomasson, to adjourn. The motion carried by the following vote:

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

Mayor Bien-Willner adjourned the meeting at 5:12 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 24, 2021.

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