



**TOWN COUNCIL MEETING**  
**6401 E. LINCOLN DRIVE**  
**PARADISE VALLEY, ARIZONA 85253**  
**SUMMARIZED MINUTES**  
**APRIL 8, 2010**

**CALL TO ORDER**

Mayor Parker called to order the Town Council meeting of the Town of Paradise Valley, Arizona, held at Town Hall 6401 E. Lincoln Drive, on Thursday, April 8, 2010 at 3:00 PM.

**COUNCIL MEMBERS PRESENT**

Mayor Vernon B. Parker  
Vice Mayor Virginia "Jini" Simpson  
Council Member Bernie Barry  
Council Member Ron Clarke  
Council Member Mary Hamway  
Council Member Pam Kirby  
Council Member Scott LeMarr

**STAFF MEMBERS PRESENT**

Town Manager James C. Bacon, Jr.  
Town Attorney Andrew Miller  
Town Clerk Duncan Miller  
Town Engineer William C. Mead  
Police Chief John Bennett  
Budget & Finance Director David Andrews  
Planning & Building Director Eva Cutro

**ALSO PRESENT**

Council Candidate Larry Fink, Council Candidate Paul Dembow, Council Candidate Russ Mosser, Council Candidate Lisa Trueblood, Presiding Judge Ty Taber, Associate Presiding Judge John Auran, Judge Larry King, Municipal Court Director Jeanette Weisenhoffer

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**Discussion of Arizona American Rate Consolidation**

Mr. Miller reported that the Water Utility Committee has been closely following the Arizona Corporation Commission's (ACC) hearing on a proposal to consolidate Arizona American Water Company's (AAWC) rate districts. The Committee had planned to submit a recommendation to Council tonight regarding what the Town's position should be in the rate case. However, the ACC granted an extension for ACC Staff to file its recommendation and for AAWC to submit its rebuttal. He said the Town did not receive the information until today so the Committee will meet next week to consider options and a recommendation.

He briefly summarized that ACC Staff's recommendation was not to consolidate at this time but to continue with single rate tariffs. However, if ACC still prefers to implement rate consolidation, Staff recommended consolidation on a regional basis as follows:

- Sun City and Sun City West
- Paradise Valley, Anthem, and Agua Fria
- Mohave, Lake Havasu, and Tubac

He said AAWC's rebuttal was consistent with ACC Staff's recommendation.

Councilmember Kirby, Chair of the Water Utility Committee, reported that she met with AAWC on Tuesday along with Vice Mayor Simpson, Andrew Miller, Bill Plummer, and Jim Bacon to discuss the Company's long-term water supply plan. She summarized that the plan includes a 40-year agreement between AAWC and City of Scottsdale to treat CAP water at the City's Chaparral water treatment plant. By entering into this agreement water from well PCX-1 can be treated for TCE and pumped back into the aquifer. This will prevent further plume migration and significantly reduce groundwater pumping. AAWC would design, finance and construct a pipeline between the Chaparral plant and its water system to transport treated CAP water back into the system. She said this agreement would likely eliminate the possibility that Scottsdale would condemn AAWC's infrastructure in Scottsdale. However, it would increase capital costs for AAWC to build the water line from Chaparral which would eventually appear in customer rates.

### **Discussion of Campus Master Plan**

Mr. Bacon explained that the goal of this presentation was to receive Council feedback on the proposed campus master plan including the location of a new court facility. The next step would be for Council to approve the plan and authorize staff to award a design contract for the Municipal Court. He noted that for the past six months a team consisting of Presiding Judge Ty Tabor, Associate Presiding Judge John Auran, Jim Bacon, Town Manager, Jeanette Wiesenhofer, Municipal Court Director, Bill Mead, Town Engineer, Andrew Cooper, Public Works Director, Elsa Lynch, prior Municipal Court Director, and Steve Zraick, Deputy Town Attorney met with the architectural firm Dick & Fritsche to develop master plan options and a recommended location for the court building.

Mr. Bacon introduced Bob Smith of Dick & Fritsche, the architectural firm retained to develop a campus master plan. Mr. Smith said his firm specializes in designing public buildings and has designed 29 court facilities in Maricopa County.

He said the purpose of the study was to develop a master plan for the town complex and to determine the best location for the court facility. He said the current facility is too small, lacks proper security measures, and it does not meet the separation expectation from other branches of government.

Mr. Smith presented various options. His recommendation was to construct a new stand-alone Court building in the center of the Town Hall Municipal Complex just west of the Public Works Building, known as Option C.

There was Council discussion that the parcel between the police department and the fire department had previously been identified as the location for the new court building, known as Option F. Judge Taber stated that his preference was to locate the building in the main complex (Option C). He argued that the location provides the best synergy and traffic circulation.

Judge Taber stressed the importance of moving quickly to select a site and begin the design work.

Council asked the architect to prepare a rough building design for Option F with a connecting road and pedestrian path from the Town Hall Complex by the next meeting. Council also asked for a pro and con comparison between Options C and F.

#### **Discussion of CARFAX Proposal**

Chief Bennett presented a proposal to enter into an agreement with a company called CARFAX whereby the Town would provide redacted vehicle accident reports to the company who would then sell the reports - primarily to insurance companies. He stated that CARFAX is the leading provider of vehicle history reports. It maintains an extensive database on virtually every used car and truck registered in North America. Moreover, the company networks with Edmunds, Kelley Blue Book, AAA, Carchex, AutoTrader, and the NHTSA. This database has proven to be a valuable investigation tool in auto theft and title fraud cases. Access to this database, which normally has an associated fee, will be offered free of charge to the Police Department.

He said under the current system, accident report requests are processed manually by a police clerk for a \$10 fee. Often times, multiple requests are made for the same report by different insurance companies. Under this proposal, the police clerk would simply fax one copy of the redacted report to CARFAX's database. Persons or companies requesting the report would be able to access the reports online and receive the report electronically. CARFAX charges \$16 for the report, of which \$10 is credited to the Town. Additionally, \$0.50 per report is donated to the Arizona Association of Chiefs of Police to be used for training seminars.

Jim Tortora, Police Department Administrative and Communications Supervisor, reported that several police departments in the Valley use this service. He confirmed that other departments are pleased with the service.

Chief Bennett concluded that this proposal will save staff time, will be revenue neutral, and improve service to customers.

There was Council consensus to schedule this item for consideration and approval at a future meeting.

**Motion and vote** – Councilmember Clarke moved to go into executive session at 4:31 p.m. Councilmember Kirby seconded the motion which passed by a vote of 7-0.

**EXECUTIVE SESSION**

- a.** Discussion and consultation with Town Attorney regarding **contract negotiations for prosecution services** as authorized by and A.R.S. §38-431.03.A.4.

**RECONVENE FOR REGULAR BUSINESS MEETING**

**CALL TO ORDER**

Mayor Parker reconvened the meeting of the Town Council at 5:18 P.M.

**COUNCIL MEMBERS PRESENT**

Mayor Vernon B. Parker  
Vice Mayor Virginia "Jini" Simpson  
Council Member Ron Clarke  
Council Member Mary Hamway  
Council Member Pam Kirby  
Council Member Scott LeMarr

Council Member Bernie Barry was not present

**STAFF MEMBERS PRESENT**

Town Manager James C. Bacon., Jr  
Town Attorney Andrew Miller  
Town Clerk Duncan Miller  
Police Chief John Bennett  
Public Works Director Andrew Cooper, Jr.  
Town Engineer William C. Mead  
Planning & Building Director Eva Cutro  
Budget and Finance Director David Andrews

**PLEDGE OF ALLEGIANCE**

Mayor Parker led the Pledge of Allegiance.

**PRESENTATIONS**

There were no presentations.

**CALL TO THE PUBLIC**

The Mayor asked unanimous consent to move this item to the end of the agenda.

**MAYOR / COUNCIL / MANAGER REPORT**

There were no reports.

**CONSENT AGENDA**

**a. Minutes of Town Council Meeting March 25, 2010**

**b. Renewal of Maintenance Agreement for Avaya Telephone System**

*Recommendation:* Authorize the Town Manager to renew a four-year service agreement with Avaya for telephone and voicemail system maintenance and support in the amount of \$43,728 for the term of the agreement, or \$10,932 annually.

**c. Approval of Special Event Liquor License for Cystic Fibrosis Foundation**

*Recommendation:* Approve the Special Event Liquor License application for the Cystic Fibrosis Foundation, subject to the following stipulations: only those people authorized by law be allowed to dispense and/or consume alcoholic beverages; consumption shall be limited to the premises as indicated in the application; and Section 10-7 Control of Excess Noise be observed.

Mr. Bacon summarized the items on the Consent Agenda.

**Motion and vote** – Councilmember LeMarr moved to approve the Consent Agenda as submitted. Vice Mayor Simpson seconded the motion which passed by a vote of 6-0.

**PUBLIC HEARINGS**

**Consideration of Ordinance Number 619 Amending Zoning Article XXIV Walls and Fences**

Mr. Bacon stated that this item was discussed in work study two weeks ago. During that meeting Council requested that the ordinance be sent back to the Planning Commission for further study.

Mayor Parker opened the public hearing. There were no public comments.  
Mayor Parker closed the public hearing.

**Motion and vote** - Vice Mayor Simpson moved to refer Ordinance Number 619 back to the Planning Commission in order to review and discuss additional amendments to the ordinance that will require perimeter walls to be constructed prior to the start of construction on a new or substantially remodeled home. Councilmember LeMarr seconded the motion which passed by a vote of 6-0.

**ACTION ITEMS**

There were no Action Items.

**CALL TO THE PUBLIC**

There were no public comments.

**ADJOURNMENT**

**Motion and vote** – Vice Mayor Simpson moved to adjourn. Councilmember Hamway seconded the motion which passed by a vote of 6-0

Mayor Parker adjourned the meeting at 5:30 p.m.



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Vernon B. Parker, Mayor

ATTEST:

  
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Duncan Miller, Town Clerk

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Paradise Valley Town Council held on then 8<sup>th</sup> day April 2010. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 13 day of May, 2010.

  
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Duncan Miller, Town Clerk