

TOWN  
*Of*  
PARADISE VALLEY



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TOWN COUNCIL  
Ed Winkler, Mayor

Scott LeMarr, Vice Mayor  
Brian Cooney  
Dan Schweiker

Ron Clarke  
Mary Hamway  
Jini Simpson

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**Thursday, SEPTEMBER 27, 2007**  
**5:00 p.m.**

**Meeting Location:**  
**Town Hall 6401 E. Lincoln Drive**  
**Boardroom**

**\* SECOND REVISED MEETING AGENDA \***

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

**2. WORK/STUDY DISCUSSION ITEMS**

Work/Study is open to the public however the following items are scheduled for discussion only. The Town Council will be briefed by staff and other Town representatives. There will be no votes and no final action taken on discussion items. The Council may give direction to staff and request that items be scheduled for consideration and final action at a later date. The order of discussion items and the estimated time scheduled to hear each item is subject to change.

**a. Discussion of Town Entry Monument Design**

**Staff Contact:** William C. Mead, Town Engineer, 480-348-3529

**3. EXECUTIVE SESSION**

The Town Council may adjourn into Executive Session at one or more times during the meeting. Executive Sessions are not open to the public.

- a.** Discussion and consultation with Town Attorney regarding **update on the following litigation and claims** as authorized by A.R.S. §38-431.03.A.4.

**Litigation**

Michael G. Tyson v. Town of Paradise Valley

CV2007-050648

Martin J. Dugan, Jr. v. Town of Paradise Valley

CV2007-051027

Harris Kenneth Thayer v. Town of Paradise Valley

CV2007-009008

Fairview v. Aztex & Town of Paradise Valley

CV2007-00337

Stone v. City of Phoenix (Intervener)

Paul and Madeline Lazarus v. Town of Paradise Valley

CV2007-016310

Ronald Sobek EEOC Claim

**Claims**

David and Joo Cantor

- b.** Discussion and consultation with Town Attorney regarding as **T.O. Development / Via Vista Sewer** authorized by A.R.S. §38-431.03.A.4.
- c.** Legal advice, discussion, and consultation with Town Attorney regarding **request to the Arizona Corporation Commission to re-open the Arizona-American rate case related to the public safety surcharge** as authorized by A.R.S. §38-431.03.A.3 and A.R.S. §38-431.03.A.4.
- d.** Discussion and consultation with Town Attorney regarding **Town Manager employment agreement** as authorized by A.R.S. §38-431.03.A.4.

**4. DINNER BREAK 6:30 PM**

## 7:00 PM Town Hall Council Chambers

### 5. RECONVENE FOR REGULAR MEETING

### 6. ROLL CALL

### 7. PLEDGE OF ALLEGIANCE

### 8. PRESENTATIONS

### 9. CALL TO THE PUBLIC

Citizens may address the Council on any matter not on the agenda. In conformance with Open Meeting Laws, Council may not have discussion or take action on this matter at this Council meeting, may respond to criticism, ask that staff review a matter raised, or ask that it be put on a future agenda. Those making comments shall limit their remarks to three (3) minutes. **Please fill out a Speaker Request form prior to addressing the Council.**

### 10. MAYOR / COUNCIL / MANAGER REPORTS

The Mayor, Council or Town Manager may provide a summary of current events. In conformance with Open Meeting Laws, Council may not have discussion or take action at this Council meeting on any matter discussed during the summary.

### 11. CONSENT AGENDA

All items on the Consent Agenda are considered by the Town Council to be routine and will be enacted by a single motion. There will be no separate discussion of these items. If a member of the Council or public desires discussion on any item it will be removed from the Consent Agenda and considered separately.

#### a. Minutes of Town Council Meeting September 6, 2007

#### b. Minutes of Town Council Meeting September 13, 2007

#### c. Award of Contract for Berneil Channel Hydraulic Study

**Recommendation:** Award a contract to Stanley Consultants, Inc for the Berneil Channel Hydraulic Study in the amount of \$74,800.

**Staff Contact:** William C. Mead, Town Engineer, 480-348-3529

#### d. Approval of Special Event Liquor License for Phoenix Children's Hospital

**Recommendation:** Approve the Special Event Liquor License application for the Phoenix Children's Hospital, subject to the stipulations in the Action Report.

**Staff Contact:** Duncan Miller, Town Clerk, 480-348-3610

- e. Approval of Amendment to Town Attorney Employment Agreement**  
*Recommendation:* Approve an amendment to the Town Attorney's Employment Agreement providing for an increase of \$9,000 in annual salary, retroactive to May 27, 2007, all other terms and conditions to remain the same.  
*Staff Contact:* Thomas M. Martinsen, Town Manager, 480-348-3690
- f. Authorization for Application to Maricopa Association of Governments for Federal Grant Funding**  
*Recommendation:* Authorize application to the Maricopa Association of Governments for federal grant funding.  
*Staff Contact:* William C. Mead, Town Engineer, 480-348-3529  
*Staff Contact:* Andrew Cooper, Jr., Public Works Director, 480-348-3573
- g. Authorization of Grant Funds to Purchase Personal Protection Equipment**  
*Recommendation:* Approve the sole source purchases not to exceed \$44,061.45 to complete the acquisition of Personal Protection Equipment for issue to police officers using State Homeland Security Grant Program funds.  
*Staff Contact:* John D. Wintersteen, Chief of Police, 480-948-7418
- h. Authorization of Town Participation in and Administrative Support for the Town of Paradise Valley Third Annual Classic Car Show**  
*Recommendation:* Authorize administrative support for the Town of Paradise Valley Third Annual Classic Car Show.  
*Staff Contact:* John D. Wintersteen, Chief of Police, 480-948-7418
- i. Adoption of Resolution Number 1156 Requesting the Arizona Corporation Commission to Re-open Decision No. 68858 Arizona American Water Company, Paradise Valley Water District**  
*Recommendation:* Adopt Resolution Number 1156  
*Staff Contact:* Andrew M. Miller, Town Attorney, 480-348-3691

## 12. PUBLIC HEARINGS

- a. Consideration of Liquor License for Sanctuary on Camelback, Inc.**  
*Recommendation:* Hold a public hearing and forward the application from Sanctuary on Camelback, Inc for new license and interim permit to the Arizona Department of Liquor Licenses and Control with a recommendation for approval.  
*Staff Contact:* Duncan Miller, Town Clerk, 480-348-3610

**13. ACTION ITEMS – The Town Council May Take Action on Any of These Matters.**

**a. Award of Contract for Annual Street Resurfacing Program**

*Recommendation:* Award the annual street resurfacing contract on a unit cost basis to Sunland Asphalt at a cost not to exceed \$1,112,000.

*Staff Contact:* Andrew Cooper, Jr., Public Works Director, 480-348-3573

**14. ADJOURN**

**AGENDA IS SUBJECT TO CHANGE**

The Town of Paradise Valley endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can also be provided for disabled persons at public meetings. Please call 948-7411 (voice) or 483-1811 (TDD) to request accommodation to participate in the Town Council meeting.