



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

JUNE 9, 2011

CALL TO ORDER

Mayor LeMarr called to order the Town Council meeting of the Town of Paradise Valley, Arizona, held at Town Hall 6401 E. Lincoln Drive, on Thursday, June 9, 2011 at 4:00 PM.

COUNCIL MEMBERS PRESENT

Mayor Scott P. LeMarr
Vice Mayor Mary Hamway
Council Member Michael Collins
Council Member Paul E. Dembow
Council Member Pam Kirby
Council Member Vernon B. Parker arrived at 4:05 p.m.
Council Member Lisa Trueblood

STAFF MEMBERS PRESENT

Town Manager James C. Bacon, Jr.
Town Attorney Andrew Miller
Town Clerk Duncan Miller
Town Engineer William Mead
Finance Director David Andrews
Community Development Director Eva Cutro
Planner George Burton
Public Works Director Andrew Cooper
Police Chief John Bennett

Discussion with Congressman Ben Quayle

Mayor LeMarr introduced Congressman Ben Quayle. The Congressman said he was in the process of meeting with local leaders across his district to let them know he comes back to Arizona nearly every weekend and is available to meet with Councilmembers and constituents. He explained that his local office can assist citizens resolve problems with Social Security, Medicare, Veterans Benefits, and other issues dealing with federal agencies.

Among the topics raised by Council was the recent letter written by U.S. Attorney Dennis Burke regarding Arizona's Medical Marijuana Act. Congressman Quayle offered to seek clarification from the U.S. Justice Department concerning the likelihood of prosecuting state and local officials under the Controlled Substances Act for their actions in approving medical marijuana dispensary permit applications.

Discussion of Human Services Funding

Mr. Bacon stated that the Town has contributed financial resources to human services agencies for decades. Over the years, the process for distributing funding has evolved. Prior to last fiscal year, agencies were asked to submit a proposal to the Town during the spring. Those requests would be programmed into the budget and checks would be mailed in July after the budget was adopted.

Starting last fiscal year, Council voted to change the process. First, Council determined the maximum budget for all human services funding. Second, a Council Committee was formed with Vice Mayor Hamway and Councilmember Kirby. A funding application was developed and sent to previously funded agencies and was also available on the Town's website for download. Agencies submitted applications requesting funding for specific programs and listed what performance measures would be used to demonstrated meaningful results.

Mr. Bacon stated that for the 2011-2012 budget Council directed staff not to include any funding for human services. The Council subsequently adopted the tentative and final budgets without funding for human services. Following adoption, he was asked for recommendations on how funding might be restored. He suggested providing additional funding from this fiscal year's operating contingency. He was concerned that next year's operating contingency would not be adequate for such an expense.

Council debated the role of government in funding non-profit service organizations. Some members also expressed concern that the funding review process implemented earlier in the year would not be followed if additional funding was approved this year. Mr. Bacon responded that this could be considered an extension of the process. He said the same organizations approved for funding by the Committee and the Council in October would receive the exact same amounts.

Resident and former Councilmember Jini Simpson spoke in favor of providing funding for human service organizations. She stated that the Town is not a full service community and has a history of identifying private and non-profit providers to offer services to residents.

Pam Krewson, representing Scottsdale Prevention Institute spoke in favor of human services funding.

Mayor LeMarr recessed the meeting at Trueblood Collins at 5:00 p.m.

EXECUTIVE SESSION

- a. Legal advice from the Town Attorney regarding medical marijuana as authorized by A.R.S. §38-431.03.A.3.

- b. Legal advice from Town Attorney regarding joint planning and zoning area options, its affect on rezoning processes, and de-annexation procedures as authorized by A.R.S. §38-431.03.A.3.

- c. 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 agenda items listed on the agenda as authorized by A.R.S. §38-431.03.A.3.

RECONVENE FOR REGULAR BUSINESS MEETING

CALL TO ORDER

Mayor LeMarr reconvened the meeting of the Town Council at 6:00 P.M.

COUNCIL MEMBERS PRESENT

Mayor Scott P. LeMarr

Vice Mayor Mary Hamway

Council Member Michael Collins

Council Member Paul E. Dembow

Council Member Pam Kirby

Council Member Vernon B. Parker

Council Member Lisa Trueblood

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.

Community Development Director Eva Cutro

Planner George Burton

PLEDGE OF ALLEGIANCE

Mayor LeMarr led the Pledge of Allegiance.

PRESENTATIONS

There were no presentations.

CALL TO THE PUBLIC

Jerry Van Gasse thanked the Town for maintaining the Goldwater Memorial, particularly repairing the inscription walkway so it is ready for the centennial. He said he is trying to raise donations to secure a donation from Grand Canyon National Park of armored binoculars to be installed at the Goldwater Memorial to view Camelback Mountain.

MAYOR / COUNCIL / MANAGER REPORT

There were no reports.

CONSENT AGENDA

- a. Minutes of Town Council Meeting May 26, 2011**
- b. Adoption of Resolution Number 1238; Approving the Issuance by the Pima County Industrial Development Authority of Education Facility Revenue Bonds (Montessori Academy Project) Convertible Series 2010C in an Aggregate Principle Amount of \$685,000.**
Recommendation: Adopt Resolution Number 1238.
- c. Authorization to Extend the Term of the Agreement for Town Prosecution Services**
Recommendation: Authorize the Town Manager to execute a Letter Agreement extending the term of the agreement for Town prosecution services with Richard Speer and Patrick Gann, with said services to include a fixed rate of \$2,450/month for 8 hours of basic prosecution services, and the provision of additional services should the Town require such additional services.
- d. Approval of Purchase of Police Patrol Vehicle**
Recommendation: Approve the purchase of one 2011 Chevrolet Tahoe Police Patrol Vehicle from Courtesy Chevrolet in an amount not to exceed \$31,822.00.

Mr. Bacon summarized the items on the Consent Agenda.

Motion and vote – Vice Mayor Hamway moved to approve the consent agenda as submitted. Councilmember Parker seconded the motion which passed by a vote of 7 – 0.

PUBLIC HEARING

Continued Consideration of Adoption of Ordinance Number 634 Amending the Special Use Permit for Mountain View Medical Center to Permit the Operation of a Medical Marijuana Dispensary and Consideration of a Request to Continue the Public Hearing to a Later Date

Mayor LeMarr announced that the applicant has requested a one-time continuance of the public hearing on Ordinance Number 634. He said the Town often grants continuances as a professional courtesy to applicants.

Attorney Jordan Rose, representing Mountain View Medical Center, asked Council to grant a continuance since the Arizona Department of Health Services put a hold on granting dispensary permits.

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

Mayor LeMarr clarified that any decision to continue the public hearing would not be based on any criteria or reason.

Motion and vote: Vice Mayor Hamway moved to continue the public hearing on the Mountain View Medical Center's Intermediate SUP Amendment, Ordinance Number 634, to September 8, 2011. Councilmember Parker seconded the motion which passed by a vote of 6 - 0.
(Councilmember Dembow recused)

ACTION ITEMS

Award Supplemental Human Services Funding for Fiscal Year 2010-2011 and Authorize Transfer of Funds within the Fiscal Year 2010-2011 Budget

Mr. Bacon explained that the recommendation is to provide additional funding to certain human service organizations in the 2010-2011 Fiscal Year by transferring funds from the operating contingency.

Council asked if the Town received a grant during the next fiscal year that could be used for human services purposes, could the Town use it to fund these agencies. Mr. Miller responded that state law does not allow municipalities to exceed its budget authority even if a unanticipated revenue is received.

Resident and former Councilmember Dan Schweiker spoke in favor of funding Human Services. He stated that the Town is part of a larger community and must share in the responsibility to provide funding for these necessary services.

Laraine Stewart, Chief Operating Officer for the Area Agency on Aging, stated that her agency has provided services to residents in Paradise Valley for 13 years. They serve approximately 5,600 meals Paradise Valley residents each year. She said that the Area Agency on Aging works hard to maximize its efficiency so that they can keep older adults in their homes for \$2,200 a year. The alternative is for them to go onto Medicaid for a cost of \$43,000 a year. Responding to a question from Council she stated that administrative costs run about 9%.

Pam Krewson, representing Scottsdale Prevention Institute, thanked the Town for its continued support and for continuing to be a member of the larger community. She said SPI was established following a drug bust at Chaparral High School 1987. Since that time they have expanded their counseling services from drug and alcohol abuse to include social skills and anti-bullying programs. She stated that the City of Scottsdale recently voted 7-0 to award \$238,000 in funding. Responding to a question from Council she stated that administrative costs are very low. She also stated that their programs are targeted on a school by school basis. Since Paradise Valley schools participate in the DARE program SPI tries not to duplicate those prevention skills.

Greg Pereira, representing Central Arizona Shelter Services, noted that the Town has been contributing funds to CASS longer than any of the other agencies. He stated that CASS provides a public safety service to the Town by providing a place for the homeless to seek shelter. This reduces the presence of graffiti and homelessness in Town. He said the need has never been greater not only for shelter services but also for their skills training programs. He stated that the all of the funding received from the Town goes directly to funding specific programs and is not used for administrative costs.

Resident and former Councilmember Jini Simpson spoke on behalf of American Cancer Society Relay For Life. She stated that administrative costs generally do not exceed 8% but the PV Relay never spends more than 4%.

Cindy Fowler, representing Phoenix Country Day School, spoke in favor of human services funding. She said PCDS has partnered with the Town for several years on the Relay For Life event. The school and its staff participate in the event because of their commitment to cancer research. She said the school stresses the importance of community involvement with their students.

Elizabeth Banta, Executive Director of Duet, stated that her agency provides services to 5 Town residents and partners with 6 local religious congregations. Duet volunteers provide transportation to doctor's appointments and grocery stores and offer similar support services. She said Duet's administrative costs are less than 10%.

Responding to a question from Council regarding the process of awarding funds, Mr. Bacon stated that the agencies who were awarded funding earlier in the year would receive the same amounts as before to fund the same programs. The signed agreements for FY 2010-2011 would be amended to include the new funding amount.

Motion and Vote: Vice Mayor Hamway moved to authorize the Town Manager to execute amended funding agreements with human services grant recipients for Fiscal Year 2010-11 based on the Human Services Funding Committee's initial recommendations and Council's subsequent approval in November 2010 in an amount totaling \$50,000; and approve the transfer of funds from the operating contingency account to the non-departmental budget. Councilmember Parker seconded the motion which passed by a vote of 4 – 3.

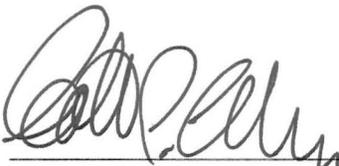
Aye: LeMarr, Hamway, Collins, Parker

No: Dembow, Kirby, Trueblood

ADJOURNMENT

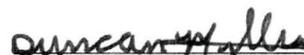
Motion and vote – Vice Mayor Hamway moved to adjourn. Councilmember Parker seconded the motion which passed by a vote of 7 - 0.

Mayor LeMarr adjourned the meeting at 6:48 p.m.



Scott P. LeMarr, Mayor

ATTEST:



Duncan Miller, Town Clerk