

TOWN
Of
PARADISE VALLEY



TOWN COUNCIL
Scott P. LeMarr, Mayor

Vice Mayor Michael Collins
Paul E. Dembow
Pam Kirby

Dan Schweiker
Lisa Trueblood

Thursday, November 15, 2012
Start Time: 3:00 p.m.

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

REVISED MEETING NOTICE AND AGENDA

1. CALL TO ORDER / ROLL CALL

Notice is hereby given that members of the Town Council will attend either in person or by telephone conference call, pursuant to A.R.S. §38-431(4).

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 Capital Budget Process** **40 minutes**
Staff Contact: James Shano, Public Works Director/Town Engineer, 480-348-3573
- b. **Discussion of Cottonwoods Resort Major General Plan Amendment** **20 minutes**
Staff Contact: Eva Cutro, Community Development Director, 480-348-3522
- c. **Discussion of Minor Zoning Code Amendments** **15 minutes**
Staff Contact: Andrew M. Miller, Town Attorney, 480-348-3691
- d. **Interview of Nominees for Appointment to the Town Council**
Town Council may adjourn into Executive Session to interview and discuss nominees as authorized by A.R.S. §38-431.03.A.1.

3. EXECUTIVE SESSION

Notice is hereby given that 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 of appointment and interview of nominees (Stephen Benson, David Sherf, and Jonathan Wainwright) to fill the vacancy on the Town Council as authorized by A.R.S. §38-431.03.A.1.
- b.** Discussion and consultation with town representatives concerning the purchase, sale or lease of real property in the vicinity of the 7000 block of Highlands Drive, 4200 block of East Lamar Road, and 7000 block of Invergordon Road as authorized by A.R.S. §38-431.03.A.7.
- c.** Discussion and consultation with legal counsel regarding pending or potential litigation regarding current development agreement with Potomac Hotel Limited Partnership and future development agreement with MTS Land LLC and MTS Golf LLC related to the Mountain Shadows Resort as authorized by A.R.S. §38-431.03.A.4; and legal advice related to bankruptcy and other legal matters connected with the Mountain Shadows Resort project as authorized by A.R.S. §38-431.03.A.3.
- d.** 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

- 4. BREAK** - The Council may take a brief recess while they reassemble in the Council Chambers.

**Meeting Location: Town Hall Council Chambers
Approximate Start Time: 6:30 p.m.**

6. RECONVENE FOR REGULAR MEETING

7. ROLL CALL

8. PLEDGE OF ALLEGIANCE*

9. PRESENTATIONS*

10. 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, but 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.**

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. **Please fill out a Speaker Request form prior to the start of the meeting and indicate which item you would like to address.**

a. [Minutes of Town Council Meeting October 25, 2012](#)

b. [Minutes of Town Council Special Meeting October 30, 2012](#)

c. [Minutes of Town Council Meeting November 1, 2012](#)

d. [Adoption of Resolution Number 1266 Canvass of Election for November 6, 2012
Special Election](#)

Recommendation: Adopt Resolution Number 1266.

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

e. [Approval of a New Subdivision Sign for Judson Estates](#)

Recommendation: Approve one monument subdivision wall sign for Judson Estates in conformance with the plan in the action report.

Staff Contact: Eva Cutro, Community Development Director, 480-348-3522

f. [Award of Contract to iXP for Public Safety Technology Consulting Services](#)

Recommendation: Award a contract to iXP for public safety technology consulting services in an amount not to exceed \$91,500.

Staff Contact: John Bennett, Police Chief, 480-948-7418

12. PUBLIC HEARINGS – The Town Council may hear public comments and take action on any of these matters.

a. Consideration of Ordinance Number 653; Mountain Shadows Resort Special Use Permit

Recommendation: Continue Ordinance Number 653 to December 6, 2012.

Staff Contact: Eva Cutro, Community Development Director, 480-348-3522

b. Approval of the Fire and Emergency Medical Services Default License Agreement with Paradise Valley Fire Services Department and Approval of the Rate and Fees

Recommendation: Approve the Fire Services Default Provider License Agreement and the Fee Schedule for such License.

Staff Contact: Scott McCarty, Finance Director, 480-348-3555

c. Consideration of Ordinance Number 656; Amending Zoning Code Section 904 Inclusion of Common Lands

Recommendation: Adopt Ordinance Number 656.

Staff Contact: Andrew M. Miller, Town Attorney, 480-348-3691

d. Consideration of Ordinance Number 657; Amending Zoning Code Section 1102.03 Creating a Special Use Permit

Recommendation: Adopt Ordinance Number 657.

Staff Contact: Andrew M. Miller, Town Attorney, 480-348-3691

e. Consideration of Ordinance Number 658; Amending Zoning Code Section 1102.2(B); Uses Permitted

Recommendation: Adopt Ordinance Number 658.

Staff Contact: Andrew M. Miller, Town Attorney, 480-348-3691

f. Consideration of Ordinance Number 659; Amending Zoning Code Section 1102.08 Application and Approval Process for Amendments to Special Use Permits

Recommendation: Adopt Ordinance Number 659.

Staff Contact: Andrew M. Miller, Town Attorney, 480-348-3691

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

Matters. Citizens may address the Council regarding any or all of these items. Those making comments are limited to three (3) minutes. Speakers may not yield their time to others. Please fill out a Speaker Request form prior to the start of the meeting and indicate which item you would like to address.

a. Adoption of Resolution Number 1255 Declaring the 2012 I-Codes as a Public Record and Adoption of Ordinance Number 648, Updating Chapter 5 BUILDING CONSTRUCTION and Chapter 13 FIRE DEPARTMENT

Recommendation: Adopt Resolution Number 1255 and Ordinance Number 648.

Staff Contact: Eva Cutro, Community Development Director, 480-348-3522

b. Consideration of Ordinance Number 701; Amending Article 13 Fire Protection Section 13-4-2(2); Alternatives

Recommendation: Adopt Ordinance Number 701

Staff Contact: Scott McCarty, Finance Director, 480-348-3555

14. REQUESTS FOR FUTURE AGENDA ITEMS – The Town Council May Take

Action on this item.

Any member of the Council may move to have the Town Manager add a new agenda item to a future agenda. Upon concurrence of three more Members, which may include the Mayor, the item shall be added to the list of future agenda items and scheduled by the Town Manager as a future agenda item within 60 days.

15. MAYOR / COUNCIL / MANAGER COMMENTS

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.

16. ADJOURN

AGENDA IS SUBJECT TO CHANGE

*Notice is hereby given that pursuant to A.R.S. §1-602.A.9 , subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the Town Council are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the Town Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the Town will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 have been waived.

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 480-948-7411 (voice) or 480-483-1811 (TDD) to request accommodation to participate in the Town Council meeting.