



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

**SUMMARIZED MINUTES  
JANUARY 10, 2008**

**CALL TO ORDER**

Mayor Winkler called to order the Town Council meeting of the Town of Paradise Valley, Arizona, held at Town Hall 6401 E. Lincoln Drive, on Thursday, January 10, 2008 at 4:04 PM.

**COUNCIL MEMBERS PRESENT**

Mayor Ed Winkler  
Council Member Ron Clarke  
Council Member Brian Cooney  
Council Member Mary Hamway  
Council Member Dan Schweiker  
Council Member Virginia "Jini" Simpson

Vice Mayor Scott LeMarr was not present.

**STAFF MEMBERS PRESENT**

Town Manager James C. Bacon, Jr  
Town Attorney Andrew Miller  
Town Clerk Duncan Miller  
Town Engineer William Mead  
Chief of Police John D. Wintersteen  
Management Services Director Lenore Lancaster  
Planning & Building Director Eva Cutro  
Public Works Director Andrew Cooper  
Deputy Town Attorney Steven Zraick  
Senior Planner Molly Hood

**ALSO PRESENT**

Planning Commission Chair Dolf Strom

**DISCUSSION ITEMS**

**Discussion of The Ritz Carlton Special Use Permit**

Ms. Cutro reviewed the history of the Special Use Permit for the property located at 7000 E. Lincoln Drive. It was annexed into the Town in 1964. In 1987 the Town Council granted a

Special Use Permit and re-zoning for Sun Valley Resort to include a mix of resort units, residential lots, and a golf course. The permit allowed for 500 resort keys, 39 R-43 cluster plan lots, and a golf course. In 2005, the property changed ownership and an application was submitted for a Ritz Carlton resort community. The Planning Commission held 17 work session and three hearings on the application. On December 18, 2007, the Commission voted to forward the application to the Town Council with 30 stipulations.

The current plan includes the following:

- A resort hotel with 225 rooms, spa, restaurants, and meeting space.
- 100 resort patio homes
- 46 luxury detached residential homes on 20,000 square foot lots
- 15 one-acre home lots
- Site improvements including parking, landscaping, and lighting

Responding to a question regarding dust control, the applicant stated that grading will be done in phases as required by the new County dust control regulations. The entire 110 acres will not be bladed at the same time.

The applicant stated that the Arizona-American Water Company is requiring that two wells be added to the system in addition to 3,300 feet of line to complete a loop in the system.

The applicant announced that the section of the property located within the City of Scottsdale has not been designed yet but architects have been selected to prepare designs. The first step will be to meet with area residents to discuss site development. It will be a mixed use project with condos, restaurant, retail, and office space. The project area will carry the Ritz Carlton brand.

Regarding the projects environmental impact, the applicant said that a full impact study is not necessary but assessments have been done on water, sewer, and drainage. Initial traffic studies have also been done. Additionally, the development will be LEEDs certified but the design level has not been determined.

Planning Commission Chair Dolf Storm, summarized the Planning Commission's recommendation. He said that the recommendation included options for the Council's consideration depending on such things as whether a water storage tank is needed on the site. He noted that the lot coverage of the property ranges from 25% to 29%

There was Council direction to retain a consultant to verify the height and setback measurements on the plans and models to verify that the finished project will match the models submitted by the applicant. The applicant was asked to provide a computer model showing the first two rows of houses on Lincoln and first row on Mockingbird Lane and Indian Bend Road. The computer model will show massing only, not architecture.

**Final Plan Review for Fire Stations Numbers 1 and 2**

Architects Lawrence and Lance Enyart of LEA Architects presented the 100% plans for Fire Stations 1 and 2. Construction is scheduled to begin on March 13 with completion by December 2008 or January 2009. Council expressed a desire for the stations to be occupied by the end of December.

Lawrence Enyart stated that the estimated construction cost for Fire Station Number 1 including contingency is \$2,598,386. The estimated construction cost for Fire Station Number 2 is \$3,496,012 including contingency.

**Discussion of Master Fee Schedule Update – Fee Comparison**

Mr. Miller stated that the Council discussed the master fee schedule update at its December 6, 2007 work session. At that meeting, questions were raised about special use permit fees and if they are comparable to fees charged in other Valley cities. A review of the fees shows that the Town's fees are greater than the average. There was Council consensus to schedule the 2008 Master Fee Schedule for a vote with the recommended 3.3% increase for Special Use Permits or major amendments.

**Budget Update**

Ms. Lancaster provided a budget update. She stated that as of November 30, 2007, general governmental revenues have a favorable variance of \$247,061. However, this is down from the favorable variance of October 31, 2007. State shared revenues will continue to be unfavorable compared to budget. It is anticipated that the sales of Montelucia villas and the continued collection of sales taxes on residential construction, local sales tax revenues should exceed budget.

She said general governmental salaries, overtime and fringe benefits have a favorable variance of \$276,010. Capital projects could have a favorable variance of \$1.9 million but \$1.4 million would have to be re-budgeted next year.

**Motion and vote** – Councilmember Schweiker moved to go into executive session at 5:45 p.m. Councilmember Hamway seconded the motion which passed unanimously.

**EXECUTIVE SESSION**

- a. Discussion and consultation with Town Attorney regarding the **development agreement with Five Star Development** as authorized by A.R.S. §38-431.03.A.4 and legal advice from the Town Attorney regarding **rezoning of property located at 7000 E. Lincoln Drive** as authorized by A.R.S. §38-431.03.A.3.

- b.** Discussion and consultation with Town Attorney regarding the **amendment to the intergovernmental agreement with the City of Scottsdale for sewer service** as authorized by A.R.S. §38-431.03.A.4.
- c.** Legal advice, discussion, and consultation with Town Attorney regarding **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.

**CALL TO ORDER**

Mayor Winkler reconvened the meeting of the Town Council at 7:00 P.M.

**COUNCIL MEMBERS PRESENT**

Mayor Ed Winkler  
Council Member Ron Clarke  
Council Member Brian Cooney  
Council Member Mary Hamway  
Council Member Dan Schweiker  
Council Member Virginia "Jini" Simpson

Vice Mayor Scott LeMarr was not present.

**STAFF MEMBERS PRESENT**

Town Manager James C. Bacon, Jr.  
Town Attorney Andrew Miller  
Town Clerk Duncan Miller  
Town Engineer William Mead  
Police of Chief John Wintersteen  
Public Works Director Andrew Cooper  
Management Services Director Lenore Lancaster

**PLEDGE OF ALLEGIANCE**

Town Engineer Bill Mead led the Pledge of Allegiance.

**PRESENTATIONS**

There were no presentations.

**CALL TO THE PUBLIC**

There were no public comments.

**MAYOR / COUNCIL / MANAGER REPORT**

Mayor Winkler introduced the new Town Manager, Jim Bacon. Mr. Bacon stated he appreciated how supportive everyone has been during the transition.

Mr. Andrew Miller announced the birth of his son Theodore Daniel Miller on December 18, 2007.

Councilmember Simpson announced that the Relay for Life kick-off event will be on January 17, 2008 at the Phoenix Country Day School. She said two Super Bowl tickets will be auctioned off at the event.

### **CONSENT AGENDA**

- a. Minutes of Town Council December 20, 2007**
- b. Report on Investments**  
*Recommendation:* Receive and file the report.
- c. Authorization to Apply for Funding for Fire Insurance Pension Program**  
*Recommendation:* Authorize the application for funding for Fire Insurance Pension Program.
- d. Approval of Agreement with Salt River Project for 37<sup>th</sup> Place Underground Utility Conversion District**  
*Recommendation:* Approve an agreement with Salt River Project in the amount of \$193,985 and authorize the use of SRP aesthetic funds available to the Town in the amount of \$144,349, for 37<sup>th</sup> Place Underground Utility Conversion District.
- e. Award of Construction Contract for 37<sup>th</sup> Place Underground Utility Conversion District**  
*Recommendation:* Award a construction contract to Doublejack, Inc. for a total price of \$57,038 to install underground conduits for the 37<sup>th</sup> Place Underground Utility Conversion District.
- f. Approval of Hillside Building Committee Assignments for 2008**  
*Recommendation:* Approve the Hillside Building Committee assignments and Planning Commissioner assignments for Council meetings for 2008.
- g. Authorization to Lease Purchase an Aerial Lift Truck for the Public Works Department**  
*Recommendation:* Authorize the lease purchase of a 2008 Ford F-550 diesel medium body truck with aerial lift and utility body from Equipment Technology, L.L.C. in an amount not to exceed \$80,384.

**h. Award of Construction Contract for Town Entry Monument**

*Recommendation:* Award a contract to Shannon Construction, LLC in the amount of \$18,000 for the construction of one prototype entry monument to be constructed at the southeast corner of 32<sup>nd</sup> Street and Lincoln Drive.

**i. Award of Contract Addendum to iXP Corporation for Design and Project Management for Communication Technology and Facilities Improvements**

*Recommendation:* Approve an addendum to the existing consulting contract with iXP Corporation to extend the scope of work to include the planning, design, contractor selection, and project management to upgrade police communication and facilities at the Public Safety building at an additional cost not to exceed \$216,000.

Mr. Bacon summarized the items on the consent agenda.

Councilmember Cooney asked to remove items 11g and 11h remove item from the consent agenda.

Councilmember Hamway asked to remove item 11i.

**Motion and vote** – Mayor Winkler moved to adopt the Consent Agenda with the exception of items 11g, 11h, and 11i. Councilmember Simpson seconded the motion which passed unanimously.

**Authorization to Lease Purchase an Aerial Lift Truck for the Public Works Department**

Councilmember Cooney asked for clarification on the vehicle bid process. Andrew Cooper responded that the Town usually buys vehicles off state contract which is competitively bid. The vehicle purchase price includes the aerial lift equipment which is the reason for the high price.

**Award of Construction Contract for Town Entry Monument**

There was Council concern about the high cost of the entry monument even though the low bid was twenty thousand dollars less than the next lowest bid. It was suggested that the item be continued to receive input from Vice Mayor LeMarr.

Councilmember Simpson moved to continue item 11h to the next meeting. Councilmember Cooney seconded the motion which passed by a vote of 6-0.

**Award of Contract Addendum to iXP Corporation for Design and Project Management for Communication Technology and Facilities Improvements**

Councilmember Hamway asked if architectural and engineering services will be bid separately. Chief Wintersteen responded that the purpose of the contract extension is to bundle all the services into one bid including the architectural and engineering services. He said the \$216,000 contract price is for both phases of the project.

Mayor Winkler moved to approve items 11g and 11i. Councilmember Simpson seconded the motion which passed by a vote of 6-0.

**PUBLIC HEARINGS**

There were no public hearings.

**ACTION ITEMS**

There were no action items.

**ADJOURNMENT**

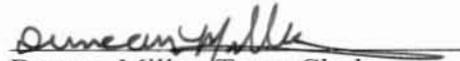
**Motion and vote** – Councilmember Schweiker moved to adjourn. Councilmember Simpson seconded the motion which passed unanimously.

Mayor Winkler adjourned the meeting at 7:25 p.m.



Ed Winkler, Mayor

ATTEST:

  
Duncan Miller, Town Clerk