

TOWN  
*Of*  
PARADISE VALLEY



---

TOWN COUNCIL  
Vernon B. Parker, Mayor

Ronald B. Clarke, Vice Mayor  
Mary Hamway  
Scott LeMarr

Brian Cooney  
Pam Kirby  
Jini Simpson

---

**Thursday, October 23, 2008  
4:00 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.

- |  |                   |
|--|-------------------|
| <b>a. Discussion of Berneil Channel</b>  | <b>15 minutes</b> |
| <i>Staff Contact:</i> William C. Mead, Town Engineer, 480-348-3529   |                   |
| <b>b. Discussion of Mayor Selection</b>  | <b>30 minutes</b> |
| <i>Staff Contact:</i> James C. Bacon, Jr., Town Manager, 480-348-3690  |                   |
| <b>c. Discussion of Council Committees</b>   | <b>45 minutes</b> |
| <i>Staff Contact:</i> James C. Bacon, Jr., Town Manager, 480-348-3690  |                   |
| <b>d. Discussion of Arizona-American Water Company Rate Increase<br/>Application before the Arizona Corporation Commission</b> | <b>30 minutes</b> |
| <i>Staff Contact:</i> James C. Bacon, Jr., Town Manager, 480-348-3690  |                   |

### 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 pending litigation or contract negotiations related to the application by **Arizona-American Water Company to the Arizona Corporation Commission for approval of a rate increase for the Paradise Valley Water District** DOCKET NO. W-O1303A-08-0227 as authorized by and A.R.S. §38-431.03.A.4 and legal advice as authorized by A.R.S. §38-431.03.A.3.
- b. Legal advice from the Town Attorney as authorized by A.R.S. §38-431.03.A.3 regarding **enforcement of Mountain Shadows Property Maintenance Standards** and discussion and consultation with Town Attorney regarding **development agreement with MTS Land LLC with regard to Mountain Shadows** as authorized by A.R.S. §38-431.03.A.4.
- c. Discussion and consultation with Town Attorney regarding **Morning Glory Road cost participation agreement with Morning Glory Investment Co., LLC and KL-998 Trust** as authorized by A.R.S. §38-431.03.A.4.
- d. Discussion and consultation with Town Attorney regarding pending or threatened claims and litigation **relating to the La Posada/Montelucia Special Use Permit** 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

#### a. Recognition of Joan Lincoln

*Recommendation:* Recognize Joan Lincoln for 30 years of dedicated service to the Town.

*Staff Contact:* James C. Bacon, Jr., Town Manager, 480-348-3690

#### b. Recognition of Robert McCall

*Recommendation:* Recognize local artist Robert McCall for exhibiting his works of art at Town Hall from October 2007 through September 2008 and thank him for donating one of his paintings.

*Staff Contact:* James C. Bacon, Jr., Town Manager, 480-348-3690

#### c. Recognition of Paradise Valley Police Officers for Life Saving Medal and Meritorious Service

*Recommendation:* Recognize Certain Paradise Valley Police Officers and Detectives for their meritorious achievements.

*Staff Contact:* John J. Bennett, Chief of Police, 480-948-7418

### 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, 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.**

### 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 25, 2008**

**b. Minutes of Town Council Special Meeting October 2, 2008**

**c. Minutes of Town Council Special Meeting October 13, 2008**

**d. Approval of Planning Commission Chair**

*Recommendation:* Confirm the election of Dolf Strom by the Planning Commission to serve as Chair from October 2008 to October 2009.

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

**e. Approval of Matching Funds by the Town for Contributions to the United Way**

*Recommendation:* Authorize Town contributions to the 2008 United Way Campaign to match 100% of the contributions made by Town employees, and also match contributions made by volunteers up to \$100.00.

*Staff Contact:* James C. Bacon, Jr., Town Manager, 480-348-3690

**f. Approval of Use of Town Hall for Annual Martin Luther King, Jr. Day Celebration**

*Recommendation:* Approve the use of the Town Hall Council Chamber for the Martin Luther King Jr. Day Celebration on Monday, January 19, 2009.

*Staff Contact:* John D. Wintersteen, Public Safety Director, 480-348-3628

**g. Appointment of Citizen Member to the Hillside Building Committee**

*Recommendation:* Confirm Mayor Parker's appointment of Jane Jozoff as the citizen member to the Town's Hillside Building Committee.

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

**h. Award of Trenching Contract for Underground Utility Conversion District 31**

*Recommendation:* Award a contract to Pauley Construction, Inc. for \$426,185.28 to install underground conduits for Underground Utility Conversion District 31.

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

**i. Approval of APS Utility Fees for Fire Stations 1 and 2**

*Recommendation:* Approve payment of \$104,539.54 for Arizona Public Service electrical "local facilities" fees for both fire stations under construction.

*Staff Contact:* John D. Wintersteen, Public Safety Director, 480-348-3628

**j. Approval of Lease Purchase of Physical Fitness Equipment for Fire Stations**

*Recommendation:* Approve a sole source lease/purchase of physical fitness equipment not to exceed \$38,023.71 for Fire Station #1 and \$44,443.26 for Fire Station #2 for a total of \$82,466.97 from Advantage Fitness Products.

*Staff Contact:* John D. Wintersteen, Public Safety Director, 480-348-3628

**k. Approval of Bluebird Vistas Lot Split**

*Recommendation:* Approve the Bluebird Vistas Lot Split, subdividing approximately 2.54 acres into 2 residential R-43-zoned lots, subject to the stipulations in the Action Report.

*Staff Contact:* Eva Cutro, Planning & Building Director, 480-348-3522

**l. Approval of Lease Purchase of Police Department Vehicles**

*Recommendation:* Approve the lease purchase of five vehicles for the Police Department as shown in the Action Report.

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

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

*Recommendation:* Award the annual street resurfacing contract on a unit cost basis to M.R. Tanner Construction at a cost not to exceed \$1,313,500; and award additional funds to resurface one linear mile of streets on a unit cost basis to M.R. Tanner Construction at a cost not to exceed \$141,350.

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

**12. PUBLIC HEARINGS**

**a. Consideration of Adoption of Resolution Number 1177 Amending the Fee Schedule Regarding Sewer User Fees**

*Recommendation:* Adopt Resolution Number 1177 amending the Fee Schedule regarding sewer user fees, effective December 1, 2008.

*Staff Contact:* Lenore P. Lancaster, Management Services Director, 480-348-3532

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

**a. Presentation of the Comprehensive Annual Financial Statements Examination of Expenditure Limit Report, HURF Compliance Report, LTAF II Report, and SAS 114 Letter for Fiscal Year 2008**

*Recommendation:* Receive and file the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2007, the Report on Examination of Annual Expenditure Limitation Report, the HURF Compliance Report, the LTAF II report and the SAS 114 Letter.

*Staff Contact:* Lenore P. Lancaster, Management Services Director, 480-348-3532

**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.