

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, July 10, 2008
4:00 p.m.
Meeting Location:
Town Hall 6401 E. Lincoln Drive
Boardroom

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 APS Resource Planning** **30 minutes**
Staff Contact: James C. Bacon, Jr., Town Manager, 480-348-3690
- b. Discussion of Sanitary Sewer Rate Adjustments** **15 minutes**
Staff Contact: Lenore P. Lancaster, Management Services Director, 480-348-3532
- c. Discussion of Mayoral Selection Process** **30 minutes**
Staff Contact: James C. Bacon, Jr., Town Manager, 480-348-3690
- d. Discussion of Pending Agenda Topics** **15 minutes**
Staff Contact: James C. Bacon, Jr., Town Manager, 480-348-3690
- e. Discussion of Road Improvement in the Vicinity of McDonald Drive and 51st Place** **30 minutes**
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 pending or contemplated litigation regarding **Husam Khazen v. Town of Paradise Valley, et. al., CV2008-013810** as authorized by A.R.S. §38-431.03.A.4.
- b. 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.
- c. Discussion and consultation with Town Attorney regarding **condemnation of property in the vicinity of Tatum Blvd and E. Mockingbird Lane** 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. Introduction of Chief of Police John J. Bennett and Oath of Office

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

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 June 26, 2008

b. Report on Investments

Recommendation: Receive and file the report.

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

c. Adoption of Resolution Number 1174 Intent to Reimburse Certain Capital Items

Recommendation: Adopt Resolution Number 1174 declaring the Town's intention to reimburse certain capital items through capital lease.

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

d. Approval of Payment for Operating Expenses to the City of Phoenix for Fire Stations 1 and 2

Recommendation: Approve the payment to the City of Phoenix of \$1,921,631.76 for operating expenses.

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

e. Approval of Property, Liability, and Excess Land Use Liability Insurance Coverage and Workers Compensation Insurance

Recommendation: approve the property, liability and excess land use liability insurance coverage in the amount of \$399,490 plus workers compensation coverage for approximately \$197,000 for fiscal year 2008-09.

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

f. Approval of Lease Agreement with Verizon Wireless

Recommendation: Authorize the Town Manager to enter into a lease agreement with Verizon Wireless which allows Verizon to construct a personal wireless service facility on a portion of the property located at the Paradise Valley Fire Station Number 1.

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

g. Approval of Change Orders for Fire Stations #1 & #2

Recommendation: Approve change orders not to exceed \$76,755.01 for Fire Station #1 and \$39,698.08 for Fire Station #2.

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

h. Authorization to Establish Utility Fee Contingency for Fire Stations #1 and #2

Recommendation: Authorize establishment of a contingency in the amount of \$200,000 for both fire stations under construction for impact and other fees charged by utilities providers.

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

i. Authorization for Town Manager with Consent of the Mayor to Approve Construction Change Orders and Utility Fees in Excess of \$25,000 During the Months of July and August 2008

Recommendation: Authorize the Town Manager, with the consent of the Mayor, to approve construction change orders and utility fees in excess of \$25,000 during the months of July and August, 2008, when there will be no regular Town Council meetings.

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

j. Authorization to Increase the Construction Contingency for Fire Stations #1 & #2

Recommendation: Authorize increasing the construction contingency for Fire Stations #1 & #2 from \$200,000 to \$250,000.

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

12. PUBLIC HEARINGS

None

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

a. Approval of Agreement with Scottsdale Convention and Visitors Bureau

Recommendation: Approve an agreement with the Scottsdale Convention and Visitors Bureau through which the Town will provide funding in the amount of \$625,000 for promotion of the Town's resorts, convention and tourism businesses, and \$75,000 in special funding to support the Fiesta Bowl.

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

b. Adoption of Resolution Number 1171 Calling for a Special Election on November 4, 2008

Recommendation: Adopt Resolution Number 1171 calling for a special election for the purpose of submitting to the qualified electors of the Town of Paradise Valley the question whether to approve or reject Ordinance 603, The Ritz Carlton Paradise Valley Special Use Permit.

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

c. Approval of Human Services Funding Agreements

Recommendation: Authorize the Town Manager to distribute funding to various human services organizations for Fiscal Year 2008-2009.

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

d. Authorize the Town Manager to Execute a Cost Sharing Agreement to Construct Improvements on Morning Glory Road

Recommendation: Authorize the Town Manager to execute a cost sharing agreement between the Town of Paradise Valley, Morning Glory Investment Company, LLC, and Kenneth K. Losch, Family Trustee of the KL-998 Trust dated December 28, 1998, to construct improvements along Morning Glory Road within the right-of-way currently owned by the Town.

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

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.