



**Agenda**  
**Work Study Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
July 18, 2012  
6:00pm

**1. Call to Order**

**2. Roll Call** (one or more members of the Council may participate by telephone)

**ITEMS FOR DISCUSSION** These items are for Council discussion only and no action will be taken. In general, no public comment will be taken.

**3.** Presentation and discussion on the Maricopa County trail in the Sonoqui Wash and along Chandler Heights Road.

**4.** Presentation and discussion on the Sidewalk Gap Analysis.

**5. Adjournment**



**Amended Agenda**  
**Regular Session**

**Queen Creek Town Council**

Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
July 18, 2012  
7:00 p.m.

**1. Call to Order**

**2. Roll Call** (one or more members of the Council may participate by telephone)

**3. Pledge of Allegiance:**

**4. Invocation:**

**5. Ceremonial Matters:** Presentations, Proclamations, Awards, Guest Introductions and Announcements.

- A. Ceremonial Oath of Office – Council Member Jason A. Gad
- B. Eagle Scout Recognition – Josh Rapisura
- C. GFOA Award presentation to Sam McPike, Budget Administrator

**6. Committee Reports**

A. Council summary reports on meetings and/or conferences attended. This may include but is not limited to Phoenix-Mesa Gateway Airport; MAG; East Valley Partnership; CAAG. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

B. Partner agencies quarterly or periodic updates to Council. This may include but is not limited to Queen Creek Chamber of Commerce; Queen Creek Performing Arts Center; Boys & Girls Club of East Valley; and Maricopa or Pinal County Board of Supervisors or other governmental agencies. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

- Maricopa County Library District presentation

C. Economic Development Commission – June 27, 2012

D. Town Center Committee – July 11, 2012

**7. Public Comment:** Members of the public may address the Town Council on items not on the printed agenda and during Public Hearings. Please complete a “Request to Speak Card”, located on the table at the rear of the Council Chambers and turn it in to the Town Clerk prior to the beginning of the meeting. There is a time limit of three minutes for comments.

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Queen Creek Town Council  
July 18, 2012  
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**8. Consent Calendar:** Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. Public Hearing items are designated with an asterisk (\*). Prior to consideration of the Consent Agenda, the Mayor will ask whether any member of the public wishes to remove a Public Hearing item for separate consideration. Members of the Council and or staff may remove any item for separate consideration.

A. Consideration and possible approval of the June 6, 2012 Work Study and Regular Session Minutes. **TAB A**

B. Consideration and possible approval of the June 20, 2012 Work Study and Regular Session Minutes. **TAB B**

C. Consideration and possible approval of the June 28, 2012 Special Session Minutes. **TAB C**

D. Consideration and possible approval of Expenditures over \$25,000. **TAB D**

E. Consideration and possible approval of an Agreement with the Friends of Horseshoe Park to produce the 2013 Roots N' Boots Queen Creek event. **TAB E**

F. Consideration and possible approval of a Salt River Project (SRP) "Overhead and Underground Power Distribution Easement" located at the southeast corner of Queen Creek Road and Crismon Road. **TAB F**

G. Consideration and possible approval of an Amendment #1 to the Custodial Services Contract with J & J Janitorial Services in an amount not to exceed \$90,000 for FY2012/2013 janitorial services. **TAB G**

H. Consideration and possible approval of the appointment of Jason Buche, Debra Woods, Larry Hoel and Bill Smith and the reappointment of Chris Webb, Nancy Diab, Monica O'Toole, Shane Randall, Barbara Khalsa and Marquis Scott to the Town Center Committee. **TAB H**

I. Consideration and possible approval of the appointment of Kenn Burnell and W. Alan Turley and the reappointment of Chris Clark, Gregory Arrington and Richard Turman to the Transportation Advisory Committee. **TAB I**

**PUBLIC HEARINGS:** If you wish to speak to the Council on an item listed as a Public Hearing, please complete a Request to Speak Card and turn it in to the Town Clerk. Speakers will be called upon in the order in which their cards are received. Speakers are limited to three (3) minutes each.

**9. Public Hearing and possible action on TA12-033/Ordinance 515-12** a request from Debbie Oleskow on behalf of ALB Industries for approval of a text amendment to Article 6.16, Paragraph 7, Temporary Real Estate Signs of the Zoning Ordinance regulating the use of temporary real estate signs by homebuilders. **TAB J**

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Queen Creek Town Council  
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**FINAL ACTION:** If you wish to speak to the Council on an item listed under Final Action, please complete a Request to Speak Card and turn it in to the Town Clerk. Speakers will be called upon in the order in which their cards are received. Speakers are limited to three (3) minutes each.

**10.** Discussion and possible action on tenant improvements to the Parks & Recreation Building for the transition of the Queen Creek Business Incubator Program (QC Inc.). *(Continued at the June 20, 2012 meeting)* **TAB K**

**11.** Discussion and possible action to begin the statutory 60-day Public Agency Comment Period for the 2012 Major General Plan Amendment applications. **TAB L**

**12.** Discussion and possible action on amending the Recreation Program Fee Policy regarding non-resident fees. **TAB M**

**ITEMS FOR DISCUSSION:** These items are for Council discussion only and no action will be taken. In general, no public comment will be taken.

**13.** Presentation and discussion on the Maricopa County trail in the Sonoqui Wash and along Chandler Heights Road.

**14.** Presentation and discussion on the Sidewalk Gap Analysis.

**15. Adjournment**



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**Minutes  
Work Study Session  
Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
June 6, 2012  
5:30pm

**1. Call to Order**

The meeting was called to order at 5:30pm.

**2. Roll Call** (one or more members of the Council may participate by telephone)

Council Members present: Benning; Oliphant; Wheatley; Vice Mayor Brown and Mayor Barney.

Council Member Barnes participated in the Executive Session by telephone.

**3. Motion to adjourn to Executive Session (to be held in the Saguaro Conference Room of the Municipal Services Building) for the following purposes:**

A. Discussion and consideration of assignments and performance evaluation of Town Manager (A.R.S. §38-431.03(A)(1).

B. Discussion and consideration of assignments and performance evaluation of Town Clerk (A.R.S. §38-431.03(A)(1).

C. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of the public body. This is regarding the appointment of a Council Member to fill the position created by the resignation of John Alston. (A.R.S. 38-431.03(A)(1).

**Motion to adjourn to Executive Session at 5:31pm (Wheatley/Benning/Unanimous)**

**ITEMS FOR DISCUSSION** These items are for Council discussion only and no action will be taken. In general, no public comment will be taken.

*None.*

**4. Adjournment**

The Work Study reconvened and adjourned at 6:50pm.

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**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
June 6, 2012  
7:00 p.m.

**1. Call to Order**

The meeting was called to order at 7:01pm.

**2. Roll Call** (one or more members of the Council may participate by telephone)

Council Members present: Benning; Oliphant; Wheatley; Vice Mayor Brown and Mayor Barney. Council Member Barnes was absent.

**3. Pledge of Allegiance:**

**4. Invocation:** A moment of silence was observed.

**5. Ceremonial Matters:** Presentations, Proclamations, Awards, Guest Introductions and Announcements.

Mayor Barney recognized former Mayor Schnepf.

- Citizen Leadership Graduation: the following were presented with Certificates for participating and graduating from the 2011/2012 Citizen Leadership Institute:

David Bond, Sue Denton, Sally Galci, Brett Garner, David Gast, Phil Solis, Patrick Sullivan, Alma Yarbrough and James Yarbrough. Also graduating but absent: Georgia Gudykunst, James Yarn and Bradley Young.

- Eagle Scout Recognition:

Connor Schnepf – Troop 825 was recognized for his work and coordination of installing new benches and flower pots at the Town Hall fountain which was donated by Ray Schnepf, Connor's grandfather.

Dallin Michael Heward – Troop 6183 was recognized for his work and coordination making improvements at Desert Mountain Park by installing irrigation lines, planting trees and spreading over 100 tons of decomposed granite.

- Volunteer Service Recognition:

Independent Life Services – each volunteer was recognized for their continuing project of cleaning trash & debris from Queen Creek Wash.

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Iglesia de Dios Casa de Vida – the group was recognized for painting the playground structure at Founders' Park.

Mayor Barney congratulated Council Members Barnes and Benning and Vice Mayor Brown on their re-election. He also announced the Ice Cream Social to be held on Saturday June 9 at the Queen Creek Library.

The meeting recessed from 7:15pm – 7:25pm.

## **6. Committee Reports**

A. Council summary reports on meetings and/or conferences attended. This may include but is not limited to Phoenix-Mesa Gateway Airport; MAG; East Valley Partnership; CAAG. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

Council Member Wheatley reported on the congressional debate sponsored by the East Valley Chambers of Commerce.

Mayor Barney reported on the Gateway/Northern Pinal Area Alliance of Governments Committee meeting held May 21, 2012. Issues discussed included the North-South Freeway in Pinal County and updates on efforts to attract the FAA Unmanned Aircraft Systems project and the Eastmark Development in Mesa.

B. Partner agencies quarterly or periodic updates to Council. This may include but is not limited to Queen Creek Chamber of Commerce; Queen Creek Performing Arts Center; Boys & Girls Club of East Valley; and Maricopa or Pinal County Board of Supervisors or other governmental agencies. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

- Presentation on the grand opening of Riggs Road Bridge and Sonoqui Wash Phase II – Maricopa County Flood Control District project: Public Works Division Manager Troy White presented data and photos of the project and announced the Grand Opening of the Bridge on June 19, 2012.

C. Economic Development Commission – May 23, 2012: Council Member Wheatley reported on a presentation by Mike Hutchinson from the East Valley Aerospace and Aviation Alliance; staff's update on the QC Inc., and discussion on the draft Economic Development Strategic Plan. The next meeting is June 27, 2012.

**7. Public Comment:** Members of the public may address the Town Council on items not on the printed agenda and during Public Hearings. Please complete a "Request to Speak Card", located on the table at the rear of the Council Chambers and turn it in to the Town Clerk prior to the beginning of the meeting. There is a time limit of three minutes for comments.

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None.

**8. Consent Calendar:** Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. Public Hearing items are designated with an asterisk (\*). Prior to consideration of the Consent Agenda, the Mayor will ask whether any member of the public wishes to remove a Public Hearing item for separate consideration. Members of the Council and or staff may remove any item for separate consideration.

A. Consideration and possible approval of the May 16, 2012 Work Study and Regular Session Minutes.

B. Consideration and possible approval of withdrawing participation as a member of the Maricopa County Community Development Advisory Committee.

C. Consideration and possible approval of an amendment to an existing Intergovernmental Agreement (Town Contract 2010-082) with the Arizona Department of Transportation (ADOT) to allow the State to acquire federal funds for Phase II of the Queen Creek Town-wide ITS Development Project (ADOT Proj. No: QCR-0(207)(A).

D. Consideration and possible approval of the Map of Dedication for Queen Creek Road, Crismon Road, Ryan Road and 220<sup>th</sup> Street Rights-of-Way, a request by Jorde Farms, Inc.

E. Consideration and possible approval of the Map of Dedication for Rock Point Church, a request by Rock Point Church.

F. Consideration and possible approval of a Warranty Deed which deeds and conveys a portion of Ellsworth Road to the Town of Queen Creek, a request by Queen Creek Unified School District.

G. Consideration and possible approval of a Warranty Deed which deeds and conveys three landscape tracts located within a portion of the public roadway of the Ash Creek Estates subdivision to the Town of Queen Creek, a request by the Ash Creek Estates Homeowner's Association.

H. Consideration and possible approval of a Work Order to CPC Construction, Inc. (Town Contract 2011-082), in the amount of \$183,908 for the construction of the Rittenhouse Road improvements for a westbound left-turn lane at 198<sup>th</sup> Street. *A portion of this project will be funded from Maricopa County's Special Project Fund (SPF) in the amount of \$100,000. The remaining cost of \$83,908 is budgeted within the Town's adopted FY11/12 Capital Improvement Program.*

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I. Consideration and possible approval of Amendment No. 1 to the Intergovernmental Agreement between Maricopa County Flood Control District (MCFCD), Town of Gilbert and the Town of Queen Creek for the Utility Relocations, Rights-of-way Acquisition,



Construction, Construction Management, Operations and Maintenance of the Sonoqui Wash Channelization – Queen Creek Wash to Chandler Heights.

J. Consideration and possible approval of an Intergovernmental Agreement between Maricopa County Department of Transportation (MCDOT) and Town of Queen Creek for the exchange of services (Entente).

K. Consideration and possible approval of the Amendment #2 to the Amended and Restated Joint Powers Authority Agreement concerning Phoenix-Mesa Gateway Airport (PMGA).

L. Consideration and possible approval of **Resolution 903-12** modifying Assessment No. 10.01 for Improvement District No. 001 of the Town of Queen Creek, Arizona.

\*M. Public Hearing and possible approval of **TA12-031/Ordinance 512-12** a Town-initiated Text Amendment to Article 6.8, Supplemental Use Regulations, Home-Based Occupations of the Zoning Ordinance.

**Motion to approve the Consent Calendar as presented**  
(Wheatley/Benning/Unanimous)

**PUBLIC HEARINGS:** If you wish to speak to the Council on an item listed as a Public Hearing, please complete a Request to Speak Card and turn it in to the Town Clerk. Speakers will be called upon in the order in which their cards are received. Speakers are limited to three (3) minutes each.

9. Public Hearing and possible action on “The Church Farm” **RZ11-038/SD11-039/Ordinance 510-12** a request by Greg Davis of IPlan Consulting on behalf of William Lyon Homes to rezone 879 acres from R1-43 to Planned Area Development (PAD) with underlying zoning districts of R/C, PQ/P, C-2, R1-4, R1-5, R1-7 and R1-9 and approval of a Preliminary Plat and Landscape Plan for a master planned single-family subdivision. The project is located at the southeast corner of Signal Butte and Ocotillo Roads. *(Continued from April 18, 2012 Council Meeting)*

Planner Dave Williams reviewed the rezoning request for C-2, R1-4, R1-5, R1-7 and R1-9 as well as R/C (recreation/conservation) and PQ/P (public/quasi public – school). Mr. Williams showed the preliminary plat allowing 2310 lots with an overall density of 2.89 dwelling units per acre. He noted that the maximum density allowed is 3.05 dwelling units per acre. The preliminary plat shows 12 parcels.

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Mr. Williams explained that the rezoning request implements a previous general plan amendment. He reviewed the PAD requests and stated that staff does not support the 5' garage setback on the R1-4 and R1-5 lots.

Mr. Williams continued the review highlighting the eleven separate themed parks; trail node incorporating the Trails Plan amenities of an arena, turn-out pens and restrooms; and the commercial parcel at Signal Butte & Ocotillo Roads. Mr. Williams explained the

expanded neighborhood outreach which included social media (Facebook, 4-Square, Twitter and QC codes which resulted in 16 downloads.

The Planning and Zoning Commission recommended approval with stipulations.

Council requested additional clarification on the request for reduction in covered patio area. Mr. Williams explained that the 180 sq. ft. total covered patio area would allow for an additional 20% rear patio size to create more outdoor living space.

There was also discussion on the design standards for the R1-4 and R1-5 zoning districts that will be included in the Zoning Ordinance update. Mr. Williams stated that the current design standards need to be met. Additional discussion was in regard to the reduction from 45% to 40% garage front.

Ralph Pew, 1744 S. Val Vista , representing the applicant, stated that Charlie Caldwell and representatives from William Lyons Homes were available for questions.

Mr. Pew stated that the Church Farm project has been an eight-year project that includes 230 acres of open space. He said the applicant agrees with all stipulations/conditions as recommended. He also discussed the improvements to Meridian Road, wash improvements and parks & trails that would come as a result of this project.

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Andy Baron provided detailed park designs and themes.

There was additional discussion on the uniqueness of the project design but lack of design standards for the R1-4 and R1-5 zoning districts. Council discussed some possible additional staggering of homes in the densest parcels. Mr. Pew responded that changing lot layout and staggering in the R1-4 & R1-5 parcels would be difficult without major revisions to the preliminary plat. Additional comments on possible staggering on select lots were discussed.

Mr. Pew responded that the total number of lots was important for the project and any increase of lot sizes would result in the decrease of open space and park areas. He did state that some type of variation could be looked at administratively with staff.

The Public Hearing was opened. No one came forth and the Public Hearing was closed.

**Motion to approve RZ11-038/SD11-039/Ordinance 510-12 with the stipulations as approved by the Planning and Zoning Commission with the additional stipulation that reference to the R1-4 and R1-5 design standards are case specific (Benning)**

Town Attorney Bisman advised that the rezoning request presented to Council provides no intent to amend the Zoning Ordinance.

Council Member Benning amended the motion to remove the additional stipulation but requested that a note be included in the approval referencing the design standards.

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**Second:** Brown  
**Vote:** Unanimous

**10. Public Hearing on the proposed Town Budget and property tax levy for FY12/13.**

Town Manager Kross reviewed the requirements to hold a public hearing on the Budget and proposed property tax levy including the seven day waiting period before adopting the tax levy. The tax levy adoption is scheduled for June 20, 2012. Mr. Kross stated the budget for FY2012-2013 is \$59.8 million and includes several CIP projects.

The property tax levy will be \$3,780,217. Mr. Kross explained that the tax rate is remaining the same but tax revenues are down due to lower property valuations.

Mr. Kross thanked the staff and Budget Committee for creating the budget.

The Public Hearing was opened. No one came forth and the Public Hearing was closed.

**11. Discussion and possible action on Resolution 904-12 adopting the FY12/13 Town Budget.**

**Motion to approve Resolution 904-12 adopting the FY2012-2013 Town Budget**  
(Wheatley/Oliphant/Unanimous)

**FINAL ACTION:** If you wish to speak to the Council on an item listed under Final Action, please complete a Request to Speak Card and turn it in to the Town Clerk. Speakers will be called upon in the order in which their cards are received. Speakers are limited to three (3) minutes each.

**12. Discussion and possible action on the appointment of a Vice Mayor.**

Mayor Barney thanked Vice Mayor Brown for serving as the Vice Mayor for the past year representing the community and the Mayor.

Mayor Barney nominated Council Member Benning to serve as Vice Mayor for the next year. (GB/JP/Unanimous)

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**13. Presentation and possible action on the End of Legislation Session Report.**

Intergovernmental Liaison Wendy Kaseran highlighted several legislative bills that were defeated including: a regulatory tax credit; requirement to hold three public hearings prior to voting on any regulation; requirement to provide water service to unincorporated areas and strict requirements on government entities that prohibit firearms in buildings.

Ms. Kaseran also highlighted two bills that were passed but impact cities and towns: SB 1442 – regarding offsets to state shared revenue and HB 2826 – election consolidation that has the biggest impact on candidate elections and home rule in

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Queen Creek. Ms. Kaserman stated that work will be moving forward to amend these two bills.

Ms. Kaserman explained that one successful bill did pass which eliminated the alternative contribution rate for the Public Safety Personnel Retirement System (PSPRS) but it did not apply to the alternative contribution rate for Arizona State Retirement System (ASRS).

**14.** Discussion and possible direction to staff to submit a resolution to the League of Arizona Cities and Towns related to the Arizona State Retirement System and the Alternative Contribution Rate established in 2011.

Ms. Kaserman stated the deadline for submitting a resolution to the League is June 15 and requested direction on submitting a proposal to hold harmless those employers who hired retired ASRS employees prior to the effective date of the alternative contribution rate. Ms. Kaserman said the potential savings for Queen Creek could be \$20,000/year.

**Motion to draft and send a League resolution proposal regarding the alternative contribution rate for ASRS (Brown/Benning/Unanimous)**

It was noted that if a League resolution is not successful then staff should work directly with Rep. Pierce.

**ITEMS FOR DISCUSSION:** These items are for Council discussion only and no action will be taken. In general, no public comment will be taken.

*None.*

**15. Motion to adjourn to Executive Session:** The Council may reconvene the Executive Session for any of the items listed on the Executive Session Agenda.

*None.*

**16. Adjournment**

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**Motion to adjourn at 8:46pm (Brown/Wheatley/Unanimous)**



**Minutes  
Work Study Session  
Queen Creek Town Council**

Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
June 20, 2012  
5:30pm

**DRAFT**

**1. Call to Order**

The meeting was called to order at 5:35pm.

**2. Roll Call** (one or more members of the Council may participate by telephone)

Council Members present: Barnes; Brown; Wheatley; Vice Mayor Benning; Mayor Barney.

Council Member Oliphant arrived at 5:45pm.

**3. Motion to adjourn to Executive Session (to be held in the Saguaro Conference Room of the Municipal Services Building) for the following purposes:**

A. Discussion and consultation with the Town Attorney for legal advice and to consider the Town's position and instruct the staff regarding acquisition of property. (A.R.S. 38-431.03(A)(3) & (7).

B. Discussion and consultation for legal advice with the Town Attorney and to consider the Town's position and instruct its attorney regarding negotiations for sponsorship contracts for Horseshoe Park & Equestrian Centre. ARS 38-431.03 (A)(3) and (4).

C. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of the public body. This is regarding the appointment of a Council Member to fill the position created by the resignation of John Alston. (A.R.S. 38-431.03(A)(1).

**Motion to adjourn to Executive Session at 5:36pm (Barnes/Barney/Unanimous)**

The Work Study Session reconvened at 6:50pm at which time Mayor Barney was excused from the meeting and Vice Mayor Benning conducted for the remainder of the meeting.

**ITEMS FOR DISCUSSION** These items are for Council discussion only and no action will be taken. In general, no public comment will be taken.

**4. Media Update.**

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Public Information Officer Marnie Schubert provided an update on the various news publications, both print and on-line that provide news and information coverage about Queen Creek.

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Paul Maryniak, of the Arizona Republic, introduced the new on-line subscription model that will be launched in September, charging for on-line viewing. He also gave information on the use of community contributors and non-staff reporters. He said Queen Creek was the most active of the 16 "neighborhood sites".

Stacy Deprey, of San Tan Today, provided information on the publication, stating that it has been on-line for two years and in print for three years. Ms. Deprey described the paper and coverage as "hyper-local". She introduced Michael Carnes owner of Copper Basin News and stated the two have now partnered in the publication of San Tan Today and have dedicated one page of the publication to the Town of Queen Creek with print content submitted by Queen Creek (Marnie Schubert).

**5. Adjournment**

**Motion to adjourn the Work Study Session at 7:06pm  
(Barnes/Wheatley/Unanimous)**

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**DRAFT**

**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
June 20, 2012  
7:00 p.m.

**1. Call to Order**

The meeting was called to order at 7:10pm.

**2. Roll Call** (one or more members of the Council may participate by telephone)

Council Members present: Barnes; Wheatley; Vice Mayor Benning and Mayor Barney (telephonically). Vice Mayor Benning conducted the meeting.

Council Members Brown and Oliphant were excused from the Regular Session.

**3. Pledge of Allegiance:** Led by Vice Mayor Benning

**4. Invocation:** Pastor Ben Cloud – Amadeo Vineyard Church

**5. Ceremonial Matters:** Presentations, Proclamations, Awards, Guest Introductions and Announcements.

*None.*

**6. Committee Reports**

A. Council summary reports on meetings and/or conferences attended. This may include but is not limited to Phoenix-Mesa Gateway Airport; MAG; East Valley Partnership; CAAG. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

Phoenix-Mesa Gateway Airport Authority – June 18, 2012. Vice Mayor Benning attended this meeting and reported on the updates on passenger count; the Gateway 2030 plan and expansion for the Eastside terminal. The Board also approved an investment policy for unreserved funds. The next meeting is July 16, 2012.

CAAG Executive Committee – Vice Mayor Benning reported discussion was in regard to planning for the upcoming retreat and annual meeting to be held June 23, 2012.

B. Partner agencies quarterly or periodic updates to Council. This may include but is not limited to Queen Creek Chamber of Commerce; Queen Creek Performing Arts Center; Boys & Girls Club of East Valley; and Maricopa or Pinal County Board of Supervisors or other governmental agencies. The Council will not propose, discuss, deliberate or take

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Queen Creek Town Council  
June 20, 2012  
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legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

- Presentation by Rio Salado College of the Communiversity at Queen Creek site plan and building design.

Economic Development Director Doreen Cott provided a brief summary of the Communiversity at Queen Creek and then introduced Todd Simmons - Rio Salado College, Alan Torvie – Architectural Project Manager (Rio Salado College) and Arlen Solocheck – Maricopa Community College District.

Mr. Solocheck provided information on the communiversity model using an intergovernmental agreement for ground leasing/building with the Town of Queen Creek. He explained that a communiversity brings several colleges together under one roof. Mr. Solocheck said the bid for construction is expected to go out in the Fall and the facility opening in Fall 2013.

Allen Torvie provided slides of the site plan, landscaping, building elevations and floor plan. The building elevations are compatible with the Queen Creek Library.

Council commended the team on the design of the building and shading of the parking lot and asked about the status of the “coming soon” sign. Mr. Torvie responded that the signs are completed and the locations need to be approved by Town staff.

C. Transportation Advisory Committee – June 7, 2012: Committee Chair Ryan Nichols reported on the Committee’s discussion of: traffic components & timing; Small Area Traffic Study in the Town Center and future impacts on the area; the upcoming Union Pacific Railroad meeting regarding a pedestrian crossing at Ellsworth Road; and the Town Center Access Management Plan.

D. Budget Committee – June 11, 2012: Assistant Town Manager Patrick Flynn reported on the Committee’s review of the 3<sup>rd</sup> Quarter Financials and a review of initiatives within Economic Development focusing on local sales tax.

E. Parks & Recreation Advisory Committee – June 12, 2012: Debbie Gomez, Parks Special Projects Coordinator, reported on the Committee’s discussion and recommendations on current partnership criteria, field allocations and fees and an RFP for the Youth Soccer program. The next meeting is scheduled for July 10, 2012.

F. Town Center Committee – June 13, 2012: Committee Chair Jason Gad reported on the Committee’s discussion on the Façade Improvement Program, Banner & Flag Program, land uses within the Town Center and the Town Center Committee Work Plan for FY12/13. The next meeting is July 11, 2012.



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**7. Public Comment:** Members of the public may address the Town Council on items not on the printed agenda and during Public Hearings. Please complete a "Request to Speak Card", located on the table at the rear of the Council Chambers and turn it in to the Town Clerk prior to the beginning of the meeting. There is a time limit of three minutes for comments.

*None.*

**8. Consent Calendar:** Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. Public Hearing items are designated with an asterisk (\*). Prior to consideration of the Consent Agenda, the Mayor will ask whether any member of the public wishes to remove a Public Hearing item for separate consideration. Members of the Council and or staff may remove any item for separate consideration.

A. Consideration and possible approval of expenditures over \$25,000.

B. Consideration and possible approval of the renewal of an existing Intergovernmental Agreement with the Maricopa County Library District for the use of Town property for library services.

C. Consideration and possible approval of an Agreement between the Queen Creek Chamber of Commerce and the Town of Queen Creek in the amount of \$55,000 for FY2012-2013.

D. Consideration and possible approval of an Agreement between the Greater Phoenix Economic Council (GPEC) and the Town of Queen Creek in the amount of \$10,691 for FY2012-2013.

E. Consideration and possible approval of an Agreement between the Boys and Girls Club of the East Valley and the Town of Queen Creek in the amount of \$75,000 for community recreation services for FY2012-2013.

F. Consideration and possible approval of an Agreement between the Queen Creek Cultural Foundation (QCCF) and the Town of Queen Creek in the amount of \$100,000 for FY2012-2013.

G. Consideration and possible approval of an Amendment to the Professional Services Contract with TischlerBise (Contract 2011-042) to extend the term through FY2012-2013 to update the Town's Development Impact Fees pursuant to SB1525.

H. Consideration and possible approval of an annual Letter of Intent to continue participation with United Healthcare (UHC) for medical insurance for FY2012-2013.

I. Consideration and possible approval of an annual Letter of Intent to continue participation with MetLife Dental for dental insurance for FY2012-2013.

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Queen Creek Town Council  
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J. Consideration and possible approval of an Intergovernmental Agreement with Arizona Department of Transportation (ADOT) to allow the State to acquire federal funds for the design of the Queen Creek Wash Bike and Pedestrian Trail from Ellsworth Road to Chandler Heights Blvd (ADOT Proj. No. SZ04203D).

K. Consideration and possible approval of an Intergovernmental Agreement with Arizona Department of Transportation (ADOT) to allow the State to acquire federal funds for the procurement and installation of the Traffic Sign Inventory and Management System (ADOT Proj. No. QCR-0(211)A).

L. Consideration and possible approval of a Development Agreement with Our Lady of Guadalupe Church regarding sidewalk right-of-way dedication and driveway access easement.

M. Consideration and possible approval of **Ordinance 513-12** setting the primary property tax rate and levy for FY2012-2013.

N. Consideration and possible approval of **Ordinance 514-12** setting the secondary property tax levy for Street Light Improvement Districts (SLIDS) for FY2012-2013.

O. Consideration and possible approval of a Settlement, Contribution, and Mutual Release Agreement between Allied Waste, Maricopa County Solid Waste Department and the Town of Queen Creek related to Notice of alleged violations at the Queen Creek Landfill.

P. Consideration and possible approval of an Order of Abatement by Consent between Allied Waste, Maricopa County Solid Waste Department, the Town of Queen Creek and the Maricopa County Air Quality Department related to Notice of Violation of the Queen Creek Landfill.

**Motion to approve the Consent Calendar as presented**  
(Barnes/Wheatley/Unanimous)

**PUBLIC HEARINGS:** If you wish to speak to the Council on an item listed as a Public Hearing, please complete a Request to Speak Card and turn it in to the Town Clerk. Speakers will be called upon in the order in which their cards are received. Speakers are limited to three (3) minutes each.

**DRAFT**

**None.**

**FINAL ACTION:** If you wish to speak to the Council on an item listed under Final Action, please complete a Request to Speak Card and turn it in to the Town Clerk. Speakers will be called upon in the order in which their cards are received. Speakers are limited to three (3) minutes each.

**Minutes for the Regular Session  
Queen Creek Town Council  
June 20, 2012  
Page 5**

9. Discussion and possible action on the Central Arizona Association of Governments (CAAG) Strategic Plan.

Vice Mayor Benning stated he requested this item be placed on the agenda for possible discussion and input prior to the CAAG retreat and annual meeting. Mr. Benning stated that the Town has 475 Pinal County residents and Queen Creek is one of nineteen participating organizations in CAAG. He explained that there may be a possibility that the larger cities may split off from CAAG and also mentioned the differences between Gila County and Pinal County.

The Council thanked Vice Mayor Benning for his leadership and representation of Queen Creek on the Board.

**DRAFT**

10. Discussion and possible action on tenant improvements to the Parks & Recreation Building for the transition of the Queen Creek Business Incubator Program (QC Inc.).

Council discussed continuing this item to the next meeting when all Council Members would be present.

**Motion to continue to July 18, 2012 (Barnes/Wheatley/Unanimous)**

11. Discussion and possible approval of a curbside textile recycling pilot program with United Fibers, benefitting the Boys & Girls Club of Queen Creek.

Public Works Management Assistant Ramona Simpson introduced a four-month pilot recycling program through United Fibers. The program would allow residents to bag used textiles (clothing, towels, etc) in a special bag and then place it in the blue recycle container. The recycled material is transformed into insulation. The program has no cost to the Town and the revenue generated from the increased tonnage would be paid to the Town @ .10 per lb and to the Boys & Girls Club Queen Creek @ .10 per lb. Ms. Simpson also presented alternatives for allocating the revenues, all to the Boys & Girls Club, all to the Town or some other percentage.

Ms. Simpson stated that United Fibers would distribute information packages that include literature and a recycle bag and information will be provided on-line specific to the Queen Creek program.

Ms. Simpson also said that if the pilot program was approved, the results would be presented to Council to determine whether to continue for a longer period.

**Motion to approve a curbside textile recycling pilot program with United Fibers, benefitting the Boys & Girls Club of Queen Creek (Barnes/Wheatley/Unanimous)**

**ITEMS FOR DISCUSSION:** These items are for Council discussion only and no action will be taken. In general, no public comment will be taken.

*None.*

**DRAFT**

**12. Motion to adjourn to Executive Session:** The Council may reconvene the Executive Session for any of the items listed on the Executive Session Agenda.

*None.*

**DRAFT**

**13. Adjournment**

**Motion to adjourn the Regular Session at 8:10pm (Wheatley/Barnes/Unanimous)**



**DRAFT**

**Minutes**  
**Special Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers & Saguaro Conference Room (Municipal Services Building)  
June 28, 2012  
5:30pm.

**1. Call to Order**

The meeting was called to order at 5:30pm.

**2. Roll Call**

Council Members present: Barnes; Brown; Oliphant; Wheatley; Vice Mayor Benning and Mayor Barney.

**3. Motion to adjourn to Executive Session for the following purposes:**

Pursuant to A.R.S. § 38-431.03(A)(1) the Council may vote to go into Executive Session for discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of the public body. This is regarding the interview and appointment of a Council Member to fill an unexpired term. Interviews will be held in Executive Session between 6:00pm & approximately 8:30pm in the Saguaro Conference Room of the Municipal Services Building.

**Motion to adjourn to Executive Session at 5:31pm (Brown/Barnes/Unanimous)**

**4. Reconvene to Special Session.**

The Special Session reconvened at 8:55pm.

**5. Discussion and possible action on the appointment of a Council Member to fill the unexpired term of former Council Member John Alston ending June 2014.**

**Motion by Council Member Brown:** After interviewing the candidates, there is one candidate that I think is particularly well-suited to serve on the Council, for a number of reasons including: length of residency, a member of a Town Board and/or Commission, understanding of issues currently facing the Town, attendance at QC Citizen Leadership Institute, their time availability, overall understanding of municipal governance, demonstrating ability for sound decision-making and solid listening skills, has held positions of leadership, general knowledge of budget/finance, ability to communicate effectively, and experience working with diverse teams to accomplish goals for an organization or group. For that reason I move the appointment of Jason A. Gad to fill the unexpired term of former Council Member John Alston. **Second by Vice Mayor Benning/Vote: Unanimous.**

**DRAFT**

**6. Adjournment**

The meeting was adjourned at 9:03pm.



Requesting  
Department:  
Management Services

**TO: HONORABLE MAYOR AND TOWN COUNCIL**

**THROUGH: JOHN KROSS, TOWN MANAGER**

**FROM: KIM CLARK, SR. FINANCIAL SERVICES ANALYST  
YOLANDA BRACAMONTE, CONTROLLER**

**RE: CONSIDERATION AND POSSIBLE APPROVAL OF  
EXPENDITURES \$25,000 AND OVER**

**DATE: July 18, 2012**

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**Staff Recommendation:**

Staff recommends approval of expenditures \$25,000 and over.

**Proposed Motion:**

Move to approve Town expenditures \$25,000 and over, pursuant to Town purchasing policy.

**Discussion:**

The following items being requested are:

1. Legal Fees for General Administration
2. Meters, Meter fittings and services
3. Chlorine Tablets for water quality and safety
4. Town-wide Fuel
5. Water bill inserts
6. Building, Plan Review, Permitting, and Inspection Services
7. Law Enforcement Services
8. Fleet Maintenance and Repair Services

See attachment for additional explanation on the above expenditures.

**Fiscal Impact:**

The initial fiscal impact of the requested spending authority for the above expenditure is \$4,145,778 for FY13 and \$17,209 for FY 12. Funds have been identified within the line item budget as approved in the 2011-2012 and 2012-2013 fiscal year budgets.

## **Alternatives:**

1. There is currently no alternative as this service is a requirement to protect the Town against any Legal matters.
2. Dana Kepner is a sole source supplier of Sensus meters and meter reading equipment in the Western region of the United States. The equipment the Town procures from Dana Kepner is compatible with existing meter reading infrastructure and is exclusively used in the Town of Queen Creek's water system. The Utility Services Department procures meters, meter fittings, MXU's, meter testing services and meter accessories for the installation, repair, and maintenance of the Town's residential and commercial water meters. Wear on water meters is an expected normal operating condition that can lead to a loss of revenue, inefficient operating conditions, and an increase in lost and unaccounted water reporting to the Arizona Department of Water Resources (ADWR), if left unaddressed. The Town of Queen Creek Water Division maintains a testing and repair program to minimize such occurrences. The Water Division installs between 10 to 30 meters per month. The Town of Queen Creek Water Division has explored possible co-operative purchasing arrangements with other Cities; however, at this time no other viable procurement alternatives exist.
3. The Town is required under state and federal laws to provide clean and safe water supply. The Town Council recently approved an upfront co-operative contract (2011-022) through the City of Chandler (#MU1-885-2936) for chlorine tablets from AllChem Industries for the purpose of water treatment. If the Council chooses not to approve this procurement, another suitable vendor would need to be identified to procure the necessary water treatment chemicals.
4. Council could choose to approve a lesser amount, which would require staff to request additional funding at a later date.
5. Town of Queen Creek Contract # 2012-013 with Infosend, Inc. was originally approved by Town Council on March 21, 2012 for the amount of \$50,000 for the first year of the contract. However, this amount requested omitted the cost of printing and inserting the Town Newsletter with the Utility bill in the amount of \$11,000. Approval by the Town Council will have the effect of increasing the maximum contract amount to \$61,000 for the remainder of the term to include the Newsletter printing and inserting with the Utility bill. If Council chooses not to approve this item, it will have the effect of ceasing the printing and inserting of the Town's Newsletter with the Utility bill.
6. Council could choose not to approve the expenditure. The impact of this action would prevent the Town from performing certain plan reviews and inspections that exceed current staff training/knowledge. In addition, with a recent increase in development activity, during periods of peak demand, the Town would not have the capacity to process Building Safety applications/inspection requests within a

reasonable time frame. Contracted Building Plan Review, Permitting, and Inspection Services are paid for with offsetting user fees.

7. There is currently no alternative as this service is needed to provide public safety for the Town.
8. Council could choose not to approve the increase and the final Town of Gilbert invoice, for services rendered in June 2012, will not be paid.

**Attachments:**

- A detailed list of requested expenditure.



**Attachment: Expenditures \$25,000 and over**

**For Fiscal Year 2012 and 2013  
July 18, 2012**

Item #	Vendor	Description	Purpose	Requesting Dept	Fiscal Impact \$	Procurement Method
1.	Mariscal Weeks, McIntyre & Friedlander, P.A.	Legal Services for Town of Queen Creek General Administration	This is to cover estimated annual expenditures for Legal Services for FY 12/13. Expenditures will impact multiple line items within FY13 budget.	Town Wide	\$344,000	Professional Service
2.	Dana Kepner	Meters, Meter Fittings and Services	Meters, meter fittings, meter testing and repair; MXU's and meter accessories for residential and commercial water meter installations. Expenditures will impact multiple line items within Utilities FY13 budget.	Utility Services Department	\$198,000	Sole Source
3.	AllChem Industries	Water Quality and Safety	Chlorine tablets for water disinfections. Expenditures will impact line item 220-460-2020-00000-404330 in FY13 budget.	Utility Services Department	\$49,000	Town Contract #2011-022 (up-front cooperative)
4.	Queen Creek Unified School District	Town-wide fuel	Spending authority for annual fuel expenses to meet Town-wide needs for fiscal year. Expenditures will impact the following line items for FY13 budget: 101-410-0206-00000-406260 \$109,350 201-432-2000-00000-406260 \$15,000 215-432-2025-00000-406260 \$2,857 220-460-2020-00000-406260 \$43,146 447-420-0904-00000-406260 \$45,000 475-450-0315-00000-406260 \$17,400	Development Services	\$232,753	Town Contract #2011-075 (IGA)
5.	Infosend, Inc.	Water bill inserts (Town Newsletter)	Contract pricing for printing and mailing of Town newsletter for the Communication and Marketing. Expenditures will impact the line item 101-410-0110-00000-405500 in FY13 budget.	Marketing/ Communications	\$11,000	City of Glendale Agreement No. C-7105/ Queen Creek Contract #2012-013
6.	Brown & Associates	Building Plan Review, Permitting, and Inspection Services	As needed professional services to supplement the Town's staffing capacity to perform applicant procured Building Safety services. Expenditures will impact line item 101-410-0135-00000-403005 in FY13	Development Services	130,000	Town Contract #2008-93

7.	Maricopa County	Law Enforcement Services	<p>Contract spending authority for Year 2 of the Three Year IGA for Law Enforcement Services with Maricopa County. Expenditures will impact the following line items for FY 13 budget:</p> <p>447-420-0900-00000-400124 \$1,512,352  101-420-0400-00000-430020 \$1,312,867  445-420-0625-00000-403020 \$ 355,806</p>	Fire	\$3,181,025	Town Contract #2011-039
8.	Town of Gilbert	Fleet Maintenance & Repair Services	<p>To increase expenditure authority from \$160,000, previously approved at 09/21/11 Council meeting, to \$177,209. Expenditure will impact line item 101-410-0206-00000-403031 in FY12 budget</p>	Development Services	\$17,209	Town Contract #2011-062 (IGA)

Requesting Department:

Economic Development  
Department



**TO: HONORABLE MAYOR AND TOWN COUNCIL**

**THROUGH: JOHN KROSS, AICP  
TOWN MANAGER**

**FROM: DOREEN COTT, ECONOMIC DEVELOPMENT DIRECTOR**

**RE: DISCUSSION AND POSSIBLE APPROVAL OF AN AGREEMENT WITH  
THE FRIENDS OF HORSESHOE PARK TO PRODUCE THE 2013  
ROOTS N' BOOTS QUEEN CREEK EVENT**

**DATE: JULY 18, 2012**

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**Staff Recommendation:**

Staff recommends approval of the agreement with the Friends of Horseshoe Park (FOHP).

**Relevant Council Goal(s):**

Corporate Strategic Plan KRA 2: Community Involvement, Objective 1: Develop a comprehensive volunteer program and non-profit partnership strategy.

Corporate Strategic Plan KRA 6: Image/Identity, Objective 1: Maintain community events that incorporate the Town's heritage and enhance the Town's branding initiative.

**Proposed Motion:**

Move to approve the agreement with the Friends of Horseshoe Park (FOHP), and to authorize a \$20,000.00 payment to FOHP and authorize an amount no greater than \$8,000 for Horseshoe Park & Equestrian Centre staff overtime, subcontracted personnel, Fire Department charges for first aid services, and Public Works charges for water truck and street sweeper operation, which happens as a result of this event. FOHP did submit an application as part of the budget process for the in-kind and monetary support requested in the agreement.

**Discussion:**

Roots N Boots Queen Creek 2012 proved to be a successful event. The event was expanded from 2 to 3 days with an additional Professional Rodeo Cowboy Association (PRCA) performance added on Sunday. The event saw a slight reduction in total event attendance from 2011 but there was a significant increase in sponsorships and PRCA revenue. The rodeo performances were well attended, including another Saturday evening sell-out.

Friends of Horseshoe Park repaid \$17,207 of the \$20,000 loan from the Town for RnB 2012.

The event was possible due to the estimated 3,800 volunteer hours, 2,680 planning hours and 1,120 hours for execution of the event.

Several items were also donated to HPEC because of the event. These include:

- Keyed lock for the inner office door of the modular show office
- A people gate to go with the park's temporary panels
- A measuring wheel

Written into the agreement for the 2013 event includes the following:

- 1) Town will pay a \$20,000 cash advance to FOHP to be repaid once collected revenues exceed all direct event costs;
- 2) Town will provide the facility (HPEC) free of charge and up to \$8,000 in staff overtime and contracted services to assist production of the event;
- 3) FOHP will produce an event similar to the March 2011 and 2012 event of the same name;
- 4) FOHP will provide insurance covering all aspects of the event and naming the Town as additionally insured;

**Fiscal Impact:** The fiscal impact of this event is \$20,000 cash and up to \$8,000 in overtime and contracted services.

**Attachment:**

Copy of the Agreement between the Town and the Friends of Horseshoe Park.

## TOWN OF QUEEN CREEK

### COMMUNITY SERVICES AGREEMENT WITH FRIENDS OF HORSESHOE PARK

This Community Services Agreement (the "Agreement") is made and entered into as of the 18th day of July, 2012 by and between the Town of Queen Creek, an Arizona municipal corporation ("**Town**"), and the Friends of Horseshoe Park, a non-profit agency, ("**FOHP**"). Town and the FOHP may be referred to in this Agreement collectively as the "Parties" and each individually as a "Party."

#### RECITALS

The Town wishes to enter into an agreement for event production services for production of the 2013 Roots N' Boots Queen Creek event, which includes a Professional Rodeo Cowboy Association ("**PRCA**") Rodeo and Family Rodeo, at Horseshoe Park & Equestrian Centre ("**HPEC**") from March 8, 2013 through March 10, 2013 (the "Event"); and

The FOHP is qualified to perform the Services; and

Now therefore, in consideration of the mutual promises and obligations set forth in this Agreement, the Parties agree as follows:

#### AGREEMENTS

##### ARTICLE 1. SCOPE OF SERVICES

1. The FOHP shall produce the Roots N' Boots Queen Creek special event at HPEC, as further described herein and on **Exhibit A** (the "Services" or the "FOHP Services").
2. The Town shall provide support in addition to the services, as further described herein and on **Exhibit C** (the "Town Services").
3. The Town will make available the HPEC facilities through a temporary special event permit for the use of HPEC, without costs or fees to FOHP, and such special event permit to be effective beginning at 12:01 a.m. Wednesday, March 6, 2013 and terminating at 11:59 p.m. Monday, March 11, 2013 (the "Special Event Permit"). As long as the FOHP is in compliance with the covenants, conditions and terms of the Special Event Permit and this Agreement, FOHP shall collect Event revenue including, but not limited to, concession sales, vendor fees, ticket sales, parking fees, and subcontracted activity sales (the "Event Revenues"), subject to Article 2 of this Agreement; except for fees collected for the RV stalls, barn stalls and bedding. Reservations and fees collected for these items will be the responsibility of HPEC staff during normal business hours (8:00 – 5:00 p.m.). After hours reservations and fee collection will be handled by FOHP with all fees submitted to Town. Use of HPEC under the Special Event Permit shall include the event site, arenas, barn stalls, cattle pens, modular show office, parking areas (including overflow parking), use of the sound system, readily available electricity, readily available water, and restroom facilities.
4. All permanent HPEC sponsor advertising will remain intact and unobstructed.
5. All FOHP Services will be reviewed and approved by the Contract Administrator to determine acceptable completion. Review and approval by the Contract Administrator shall not relieve the

FOHP of any liability for improper, negligent or inadequate Services rendered pursuant to this Agreement.

6. Town shall have the right to review all publicity prior to publication or use, including, but not limited to, press releases and advertising, for a time period of not more than seven days from receipt. FOHP shall have the right of use of the Town of Queen Creek name and logo. The use of the Town of Queen Creek Name and logo must meet the guidelines set forth in the Town of Queen Creek Logo Standards, attached hereto as Appendix 1, at all times.

7. All promotion stands must have proof of proper sales tax permits, licensing and health inspection permits prior to start of the Event. FOHP agrees on behalf of itself and its subcontractors to comply with and be solely responsible for all provisions of all applicable laws regarding sales and use taxes as to FOHP's or its subcontractor's sales. FOHP and its subcontractors are responsible for any and all damage to the HPEC facilities and improvements connected to the Event including without limitation damage caused during set-up, the Event, and tear-down activities. All costs and expenses resulting from the failure of FOHP to comply with the terms of the Special Event Permit or this Agreement will be billed to FOHP for prompt payment by FOHP and include clean-up labor and repair or replacement of facilities, equipment, improvements and materials.

## ARTICLE 2. FEES

1. The amount provided to FOHP for FOHP Services under this Agreement shall be twenty thousand dollars (\$20,000.00) (the "Event Expenses Payment"), to be paid in one lump sum by check to FOHP within three weeks of signing of this Agreement and subject to the following conditions:

a. FOHP shall reimburse the Event Expenses Payment to Town, out of the Net Event Revenues (Gross Revenues minus Direct Event Costs). FOHP's obligation to reimburse Town shall be senior to any other claim against or payment from the Net Event Revenues. Direct Event Costs shall not include items such as, but not limited to, travel and accommodations for training conferences, compensation to FOHP Board Members, and lobbying, and mileage reimbursement for travel related to production of the event.

b. Following reimbursement to Town of the Event Expense Payment, FOHP shall pay Town 20% of the remaining collected Net Event Revenues (the "Town Revenues").

c. Reimbursement of the Event Expense Payment and the Town Revenues shall be made to Town no later than 90 days after the Event.

2. The Town Services will include up to \$8,000.00 in value in the form of Town personnel services and Town contracted services as calculated by Town, which include HPEC staff overtime wages, Fire Department hourly charges, and subcontracted personnel hired specifically because of this Event (the "Town Personnel Costs"), without charge to FOHP, and subject to the following conditions:

a. FOHP agrees that by arranging for any Town personnel services or Town contracted services beyond the Town Personnel Costs, FOHP is solely responsible for the payment of the total amount due and Town shall invoice FOHP for any Town personnel time or contracted services costs over \$8,000;

b. FOHP shall determine where Town personnel and contracted services should be used, with the agreement of Horseshoe Park & Equestrian Centre General Manager; and

c. FOHP shall agree in writing to the use and amount of Personnel time and contracted services prior to the provision of same.

d. Town agrees to pay all Town personnel and Town contracted services, including overtime, to be reimbursed by FOHP within 30 days of the Event.

3. Additionally, Town will provide up to 60 hours of in-kind services such as sharing historical event information with FOHP and attending FOHP RNB planning meetings (the "In-Kind Services");

a. FOHP shall determine where the In-Kind Services should be used as described above.

b. Town's maximum in-kind staffing shall be limited to 60 hours.

4. FOHP acknowledges and agrees that Town shall not be responsible for any Event expenses or losses.

5. All applicable federal, state and local taxes and charges which may be imposed on the Event are in addition to the Event expenses, shall be promptly and timely paid by FOHP, and FOHP agrees to be solely responsible for the payment of the same.

6. The Town shall provide a monthly report of in-kind hours worked, which are to be applied against the 60 hours of in-kind staff hours allocated.

7. The Town shall notify FOHP when the 60 hrs has been exhausted and not provide further hours until agreed to in writing by FOHP and the Town.

### **ARTICLE 3. TERM OF AGREEMENT**

1. This Agreement shall be in full force and effect when approved by the Town Council of Queen Creek, Arizona and signed by its Mayor or Town Manager as attested by the Town Clerk, and the President of FOHP.

2. The FOHP shall proceed with providing the FOHP Services immediately upon receipt of a notice to proceed issued by the Contract Administrator. All FOHP Services shall be completed and approved on or before June 30, 2013.

3. The Town shall begin tracking and reporting in-kind staff labor hours upon same notice to proceed by the Contract Administrator.

### **ARTICLE 4. TERMINATION OF AGREEMENT OR PORTIONS OF SERVICES**

1. The Town has the right to terminate this Agreement for cause or convenience or to abandon any portion of the Services that have not been performed by the FOHP. Upon such termination or abandonment, FOHP shall remain responsible for repayment to Town of the full amount of the Event Expenses Advance, less any Credit as herein defined.

2. In the event the Town terminates this Agreement or any part of the Services as herein provided, the Town shall notify the FOHP in writing ("Notice"), and immediately upon receipt of such Notice, the FOHP shall discontinue all work under this Agreement, shall refrain from incurring any new obligations, including contracts and subcontracts ("Obligations"), and shall cancel as many Obligations as

possible.

3. Upon receipt of such Notice the FOHP shall immediately deliver to the Town any and all documents or work product generated by the FOHP under the Contract (collectively, the "Work Product"), together with all unused material supplied by the Town.

4. Within thirty (30) days of receipt of such Notice FOHP shall provide Town with a list of its expenditures made to the Notice Date, and for amounts owing pursuant to the Obligations that could not be cancelled (collectively, the "Actual Expenditures"), and shall submit the Actual Expenditures to the Contract Administrator for evaluation.

5. The FOHP shall receive as compensation in full for FOHP Services performed and accepted by the Contract Administrator to the date of such termination, a "Credit" to be subtracted from the total amount of FOHP's repayment to Town for Event Expenses Advance for the percentage of Services actually completed and accepted by the Town and for the Actual Expenditures. The Credit shall be in an amount to be mutually agreed-upon by the FOHP and the Town, based upon the Scope of Services set forth in Article 1, the payment schedule set forth in this Agreement and the Actual Expenditures. If mutual agreement between the Parties cannot be reached after reasonable negotiation, the Contract Administrator shall determine the percentage of satisfactory completion of each task set forth in the Scope of Services and the amount of credit FOHP is entitled to for such work, and the Contract Administrator's determination in this regard shall be final.

6. If for any reason the FOHP fails to fulfill in a timely and proper manner its obligations under this Agreement, or if the FOHP violates any of the covenants, agreements, or stipulations of this Agreement, the Town may withhold from payment due to the FOHP such amounts as are necessary to protect the Town's position for the purpose of set-off until such time as the exact amount of damages due to the Town from FOHP is determined by a court of competent jurisdiction.

## **ARTICLE 5. ASSIGNMENT AND SUBCONTRACTING**

1. This Agreement may not be assigned in whole or in part without the prior written consent of the Contract Administrator, and any such attempted assignment shall be null and void and a material breach of this Agreement, and shall transfer no rights to the purported assignee.

2. The FOHP may engage such subcontractors or professional associates as FOHP may deem necessary or desirable for the timely and successful completion of this Agreement. However, the use of such subcontractors or professional associates for the performance of any part of the Services specified in Article 1 shall be subject to the prior written approval of the Town. FOHP will submit a complete list of subcontractors in **Exhibit B** and will update **Exhibit B** during the term of the Agreement, should the status of said subcontractors change. Employment of such subcontractors or professional associates in order to complete the Services set forth in Article 1 shall not entitle FOHP to additional compensation beyond that set forth in Article 2. The FOHP shall be responsible for and shall warrant all Services including those delegated to such sub subcontractors or professional associates.

## **ARTICLE 6. COMPLETENESS**

1. The FOHP shall be responsible for and shall warrant the completeness and quality of all Services performed pursuant to the Agreement. The fact that the Town has accepted or approved the FOHP's Services shall in no way relieve the FOHP of any of FOHP's responsibilities.



## ARTICLE 7. OWNERSHIP OF DOCUMENTS

1. All documents including but not limited to data computation, studies, reports, brochures, pamphlets, leaflets and notes prepared in the performance of this Agreement are to be and remain the property of the FOHP but will be delivered to the Agreement Administrator upon completion of this Agreement or upon termination of this Agreement for any reason.

## ARTICLE 8. INDEMNIFICATION

1. To the fullest extent permitted by law, the FOHP shall defend, indemnify, save and hold harmless the Town and its elected officials, officers, employees, council members and agents (collectively the "Indemnitees") for, from and against any and all claims, demands, losses, damages, suits, actions, liabilities, fines, charges, penalties, obligations, costs (including, without limitation cleanup actions of any kind, and court costs, attorneys' fees, professional, expert or FOHP fees (including, but not limited to, such expenses incurred in any attempt to enforce this indemnification provision and the cost of appellate proceedings) (collectively, "Claims"), which may arise out of, in connection with, resulting from or related to in any manner, directly or indirectly, in whole or in part, out of the exercise of this Agreement by the FOHP including, without limitation, claims for bodily injury, death, damage to property, loss of use of property or defects in workmanship or materials and regardless of whether asserted as a breach of contract, breach of warranty, tort or any other theory of recovery. It is the specific intention of the Parties that the Indemnitees shall be indemnified by FOHP or by anyone for whose acts the FOHP may be legally liable, including employees, customers, agents, invitees, licensees, or guests. It is the specific intention of the Parties that the Indemnitees shall be indemnified by FOHP from and against all Claims other than those arising from the Indemnitees' sole willful or gross negligence.

2. In the event that any action or proceeding shall at any time be brought against any of the Indemnitees by reason of any Claim referred to in this Article, FOHP, at FOHP's sole cost and upon at least 10 days' written notice from Town, shall defend the same with counsel acceptable to Town, in Town's sole discretion.

3. Except for Town's sole willful or gross negligence, FOHP, on its own behalf and on behalf of its successor and assigns, shall and does hereby release Town and the Indemnitees for all liabilities and Claims FOHP shall and does hereby agree to indemnify, defend and save the Indemnitees harmless against all claims arising directly or indirectly, in whole or in part, from any breach or default on FOHP's part in the performance of any covenant or agreement of FOHP under this Agreement.

4. FOHP's indemnification, obligations and release under this Article shall survive the expiration or termination of this Agreement.

5. The insurance provisions set forth in this Agreement are separate and independent from the indemnity provisions of this Agreement and shall not be construed in any way to limit the scope and magnitude of the indemnification obligations, nor shall FOHP'Ss indemnification obligations be construed in any way to limit the scope, magnitude or applicability of the insurance provisions.

## ARTICLE 9. INSURANCE

1. The FOHP shall secure and maintain during the life of this Agreement, insurance coverage which shall include statutory workman's compensation, comprehensive general and automobile liability, and FOHP's liability insurance. The comprehensive general and automobile liability limits shall be no less than one million dollars (\$1,000,000.00) combined single limit. The FOHP's general liability limits shall be no less than one million dollars (\$1,000,000.00) for each occurrence and no less than one million dollars (\$1,000,000.00) policy aggregate naming the Town as an additional insured. The Town shall be named as an additional insured on all policies.

2. The FOHP shall secure and maintain during all event hours, included event setup, site prep, event cleanup and equipment breakdown, insurance coverage which shall include special event liability, and supplemental coverage for rough stock. The FOHP's event insurance shall be no less than one million dollars (\$1,000,000.00) for each occurrence and no less than two million dollars (\$2,000,000.00) policy aggregate naming the Town as an additional insured. The FOHP's supplemental rough stock coverage shall be no less than five million dollars (\$5,000,000.00) for each occurrence and no less than five million dollars (\$5,000,000.00) policy aggregate naming the Town as an additional insured. The Town shall be named as an additional insured on all policies.

3. The FOHP shall secure and maintain during all event hours, included event setup, site prep, event cleanup and equipment breakdown, liquor liability insurance coverage if they procure a Special Event Liquor License from the State of Arizona. The liquor liability policy shall be no less than one million dollars (\$1,000,000.00) for each occurrence and no less than one million dollars (\$1,000,000.00) policy aggregate naming the Town as an additional insured.

4. All insurance coverage shall be written through carriers licensed in Arizona, or on an approved non-admitted list of carriers published by the Arizona Department of Insurance, and possessing an A.M. Best rating of at least B+7 or better through Lloyd's of London.

5. Should coverage be written on a claims-made basis, the FOHP shall provide, prior to commencement of any Services, an initial certificate of insurance evidencing required coverage limits from date of contract execution through date of policy expiration. Subsequently, a certificate of insurance or a renewal quotation accompanied by evidence of premium payment shall be presented a minimum of ten (10) days prior to date of expiration of current certificate.

6. In the event the FOHP fails to provide such certificate of coverage retroactive to the beginning date of this Agreement, the Town may, but shall not be required to, purchase insurance, if available, to protect itself against any losses which would have been covered by policies FOHP is required to maintain under this Article. If the Town elects to purchase the insurance under this provision, FOHP shall be liable to the Town for all costs incurred by the Town for purchasing such insurance.

7. Contemporaneously with the effective date, the FOHP shall submit to the Town a certificate of insurance evidencing the coverage and limits stated in the foregoing paragraph. Insurance evidenced by the certificate shall not expire, be canceled, or materially changed without thirty (30) days prior written notice to the Town, and a statement to that effect must appear on the face of the certificate and the certificate shall be signed by a person authorized to bind the insurer. The amount of any deductible shall be stated on the face of the certificate. The Contract Administrator may require the FOHP to furnish a financial statement establishing the ability of FOHP to fund the deductible. If in the judgment of the Contract Administrator the

financial statement does not establish FOHP's ability to fund the deductible, and no other provisions acceptable to the Contract Administrator are made to assure funding of the deductible, the Contract Administrator may, in his/her sole discretion, terminate this Agreement without further liability to the Town.

#### **ARTICLE 10. ADDITIONAL WARRANTIES AND DISCLOSURES BY FOHP**

1. The FOHP hereby warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the FOHP, to solicit or secure this agreement, and that the FOHP has not paid or agreed to pay any person, company, corporation, individual or firm other than a bona fide employee working solely for the FOHP any fee, commission, percentage, gift or any other consideration contingent upon or resulting from the award or making of this agreement.

2. The FOHP shall comply with Executive Order No. 11246 entitled "Equal Opportunity Employment" as amended by Executive Order No. 11375, and supplemented Department of Labor Regulations 41 CFR, Part 16.

#### **ARTICLE 11. CONTRACT ADMINISTRATOR**

1. The Town's Contract Administrator for this Contract shall be the Town Manager or his/her designee(s).

#### **ARTICLE 12. NOTICE**

1. All notices or demands required to be given, pursuant to the terms of this Agreement, shall be given to the other Party in writing, delivered in person, sent by facsimile transmission, deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested or deposited with any commercial air courier or express service at the addresses set forth below, or to such other address as the Parties may substitute by written notice, given in the manner prescribed in this paragraph.

Town: John Kross, Town Manager 22350 South Ellsworth Road  
Queen Creek, AZ 85242 Facsimile: (480) 358-3189

With a copy to: MARISCAL, WEEKS, MCINTYRE & FRIEDLANDER, P.A. 2901 North  
Central Avenue, Suite 200 Phoenix, AZ 85012 Attn: Fredda J. Bisman, Esq.  
Facsimile: (602) 285-5100

FOHP: Jon Wootten, President Friends of Horseshoe Park  
PO Box 1062  
Queen Creek, AZ. 85142

With a copy to: Facsimile: ( ) \_\_\_\_\_

2. Notice shall be deemed received on the date delivered, if delivered by hand, on the day it is sent by facsimile transmission, on the second day after its deposit with any commercial air courier or express services or, if mailed, three (3) working days (exclusive of United States Post Office holidays) after the

notice is deposited in the United States mail as above provided, and on the delivery date indicated on receipt, if delivered by certified or registered mail. Any time period stated in a notice shall be computed from the time the notice is deemed received. Notices sent by facsimile transmission shall also be sent by regular mail to the recipient at the above address. This requirement for duplicate notice is not intended to change the effective date of the notice sent by facsimile transmission. E-mail is not an acceptable means for meeting the requirements of this section unless otherwise agreed in writing.

### **ARTICLE 13. GENERAL PROVISIONS**

1. **RECORDS AND AUDIT RIGHTS.** FOHP records (hard copy, as well as computer readable data), and any other supporting evidence deemed necessary by the Town to substantiate charges and claims related to this agreement shall be open to inspection and subject to audit and/or reproduction by Town's authorized representative to the extent necessary to adequately permit evaluation and verification of cost of the Services, and any invoices, change orders, payments or claims submitted by the FOHP or any of its payees pursuant to the execution of the contract. The Town's authorized representative shall be afforded access, at reasonable times and places, to all of the FOHP's records and personnel pursuant to the provisions of this article throughout the term of this agreement and for a period of three years after last or final payment.

2. **INCORPORATION OF RECITALS AND EXHIBITS.** The Recitals are acknowledged by the Parties to be substantially true and correct, and hereby incorporated as agreements of the Parties. The Exhibits are attached hereto and incorporated herein by this reference.

3. **ATTORNEYS' FEES.** In the event either Party brings any action for any relief, declaratory or otherwise, arising out of this Agreement, or an account of any breach or default hereof, the prevailing Party shall be entitled to receive from the other Party reasonable attorneys' fees and reasonable costs and expenses (including expert witness fees), determined by the arbitrator or court sitting without a jury, which fees shall be deemed to have accrued on the commencement of such action and shall be enforced whether or not such action is prosecuted through judgment.

4. **ENTIRE AGREEMENT.** This Agreement constitutes the entire understanding of the Parties and supersedes all previous representations, written or oral, with respect to the Services specified herein. This Agreement may not be modified or amended except by a written document, signed by authorized representatives or each Party.

5. **GOVERNING LAW.** This Agreement shall be governed by and construed in accordance with the substantive laws of the State of Arizona, without reference to conflict of laws and principles. Exclusive jurisdiction and venue for any action brought to enforce or construe any provision of this Agreement shall be proper in the Superior Court of Maricopa County, Arizona and both Parties consent to jurisdiction and venue in such court for such purposes.

6. **INDEPENDENT CONTRACTOR.** The Services FOHP provides under the terms of this Agreement to the Town are that of an Independent Contractor, not an employee, or agent of the Town. As an independent contractor, FOHP shall:

- a. Have discretion in deciding upon the method of performing the Services provided;
- b. Not be entitled to worker's compensation benefits from the Town;
- c. Not be entitled to any Town sponsored benefit plan;

- d. Shall select the hours of its work;
- e. Shall provide its own equipment and tools; and
- f. To the extent required by law, be responsible for obtaining and remaining licensed to provide the Services.

7. TAXES. FOHP shall be solely responsible for any and all tax obligations which may result out of the FOHP's performance of this agreement. The Town shall have no obligation to pay any amounts for taxes, of any type, incurred by the FOHP. The Town will report the value paid for these Services each year to the Internal Revenue Service (I.R.S.) using Form 1099. The Town shall not withhold income tax as a deduction from contractual payments. FOHP acknowledges that it may be subject to I.R.S. provisions for payment of estimated income tax. FOHP is responsible for consulting the local I.R.S. office for current information on estimated tax requirements.

8. AMENDMENTS. Any amendment, modification or variation from the terms of this Agreement shall be in writing and signed by all Parties hereto.

9. COMPLIANCE WITH LAW. The FOHP specifically agrees that in the performance of the Services rendered hereunder by FOHP or anyone acting on its behalf, FOHP will comply with all state, federal and local statutes, ordinances and regulations, and will obtain all permits and licenses applicable for performance under this Agreement.

10. SEVERABILITY. In the event that any provision of this Agreement shall be held to be invalid and/or unenforceable, the remaining provisions shall be valid and binding upon the Parties.

11. WAIVER. No waiver by any Party of a breach of this Agreement will be construed as a waiver of a succeeding breach of the same or any other covenant of this Agreement. No delay in exercising any right granted by this Agreement will constitute a waiver of that right. No waiver shall be effective unless it is in writing and is signed by the Party asserted to have granted such waiver.

12. COUNTERPARTS. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument, binding on all of the Parties. The Parties intend that the faxed signatures constitute original signatures and that a faxed agreement containing the signatures (original or faxed) of all the Parties is binding upon the Parties.

### 13. COMPLIANCE WITH FEDERAL IMMIGRATION LAWS AND REGULATIONS.

a. Pursuant to the provisions of A.R.S. § 41-4401, the FOHP warrants to the Town that the FOHP and all its subcontractors are in compliance with all Federal Immigration laws and regulations that relate to their employees and with the E-Verify Program under A.R.S. § 23-214(A). FOHP acknowledges that a breach of this warranty by the FOHP or any of its subcontractors is a material breach of this Agreement subject to penalties up to and including termination of this Agreement or any subcontract. The Town retains the legal right to inspect the papers of any employee of the FOHP or any subcontractor who works on this Agreement to ensure compliance with this warranty.

b. The Town may conduct random verification of the employment records of the FOHP and any of its subcontractors to ensure compliance with this warranty.

c. The Town will not consider FOHP or any of its subcontractors in material breach of the foregoing warranty if FOHP and its subcontractors establish that they have complied with the employment verification provisions prescribed by 8 USCA § 1324(a) and (b) of the Federal Immigration and Nationality Act and the e-verify requirements prescribed by Arizona Revised Statutes § 23-214(A).

d. The provisions of this section must be included in any contract the FOHP enters into with any and all of its subcontractors who provide Services under this Agreement or any subcontract. "Services" are defined as furnishing labor, time or effort in the State of Arizona by a contractor or subcontractor. Services include construction or maintenance of any structure, building or transportation facility or improvement to real property.

14. PROHIBITION OF DOING BUSINESS WITH SUDAN AND IRAN. Pursuant to A.R.S. §§ 35-391.06 and 35-393.06, FOHP certifies that it does not have a scrutinized business operation, as defined in A.R.S. §§ 35-391 and 35-393, in either Sudan or Iran.

15. CANCELLATION FOR CONFLICT OF INTEREST. Pursuant to the provisions of A.R.S. § 38-511, the Town may cancel any contract or agreement, without penalty or obligation if any person significantly involved in initiating, negotiating, securing, drafting or creating the contract on behalf of the Town is, at any time while the contract or any extension thereof is in effect, an employee of any other party to the contract in any capacity or a FOHP to any other party to the contract with respect the subject matter of the contract.

16. CONSTRUCTION. The terms and provisions of this Agreement represent the results of negotiations between the Parties, each of which has been or has had the opportunity to be represented by counsel of its own choosing, and neither of which has acted under any duress or compulsion, whether legal, economic or otherwise. Consequently, the terms and provisions of this Agreement shall be interpreted and construed in accordance with their usual and customary meanings, and the Parties each hereby waive the application of any rule of law which would otherwise be applicable in connection with the interpretation and construction of this Agreement that ambiguous or conflicting terms or provisions contained in this Agreement shall be interpreted or construed against the Party whose attorney prepared the executed Agreement or any earlier draft of the same, including any exhibits.

[Signature page follows]

In witness whereof, the parties hereto have executed and caused to be signed by their duly authorized representatives, this agreement on the date first written above.

**TOWN OF QUEEN CREEK:**

Approval of Town Council:

Approval of Contract Administrator:

Gail Barney, Mayor

John Kross, Town Manager

ATTEST:

Jennifer Robinson, Town Clerk

REVIEWED AS TO FORM:

Mariscal, Weeks, McIntyre & Friedlander, P.A.,  
Town Attorneys

**Friends of Horseshoe Park**

By: \_\_\_\_\_

Its: \_\_\_\_\_

## EXHIBIT A

### Production Aspects of the 2013 Roots N' Boots Queen Creek ("Event")

- 1) FOHP shall produce a PRCA Rodeo consisting of slack and two or three performances;
- 2) FOHP shall produce Family Rodeo activities in similar fashion to the March 2012 Roots N' Boots Queen Creek event, with the capability to adjust hours of service and activities to best serve the interest of the Event;
- 3) FOHP may procure sponsorships for the Event,
  - a) FOHP shall ensure benefits given to sponsors such as banners hung within HPEC, onsite advertising, and onsite sales/giveaways do not contradict or impose on current HPEC sponsorships;
  - b) FOHP shall remove all traces of Event sponsorships from HPEC within one day of the end of the Event;
- 4) FOHP shall procure food and beverage vendors;
- 5) FOHP (or through its subcontractor) shall procure a Special Event Liquor License from the State of Arizona, if one does not exist, if the intent is to sell alcohol at the event
  - a) Town Council approval is required for any spirituous liquor sales (hard liquor) prior to obtaining the State of Arizona Special Event Liquor License;
  - b) FOHP shall operate alcohol sales in a fashion as determined by Town Council direction and by Town staff and MCSO through the Special Event Permit Process;
  - c) FOHP shall obtain liquor liability insurance as described in Article 10;
- 6) FOHP may procure other event activities such as, but not limited to, carnival rides, pony rides, petting zoo, spectator events, etc.
  - a) All procured activities must fall within provided insurance coverage as described in Article 10;
- 7) FOHP shall produce a parking plan to be reviewed and approved by Town staff through the Special Event Permit process;
- 8) FOHP shall produce a traffic plan to be reviewed and approved by Town staff through the Special Event Permit process;
- 9) FOHP shall produce a dust control plan to be reviewed and approved by Town staff through the Special Event Permit process;
- 10) FOHP shall produce a public safety plan to be reviewed and approved by Town staff through the Special Event Permit process;
- 11) FOHP shall procure all necessary electric and water services not readily available at HPEC;
- 12) FOHP shall procure all necessary equipment and supplies to produce the event;
- 13) FOHP shall have appropriate staff to manage the event;



14) FOHP shall ensure that all subcontractors and vendors required to provide insurance list to the Town and FOHP as additionally insured for the duration of the event and for any time periods required by Article 10;

a) Subcontractors and vendors required to provide insurance include, but may not be limited to, food and beverage vendors, booths with activities, carnival rides, inflatable rides, activities involving animals, competitions, races, equestrian activities, and active displays such as inflatable advertising;

## **EXHIBIT B LIST OF SUBCONTRACTORS**

There are no subcontractors at this time. There will be amendments to the contract if any occur throughout the term.

## EXHIBIT C

### **Town Provided Support for the 2013 Roots N' Boots Queen Creek ("Event")**

- 1) The Town shall make available the HPEC facilities through a temporary special event permit for the use of HPEC, without costs or fees to FOHP, and such special event permit to be effective beginning at 12:01 a.m. Wednesday, March 6, 2013 and terminating at 11:59 p.m. Monday, March 11, 2013.
- 2) The Town shall provide to FOHP for Services under this Agreement twenty thousand dollars (\$20,000.00), to be paid in one lump sum by check to FOHP within three weeks of signing of this Agreement.
- 3) The Town shall provide up to 60 hours of in-kind services.
- 4) The Town shall provide up to \$8,000 in value in the form of Town personnel services and Town contracted services without charge to FOHP.

Requesting Department:  
Development Services



**TO: HONORABLE MAYOR AND TOWN COUNCIL**

**THROUGH: JOHN KROSS, TOWN MANAGER**

**FROM: CHRIS DOVEL, TOWN ENGINEER  
MARC PALICHUK, ENGINEER**

**RE: CONSIDERATION AND POSSIBLE APPROVAL OF THE SALT RIVER PROJECT "OVERHEAD AND UNDERGROUND POWER DISTRIBUTION EASEMENT" LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF QUEEN CREEK ROAD AND CRISMON ROAD.**

**DATE: JULY 18, 2012**

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**Staff Recommendation:**

Staff recommends approval of the Salt River Project "Overhead and Underground Power Distribution Easement" Located at the Southeast Corner of the intersection of Queen Creek Road and Crismon Road.

**Relevant Council Goal(s):**

Continue to provide the necessary utility (Salt River Project-Power) infrastructure for the Town of Queen Creek.

**Proposed Motion:**

Motion to approve the Salt River Project "Overhead and Underground Power Distribution Easement" Located at the Southeast Corner of the intersection of Queen Creek Road and Crismon Road.

**Discussion:**

The Salt River Project (SRP) easement is required to complete the roadway improvements currently being constructed by the Siete Solar Project on Queen Creek Road between Crismon Road & 220<sup>th</sup> Street. The easement is a necessary system tie to facilitate the undergrounding of a 12 KV overhead electric line that runs east-west on the north side of Queen Creek Road.

In an effort of not delaying construction of the Queen Road improvement project, SRP agreed to continue with the facilities upgrade without the benefit of an easement if the Town would agree to provide SRP with a "Request for Early

Release of Lands for Construction” letter (attached) and agree to recommend approval to Town Council to grant SRP the easement.

**Fiscal Impact:**

There is no fiscal impact to the Town of Queen Creek in dedicating the SRP “Overhead and Underground Power Distribution Easement”.

**Alternatives:**

The undergrounding of the SRP 12KV line is required to construct the approved roadway improvements on Queen Creek Road between Crismon Road and 220<sup>th</sup> Street. No viable alternatives have been identified.

**Attachments:**

Easement

Exhibit “A”

Request for Early Release of Lands for Construction Letter

**WHEN RECORDED MAIL TO:**

**SALT RIVER PROJECT**

Land Department/PAB400  
P. O. Box 52025  
Phoenix, Arizona 85072-2025

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**OVERHEAD AND UNDERGROUND POWER DISTRIBUTION EASEMENT**

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Maricopa County  
AMP 8136893  
NW4, Sec. 14, T2S, R7E

Agt. KAM  
Job # KEK-5166/JEK-5166  
W. KAM C. [Signature]

**TOWN OF QUEEN CREEK,  
An Arizona Municipal Corporation,**

hereinafter called Grantor, for and in consideration of the sum of One Dollar, and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant and convey to **SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT**, an agricultural improvement district organized and existing under the laws of the State of Arizona, its agents, employees, contractors and permittees and its and their respective successors and assigns, hereinafter called the Grantee, a non-exclusive easement in, upon, over, under, across, through and along the lands hereinafter described (such lands hereinafter described being sometimes referred to herein as the "Easement Parcel"), to construct, install, reconstruct, replace, remove, repair, operate and maintain a line of poles with wires suspended thereon and all necessary and proper guys, anchorage, crossarms, braces, underground electrical conductors, underground conduits, pipes, cables, vaults, pads, switching equipment, enclosures, manholes, transformers and all other appliances, appurtenances and fixtures for the transmission and distribution of electricity, and for all other purposes connected therewith (collectively "Facilities") at such locations and elevations, in, upon, over, under, across, through and along the Grantor's Property, as Grantee may now or hereafter deem convenient or necessary from time to time, together with the right of ingress and egress to, from, across and along the Easement Parcel.

The lands in, upon, over, under, across, through and along which this easement is granted are situated in the County of Maricopa, State of Arizona, and are more particularly described as:

**Grantor's Property:**

The West 33.00 feet of the Northwest Quarter of Section 14, Township 2 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, as shown on "Dedicated County Road A Plat" Recorded in Road Maps Book 6 page 47, records of Maricopa County, Arizona.

**AND**

That portion of the Northwest quarter of Section 14, Township 2 South, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as "NEW ROADWAY RIGHT-OF-WAY EXHIBIT A" in that certain Special Warranty Deed recorded in Instrument Number 2007-0046972, records of Maricopa County, Arizona.

**Easement Parcel:**

See Exhibit "A", attached hereto and by this reference made a part.

**CAUTION:** Facilities placed within the Easement Parcel may contain high voltage electrical equipment. Notice is hereby given that the location of underground electrical conductors or facilities must be verified as required by Arizona Revised Statutes, Section 40-360.21, et seq., Arizona Blue Stake Law, prior to any excavation.

Grantee shall maintain a clear area that extends 3.00 feet from and around all edges of all transformer pads and other equipment pads, and a clear operational area that extends 12.00 feet immediately in front of all transformer and other equipment openings. No obstruction, trees, shrubs, fixtures or permanent structures shall be placed within said areas. Grantee shall locate all above ground facilities outside of the Floodplain Zone "AE".

Grantor reserves the right to use the Easement Parcel and to grant further easements in, upon, over, under, across, through and along the Easement Parcel for any purpose necessary or convenient, in Grantor's sole discretion, including, but not limited to, landscaping, paved parking, sidewalks and/or driveways, provided these do not interfere with the efficient and safe operation and maintenance of Grantee's Facilities, including access thereto. Buildings, above-ground structures, or pools are prohibited within the Easement Parcel. Any trees included in the above landscaping shall, at full maturity and without trimming, maintain a minimum of 2.00 feet of clearance to Grantee's Facilities.

Grantee, at Grantee's sole cost, shall have the right and obligation to trim, cut and clear away trees, brush or other vegetation on the Easement Parcel whenever in Grantee's judgment the same shall be necessary for the convenient and safe exercise of the rights herein granted.

If Grantee performs excavation activities in or around the Easement Parcel and disturbs or damages any of the real property or improvements of Grantor or any third party while performing such excavation, all such real property or improvements disturbed or damaged shall be restored as close to original condition as is reasonably possible at the expense of the Grantee.

In the event Grantee records a document to formally abandon the easement granted herein, all Grantee's rights hereunder shall cease, except the right to remove any and all property placed upon the Easement Parcel within a reasonable time agreeable to the Grantor and subsequent to such abandonment.

The covenants and agreements herein set forth shall extend and inure in favor and to the benefit of and shall be binding on the heirs, administrators, executors, personal representatives, legal representatives, successors (including successors in ownership and estate), assigns and lessees of the Grantor and Grantee.

IN WITNESS WHEREOF, Grantor has caused its name to be executed by its duly authorized representative(s), this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**GRANTOR:** **TOWN OF QUEEN CREEK,**  
**An Arizona Municipal Corporation,**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

ATTEST:

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Town Clerk: \_\_\_\_\_

By: \_\_\_\_\_  
Name: Fredda J. Bisman, Esq.  
For Mariscal, Weeks, McIntyre & Friedlander  
Town Attorney

STATE OF \_\_\_\_\_ )  
  ) ss  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by \_\_\_\_\_, as \_\_\_\_\_, of the **TOWN OF QUEEN CREEK, an Arizona Municipal Corporation**, on behalf of such municipal corporation.

My Commission Expires:

\_\_\_\_\_ Notary Public

\_\_\_\_\_  
Notary Stamp/Seal

**Note: This instrument is exempt from the real estate transfer fee and affidavit of legal value required under A.R.S. Sections 11-1132 and 11-1133 pursuant to the exemptions set forth in A.R.S. Sections 11-1134(A)(2) and (A)(3).**



# EXHIBIT "A"

A strip of land for electric easement purposes located in the Northwest Quarter of Section 14, Township 2 South, Range 7 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being 8.00 feet in width, lying 4.00 feet on each side of the following described centerline;

**COMMENCING** at the Northwest corner of said Section 14, Township 2 South, Range 7 East, a Brass Cap in Hand Hole stamped Maricopa County Department of Transportation, from which the North Quarter corner of said Section 14, a 2.5" Aluminum Cap, bears South 89 degrees 50 minutes 45 seconds East, a distance of 2642.48 feet, also being the basis of bearings;

Thence along the North line of said Northwest Quarter, South 89 degrees 50 minutes 45 seconds East, a distance of 29.00 feet to the **POINT OF BEGINNING**;

Thence departing said North line, South 00 degrees 50 minutes 11 seconds East, a distance of 159.53 feet;

Thence South 44°18'09" West, a distance of 21.15 feet;

Thence South 00°54'15" East, a distance of 39.81 feet to an existing power pole and the **POINT OF TERMINUS** of this easement. Said power pole to be included as part of this easement.

Said easement contains 0.04 acres, more or less.

Sidelines being lengthened or shortened to begin on the North line of said section 14, which passes through the hereninabove described Point of Beginning, and to form vertices at all angle points.



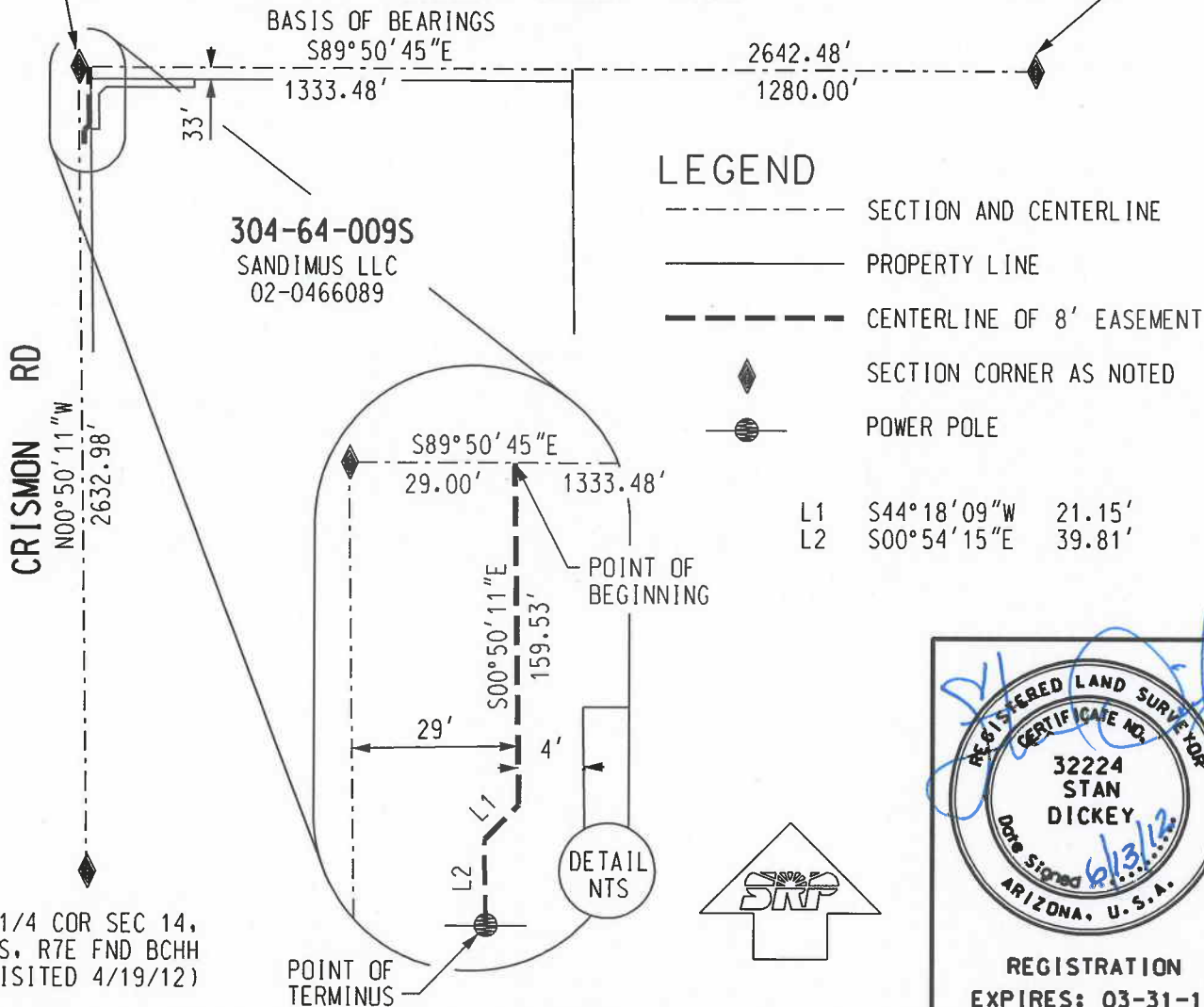
REGISTRATION  
EXPIRES: 03-31-13

# EXHIBIT "A"

NW COR SEC 14,  
T2S, R7E FND BCHH  
(VISITED 4/19/12)

N1/4 COR SEC 14,  
T2S, R7E FND 2 1/2"  
ALUMINUM CAP  
(VISITED 4/19/12)

## QUEEN CREEK ROAD



### CAUTION

THE EASEMENT LOCATION AS HEREON DELINEATED MAY CONTAIN HIGH VOLTAGE ELECTRICAL EQUIPMENT, NOTICE IS HEREBY GIVEN THAT THE LOCATION OF UNDERGROUND ELECTRICAL CONDUCTORS OR FACILITIES MUST BE VERIFIED AS REQUIRED BY ARIZONA REVISED STATUTES, SECTION 40-380.21, ET. SEQ., ARIZONA BLUE STAKE LAW, PRIOR TO ANY EXCAVATION.

### NOTES

THIS EXHIBIT IS INTENDED TO ACCOMPANY AN EASEMENT. ALL PARCELS SHOWN WERE PLOTTED FROM RECORD INFORMATION, AND NO ATTEMPT HAS BEEN MADE TO VERIFY THE LOCATION OF ANY BOUNDARIES SHOWN. THIS IS NOT AN ARIZONA BOUNDARY SURVEY.

ALL EQUIPMENT PADS SHOWN ARE MEASURED TO THE WINDOW UNLESS OTHERWISE NOTED.

SALT RIVER PROJECT  
AGRICULTURAL IMPROVEMENT & POWER DISTRICT



SURVEY DIVISION  
LAND DEPARTMENT

SRP JOB #:	KEK-5166	SCALE:	1" = 500'
AMP W/O NUMBER:	81386893	SHEET:	2 OF 2
AGENT:	MUNROE	REVISION:	0
DRAWN:	BH	UNDERGROUND ELECTRIC POWER LINE RIGHT-OF-WAY MARICOPA COUNTY, ARIZONA	
CHECKED BY:			
DATE:	6/13/12		

QUEEN CREEK SOLAR  
NW 1/4 SECTION 14  
T-2-S, R-7-E  
7.9 SOUTH - 40.4 EAST



## Town of Queen Creek

June 13, 2012

Jayne Lewis, Manager  
Land Acquisitions/PAB350  
Salt River Project  
P.O. Box 52025  
Phoenix, Arizona 85072-2025

**RE: Request for Early Release of Lands for Construction**  
Salt River Project Job No. JEK-5166, KEK-5166  
Town of Queen Creek  
Project No. 2011000645  
Project Name: Queen Creek Road Improvements

Dear Ms Lewis:

The purpose of this letter is to request that Salt River Project (SRP) relocate and/or upgrade facilities without the benefit of an easement to accommodate the Town with the project referenced above. The town is unable to provide SRP with the necessary easement because the easement requires Council approval prior to execution.

The Town agrees to recommend approval to Town Council to grant SRP an easement at the meeting scheduled on July 18, 2012. Upon approval the Town will promptly execute the attached easement form.

Sincerely,

  
\_\_\_\_\_  
John Kross  
Town Manager



Requesting Department:

Development Services

**TO: HONORABLE MAYOR AND TOWN COUNCIL**

**THROUGH: JOHN KROSS, TOWN MANAGER**

**FROM: TROY WHITE, PUBLIC WORKS DIVISION MANAGER**

**RE: CONSIDERATION AND POSSIBLE APPROVAL OF AMENDMENT ONE TO THE CUSTODIAL SERVICES CONTRACT WITH J & J JANITORIAL SERVICES IN AN AMOUNT NOT TO EXCEED \$90,000.00 FOR FISCAL YEAR 2013 JANITORIAL SERVICES.**

**DATE: July 18, 2012**

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**Staff Recommendation:**

Staff recommends approval of Amendment One to the Custodial Services contract with J & J Janitorial Services in an amount not to exceed \$90,000 for fiscal year 2013 janitorial services.

**Relevant Council Goal(s):**

KRA 2: FINANCIAL MANAGEMENT AND SUSTAINABILITY- Objective 1: Maintain long-term financial sustainability for local government operations. Ensure that new programs are properly evaluated based on available revenues, community need and operational sustainability.

**Proposed Motion:**

Staff recommends approval of Amendment One to the Custodial Services contract with J & J Janitorial Services in an amount not to exceed \$90,000 for fiscal year 2013 janitorial services.

**Discussion:**

On June 23, 2011 the Town issued Request for Proposal (RFP) #11-007 for specific janitorial services for all occupied buildings and facilities. On July 2, 2011 staff received vendor proposals and on August 17, 2011 Council approved a contract with J & J Janitorial Services.

The selection process was conducted in accordance with Town policies and procedures. The proposals were reviewed and evaluated by a four (4) member

evaluation committee and were administered by the purchasing staff. Based on the results of the evaluation committee, Purchasing recommended an award for janitorial services to J&J Janitor Service.

This amendment one will extend the contract for an additional year with the possibility of extending the contract for three (3) additional one-year terms. The new contract amount includes an increase of \$8,120.00 from last year's contract; however, the new amount of \$90,000 is still under the 2<sup>nd</sup> lowest bid from last year's RFP process. Therefore, staff is recommending approval of the amendment.

Although there were some complaints regarding the services early on, those issues have been resolved and the Town is generally satisfied with the custodial services being provided.

**Fiscal Impact:**

Funds for janitorial services have been approved by Council in the 2013 Fiscal Year Budget.

**Alternatives:**

1. Decide not to award the janitorial services contract at this time. The impact of this would leave the Town without custodial services.

**Attachments:**

Amendment One to the J & J Janitorial Services Contract

## FIRST AMENDMENT TO CUSTODIAL SERVICES AGREEMENT

THIS FIRST AMENDMENT TO CUSTODIAL SERVICES AGREEMENT (Contract No. 2011-053) (this "FIRST Amendment") is made and entered into effective as of the \_\_\_ day of \_\_\_\_, 2012 (the "Effective Date"), by and between the Town of Queen Creek, Arizona, an Arizona municipal corporation ("Town"), and J & J Janitor Service, an Arizona corporation ("Vendor"). Town and Vendor are sometimes referred to in this First Amendment collectively as the "Parties" and each individually as a "Party."

### RECITALS:

A. The Parties entered into an Agreement for custodial services dated August 17, 2011, (the "Original Agreement"). All capitalized terms used without definition in this Amendment shall have the definitions ascribed to them in the Original Agreement, as modified by this First Amendment.

B. The Parties now desire to amend the Original Agreement upon the terms and conditions contained in this First Amendment.

### AGREEMENTS:

NOW, THEREFORE, for and in consideration of the foregoing Recitals and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby amend the Original Agreement as follows:

1. Term of Contract. Section 4 of the Original Contract is amended by replacing with the following:

TERM OF CONTRACT: The term of the Contract is one (1) year, commencing on August 17, 2012 and terminating on August 16, 2013 unless sooner terminated in accordance with the provisions set forth in the contract documents. The Town reserves the right, at its sole discretion, to extend the Contract for up to three (3) additional terms of one year each. The total length of the contract shall not exceed five (5) years. Additionally, the contract may be extended unilaterally for a period of thirty-one days or a portion thereof.

2. Contract pricing. Section 3 of the Original Contract is amended by replacing price sheet with amended price sheet listed in Exhibit H.

3. Reaffirmation of Original Agreement. Except as amended by this First Amendment, the Original Agreement shall remain in full force and effect. In the event of any conflict between this First Amendment and the Original Agreement, the terms of this First Amendment shall prevail.

4. Counterparts. This First Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument, binding on all of the Parties. The Parties agree that this Amendment may be transmitted between them via facsimile. The Parties intend that the faxes

signatures constitute original signatures and that a faxed agreement containing the signatures (original or faxed) of all the Parties is binding upon the Parties.

[Signature page follows]

IN WITNESS WHEREOF, the Parties have executed this Amendment effective as of the Effective Date set forth above.

**Town of Queen Creek, an Arizona Municipal Corporation**

Approval of Town Council,

By: \_\_\_\_\_  
Gail Barney, Mayor

Approval of Contract Administrator,

By: \_\_\_\_\_  
John Kross, Town Manager

ATTEST:

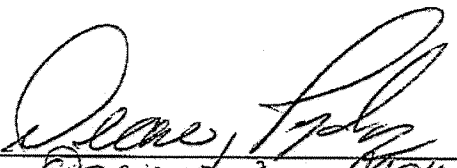
\_\_\_\_\_  
Jennifer Robinson, Town Clerk

REVIEWED AS TO FORM BY:

\_\_\_\_\_  
Attorney for the Town

J & J Janitor Service, an Arizona Corporation.

Date: 6-20-12

By:   
Its: Operation Manager



# EXHIBIT H - AMENDED PRICE PAGE

Custodial Services, Contract 2011-053	New Pricing	
	Current Pricing (1 & 1/2 Janitor Service)	J & J Janitor Service Price Increase Request FY13
Queen Creek Library	13,656.68	20,521.88
Recreation Annex	12,789.36	14,067.36
Utilities Building	2,592.40	3,249.40
Community Center	3,715.40	4,041.40
Sheriff's Office	2,483.60	2,682.60
Streets Building	2,471.64	2,663.84
Development Services Building	21,047.28	19,152.98
Town Hall	6,522.76	6,074.76
Jeffries Property	1,930.52	1,903.52
Incubator Building	3,129.24	3,331.24
Parks & Recreation Office	4,472.64	4,817.04
Founders Park Public Restroom	2,762.00	2,762.00
Horseshoe Park Community Restroom	2,762.00	2,762.00
Horseshoe Park Office & Restrooms, Barn Restrooms & Showers, Concussion Restrooms	2,777.28	2,777.28
Desert Mountain Park Maintenance Office	1,030.90	1,030.90
Desert Mountain Park Public Restrooms (4)	4,107.94	4,107.94
<b>Total for Buildings (Annual)</b>		<b>89,996.14</b>

**Unit Pricing Cost Proposal**

<b>Supplemental Task Description</b>	<b>\$/hr</b>	<b>\$/hr</b>
<i>Day Porter Services - Regular business hours before start of janitorial shifts</i>	15.00	15.00
<i>Emergency Callout Labor - Day Porter services after business hours and non-scheduled hours</i>	15.00	15.00
<i>Interior High Window Cleaning - (above 7' from floor) weekdays or weekends.</i>	15.00	15.00
<i>Exterior Window Cleaning - weekdays or weekends</i>	12.50	12.50
<i>Carpet Extraction Cleaning - weekends</i>	75.00	75.00
<i>Carpet Shampoo/Spin-Bonnet Cleaning - weekends.</i>	35.00	35.00
<i>Scrubbing Hard Surfaced Floors - weekends.</i>	25.00	25.00
<i>Buffing Hard Surfaced Floors - weekdays or weekends.</i>	25.00	25.00
<i>Strip and Wax Hard Floors - weekdays or weekends for room size areas and larger.</i>	25.00	25.00
<i>Hardwood Floor Refinishing - weekends</i>	25.00	25.00
<i>Prompt Payment Discount</i>	Page missing/not submitted	
<i>Exceptions/Clarifications</i>		

Requesting Department:

Economic Development



**TO: HONORABLE MAYOR AND TOWN COUNCIL**

**THROUGH: JOHN KROSS, AICP  
TOWN MANAGER**

**FROM: DOREEN COTT  
ECONOMIC DEVELOPMENT DIRECTOR**

**KIM MOYERS  
ECONOMIC DEVELOPMENT SPECIALIST**

**RE: CONSIDERATION AND POSSIBLE APPROVAL OF THE  
REAPPOINTMENT OF CHRIS WEBB, NANCY DIAB, MONICA  
O'TOOLE, SHANE RANDALL, BARBARA KHALSA, AND  
MARQUIS SCOTT AND THE APPOINTMENT OF JASON  
BUCHE, DEB WOODS, LARRY HOEL AND BILL SMITH TO THE  
TOWN CENTER COMMITTEE.**

**DATE: July 18, 2012**

---

**Recommendation:**

It is the Mayor's recommendation to reappoint Chris Webb, Nancy Diab, Monica O'Toole, Shane Randall, Barbara Khalsa and Marquis Scott and appoint Jason Buche, Deb Woods, Larry Hoel and Bill Smith to the Town Center Committee.

**Proposed Motion:**

Move to reappoint Chris Webb, Nancy Diab, Monica O'Toole, Shane Randall, Barbara Khalsa and Marquis Scott and appoint Jason Buche, Deb Woods, Larry Hoel and Bill Smith to the Town Center Committee to a two year term beginning August 8, 2012.

**Discussion:**

Effective this month the terms for Chris Webb, Nancy Diab, Monica O'Toole, Shane Randall, Barbara Khalsa and Marquis Scott are due to expire. All six have expressed an interest in being reappointed to the Committee. Economic Development staff recommends reappointment of the six members due to their active participation and the continuity and experience they bring to the group. Each is a member of the business community within the boundaries of the Town Center.

Staff also recommends the appointment of Jason Buche, Deb Woods, Larry Hoel and Bill Smith to the Committee. Each is a member of the business community within the boundaries of the Town Center and has a strong desire to serve the Town and work with staff to implement the Town Center Plan.

The next Town Center Committee meeting is scheduled for August 8, 2012.

**Fiscal Impact:**

There is no fiscal impact associated with making appointments to the Town Center Committee.

**Alternatives:**

The Town Council could choose not to appoint one or more of the mentioned and request that staff present alternative appointments at the next Town Council meeting.

**Attachments:**

Notice of Interest forms for the recommended appointments.



## Town of Queen Creek Notice of Interest

The Town of Queen Creek depends on its citizens to help advance the community toward its goals. Residents can participate in local decision-making by serving on volunteer boards, commissions, committees and task forces. In most cases, volunteer members act in an advisory capacity making recommendations to the Town Council.

Appointments are made by approval of the Town Council. If you would like to be considered for an appointment, complete this form, attach a resume or letter about yourself and return all documents to:

Town of Queen Creek  
Town Clerk's Office  
22350 S. Ellsworth Road  
Queen Creek, AZ 85142  
Fax: 480-358-3001

*Please type or print*

Application Date: 7-11-12

Name: ~~Smith~~ Bill James Smith  
First Middle Last

Home Address: 19952 E. Sunset Dr. Queen Creek AZ

Mailing Address (if different from home address): \_\_\_\_\_

Occupation: Project executive,

Home Telephone: 480 345 6555 Work Telephone: 602-692-9906

Best Time to Call: 7AM - 9PM a.m. or p.m. on cell ↑

Home Fax: 480 345 6555 Work Fax: \_\_\_\_\_

E-Mail Address: Bill.Smith@Bannerhealth.com

How long have you lived in Queen Creek? 10 years

Are you a registered voter?  Yes  No

Do you live within the Town's incorporated limits?  Yes  No

Have you participated in the Queen Creek Citizen Leadership Institute?  Yes  No

If yes, did you graduate?  Yes  No

Which boards, commissions, committees or task forces have you served on in the past, in Queen Creek or elsewhere?

\_\_\_\_\_  
\_\_\_\_\_

I am interested in serving on: (Please rank the committees you are interested in, with 1 being your first choice.)

- |   |  |
|---|--|
| <input type="checkbox"/> Board of Adjustment                        | <input type="checkbox"/> Town Center Committee             |
| <input checked="" type="checkbox"/> Economic Development Commission | <input type="checkbox"/> Transportation Advisory Committee |
| <input type="checkbox"/> Parks and Recreation Advisory Board        | <input type="checkbox"/> Other _____                       |
| <input type="checkbox"/> Planning and Zoning Commission             |  |

\*Note: Some citizen committees might be full at this time; indicated interest does not guarantee an appointment.

Please describe why you would like to serve on this board, committee, commission, etc.

My experience with Development & Construction and site improvements would add value to the Economic Development Commission.

Please describe special knowledge or expertise you have that would benefit the Town.

I work in the Development and construction dept for Banner Health and assist them in site selection as well as site Development and Build out.

Please list community, civic, professional, social, cultural or athletic organizations you have been affiliated with and in what capacity.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Are you available for evening meetings?  Yes  No

Are you available for morning meetings?  Yes  No

Are you available for lunch meetings?  Yes  No with proper notice

Are there days of the week you are NOT available for meetings? (Check all that apply)

- Monday  Tuesday  Wednesday  Thursday  Friday

I hereby acknowledge that all information provided on this application is subject to disclosure pursuant to the Arizona Public Records Law. I understand that members of boards, commissions, committees and task forces are subject to disclosure of conflicts of interest. I certify that the information contained herein is true and accurate to the best of my knowledge.

Note: Notice of Interest forms will be kept on file for 12 months. After that, they will expire and applicant's will need to submit a new form.

Applicant's Signature 

<b>FOR OFFICE USE ONLY</b>	
Committee/Commission _____	
New Appointment <input type="checkbox"/> Re-Appointment <input type="checkbox"/>	
Date Appointed/Re-Appointed _____	
Term Expiration _____	
Date of Resignation (if applicable) _____	



## Town of Queen Creek Notice of Interest

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Appointments are made by approval of the Town Council. If you would like to be considered for an appointment, complete this form, attach a resume or letter about yourself and return all documents to:

Town of Queen Creek  
Town Clerk's Office  
22350 S. Ellsworth Road  
Queen Creek, AZ 85142  
Fax: 480-358-3001

*Please type or print*

Application Date: July 5, 2012

Name: DEBRA Busch WOOD  
First Middle Last

Home Address: 4221 N. LOMOND ST. MESA, AZ 85215

Mailing Address (if different from home address): \_\_\_\_\_

Occupation: PROPERTY MANAGER - VESTAR

Home Telephone: 480-830-2602 Work Telephone: 602-553-2703

Best Time to Call: Any a.m. or p.m.

Home Fax: N/A Work Fax: 480-966-5445

E-Mail Address: dwood@vestar.com

How long have you lived in Queen Creek? N/A

Are you a registered voter?  Yes  No

Do you live within the Town's incorporated limits?  Yes  No

Have you participated in the Queen Creek Citizen Leadership Institute?  Yes  No

If yes, did you graduate?  Yes  No

Which boards, commissions, committees or task forces have you served on in the past, in Queen Creek or elsewhere?

Queen Creek Chamber of Commerce Board Member

I am interested in serving on: (Please rank the committees you are interested in, with 1 being your first choice.)

- Board of Adjustment
- Economic Development Commission
- Parks and Recreation Advisory Board
- Planning and Zoning Commission
- 1 Town Center Committee
- Transportation Advisory Committee
- Other \_\_\_\_\_

\*Note: Some citizen committees might be full at this time; indicated interest does not guarantee an appointment.

Please describe why you would like to serve on this board, committee, commission, etc.

Hannah Grabe, my Marketing Manager, sat on the Town Center Committee, she relocated to California; I would like to be her replacement. I am a strong advocate of Queen Creek and would be honored to sit on this committee to help make recommendations to the Town Council for Queen Creek's advancement.

Please describe special knowledge or expertise you have that would benefit the Town.

I manage two assets for Vestar and I am extremely involved with Queen Creek Marketplace's community involvement on site and off site with events, sponsorships, etc. I have strong connections with the businesses that come to Queen Creek Marketplace. I have an accounting + marketing background as well.

Please list community, civic, professional, social, cultural or athletic organizations you have been affiliated with and in what capacity.

Arizona Department of Real Estate Licensee; ICSC - International Council of Shopping Centers Member; ICSC Foundation Scholarship Recipient - John T. Riordan Professional Education Scholarship; Queen Creek Chamber of Commerce Member; Board Member; Oro Valley Chamber of Commerce Member.

Are you available for evening meetings?  Yes  No

Are you available for morning meetings?  Yes  No

Are you available for lunch meetings?  Yes  No

Are there days of the week you are NOT available for meetings? (Check all that apply)

- Monday
  - Tuesday
  - Wednesday
  - Thursday
  - Friday
- (Q.C. Chamber Board Mtgs)*

I hereby acknowledge that all information provided on this application is subject to disclosure pursuant to the Arizona Public Records Law. I understand that members of boards, commissions, committees and task forces are subject to disclosure of conflicts of interest. I certify that the information contained herein is true and accurate to the best of my knowledge.

**Note:** Notice of Interest forms will be kept on file for 12 months. After that, they will expire and applicant's will need to submit a new form.

Applicant's Signature *Debra B. Wood*

FOR OFFICE USE ONLY	
Committee/Commission	_____
New Appointment <input type="checkbox"/>	Re-Appointment <input type="checkbox"/>
Date Appointed/Re-Appointed	_____
Term Expiration	_____
Date of Resignation (if applicable)	_____





### Town of Queen Creek Notice of Interest

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Town of Queen Creek  
Town Clerk's Office  
22350 S. Ellsworth Road  
Queen Creek, AZ 85142  
Fax: 480-358-3001

Please type or print

Application Date: 7-11-12

Name: Lawrence Joseph Hoel Jr.  
First Middle Last

Home Address: 2622 E. Mesquite Str Gilbert, Az 85296

Mailing Address (if different from home address): \_\_\_\_\_

Occupation: Restaurant Owner

Home Telephone: 480-926-2059 Work Telephone: 480-888-9241

Best Time to Call: cell only -  a.m. or  p.m.

Home Fax: None Work Fax: 480-888-8255

E-Mail Address: gusencreekcafe@gmail.com

How long have you lived in Queen Creek? Don't, Been in Az for 35 years.

Are you a registered voter?  Yes  No

Do you live within the Town's incorporated limits?  Yes  No

Have you participated in the Queen Creek Citizen Leadership Institute?  Yes  No

If yes, did you graduate?  Yes  No N/A

Which boards, commissions, committees or task forces have you served on in the past, in Queen Creek or elsewhere?

Baseball East Mesa Little League.  
Town Center of Queen Creek Business Alliance.

I am interested in serving on: (Please rank the committees you are interested in, with 1 being your first choice.)

- Board of Adjustment
- Economic Development Commission
- Parks and Recreation Advisory Board
- Planning and Zoning Commission
- Town Center Committee
- Transportation Advisory Committee
- Other \_\_\_\_\_

\*Note: Some citizen committees might be full at this time; indicated interest does not guarantee an appointment.

Please describe why you would like to serve on this board, committee, commission, etc.

To be involved in future economic growth.

Please describe special knowledge or expertise you have that would benefit the Town.

Been a business owner in AZ for over 25 years.

Please list community, civic, professional, social, cultural or athletic organizations you have been affiliated with and in what capacity.

Mesa Soft Power - Gilbert Association  
Did a lot of charity golf tournaments when I owned my other restaurant in Mesa

Are you available for evening meetings?  Yes  No

Are you available for morning meetings?  Yes  No

Are you available for lunch meetings?  Yes  No

Are there days of the week you are NOT available for meetings? (Check all that apply)

Monday  Tuesday  Wednesday  Thursday  Friday

I hereby acknowledge that all information provided on this application is subject to disclosure pursuant to the Arizona Public Records Law. I understand that members of boards, commissions, committees and task forces are subject to disclosure of conflicts of interest. I certify that the information contained herein is true and accurate to the best of my knowledge.

**Note:** Notice of Interest forms will be kept on file for 12 months. After that, they will expire and applicant's will need to submit a new form.

Applicant's Signature

*Lawrence J. Hill*

FOR OFFICE USE ONLY

Committee/Commission \_\_\_\_\_  
New Appointment  Re-Appointment   
Date Appointed/Re-Appointed \_\_\_\_\_  
Term Expiration \_\_\_\_\_  
Date of Resignation (if applicable) \_\_\_\_\_



Received

APR 23 2012

Town of Queen Creek

### Town of Queen Creek Notice of Interest

The Town of Queen Creek depends on its citizens to help advance the community toward its goals. Residents can participate in local decision-making by serving on volunteer boards, commissions, committees and task forces. In most cases, volunteer members act in an advisory capacity making recommendations to the Town Council.

Appointments are made by approval of the Town Council. If you would like to be considered for an appointment, complete this form, attach a resume or letter about yourself and return all documents to:

Town of Queen Creek  
Town Clerk's Office  
22350 S. Ellsworth Road  
Queen Creek, AZ 85142  
Fax: 480-358-3001

Please type or print

Application Date: 4-24-12

Name: Jason M Buche  
First Middle Last

Home Address: 31217 N. Trail Dust Dr. Queen Creek, AZ 85143

Mailing Address (if different from home address): 22036 S. Ellsworth Rd.  
Queen Creek, AZ 85142

Occupation: Real Estate Broker

Home Telephone: 602-620-9116 Work Telephone: 480-987-2623

Best Time to Call: 9:00 (a.m.) or p.m.

Home Fax: \_\_\_\_\_ Work Fax: 480-219-0779

E-Mail Address: jason@jasonbuche.com

How long have you lived in Queen Creek? 8 yrs

Are you a registered voter?  Yes  No

Do you live within the Town's incorporated limits?  Yes  No

Have you participated in the Queen Creek Citizen Leadership Institute?  Yes  No

If yes, did you graduate?  Yes  No

Which boards, commissions, committees or task forces have you served on in the past, in Queen Creek or elsewhere?  
Board of Directors, Boys & Girls Club Queen Creek  
+ Old Town Queen Creek Alliance

I am interested in serving on: (Please rank the committees you are interested in, with 1 being your first choice.)

- |  |  |
|--|--|
| <input type="checkbox"/> Board of Adjustment                 | <input checked="" type="checkbox"/> Town Center Committee  |
| <input type="checkbox"/> Economic Development Commission     | <input type="checkbox"/> Transportation Advisory Committee |
| <input type="checkbox"/> Parks and Recreation Advisory Board | <input type="checkbox"/> Other _____                       |
| <input type="checkbox"/> Planning and Zoning Commission      |  |

\*Note: Some citizen committees might be full at this time; indicated interest does not guarantee an appointment.

Please describe why you would like to serve on this board, committee, commission, etc.

As a local business owner, I would like to help transform the historic, downtown Queen Creek area.

Please describe special knowledge or expertise you have that would benefit the Town.

Local Real Estate Broker

Please list community, civic, professional, social, cultural or athletic organizations you have been affiliated with and in what capacity.

Chamber of Commerce member

Are you available for evening meetings?  Yes  No

Are you available for morning meetings?  Yes  No

Are you available for lunch meetings?  Yes  No

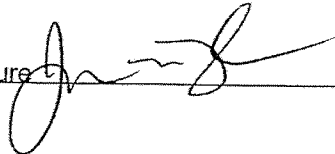
Are there days of the week you are NOT available for meetings? (Check all that apply)

Monday  Tuesday  Wednesday  Thursday  Friday

I hereby acknowledge that all information provided on this application is subject to disclosure pursuant to the Arizona Public Records Law. I understand that members of boards, commissions, committees and task forces are subject to disclosure of conflicts of interest. I certify that the information contained herein is true and accurate to the best of my knowledge.

**Note:** Notice of Interest forms will be kept on file for 12 months. After that, they will expire and applicant's will need to submit a new form.

Applicant's Signature \_\_\_\_\_



**FOR OFFICE USE ONLY**

Committee/Commission \_\_\_\_\_  
New Appointment  Re-Appointment   
Date Appointed/Re-Appointed \_\_\_\_\_  
Term Expiration \_\_\_\_\_  
Date of Resignation (if applicable) \_\_\_\_\_



Requesting Department:

Development Services

**TO: HONORABLE MAYOR AND TOWN COUNCIL**

**THROUGH: JOHN KROSS, TOWN MANAGER**

**FROM: TROY WHITE, PUBLIC WORKS DIVISION MANAGER  
LAURA MOATS, DEVELOPMENT SERVICES ASSISTANT**

**RE: CONSIDERATION AND POSSIBLE APPROVAL OF THE  
APPOINTMENTS OF KENN BURNELL AND W. ALAN  
TURLEY, AND REAPPOINTMENTS OF CHRIS CLARK, GREG  
ARRINGTON AND RICHARD TURMAN TO THE  
TRANSPORTATION ADVISORY COMMITTEE**

**DATE: JULY 18, 2012**

---

**Recommendation:**

Staff recommends approval of the appointments Kenn Burnell and W. Alan Turley to the Transportation Advisory Committee, and reappointments of Committee members Chris Clark, Greg Arrington and Richard Turman.

**Relevant Council Goal(s):**

KRA 2- Community Involvement: Goal 2- Enhance opportunities for resident participation in Town decision-making.

**Proposed Motion:**

Motion to approve the appointment of Kenn Burnell and W. Alan Turley to the Transportation Advisory Committee; and reappointments of Chris Clark, Greg Arrington and Richard Turman to the Transportation Advisory Committee.

**Discussion:**

The 11-member Transportation Advisory Committee presently has five members whose terms will expire on August 31, 2012. Two of those five members (Kim Mlazgar and Tom Nelson) have resigned from the Committee.

Staff recommends the reappointments of Chris Clark, Greg Arrington and Richard Turman to the Committee, with their new terms ending August 31, 2014. Staff also recommends the appointment Kenn Burnell and W. Alan Turley to fill the vacancies left by Ms. Mlazgar's and Mr. Nelson's resignations, with terms ending August 31, 2014. Mr. Burnell was a Town resident for 11

years, and just recently moved to San Tan Valley. He graduated from the Town's Citizen Leadership Institute in June, 2006. The Committee by-laws allow for up to two non-resident members; however, as a non-resident, Mr. Burnell will be a non-voting member.

Mr. Turley has lived in Queen Creek since December, 2011, and served five years on the Maricopa County Department of Transportation Citizen's Advisory Board.

**Fiscal Impact:**

There is no fiscal impact associated with making appointments to the Transportation Advisory Committee.

**Alternatives:**

The Town Council could choose not to appoint Kenn Burnell and W. Alan Turley to the Transportation Advisory Committee, or not to reappoint Chris Clark, Greg Arrington and/or Richard Turman. The Council may also propose alternative appointments or request additional information.

**Attachments:**

Transportation Advisory Committee List (current and proposed)  
Notice of Interest Forms (Burnell and Turley)



## TRANSPORTATION ADVISORY COMMITTEE

### CURRENT

#### TERM EXPIRES

**Chair** - Ryan Nichols (2-year term)

August 31, 2013

**Vice-Chair** - Chris Clark

August 31, 2012

**Council Member** - VACANT

#### **Members:**

David Bond

August 31, 2013

Greg Arrington

August 31, 2012

Nichelle Williams

August 31, 2013

Richard Turman

August 31, 2012

Steve Conklin

August 31, 2013

Kim Mlazgar

August 31, 2012

Tom Nelson

August 31, 2012

### PROPOSED

**Chair** - Ryan Nichols

August 31, 2013

**Vice-Chair** - Chris Clark

August 31, 2014

**Council Member** - VACANT

#### **Members:**

David Bond

August 31, 2013

Greg Arrington

August 31, 2014

Nichelle Williams

August 31, 2013

Richard Turman

August 31, 2014

Steve Conklin

August 31, 2013

Kenn Burnell

August 31, 2014

W. Alan Turley

August 31, 2014



### Town of Queen Creek Notice of Interest

Received  
AUG 8 2011  
Town of Queen Creek

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Appointments are made by approval of the Town Council. If you would like to be considered for an appointment, complete this form, attach a resume or letter about yourself and return all documents to:

Town of Queen Creek  
Town Clerk's Office  
22350 S. Ellsworth Road  
Queen Creek, AZ 85242  
Fax: 480-358-3189

*Please type or print*

Application Date: August 5, 2011

Name: Kenn Burnell

First

Middle

Last

Home Address: ~~24459 E. Aspen Valley Drive~~ 2843 E. Denim Trail, STV, 85143  
(Pinal County)

Occupation: Retired

Home Telephone: 480-209-6732

Work Telephone:

Best Time to Call: any a.m. or p.m.

Home Fax: 480-888-9418

Work Fax:

E-Mail Address: KennBurnell@Gmail.Com

How long have you lived in Queen Creek? 11 Years

Are you a registered voter?  Yes  No

Do you live within the Town's incorporated limits?  Yes  No

Have you participated in the Queen Creek Citizen Leadership Institute?  Yes  No

If yes, did you graduate?  Yes  No

Which boards, commissions, committees or task forces have you served on in the past, in Queen Creek or elsewhere?

QC Solid Waste Committee, QC Treasurer Ranchettes BOD 2009, Treasurer of SA Employees Assoc



I am interested in serving on: (Please rank the committees you are interested in, with 1 being your first choice.)

- Arts and Culture Committee
- Board of Adjustment
- Building Code Board of Appeals
- Economic Development Commission
- 3 Parks & Recreation Advisory Committee
- 1 Planning and Zoning Commission
- 4 Senior Advisory Committee
- 2 Transportation Advisory Committee
- Other \_\_\_\_\_

\*Note: Some citizen committees might be full at this time; indicated interest does not guarantee an appointment.

Please describe why you would like to serve on this board, committee, commission, etc.

I have enjoyed living in Queen Creek for 11 years and would like to give something back to the community.

Please describe special knowledge or expertise you have that would benefit the Town.

Wide range of experience in computer-communications, police science and quality evaluation.

Please list community, civic, professional, social, cultural or athletic organizations you have been affiliated with and in what capacity.

Treasurer and board member for 2 community organizations. Member of AF&AM, FOP & Shrine. Senior member of American Society for Quality Control, Senior member of American Institute of Industrial Engineers.

Are you available for evening meetings?  Yes  No

Are you available for morning meetings?  Yes  No *not always*

Are you available for lunch meetings?  Yes  No *depends on schedule*

Are there days of the week you are NOT available for meetings? (Check all that apply)

- Monday
- Tuesday
- Wednesday
- Thursday
- Friday

I hereby acknowledge that all information provided on this application is subject to disclosure pursuant to the Arizona Public Records Law. I understand that members of and task forces are subject to disclosure of conflicts of interest. I herein is true and accurate to the best of my knowledge.

Note: Notice of Interest forms will be kept on file for 12 months. After that, they will expire and applicant's will need to submit a new form.

*Kenn Bunnell 8/5/11*  
Applicant's Signature

FOR OFFICE USE ONLY	
Committee/Commission	_____
New Appointment <input type="checkbox"/>	Re-Appointment <input type="checkbox"/>
Date Appointed/Re-Appointed	_____
Term Expiration	_____
Date of Resignation (if applicable)	_____



Rec'd June 4, 2012

Received  
JUN 05 2012

### Town of Queen Creek Notice of Interest

Town of Queen Creek

The Town of Queen Creek depends on its citizens to help advance the community toward its goals. Residents can participate in local decision-making by serving on volunteer boards, commissions, committees and task forces. In most cases, volunteer members act in an advisory capacity making recommendations to the Town Council.

Appointments are made by approval of the Town Council. If you would like to be considered for an appointment, complete this form, attach a resume or letter about yourself and return all documents to:

Town of Queen Creek  
Town Clerk's Office  
22350 S. Ellsworth Road  
Queen Creek, AZ 85142  
Fax: 480-358-3001

Please type or print

Application Date: 24 MAY 2012

Name: WALLACE ALAN TURLEY  
First Middle Last

Home Address: 21188 E. BONANZA WAY QUEEN CREEK, AZ 85142

Mailing Address (if different from home address): \_\_\_\_\_

Occupation: ARCHITECT

Home Telephone: \_\_\_\_\_ Work Telephone: \_\_\_\_\_

Best Time to Call: 8-5 M-Th, Mon-F a.m. or p.m.

Home Fax: \_\_\_\_\_ Work Fax: \_\_\_\_\_

E-Mail Address: alan.turley@gmail.com

How long have you lived in Queen Creek? DEC 2011

Are you a registered voter?  Yes  No

Do you live within the Town's incorporated limits?  Yes  No

Have you participated in the Queen Creek Citizen Leadership Institute?  Yes  No

If yes, did you graduate?  Yes  No

Which boards, commissions, committees or task forces have you served on in the past, in Queen Creek or elsewhere?

- MARICOPA COUNTY DEPT OF TRANSPORTATION CITIZEN'S ADVISORY BOARD 5 YRS
- " " ZONING BOARD OF ADJUSTMENT 3 YRS
- TOWN OF GILBERT DESIGN REVIEW BOARD 3 YRS
- CITY OF MESA ELECTRICAL BOARD 2 YRS

I am interested in serving on: (Please rank the committees you are interested in, with 1 being your first choice.)

- Board of Adjustment
- 3 Economic Development Commission
- Parks and Recreation Advisory Board
- 1 Planning and Zoning Commission
- Town Center Committee
- 2 Transportation Advisory Committee
- Other \_\_\_\_\_

\*Note: Some citizen committees might be full at this time; indicated interest does not guarantee an appointment.

Please describe why you would like to serve on this board, committee, commission, etc.

MY PROFESSION AS AN ARCHITECT HAS REQUIRED MANY COUNCIL, BOARD, AND COMMISSION PRESENTATIONS. I AM VERY FAMILIAR WITH PROCEDURES, ISSUES, AND CONCERNS OF PUBLIC AGENCIES

Please describe special knowledge or expertise you have that would benefit the Town.

IF I HAVE EXPERIENCE OR SKILLS THAT MAY BENEFIT MY COMMUNITY AND FELLOW CITIZENS, I WILL APPRECIATE THE OPPORTUNITY TO BE OF SERVICE

Please list community, civic, professional, social, cultural or athletic organizations you have been affiliated with and in what capacity.

MESA ROTARY, GILBERT ROTARY, AMERICAN ARBITRATION ASSOCIATION, PANEL OF ARBITRATORS, COUNCIL OF EDUCATIONAL FACILITY PLANNERS, REGISTERED ARCHITECT, HISTORICAL COUNCIL OF

Are you available for evening meetings?  Yes  No

Are you available for morning meetings?  Yes  No

Are you available for lunch meetings?  Yes  No

Are there days of the week you are NOT available for meetings? (Check all that apply)

- Monday
- Tuesday
- Wednesday
- Thursday
- Friday AM.

ARCHITECTURAL REGISTRATION BOARD CERTIFICATE HOLDER, PRES., ILL SALADO CHAPTER AMERICAN INSTITUTE OF ARCHITECTS, POLITICAL ACTION COMMITTEE CLERK, ARIZONA SOCIETY OF ARCHITECTS

I hereby acknowledge that all information provided on this application is subject to disclosure pursuant to the Arizona Public Records Law. I understand that members of boards, commissions, committees and task forces are subject to disclosure of conflicts of interest. I certify that the information contained herein is true and accurate to the best of my knowledge.

Note: Notice of Interest forms will be kept on file for 12 months. After that, they will expire and applicant's will need to submit a new form.

FOR OFFICE USE ONLY	
Committee/Commission	_____
New Appointment <input type="checkbox"/>	Re-Appointment <input type="checkbox"/>
Date Appointed/Re-Appointed	_____
Term Expiration	_____
Date of Resignation (if applicable)	_____

Applicant's Signature W. Alan Jordan



Requesting Department:  
Development Services

**TO: HONORABLE MAYOR AND TOWN COUNCIL**

**THROUGH: JOHN KROSS, ICMA-CM  
TOWN MANAGER**

**FROM: WAYNE BALMER, AICP  
PLANNING ADMINISTRATOR**

**RE: PUBLIC HEARING AND POSSIBLE APPROVAL OF TA12-033/ORDINANCE 515-12**, a request from Debbie Oleskow on behalf of ALB Industries for approval of a Text Amendment to Article 6.16 Paragraph 7, Temporary Real Estate Signs of the Zoning Ordinance.

**DATE: JULY 18, 2012**

**PLANNING AND ZONING COMMISSION RECOMMENDATION**

The Planning and Zoning Commission recommends approval of TA12-033 as proposed.

**STAFF RECOMMENDATION**

Staff concurs with the recommendation of the Planning and Zoning Commission.

**RELEVANT COUNCIL GOALS**

KRA 8: Land Use/Economic Development

Goal 2: Develop and propose strategic amendments to our Zoning Ordinance that implement emerging legislative priorities and provide enhanced economic development tools. Emphasis of Zoning Ordinance updates will be on business retention/creation while balancing community design preferences.

Goal 7: Enhance the opportunities for Queen Creek businesses to be successful.

**PROPOSED MOTION**

Move to approve Ordinance 515-12/TA12-033, as recommended by the Planning and Zoning Commission.

## SUMMARY

This change would amend Article 6.16, Paragraph 7, dealing with temporary real estate signs and add a provision to allow approval of a Home Builder Sign Plan for new subdivisions under construction. The plan would incorporate on and off site directional signs, model home signage and flagpoles into a single application which could be approved as a package.

## HISTORY

On November 16, 2011 the Town Council amended Article 6.16 of the Zoning Ordinance dealing with temporary off-site weekend directional signs for new home subdivisions. The Council had previously authorized the use of “sign kiosks” to allow off-site directional signage for subdivisions on a more regulated and permanent basis. Once the kiosk signs had been installed, Council decided to no longer allow use of the temporary weekend signs.

During the discussion on this issue, the Council heard a presentation by Mr. Jackson Moll from the Home Builders Association of Central Arizona. Mr. Moll asked that should the Council approve the proposed change, the Council also consider other possible modifications to allow home builders greater flexibility in other areas of their signage, as has been done in other communities. Following the November 16 meeting, staff was contacted by Ms. Debbie Oleskow with ALB Industries regarding a possible change to the ordinance to include a provision for a “Home Builder Sign Plan” program. The “homebuilder sign plan” would be approved in conjunction with the home builder’s model home complex and govern the placement of temporary signs to be used by the home builder while the subdivision is under construction.

Since that time Ms. Oleskow has worked with several homebuilders to develop a proposed change and reviewed her request with staff for review and comment.

## DISCUSSION

Directional signage is an important element of the marketing program for new residential subdivisions. Potential home buyers are often unfamiliar with the town, possibly never having visited here before. In addition, the development they are seeking is new, so that even if they are familiar with Queen Creek, they may be unfamiliar with their specific destination. As a result, directional signage is needed to help guide a prospective buyer who is unfamiliar with the community quickly and easily to the new subdivision.

The amount and type of signage can vary by project and community, given the interests of the community and the locations of the proposed subdivisions. Queen Creek’s current signage standards are seen by the home building community as being a limiting factor on their ability to provide visibility for their new developments. Acting as a group through ALB Industries, five home builders have submitted a request for a proposed

change to allow additional signage, similar to what is done in the City of Maricopa and the Town of Gilbert.

## **ANALYSIS**

Our Zoning Ordinance groups all types of temporary real estate signs in a single sign category. As a result, “for sale” signs, “open house” signs and subdivision signs are all within a single grouping – and are applied Town wide, rather than being related to a specific location.

In Queen Creek, as in most communities, home builders obtain a temporary use permit for their model home complex. No permit is required, however, for the home builder’s signage. As a result, the builder may be unaware of how many signs or what types of signs they can have and where they can be placed. The result can be confusion and signs being installed which later need to be removed or relocated.

To help address this situation the Town of Gilbert and the City of Maricopa have established Builder Sign Programs. Copies of both programs are attached. The goal is to coordinate the review and approval of the subdivision signage with the model homes, so both the builder and the community understand what is to be installed where.

Under this proposal, Queen Creek’s home builder sign program would be reviewed and approved in conjunction with issuance of the temporary use permit for the model home complex. The program would also allow some increases in allowable sign areas, consistent with what has been done in other communities and in keeping with the prevailing trends in homebuilding signage.

## **PUBLIC COMMENTS**

Staff has received letters from Pulte Homes, Blandford Homes, Fulton Homes, Mint Homes, William Lyon Homes and the Home Builders Association of Central Arizona in support of the proposed change.

## **ATTACHMENTS**

1. Proposed Ordinance 515-12
2. Letter from ALB Industries
3. Letter from Pulte Homes
4. Letter from Blandford Homes
5. Letter from Fulton Homes
6. Letter from Mint Homes
7. Letter from William Lyon Homes
8. Letter from the Home Builders Association of Central Arizona
9. Town of Gilbert Builder’s Sign Package program
10. City of Maricopa Builder Sign Plan program
11. Minutes from the November 16, 2011 Town Council meeting

12. Draft minutes from the June 13, 2012 Planning Commission meeting

**ORDINANCE 515-12**

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT TITLED “TEMPORARY REAL ESTATE SIGNS” AND ATTACHED HERETO AS EXHIBIT “A,” AND ADOPTING EXHIBIT “A”, THEREBY AMENDING THE TOWN OF QUEEN CREEK ZONING ORDINANCE; ARTICLE 6.16 RELATING TO TEMPORARY REAL ESTATE SIGNS, AS DESCRIBED IN CASE NO. TA 12-033.**

**WHEREAS**, Arizona Revised Statutes § 9-802 provides a procedure whereby a municipality may enact the provisions of a code or public record by reference, without setting forth such provisions, providing that the adopting ordinance is published in full; and

**WHEREAS**, Article 3, **ZONING PROCEDURES**, Section 3.4 **ZONING AMENDMENT**, establishes the authority and procedures for amending the Zoning Ordinance; and

**WHEREAS**, a Public Hearing on this ordinance was held before the Planning and Zoning Commission on June 13, 2012; and

**WHEREAS**, the Planning and Zoning Commission voted 4-0 in favor of this text amendment case;

**NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AS FOLLOWS:**

Section 1. The document attached hereto as Exhibit “A,” titled “Temporary Real Estate Signs” is hereby declared to be a public record;

Section 2. Three (3) copies of Exhibit “A” are ordered to remain on file with the Town Clerk;

Section 3. The document titled “Temporary Real Estate Signs,” which has been made a public record, is hereby referred to, adopted, and made a part of the Queen Creek Zoning Ordinance as if fully set out in the Ordinance, and Article 6.16 is amended as set forth in “Exhibit A”;

Section 4. If any section, subsection, clause, phrase or portion of this ordinance or any part of these amendments to the Zoning Ordinance is for any reason held invalid or unconstitutional by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.



**PASSED AND ADOPTED BY** the Mayor and Town Council of the Town of Queen Creek, Maricopa County, this 18th day of July, 2012.

FOR THE TOWN OF QUEEN CREEK:

ATTESTED TO:

\_\_\_\_\_  
Gail Barney, Mayor

\_\_\_\_\_  
Jennifer F. Robinson, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:

\_\_\_\_\_  
John Kross, Town Manager

\_\_\_\_\_  
Mariscal, Weeks, McIntyre &  
Friedlander, PA, Attorneys for the  
Town

## EXHIBIT A

Proposed Text Amendment of Article 6.16, Paragraph 7, Temporary Real Estate Signs

### Article 6.16 Sign Regulations

**7. TEMPORARY REAL ESTATE SIGNS.** Real estate signs for properties for sale, rent or lease within the incorporated boundaries of the Town of Queen Creek are allowed in any district, subject to the following requirements:

- a. Real estate signs of six (6) square feet in area and less than six (6) feet in height do not require a permit. ~~A total of two (2) off-site directional signs are permitted in the public right-of-way, provided they are a minimum of fifteen (15) feet from the pavement edge of any roadway or two behind the sidewalk, where sidewalk exists.~~ Written permission must be obtained from the property owner prior to installing such signs on private property. Except as provided herein, posting such signs on public property is prohibited and subject to immediate removal.
- b. Residential real estate open house signs are allowed and do not require a permit. A total of five (5) off-site open house signs are permitted; however, the sign must contain the words “open house” or similar wording. Such signs may be posted in the public right-of-way provided they are a minimum of fifteen (15) feet from the pavement edge of any roadway or two (2) feet behind the sidewalk, where sidewalk exists. Written authorization for such installation shall be provided by the property owner prior to posting such signs on private property. Open house signs may only be displayed during the hours a real estate agent is at the residence offered for sale.
- c. ~~Residential subdivisions and~~ **UNSUBDIVIDED AND** non-residential properties are allowed one (1) on-site sign per street frontage. Said sign shall be no larger than thirty-two (32) square feet in area. The highest portion of the sign shall be no greater than eight (8) feet above the finished grade. A setback of ten (10) feet behind the property line is required.
- D. **A HOME BUILDER SIGN PLAN MAY BE APPROVED IN CONJUNCTION WITH THE ISSUANCE OF A TEMPORARY USE PERMIT FOR A MODEL HOME SALES COMPLEX WITHIN A RESIDENTIAL SUBDIVISION, WHICH MAY INCLUDE SOME OR ALL OF THE FOLLOWING SIGNAGE OPTIONS. ALL SIGNS APPROVED AS PART OF A HOME BUILDER SIGN PLAN SHALL BE REMOVED UPON TERMINATION OF THE TEMPORARY USE PERMIT.**
  - (1) **RESIDENTIAL SUBDIVISION OFF-SITE DIRECTIONAL SIGNS OF SIX (6) SQUARE FEET IN AREA AND LESS THAN SIX (6) FEET IN HEIGHT DO NOT REQUIRE A PERMIT. A TOTAL OF TWO (2) RESIDENTIAL SUBDIVISION OFF-SITE DIRECTIONAL SIGNS ARE PERMITTED IN THE PUBLIC RIGHT-OF-WAY, PROVIDED THEY ARE A MINIMUM OF**

**FIFTEEN (15) FEET FROM THE PAVEMENT EDGE OF ANY ROADWAY OR TWO (2) FEET BEHIND THE SIDEWALK, WHERE SIDEWALK EXISTS. WRITTEN PERMISSION MUST BE OBTAINED FROM THE PROPERTY OWNER PRIOR TO INSTALLING SUCH SIGNS ON PRIVATE PROPERTY. EXCEPT AS PROVIDED HEREIN, POSTING SUCH SIGNS ON PUBLIC PROPERTY IS PROHIBITED AND SUBJECT TO IMMEDIATE REMOVAL.**

d.(2) Residential subdivisions ~~and non-residential properties~~ are allowed one (1) on-site sign per **ARTERIAL** street frontage. Said sign shall be no larger than ~~thirty-two (32)~~ **FORTY-EIGHT (48)** square feet in area, **INCLUDING ALL SIGN RIDER PANELS**. The highest portion of the sign shall be no greater than ~~eight (8)~~ **TWELVE (12)** feet above the finished grade. A setback of ten (10) feet behind the property **RIGHT-OF-WAY** line is required.

e.(3) Model complex **LOCATION** signs, ~~balloons and banners~~ are limited to one (1) and shall not exceed forty-eight (48) total square feet of sign area **INCLUDING ALL SIGN RIDER PANELS OR TWELVE (12) FEET IN HEIGHT ABOVE THE FINISHED GRADE.** ~~and must be located on the premises.~~ **IN THE EVENT MORE THAN ONE MODEL HOME COMPLEX LOCATION IS PROVIDED WITHIN THE SUBDIVISION, EACH MODEL HOME COMPLEX LOCATION SHALL BE ALLOWED ONE (1) MODEL COMPLEX LOCATION SIGN.**

(4) **MODEL COMPLEX DIRECTIONAL SIGNS USED TO IDENTIFY THE LOCATION OF PARKING, OTHER MODEL COMPLEXES WITHIN THE PROJECT, ETC. SHALL NOT EXCEED SIX (6) SQUARE FEET IN AREA OR FOUR (4) FEET IN HEIGHT ABOVE FINISHED GRADE. A MAXIMUM OF TWO (2) DIRECTIONAL SIGNS ARE PERMITTED PER MODEL HOME COMPLEX.**

(5) **ONE (1) FLAG POLE FOR THE FLAGS OF THE UNITED STATES OF AMERICA AND/OR THE STATE OF ARIZONA WITH A MAXIMUM HEIGHT OF SIXTY (60) FEET AT EACH MODEL HOME COMPLEX LOCATION. A BUILDING PERMIT SHALL BE REQUIRED FOR THE FLAG POLE CONSTRUCTION. CORPORATE FLAGS SHALL BE PLACED BELOW BOTH THE FLAGS OF THE UNITED STATES OF AMERICA AND THE STATE OF ARIZONA.**

f.(6) Builder's attention flags, ~~such as colored pennants,~~ ~~are allowed on the site of the sales office only.~~ ~~Flags shall not be more than six (6) square feet,~~ ~~exceed~~ **AT THE MODEL COMPLEX LOCATION NOT TO EXCEED FIFTEEN (15) SQUARE FEET IN AREA OR fifteen (15) feet in height. A MAXIMUM OF FIVE (5) ATTENTION FLAGS SHALL BE PERMITTED PER MODEL HOME WITHIN THE MODEL HOME COMPLEX** and shall maintain a minimum spacing of twenty (20) feet between **ATTENTION**

flags. Flagpoles must have a minimum setback of five (5) feet behind the **RIGHT OF WAY** ~~property~~ line. **IN THE EVENT MORE THAN ONE MODEL HOME COMPLEX LOCATION IS PROVIDED WITHIN THE SUBDIVISION, EACH MODEL HOME COMPLEX LOCATION SHALL BE ALLOWED A MAXIMUM OF FIVE (5) ATTENTION FLAGS FOR EACH MODEL HOME ON DISPLAY AT THAT LOCATION.**

- (7) ONE (1) ON-SITE FUTURE DEVELOPMENT SIGN PER ARTERIAL STREET FRONTAGE PROVIDING THE NAME AND CONTACT INFORMATION FOR THE FUTURE HOME BUILDER. SAID SIGN SHALL BE NO LARGER THAN THIRTY-TWO (32) SQUARE FEET IN AREA. THE HIGHEST PORTION OF THE SIGN SHALL BE NO GREATER THAN EIGHT (8) FEET ABOVE THE FINISHED GRADE. A SETBACK OF TEN (10) FEET BEHIND THE RIGHT-OF-WAY LINE IS REQUIRED. FUTURE DEVELOPMENT SIGNS MAY BE APPROVED IN ADVANCE OF SUBMISSION OF A HOME BUILDERS SIGN PLAN, PROVIDED SUFFICIENT DOCUMENTATION IS PRESENTED TO INDICATE THE APPLICANT IS THE PROPERTY OWNER OF RECORD. FUTURE DEVELOPMENT SIGNS ARE PERMITTED FOR ONE (1) YEAR, OR UNTIL APPROVAL OF A HOME BUILDER SIGN PLAN, WHICHEVER OCCURS FIRST.**



CORPORATION  
315 S. Siesta Lane • Tempe, AZ 85281-3030  
PHONE 480-731-6968 • FAX 480-731-9071

April 23, 2012

Honorable Mayor and City Council  
Town of Queen Creek  
22350 S Ellsworth Road  
Queen Creek, AZ 85142

Re: Request for a Text Amendment to the Town of Queen Creek Zoning Ordinance, Article 6.16,  
-Sign Regulations, Section B.7 Temporary Real Estate Signs

Dear Honorable Mayor and City Council;

At the behest of various members of the local home building community we are applying to amend the current zoning ordinance in regards to temporary real estate signage.

Signage is an integral component of any business's marketing plan i.e., provides name recognition, product and location information, plus new home sales are dependent on getting potential buyers to visit their subdivisions or developments. Because signage has such a large impact on new home sales and the resulting revenue, we contacted staff to discuss the sign regulations and their effect on the home building community in light of new marketing trends and technology. The discussions with staff included the review and comparison of sign regulations of similar communities within the valley and forged the outline of the proposed text amendment. Staff has been very diligent in working with the home building community to take the steps required to amend the signs regulations to the satisfaction of all the parties involved.

Adoption by the town of the proposed amendment is a viable solution that will improve the ability of home builders to utilize current marketing tools and work with in the town's guidelines.

Sincerely,

Debbie Oleskow  
Project Coordinator

Cc: Dennis Webb, Fulton Homes  
Robert Stapley, Mint Homes  
W. Thomas Hickcox, William Lyon Homes  
Sheri Villa, Blandford Homes



April 23, 2012

Honorable Mayor and City Council  
Town of Queen Creek  
22350 S Ellsworth Road  
Queen Creek, AZ 85142

Re: Request for a Text Amendment to the Town of Queen Creek Zoning Ordinance,  
Article 6.16, -Sign Regulations, Section B.7 Temporary Real Estate Signs

Dear Honorable Mayor and City Council;

As part of the local home building community we support the proposed Text Amendment to the Sign Ordinance in its entirety. City staff has worked diligently to help achieve the goal of an amendment that is both reasonable and in keeping with what other similar communities allow due to the various changes in marketing trends. The changes over all make good sense plus highlight the unique characteristics of the town.

In conclusion, we ask that the town adopt these changes and take the necessary steps required to incorporate these changes in the form of a text amendment to the current zoning ordinance. Initiating these changes will improve not only our ability to work within the towns guidelines but the new home building industry as a whole.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Maren Brunker', with a stylized flourish at the end.

Maren Brunker  
Marketing Coordinator  
PulteGroup, Inc.

# BLANDFORD HOMES

May 1, 2012

Honorable Mayor and City Council  
Town of Queen Creek  
22350 S Ellsworth Road  
Queen Creek, AZ 85142

Re: Request for a Text Amendment to the Town of Queen Creek Zoning Ordinance,  
Article 6.16, -Sign Regulations, Section B.7 Temporary Real Estate Signs

Dear Honorable Mayor and City Council;

As part of the local home building community we support the proposed Text Amendment to the Sign Ordinance in its entirety. City staff has worked diligently to help achieve the goal of an amendment that is both reasonable and in keeping with what other similar communities allow due to the various changes in marketing trends. The changes overall make good sense plus highlight the unique characteristics of the town.

In conclusion, we ask that the town adopt these changes and take the necessary steps required to incorporate these changes in the form of a text amendment to the current zoning ordinance. Initiating these changes will improve not only our ability to work within the Town's guidelines but the new home building industry as a whole.

We thank you for your consideration of this revision.

Sincerely,



Christa Walker  
Development



April 23, 2012

Honorable Mayor and City Council  
Town of Queen Creek  
22350 S Ellsworth Road  
Queen Creek, AZ 85142

Re: Request for a Text Amendment to the Town of Queen Creek Zoning Ordinance,  
Article 6.16, -Sign Regulations, Section B.7 Temporary Real Estate Signs

Dear Honorable Mayor and City Council;

As part of the local home building community we support the proposed Text Amendment to the Sign Ordinance in its entirety. City staff has worked diligently to help achieve the goal of an amendment that is both reasonable and in keeping with what other similar communities allow due to the various changes in marketing trends. The changes over all make good sense plus highlight the unique characteristics of the town.

In the past 4 months we have opened two new communities in Queen Creek. Our traffic in these two communities are much less than our traffic in any other communities including ones that are farther out than Queen Creek. The current sign ordinance is simply not adequate in order to drive traffic into our newest communities.

In conclusion, we ask that the town adopt these changes and take the necessary steps required to incorporate these changes in the form of a text amendment to the current zoning ordinance. Initiating these changes will improve not only our ability to work within the towns guidelines but the new home building industry as a whole.

Sincerely,

A handwritten signature in black ink that reads 'Dennis Webb'.

Dennis Webb  
Vice President  
Fulton Homes





April 23, 2012

Honorable Mayor and City Council  
Town of Queen Creek  
22350 S Ellsworth Road  
Queen Creek, AZ 85142

Re: Request for a Text Amendment to the Town of Queen Creek Zoning Ordinance,  
Article 6.16, -Sign Regulations, Section B.7 Temporary Real Estate Signs

Dear Honorable Mayor and City Council;

As part of the local home building community we support the proposed Text Amendment to the Sign Ordinance in its entirety. City staff has worked diligently to help achieve the goal of an amendment that is both reasonable and in keeping with what other similar communities allow due to the various changes in marketing trends. The changes over all make good sense plus highlight the unique characteristics of the town.

In conclusion, we ask that the town adopt these changes and take the necessary steps required to incorporate these changes in the form of a text amendment to the current zoning ordinance. Initiating these changes will improve not only our ability to work within the towns guidelines but the new home building industry as a whole.

Sincerely,

A handwritten signature in blue ink that reads "Robert Stapley".

Robert Stapley  
V. P. of Sales and Marketing  
Mint Homes



## William Lyon Homes, Inc.

April 23, 2012

Honorable Mayor and City Council  
Town of Queen Creek  
22350 S Ellsworth Road  
Queen Creek, AZ 85142

Re: Request for a Text Amendment to the Town of Queen Creek Zoning Ordinance,  
Article 6.16, -Sign Regulations, Section B.7 Temporary Real Estate Signs

Dear Honorable Mayor and City Council;

William Lyon Homes has been a part of the valley homebuilding community for many years. We are very excited to open our newest community, Hastings Farms, in the Town of Queen Creek. Our three neighborhoods will offer a wide variety of home styles and amenities to new homebuyers. In order to provide the best possible introduction to our community, we support the proposed Text Amendment to the Sign Ordinance in its entirety. The Town's staff members have worked diligently to help achieve the goal of an amendment that is both reasonable, and in keeping, with what other similar communities allow due to the various changes in marketing trends. The changes proposed make good sense, plus, they help to highlight the unique characteristics of the Town.

We ask that the Town adopt these changes and incorporate them in the form of a text amendment to the current zoning ordinance. Initiating these changes will improve not only our ability to work within the Town's guidelines, but the new home building industry as a whole.

Thank you for your consideration

Sincerely,

W. Thomas Hickcox  
AZ Division President  
WILLIAM LYON HOMES



ESTABLISHED 1951

June 11, 2012

Planning and Zoning Commissioners  
Town of Queen Creek  
22350 S. Ellsworth Road  
Queen Creek, AZ 85142

**Re: Case Number TA12-033 – Home Builder Subdivision Signs**

Dear Town of Queen Creek Planning and Zoning Commission:

The Home Builders Association of Central Arizona (“HBACA”) is very supportive of the proposed Text Amendment to the Sign Ordinance. In addition, the Town Staff should be commended for recognizing the short comings of the “sign plazas” and continuing to work on addressing the needs of a vital industry to Queen Creek’s economic development.

As I have mentioned to this commission before, one of the most important issues to home builders is driving customers to new subdivisions. Typically, these customers are either new to the area or are not from the area at all. Moreover, a new subdivision is by definition a new development in a location where none existed before. By necessity, signage is needed to assist these customers as they navigate through unfamiliar towns and neighborhoods. Thus, it is imperative to home builders to have many options to provide the needed direction.

While the proposed text amendment is very helpful and a positive first step, the Town should continue to work with builders on developing additional tools which will provide builders the flexibility to direct traffic based on customer feedback and provide the Town with the aesthetics it desires. One such option would be to modify the “open house signs” permitted by Article 6.16.7(b) to accommodate new home builders. However, the tool that has demonstrated the most success in driving traffic to new residential subdivisions is the “weekend directional sign.”

Due to its location, available lots, and lot prices, Queen Creek is uniquely positioned among its geographical competitors to compete for residential construction. Ultimately, the quickest and most effective means to achieve its economic development goals is to create a favorable and welcoming environment for new residents and new residences. The proposed text amendment providing a “Homebuilder Sign Plan” will certainly move the Town in that direction.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jackson D. Moll". The signature is written in a cursive style with a large, looping initial "J".

Jackson D. Moll  
Deputy Director of Municipal Affairs  
Home Builders Association of Central Arizona

cc: Patrick Flynn, Assistant Town Manager/CFO  
Wayne Balmer, AICP, Planning Administrator

## Town of Gilbert

### B. *Temporary Signs.*

1. *Builder's Sign Package.* A Builder's Sign Package is required for each residential development prior to the installation of any Temporary Signs.

The Builder's Sign Package shall comply with the following regulations:

a. *Applicability.* A Builder's Sign Package may be approved only for developments within the Town.

b. *Term.* A sign permit for a Builder's Sign Package is valid for 3 years from the date of issuance. Any plan change to a Builder's Sign Package shall require a new permit.

c. *Removal.* All Temporary Signs installed pursuant to a Builder's Sign Package shall be removed when the model home complex is permanently closed.

d. *On-Site Signage.* A maximum of 240 square feet of on-site signage is permitted for each builder in a recorded subdivision plat. This sign area includes all on-site signage including builder/real estate signs, model complex signs, welcome signs, banners, awnings, residential builder attention flags, and directional signs other than weekend directional signs. Signs 32 square feet or larger shall be set back a minimum of 10 feet behind the right-of-way. Signs less than 32 square feet shall be set back a minimum of 5 feet from the right-of-way.

(1) Builder/Real Estate Signs are permitted 32 square feet of sign area for the first acre, plus 4 square feet of sign area for every acre above 1, up to a maximum of 160 square feet. Builder/Real Estate Signs shall be limited to 12 feet in height. The total sign area may be displayed as 1 or more signs.

(2) Residential Builder Attention Flags are permitted, not to exceed 12 feet in height. Flags shall be spaced a minimum of 40 feet apart and shall be set back a minimum of 5 feet behind the right-of-way.

e. *Off-Site Signage.* Four off-site Directional Signs are permitted. Signs shall not exceed 32 square feet in area and 8 feet in height, and are subject to the following regulations:

(1) Signs shall be located on unimproved lots or parcels;

(2) Signs shall be spaced a minimum of 50 feet apart, regardless of the sign ownership;

(3) Signs shall be set back a minimum of 10 feet behind the right-of-way; and

(4) Written permission of the property owner is required for the time period of the permit.

## City of Maricopa

G. **“Builder Sign Plan”**: A builder sign plan is required for each residential development prior to any Certificate of Occupancy being issued for a temporary use permit for sales trailer/model home complex. The following shall apply for the builder’s sign plan.

1. A sign permit for a builder sign plan is valid for one (1) year from the date of issuance. A builder sign plan may be renewed annually upon formal application to the City of Maricopa.
2. All signs permitted per the builder sign plan shall be removed upon the expiration of the Temporary Use Permit.
3. On site signage shall mean the lot(s) for the specific Temporary Use Permit. A maximum of two-hundred-forty (240) square feet of on-site signage is permitted for each builder in a recorded subdivision plat. Sign area includes all on site signage including builder/real estate, model home complex signs, welcome signs, banners, awnings, and residential builder attention flags. All signs less than thirty-two (32) square feet shall be set back a minimum of ten (10) feet from the front yard lot line and shall not encroach upon sight visibility triangle. The height of any sign shall be a maximum of twelve (12) feet.
4. No more than two (2) directional builder signs shall be allowed and no larger than ninety-six (96) square feet of sign area. Builder signs shall be limited to twelve (12) feet in height and shall be set back a minimum of ten (10) feet from the right-of-way.
5. Residential builder attention flags are permitted, not to exceed fifteen (15) feet in height. Flags shall be spaced a minimum of forty (40) feet apart and shall be set back a minimum of five (5) feet behind the right-of-way. Maximum of three (3) flag poles allowed per lot in the Temporary Use Permit. Each flag shall have a maximum area of twelve (12) square feet may contain lettering or logo and may not be higher than fifteen (15) feet above grade.
6. No more than one (1) flag pole for either the State of Arizona or the United States of America flag may be placed per Temporary Use Permit. Flag poles shall be limited to eighty (80) feet in height. Any flag flown in conjunction with the United States or State of Arizona flag shall be flown beneath them and shall not exceed them in size.
7. No builder signage shall be allowed to be placed outside the recorded subdivision in which the builder is located.



**Minutes  
Regular Session  
Queen Creek Town Council**

Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
November 16, 2011  
7:00 p.m.

**1. Call to Order**

The meeting was called to order at 7:00pm.

**2. Roll Call** (one or more members of the Council may participate by telephone)

Council Members present: Alston; Barnes; Benning; Oliphant; Wheatley and Mayor Barney. Vice Mayor Brown was absent.

**3. Pledge of Allegiance:** Led by Council Member Alston

**4. Invocation:** Pastor Ben Cloud – Amadeo Church

**5. Ceremonial Matters:** Presentations, Proclamations, Awards, Guest Introductions and Announcements.

Mayor Barney recognized Queen Creek School District for being one of the 10 districts statewide to receive the grade “A” designation from the Arizona Department of Education as well as Tara Bernier, 4<sup>th</sup> Grade Teacher at Queen Creek Elementary School for being a finalist in the Arizona Education Association’s Teacher of the Year Award.

**6. Committee Reports**

A. Council summary reports on meetings and/or conferences attended. This may include but is not limited to Phoenix-Mesa Gateway Airport; MAG; East Valley Partnership; CAAG. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

Council Member Benning reported on the National League of Cities Conference mobile tour of Queen Creek which included Horseshoe Park & Equestrian Centre and Queen Creek Incubator. He said there were 40 attendees and discussion on the tour centered around economic development in Queen Creek.

Council Member Barnes attended National League of Cities classes September 9-12 in Phoenix. He also attended the Community Development Advisory Committee on September 9, 2011.

**Minutes for the Regular Session  
Queen Creek Town Council  
November 16, 2011  
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Council Member Wheatley reported on her attendance at the Building Bridges Program on November 15, 2011. Area classrooms participate throughout the year in a music/learning combination program with a final performance in spring. Ms. Wheatley also attended the following:

- East Valley Partnership Economic Development Committee – November 8, 2011. Ms. Wheatley reported on a presentation of the Brookings Institute Metro Planning Institute.
- National League of Cities Conference

Mayor Barney also attended the National League of Cities Conference and met with several other local and regional leaders and discussed ways to work with and be supportive of each other.

B. Partner agencies quarterly or periodic updates to Council. This may include but is not limited to Queen Creek Chamber of Commerce; Queen Creek Performing Arts Center; Boys & Girls Club of East Valley; and Maricopa or Pinal County Board of Supervisors or other governmental agencies. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

*None.*

C. Quarterly update on Town Marketing Activities: Public Information Officer Marnie Schubert provided a report on marketing activities from August-November 2011. Her report included the following: on-line marketing was increased to add Yelp and Trip Advisor; articles appeared in Sports Destination Management (Horseshoe Park) and Sunset Magazine (weekend trip destination); two tours were given in conjunction with the Mesa Convention and Visitors Bureau program; paid advertising appeared in several publications marketing the Town and Horseshoe Park; and updates on the website and new brochures were completed. Council asked if brochures or other materials were provided at Phoenix-Mesa Gateway Airport. Ms. Schubert responded that there was and she is working on advertising in the Allegiant Airlines in-flight magazine.

D. Parks and Recreation Advisory Committee – November 8, 2011: Council Member Oliphant reported on the introduction of new committee member Sylvia Tarin and updates/discussion on recreational programs first quarter report and the goals for the Policy Review Working Group – review existing partnership guidelines, field allocation guidelines, fees and field availability. The group will make recommendations to the full Committee. The next meeting is scheduled for December 13, 2011.

E. Economic Development Commission – November 16, 2011: Council Member Wheatley reported on the meeting hosted by ASU Polytechnic. Updates were given from ASU Polytechnic, Chandler-Gilbert Community College and Queen Creek Unified School District. The Commission members also toured the Algae Research &

**Minutes for the Regular Session  
Queen Creek Town Council  
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Biotechnology Lab and Arizona Center for Algae Technology and Innovation. The next meeting is scheduled for January 25, 2012.

**7. Public Comment:** Members of the public may address the Town Council on items not on the printed agenda and during Public Hearings. Please complete a "Request to Speak Card", located on the table at the rear of the Council Chambers and turn it in to the Town Clerk prior to the beginning of the meeting. There is a time limit of three minutes for comments.

*None.*

**8. Consent Calendar:** Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. Public Hearing items are designated with an asterisk (\*). Prior to consideration of the Consent Agenda, the Mayor will ask whether any member of the public wishes to remove a Public Hearing item for separate consideration. Members of the Council and or staff may remove any item for separate consideration.

A. Consideration and possible approval of the October 19, 2011 Regular Session Minutes.

B. Consideration and possible approval of **Resolution 888-11** authorizing and directing staff to take all actions necessary to acquire real property located at 21114 S. 220<sup>th</sup> Place (Assessor's Parcel # 304-64-008X) from Joseph and Roberta Passarella for the purpose of roadway improvements.

C. Consideration and possible approval of a collection services agreement with Progressive Financial Services, Inc., a Cooperative Agreement with the City of Mesa.

Staff pulled Item B for discussion.

**Motion to approve Items A & C on the Consent Calendar**  
(Benning/Alston/Unanimous)

Mayor Barney declared a conflict of interest on Item B and turned the gavel over to Council Member Barnes as Vice Mayor Brown was absent.

**Item B:** Town Manager John Kross stated the approval of Resolution 888-11 was the first step to acquire property and gives staff the authority to have an appraisal completed.

**Motion to approve Item B on the Consent Calendar** (Benning/Alston/Unanimous) (5-0)

Council Member Barnes turned the gavel over to Mayor Barney.



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**Queen Creek Town Council**  
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**PUBLIC HEARINGS:** If you wish to speak to the Council on an item listed as a Public Hearing, please complete a Request to Speak Card and turn it in to the Town Clerk. Speakers will be called upon in the order in which their cards are received. Speakers are limited to three (3) minutes each.

9. Public Hearing, consideration and possible approval of **TA11-067/Ordinance 504-11** a Town-initiated text amendment to Article 6.16.B.8 Off-Site Temporary Real Estate Signs and 16.0 Sign Definitions of the Queen Creek Zoning Ordinance to amend requirements and standards for Off-Site Temporary Real Estate Signs.

Planning Manager Wayne Balmer reviewed the recently approved way-finding and directional signage program and contract with National Sign Plazas and the proposed text amendment that would no longer allow the small weekend signs placed within the right-of-way. Mr. Balmer said the new temporary real estate sign requirements would also help control the amount of signs in the right-of-way and reduce code compliance issues.

Mr. Balmer stated that public outreach and notifications were provided to all active homebuilders in the area; the Home Builders Association of Central Arizona; the Arizona Sign Association; and included in newsletters and website updates.

Mr. Balmer then reviewed the Planning and Zoning Commission's recommendation for approval of the text amendment as proposed along with the recommendation that Council direct staff to look at options to address the Home Builders Association's concerns.

Council asked if the "blank" signs could be used for temporary advertising until home builders placed signage. Mr. Balmer responded that it was being looked into.

The Public Hearing was opened.

Jackson Moll, representing the Home Builders Association, spoke in opposition to the text amendment for the following:

- Negative feedback from home builders on the effectiveness of sign plazas
- Builders feel they can't distinguish themselves from others
- Builders aren't able to locate signs that benefit their projects

The Public hearing was closed.

Council discussed the clutter problem that occurs with the small weekend signs from home builders and concessions allowed to them that other businesses don't receive regarding signage.

Clarification was requested on what the Home Builder's Association was requesting on the text amendment. Mr. Balmer responded that they would prefer no changes in the sign ordinance or a sign package similar to the Town of Gilbert.

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Further discussion was in regard to the possibility of increasing code compliance. Staff stated that with the current work schedule and the volume of signs that currently get picked up on Monday, it wouldn't be feasible. Discussion continued on the benefits of permanent signs vs. small temporary weekend signs. Mr. Balmer stated that staff will look at additional options and bring them back for consideration at a future meeting.

Mr. Moll thanked the Council and Town for working with the Home Builders Association and continued outreach.

**Motion to TA11-067/Ordinance 504-11 a Town-initiated text amendment to Article 6.16.B.8 Off-Site Temporary Real Estate Signs and 16.0 Sign Definitions of the Queen Creek Zoning Ordinance to amend requirements and standards for Off-Site Temporary Real Estate Signs and direct staff to review the proposal by the Home Builders Association of Central Arizona to consider allowing permanent directional real estate signs in the right-of-way or on private property for subdivisions under construction (Benning/Barnes/Unanimous)**

**10.** Public Hearing, consideration and possible approval of **TA11-068/Ordinance 505-11** a Town-initiated text amendment to Article 6.16.B.6 Political Signs and 16.0 Definitions of the Queen Creek Zoning Ordinance to amend requirements and standards for Political Signs.

Planning Manager Wayne Balmer reviewed the political sign text amendment that would bring Queen Creek's zoning ordinance and sign ordinance into compliance with HB2500 approved by the State Legislature in 2011. Mr. Balmer reviewed both current and new requirements for length of time allowed; right-of-way locations; and sign size limits for residential and non-residential areas. The name of the committee or contact person and phone number must also be on the back of each sign.

There was discussion on the requirement for contact information and locations where signs are not allowed. Staff responded that all changes proposed in the text amendment are mandatory to be in compliance with the new laws.

There was no public comment.

**Motion to approve TA11-068/Ordinance 505-11 a Town-initiated text amendment to Article 6.16.B.6 Political Signs and 16.0 Definitions of the Queen Creek Zoning Ordinance to amend requirements and standards for Political Signs (Wheatley/Alston/Unanimous)**

**FINAL ACTION:** If you wish to speak to the Council on an item listed under Final Action, please complete a Request to Speak Card and turn it in to the Town Clerk. Speakers will be called upon in the order in which their cards are received. Speakers are limited to three (3) minutes each.

**11.** Discussion and possible approval for staff to develop an advertising display program with NIW Vision at the Queen Creek Library lobby.

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Council Member Oliphant requested this item be continued to December 7, 2011 due to Vice Mayor Brown's absence.

**Motion to continue to December 7, 2011 Council Meeting**  
(Oliphant/Benning/Unanimous)

**ITEMS FOR DISCUSSION:** These items are for Council discussion only and no action will be taken. In general, no public comment will be taken.

**12. Update and presentation on the Communiversy @ Queen Creek.**

Economic Development Director Doreen Cott introduced Dr. Jo Jorgensen, Dean of Instruction and Community Development for Rio Salado College.

Dr. Jorgensen provided information on Rio Salado's student enrollment and on-line participation and partnerships with Mesa Community College and Chandler-Gilbert Community College. She stated that the college is committed to building a 20,000 sq. ft. facility and spending \$6.2 million – an increase from December 2010 estimates. The expected completion date is Spring 2013 with classes starting that fall. The facility features include classrooms, computer rooms, testing center and administration facilities.

Dr. Jorgensen explained how the use of studies and needs assessments for the community were used to determine the programs and courses provided.

Allen Torvie, Architectural Project Manager, reviewed the project timeline from project approval through design and plan review and construction. Council asked whether the building would be LEED certified and designed to be compatible with the Library– Mr. Torvie responded yes. Council also asked whether there would be road closures or other construction congestion with the project. Mr. Torvie explained that most activity would be on-site and utility connection would create minimal disruption if any.

Council asked if there were any Queen Creek representatives on the design team. Mr. Torvie responded yes. Council also asked whether new jobs would be created at the facility. Dr. Jorgensen responded that most of the positions would be new and the total number would be determined later.

Dr. Jorgensen finished her update stating the college will work with Ms. Cott on announcement signs to be placed at the communiversy site.

**13. Motion to adjourn to Executive Session:** The Council may reconvene the Executive Session for any of the items listed on the Executive Session Agenda.

*None.*

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**14. Adjournment**

The meeting was adjourned at 8:32pm.

TOWN OF QUEEN CREEK

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Gail Barney, Mayor

Attest:

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Jennifer F. Robinson, MMC

I, Jennifer F. Robinson, do hereby certify that, to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Minutes of the November 16, 2011 Regular Session of the Queen Creek Town Council. I further certify that the meeting was duly called and that a quorum was present.

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Jennifer F. Robinson, MMC

Passed and approved on December 7, 2011.



**MINUTES OF THE REGULAR SESSION MEETING OF THE QUEEN CREEK  
PLANNING AND ZONING COMMISSION**

**Wednesday, June 13, 2012 7:00 P.M.**

**Council Chambers, 22350 S. Ellsworth Road, Queen Creek, AZ 85142**

1. **CALL TO ORDER** The meeting was called to order at 7:03 p.m. by Commissioner Gad in the Council Chambers of the Town Hall.
2. **ROLL CALL** (one or more members of the Commission may participate by telephone).

**Present**

Commissioner Jason Gad  
Commissioner Alex Matheson  
Commissioner Debbie Reyes  
Commissioner Kyle Robinson

**Absent**

Chairman Sossaman  
Vice-Chairman Ingram  
Commissioner Nichols

**Staff**

**Present**

Planning Administrator Wayne Balmer  
Senior Planner Dave Williams  
Development Services Assistant Laura Moats  
Planning Intern Ryan Wozniak

**Absent**

3. **PUBLIC COMMENT**  
There were no public comments.
4. **Consent Agenda:** Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. Public Hearing items are designated with an asterisk (\*). Prior to consideration of the Consent Agenda, the Chairman will ask whether any member of the public wishes to remove a Public Hearing item for separate consideration. Members of the Commission and/or staff may remove any item for separate consideration.

- a. **Consideration and Possible Approval of May 9, 2012 Work Study and Regular Session Minutes;**

**Motion: Commissioner Robinson  
To approve the Consent Agenda, as presented.**

**2<sup>nd</sup>: Commissioner Matheson  
Vote: All Ayes. Motion carried 4-0.**

## **PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION**

- 5. Public Hearing, Discussion and Possible Action on TA12-033, “Text Amendment to Article 6.16 of Zoning Ordinance,** a request by Debbie Oleskow on behalf of ALB Industries for approval of a Text Amendment to Article 6.16 of the Zoning Ordinance regulating the use of temporary real estate signs by homebuilders.

Planning Administrator Balmer presented the staff report and provided the following background information:

- The Town Council amended the sign ordinance in November, 2011, which removed “weekend directional signs”, and replaced them with “sign kiosks”.
- Mr. Jackson Moll of the Homebuilders Association of Central Arizona requested the Town consider development of a homebuilder sign program, to be consistent with surrounding communities.
- Ms. Debbie Oleskow has been working with homebuilders and staff on a proposed change to the current Sign Ordinance.

Mr. Balmer provided a Power Point presentation for the Commission, listing the proposed changes, and homebuilder Sign Plan:

- Combine all temporary sign provisions in a single area;
- Homebuilders’ sign plan to be approved in conjunction with the model home sales complex approval – temporary use application approval;
- One subdivision sign per arterial street frontage – change from 8’ high, and 32 square feet to 12’ high and 48 square feet, including “sign rider” panels;
- Model home location signs, change from 8’ high and 32 square feet and assuming only one model location, to 12’ high and 48 square feet, including “sign rider panels”, for each model home location;
- One flag pole, change from 45’ to 60’ in height per model home complex location;
- Builder attention “Avenue” flags:
  - 15’ high, 15 square feet in area (not currently allowed);
  - 5 flags per model home in complex
  - 20’ separation between flags
  - Each model home complex allowed five flags per model complex (currently allow unlimited number of flags, 6 square feet in size)
- Allow 2 off-site directional signs 6 square feet each (clarification of current wording)
- Allow two model home complex directional signs (new – not currently allowed)
  - 6 square feet, four feet in height
  - Directions to parking, other model complexes in the subdivision, etc.;
  - One on-site future development sign per arterial street frontage (new)
  - 8’ in height, 32 square feet
  - To provide name and contact info.

### **Applicant's presentation**

Dennis Web, Vice President of Operations for Fulton Homes, and Debbie Oleskow, Project Coordinator for ALB Industries, were present to address the Commission and answer questions.

Mr. Webb addressed the Commission, stating he started working on this project with Ms. Oleskow approximately five months ago. He stated it has been challenging to get in Queen Creek what Fulton has achieved in other communities. He pointed presented a comparison in sign regulations between Queen Creek and other communities relating to: maximum on-site square footage; maximum height, attention flags, off-site signs, and weekend directional signs.

Mr. Webb stated that allowing more signage gives homebuilders an opportunity to have themed signs; he showed pictures of "Avenue Banners", "Kiosk" signs, and directional signs, illustrating how several different types of signs all shared a theme.

During Work Study Session, Commissioner Gad had asked what type of impact approval of this homebuilder sign plan/text amendment would have on the existing kiosk sign program which builders pay for. In response to this question, Mr. Webb showed pictures of kiosk signs and stated, with this approved Text Amendment, if anything, he will add more kiosk signs because they provide directional assistance. Fulton is currently working in two communities in Queen Creek, both previously "stalled out" custom home subdivisions. Mr. Webb illustrated how banner/pole signs with additional information are leading people into the community to buy homes, based on the information they are seeing on the banners.

### **Questions from the Commission**

Commissioner Gad asked Mr. Balmer to clarify the number of homebuilder attention flags allowed under the proposed text amendment. Mr. Balmer responded this amendment would allow five flags per model home within the complex. If there are three models, then 15 flags can be put up at or around that complex. Mr. Gad asked for clarification on where those flags would be allowed. Mr. Balmer responded they would be permitted on the arterial street in front of the builder's property, or on streets within the subdivision.

Commissioner Reyes asked for clarification on how many off-site signs are allowed, and in what locations relative to the builder's complex.

Mr. Balmer responded the signs can be located at the discretion of the developer where they can find a property owner who would be willing to let the signs be installed on their property. He stated the Town currently allows two off-site "real estate" signs. Under this text amendment, these would be called "subdivision signs", and be allowed only on private property, because the Town does not want them in the rights-of-way.

Commissioner Reyes asked if the only change on item D (1) is the wording from "real estate sign" to "subdivision sign", to which Mr. Balmer responded, "yes".

There were no further questions from the Commission

**Public Hearing**

Commissioner Gad opened the Public hearing at 7:30 p.m.

Jackson Moll, Deputy Director of Municipal Affairs for the Home Builders Association of Central Arizona, 7740 N. 16<sup>th</sup> Street, Phoenix., spoke in support of this text amendment, and thanked Town staff for continuing to address this issue on behalf of the homebuilders.

He stated this text amendment is vital to Queen Creek's economic development. The Text Amendment will create additional tools and enhance other tools for accomplishing increased construction activity.

Mr. Moll shared real estate/new home permitting statistics, illustrating the recent sales increase in this industry.

Commissioner Gad closed the Public Hearing at 7:34 pm.

Commissioner Robinson stated he feels this is advantageous for the Town and builders, especially since these signs are on builder's property.

Commissioner Gad noted there are two aspects to what the Town tries to bring in: 1) attract residents, be competitive in bringing more residents into Queen Creek; and, 2) attract new businesses and builders; therefore, he supports this requested Text Amendment.

**Motion:**        **Commissioner Matheson**

**To approve TA12-033, Text Amendment to Article 6.16 of Zoning Ordinance, Temporary Use of Real Estate Signs, as proposed by staff.**

**Second:**       **Commissioner Robinson**

**Vote:**           **All ayes 4-0. Motion carried.**

**ADMINISTRATIVE ITEMS** - all Administrative Items were concluded during the Work Study.

6. **Review** of next month's agenda items:
7. **Report** on Town Council Action.
8. **Communication** from members of the Commission and Staff - None.

9. **Adjournment**

**Motion:**        **Commissioner Robinson**

**To adjourn.**

**2<sup>nd</sup>:**            **Commissioner Reyes**

**Vote:**           **All ayes. Motion carried 4-0.**



The meeting adjourned at 7:37 p.m.

**PLANNING AND ZONING COMMISSION**

By: \_\_\_\_\_  
Jason Gad, Commissioner/Acting Chairman

ATTEST:

\_\_\_\_\_  
Laura Moats, Development Services Assistant

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I, Laura Moats, do hereby certify that, to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Minutes of the June 13, 2012 Regular Session Meeting of the Planning and Zoning Commission. I further certify that the meeting was duly called and that a quorum was present.

Dated this 14th day of June, 2012.

**These are draft minutes, which have not yet been approved.**

Passed and Approved this \_\_\_ day of \_\_\_, 2012.

Requesting Department:  
Economic Development



**TO: HONORABLE MAYOR AND TOWN COUNCIL**

**THROUGH: JOHN KROSS, TOWN MANAGER**

**FROM: TROY WHITE, PUBLIC WORKS DIVISION MANAGER**

**DOREEN COTT, ECONOMIC DEVELOPMENT DIRECTOR**

**KIM MOYERS, ECONOMIC DEVELOPMENT SPECIALIST**

**RE: DISCUSSION AND POSSIBLE ACTION ON TENANT IMPROVEMENTS TO THE PARKS BUILDING FOR THE TRANSITION OF THE QUEEN CREEK BUSINESS INCUBATOR PROGRAM.**

**DATE: JULY 18, 2012**

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**Staff Recommendation:**

Staff recommends Alternative B - \$55,000 for the improvements recommended to improve the Parks building for the transition of the Queen Creek Incubator program.

**Proposed Motion:**

Move to approve \$55,000 from the Town Center Municipal Fund for the improvements needed to transition the Queen Creek Incubator program to the vacant Parks building.

**Discussion:**

At the May 16, 2012 Town Council meeting, Town Council approved the continuation of the QC Inc. Program and directed staff to move the program to the vacant Parks building at the end of the current lease that expire on December 31, 2012.

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In order to provide a professional environment for the QC Inc. tenants and a positive first impression for visitors to the Chamber of Commerce, staff has identified three priority areas to improve the space into a more conducive environment for the incubator and the Chamber. These areas include the lobby/reception area, expansion of the conference room and I.T. modifications.

The current lobby is not large enough to accommodate the many QC Inc. clients, Chamber members and outside visitors looking for tourism/visitor information. The Chamber of Commerce is often the first stop for outside guests and it is important to make a good first impression on new residents, businesses and tourists. It is possible to extend the lobby area and create a larger reception area by removing the existing

counter and move the work space back several feet. This area is also heavily trafficked and in need of new flooring.

The current QC Inc. conference room holds a maximum of 20 people and is the most utilized room at the Incubator. Tenants agree that it is one of the key amenities of the incubator space. The Parks building conference room has a maximum capacity of 10 people. This conference room can be expanded by removing the wall between the conference room and the adjacent office to accommodate the need for a larger meeting area.

Although there is telecommunications infrastructure already set-up in the Parks building, the I.T. department recommends that the QC Incubator and Town Offices operate on a separate telephone and internet system for security purposes. The suggested programming amount would allow for this separation while still enabling I.T. staff to assist with and manage the system.

Other minor improvements needed include signage for the Incubator and the Chamber, new carpeting in the common areas (hallways, lobby and conference room) and minor cosmetic improvements to the walls.

As a courtesy to the Town, Arrington Watkins Architects, LLC, provided staff with a Statement of Probable Cost outlining improvements in the areas mentioned above. Being prudent with tax payer dollars, staff is bringing forth three alternatives that would provide a professional, business friendly environment while being conscious of limited resources.

Due to the continuance of this item at the June 20, 2012 Council meeting staff has been able to re-evaluate the tenant improvement alternatives and the estimated cost have been revised to reflect the cost savings from having much of the work completed internally.

As the Town and the incubator continue to grow and change, all proposed building changes will remain in the building with the exception of signage and the I.T. equipment.

**Alternatives:**

**A.) \$40,000 –**

- a. I.T. Equipment and set-up
- b. Carpeting of the common areas
- c. Renovation/expansion of the Reception area
- d. Signage
- e. Contingency of 10%

**B.) \$55,000 –**

- a. I.T. Equipment and set-up
- b. Carpeting of the common areas
- c. Renovation/expansion of the Reception area
- d. Storage/workroom modifications for Chamber office
- e. Signage
- f. Conference Room expansion
- g. Wall repairs

h. Contingency of 10%

C.) \$70,000 –

- a. I.T. Equipment and set-up
- b. Carpeting of the common areas
- c. Renovation/expansion of the Reception area
- d. Storage/workroom modifications for Chamber office
- e. Signage
- f. Conference Room expansion
- g. Wall repairs
- h. New flooring in the work room
- i. Small training room
- j. Additional furniture for common area
- k. Additional technology equipment for conference and training room
- l. Contingency of 10%

**Fiscal Impact:** Funds for the approved alternative will come out of the Town Center Municipal Funds.



Requesting Department:  
Development Services

**TO: HONORABLE MAYOR AND TOWN COUNCIL**

**THROUGH: JOHN KROSS, ICMA-CM  
TOWN MANAGER**

**FROM: WAYNE BALMER, AICP  
PLANNING ADMINISTRATOR**

**RE: DISCUSSION AND POSSIBLE ACTION ON A REQUEST TO BEGIN  
THE STATUTORY 60 DAY PUBLIC AGENCY COMMENT PERIOD  
FOR THE 2012 APPLICATIONS FOR MAJOR GENERAL PLAN  
AMENDMENTS**

**DATE: JULY 18, 2012**

#### **PLANNING & ZONING COMMISSION RECOMMENDATION**

The Planning & Zoning Commission unanimously recommended the Town Council authorize the proposed 2012 Major General Plan Amendments move forward through the public hearing process.

#### **STAFF RECOMMENDATION**

Staff supports the Commission recommendation to the Council to direct staff to begin the 60 day public agency comment period.

#### **PROPOSED MOTION**

Move to direct staff to begin the 60 day public agency comment period for the proposed 2012 Major General Plan Amendments. The comment period would begin on Monday, July 30, 2012.

#### **DISCUSSION**

In June of each year the town accepts requests for possible Major General Plan Amendments. By state law, requests for Major Amendments are accepted once a year and must be acted on within the same year. As part of the process the Town Council must officially act to initiate the amendment cycle. Once the process has begun, the

State prescribes the steps that must be taken to complete the effort, culminating in the case being officially presented to the Town Council in December for final action.

Major amendments are defined in our General Plan as those which are:

- Greater than 40 acres, if the change is from one residential designation to a lower intensity residential designation (R1-15 to R1-43)
- Greater than 20 acres, if the change is to increase the residential density (R1-43 to R1-15)
- Greater than 10 acres, if the change is from residential to non-residential (R1-43 to commercial)
- Greater than 40 acres, if the change is from one non-residential use to a less intense non-residential use (commercial to offices)
- Greater than 20 acres, if the change is from one non-residential use to a higher intensity non-residential use (office to commercial)
- Greater than 20 acres, if the change is from a non-residential use to a residential classification (commercial to residential)
- Addition of new Goals to the various Elements of the General Plan

## CASE SUMMARIES AND AMENDMENT SCHEDULE

### **1. GPA12-47 – Master Planned Community text modification**

A request by Bowman Consulting on behalf of seven property owners to revise the current definition of a Master Planned Community to increase the allowable residential density from 1.0 to 1.8 dwellings per acre. The area designated Master Planned Community is located south of Hunt Highway, east of Gilbert Road, in the San Tan Foothills area. Staff is concurrently proposing a new Goal 6 be added to the San Tan Foothills Element of the General Plan establishing Master Planned Community Design Standards.

### **2. GPA12-48 – Bellero**

A request by iPlan Consulting on behalf of ARCUS Queen Creek Holdings to modify the current land use designation on the 122 acre on the east side of Ellsworth Road, north of Empire Boulevard from Very Low Density Residential (up to 1 dwellings per acre) to Low Density Residential (up to 2 dwellings per acre). The property is located adjacent to Pegasus Airpark and was previously approved as the Pegasus Estates subdivision in the R1-35 zoning district.

### **3. GPA12-49 – Fulton Homes/Queen Creek Station**

A request by Rose Law Group on behalf of Fulton Homes and the property owners within the Queen Creek Station to amend both the Land Use and Transportation and Circulation elements of the General Plan. When the Queen Creek Station General Plan amendment was approved in 2007 it contained proposals to realign both

Ellsworth and Queen Creek roads and to establish new land use classifications for Mixed Use and Medium High Density Residential (up to 8 dwellings per acre). This request proposes to retain and expand Ellsworth and Queen Creek roads on their current alignments and reduce the amount of area designated for Mixed Use, while increasing the area designated for Medium High Density Residential A (up to 5 dwellings per acre).

**4. GPA12-50 – Identification and Preservation of Aggregate Resources (staff initiated)**

With the passage of SB 1598 local communities are required to identify areas with aggregate resources on their General Plan and establish policies to protect these resources from encroachment by potentially incompatible land uses. Staff is proposing a new Goal 6 to be added to the Environmental Planning Element of the General Plan to establish a process for identification, use and preservation of aggregate resources within the Town’s Planning Area.

**5. GPA12-51 – Realignment and Construction of Signal Butte and Meridian Roads (staff initiated)**

With the approval of GPA10-040 which incorporated the realignment of Signal Butte Road east to Meridian Road, the completion of the Signal Butte Road Corridor Study and the Meridian Road Design Concept Report currently underway, staff is proposing a new Goal 8 to be added to the Transportation and Circulation Element of the General Plan supporting the realignment and construction of Signal Butte and Meridian roads. With approval of this change the Roadway Realignment Area currently shown on the General Plan will be deleted.

**6. GPA12-52 – Transit Oriented Design (staff initiated)**

The recently completed Town Center Plan, the ULI Advisory Panel Report and the ASU Capstone Project all recommend the Town take a more proactive position in the establishment of transit oriented design standards in the Town Center. Staff is proposing a new Goal 7 be added to the Transportation and Circulation Element and new Goals 7 and 8 be added to the Town Center Element of the General Plan and the text of the definition of the Town Center be modified to incorporate new provisions to encourage transit oriented design in new projects in the Town Center.

**Proposed General Plan Amendment Schedule**

Planning Commission Meeting (Introduction)	July 11, 2012 (Wednesday)
Town Council Approval to begin 60 day review	July 18, 2012 (Wednesday)
Mail 60 day public agency review letter	July 26, 2012 (Thursday)

Begin 60 day review	July 30, 2012 (Monday)
First Open House	August 29, 2012 (Wednesday)
End of 60 day review	September 29, 2012 (Monday)
Second Open House	October 11, 2012 (Thursday)
Special Planning Commission Hearing	November 6, 2012 (Tuesday)
Town Council Introduction	November 21, 2012 (Wednesday)
Town Council Public Hearing	December 2, 2012 (Wednesday)

**ATTACHMENTS**

General Plan location maps

- General Plan showing proposed changes
- GPA12-048 – Belloero
- GPA12-049 – Fulton Homes/Queen Creek Station

Proposed text changes

- GPA12-047 – Master Planned Community Definition Modification
- GPA12-050 – Identification and Preservation of Aggregate Resource
- GPA12-051 – Realignment and Construction of Signal Butte and Meridian Roads
- GPA12-052 – Transit Oriented Design



## GPA12-47

### Master Planned Community Text Modification

#### **Master Planned Community (text modification in bold)**

(Up to 1.8 dwelling units per acre)

This master planned community designation is located in the San Tan Foothills area and it is intended to allow development clusters in order to preserve larger areas of the site as open space, provided that the overall density of the area is maintained at 0 to 1.8 dwelling units per acre. Development within this land use designation requires the preparation of a master plan.

#### **San Tan Foothills Element – new Goal 6**

<b>GOAL 6: Master Planned Community Design Standards</b>
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- Policy 6a: Use of the Master Planned Community concept is intended for use by large scale projects which incorporate the San Tan Foothills development goals and policies, as well as those described in the Environmental Planning Element.
- Policy 6b: Projects must demonstrate an environmental design theme which unifies all natural and man-made elements of the project.
- Policy 6c: Development should provide opportunities to accentuate and highlight the native environment through re-contouring and revegetation to address prior actions and existing conditions and optimize the Sonoran character of the completed environment.
- Policy 6d: Projects must demonstrate design sensitivity in infrastructure design and construction and provide a system that meets the future needs of the project in a manner that complements the natural environment.
- Policy 6e: Open space networks should be created using washes, linkages and other elements to create an attractive and useful pedestrian and bike trail system which links the various elements of the project with each other, the adjacent properties and the open spaces within the project.
- Policy 6f: Projects should employ development density transfers through a Planned Area Development to preserve significant open spaces and environmental

features while allowing higher density development in areas where environmental issues can be addressed.

Policy 6g: Non-single family residential features such as a resort hotel, offices, condominiums and limited commercial uses could be considered for inclusion in a Master Planned Community Planned Area Development.

**V.2 – June 5, 2012**

## GPA12-50

### Identification and Preservation of Aggregate Resources

#### Environmental Planning Element – New Goal 6

<b>GOAL 6: Identification and Preservation of Aggregate Resources</b>
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Policy 6a: The Arizona State Geologic Service has developed The Geologic Map of Arizona (2000) which indicates the Qr (Holocene River Alluvium (0-10 ka) Alluvium Soil Classification as being the primary location of identified aggregate deposits. The Town of Queen Creek Planning Area does not contain any locations within the Qr designation. As a result, until further research is completed, it does not appear there are any currently identified aggregate deposits within the Queen Creek Planning Area.

Policy 6b: The Town will provide assistance to the Arizona State Geologic Service, if requested, to develop more detailed maps which may designate locations of identified aggregate deposits which could be mined within the Queen Creek Planning Area.

Policy 6c: The Town will use maps provided by the Arizona State Geologic Service, when they become available, to develop an amendment to the General Plan Land Use Map to reflect the location of identified aggregate deposits.

- a. Development of a proposed amendment to the General Plan and Land Use Map to reflect the location of the identified aggregates.
- b. Recommend an amendment to the land use map to reflect the location of the identified deposits.
- c. Reflect the locations of the identified deposits on the approved land use plan.
- d. Notification of affected property owners of the presence of the identified aggregate deposits.
- e. Conduct public meetings in conjunction with the proposed amendment to the General Plan to incorporate the location of the identified aggregate deposits.
- f. Promote public disclosure of the presence of the aggregate deposits and their potential to be mined in Town publications and documents.

Policy 6d: Incorporate measures in the approval of land uses adjacent to locations with identified aggregate deposits to address land use compatibility during possible future excavation, including:

- a. Public disclosure of the presence of the aggregate deposits and their potential to be mined through conditions of zoning or subdivision plat approval, disclosure statements on subdivision plats, deed restrictions, etc.
- b. Orientation of proposed uses away from potential excavation areas.
- c. Location of open spaces adjacent to potential excavation areas.
- d. Inclusion of design elements such as screening walls, landscaping, etc. to address and minimize site visibility.

Policy 6e: Incorporate measures in the approval of future aggregate mining operations to address land use compatibility during the excavation phase, of the project, including:

- a. An environmental impact plan to address such issues as dust, noise, lighting, hours of operation, soil tracking, etc.
- b. A truck traffic routing and management plan.
- c. A site plan showing the location of equipment, parking, staging, vehicle storage, screening, berming, landscaping, etc.
- d. A phasing plan showing the timing and location of the proposed excavation.

Policy 6f: Incorporate measures in the approval of future mining operations to address the post-extraction use of the property, including the following:

- a. A site reuse plan designating the proposed post-excitation use(s) of the property.
- b. Development of a facility closure plan including provisions for backfill of the mine.
- c. Soil testing during the backfill operation to avoid environmental and groundwater contamination and provide sufficient soil compaction to allow future construction on the site.
- d. An environmental and/or groundwater contamination remediation plan

## GPA12-51

### Realignment and Construction of Signal Butte Road and Meridian Roads

#### Transportation and Circulation Element – New Goal 8

<b>GOAL 8: Realignment and Construction of Signal Butte and Meridian Roads</b>
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- Policy 8a: Work with the property owners to realign Signal Butte Road east to Meridian Road, between Germann and Queen Creek Roads in conjunction with development of the property in the area.
- Policy 8b: Participate with the Arizona Department of Transportation (ADOT) in completion of the Meridian Road Corridor Study.
- Policy 8c: Work with the Maricopa County Department of Transportation (MCDOT) to implement the results of the Signal Butte Road Corridor Study.
- Policy 8d: Participate in selection of a preferred design for the construction of the intersection of Riggs/Combs Road, Meridian Road, Rittenhouse Road and the Union Pacific Railroad as discussed in the Meridian Road Design Concept Report.
- Policy 8e: Work with the Maricopa Department of Transportation, Pinal County and the adjacent property owners to fund and implement the recommendations of the Meridian Road Design Concept Report.
- Policy 8f: Incorporate the construction of Meridian Road between the SR 24 Freeway and Hunt Highway into the Central Arizona Association of Governments (CAAG) Regional Transportation Plan.
- Policy 8g: Work with the Maricopa County Department of Transportation (MCDOT), the Arizona Department of Transportation (ADOT), the City of Mesa and Pinal County to fund the future construction of Signal Butte Road and Meridian Road between the proposed SR 24 Freeway and Hunt Highway.
- Policy 8h: Coordinate with Maricopa County, Pinal County and the State of Arizona to secure funding for construction of the Queen Creek Wash Bridge on Meridian Road.

## GPA12-52

### Transit Oriented Design

#### Transportation and Circulation Element – New Goal 7

<b>GOAL 7: Encourage and Promote Transit Oriented Project Design</b>
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Policy 7a: Incorporate bus pullout and bus stop locations in the design and construction of arterial streets in areas where higher density development is planned. Additional shade trees should be provided at future bus stop locations.

Policy 7c: Incorporate modifications to the street system in areas of transit oriented development to encourage and promote multi-modal travel including:

- a. Reduction of travel lanes
- b. Inclusion of bus pullouts and bus stops
- c. Provision of on-street parking
- d. Additional pedestrian facilities, amenities and crosswalks
- e. Additional width for heavily utilized sidewalks
- f. Increased use of landscaping and shade trees in pedestrian areas
- g. Additional street furniture such as benches and pedestrian level lighting.
- h. Provision of well marked bike lanes, bike racks and parking areas
- i. Traffic calming techniques

Policy 7b: Coordinate collector and arterial street design and construction to provide access to future light rail/commuter rail terminal facilities in the Town Center.

#### Town Center Element – New Goal 7

<b>GOAL 7: Encourage and Promote Transit Oriented Project Design</b>
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Policy 7a: Encourage development of higher density and mixed use projects at locations where future transit and multi-modal transportation facilities are planned or anticipated, including the Town Center and Queen Creek Station.

- Policy 7b: Consider use of development and density incentives to facilitate projects incorporating transit oriented design.
- Policy 7c: Projects with transit oriented design should include specific elements to promote the use of mass transit such as building design and orientation, pedestrian amenities and facilities, supportive land uses, and limited vehicular parking, among others. Entry should address the pedestrian network when possible.
- Policy 7d: Utilize “form based” design concepts for higher density and mixed -use projects to encourage innovative options and land use flexibility to promote development of transit oriented projects.
- Policy 7e: Incorporate the location of proposed transit and multi-modal facilities into the design and construction of new projects planned near them, with the goal of promoting future transit usage.

## **Town Center Element – New Goal 8**

<b>GOAL 8: Encourage and Promote Transit Oriented Design and Development</b>
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- Policy 8a: Incorporate the possibility of future circulator and intercity bus service options in the design of new projects in the Town Center.
- Policy 8b. Development of properties adjacent to the Union Pacific Railroad, west of Ellsworth Road, should incorporate design and land use elements to accommodate the location of a future commuter rail terminal/transit center.
- Policy 8c: Evaluate the option of extending a “sky bridge” overpass from the transit center to the property south of Rittenhouse Road, west of Ellsworth Loop Road when the transit center is developed.

## **Town Center (text modification in bold)**

The Town Center designation is intended to be Queen Creek’s economic core and the community’s vibrant “destination” center or activity hub. The Town Center category accommodates a variety of land uses, including municipal buildings and complexes (government facilities, fire and police stations, library, utilities, churches, and schools), commercial, office, open space, and higher-density residential ranging from 6 to 18 dwelling units per acre. Grouping public buildings will not only prove convenient for local government activities and the general public, but will provide a catalyst for additional

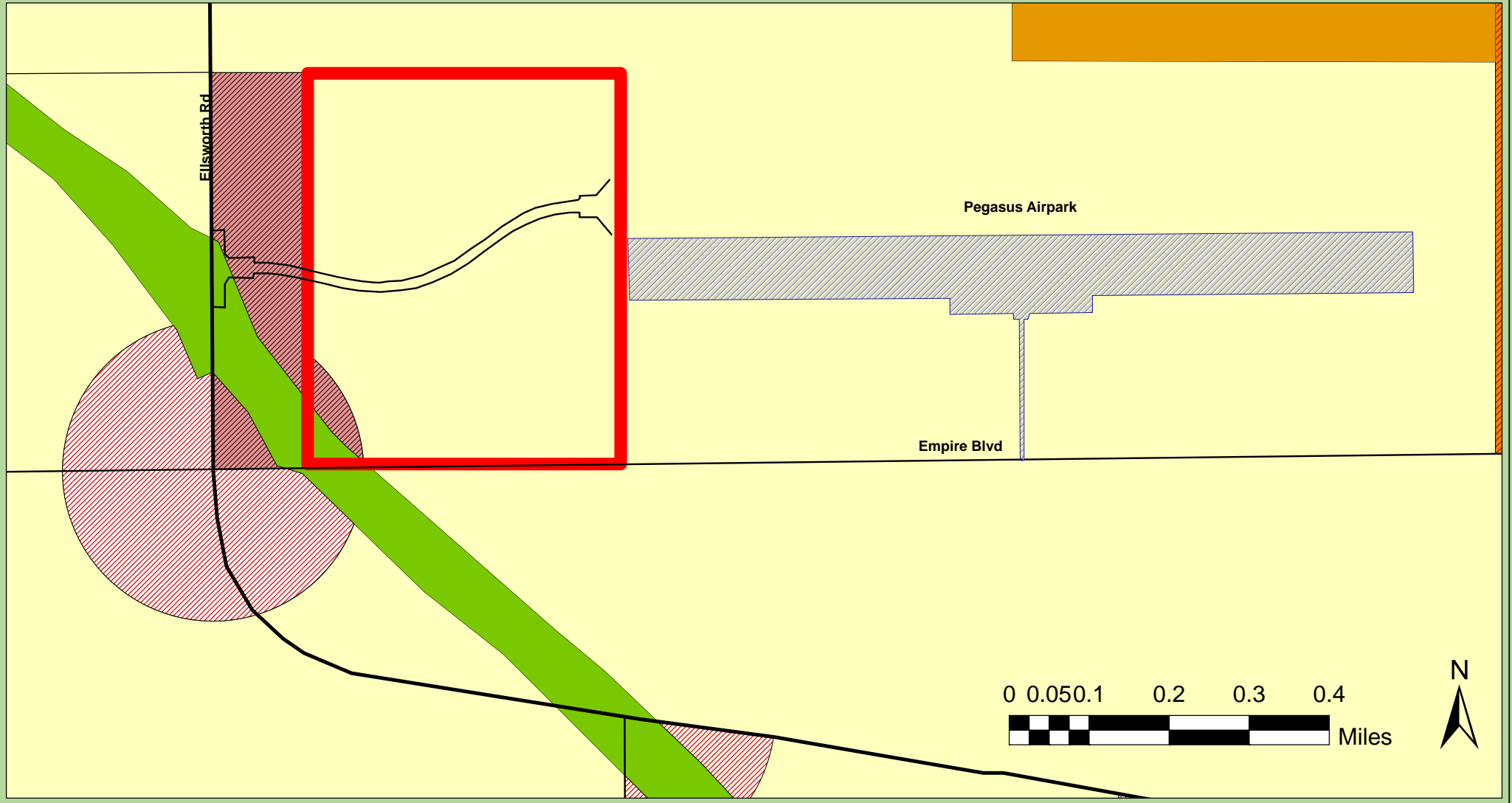
improvements in the area. Emphasis is placed on **development of** a “walkable” environment that is **pedestrian friendly**, safe and efficient. **New projects should accommodate future transit service through project density, building design and site orientation. Project density increases may be considered to help facilitate transit oriented development**

The aesthetics within the Town Center will be established and controlled through the implementation of design guidelines and development standards for residential and non-residential development and the goals and policies within the General Plan.

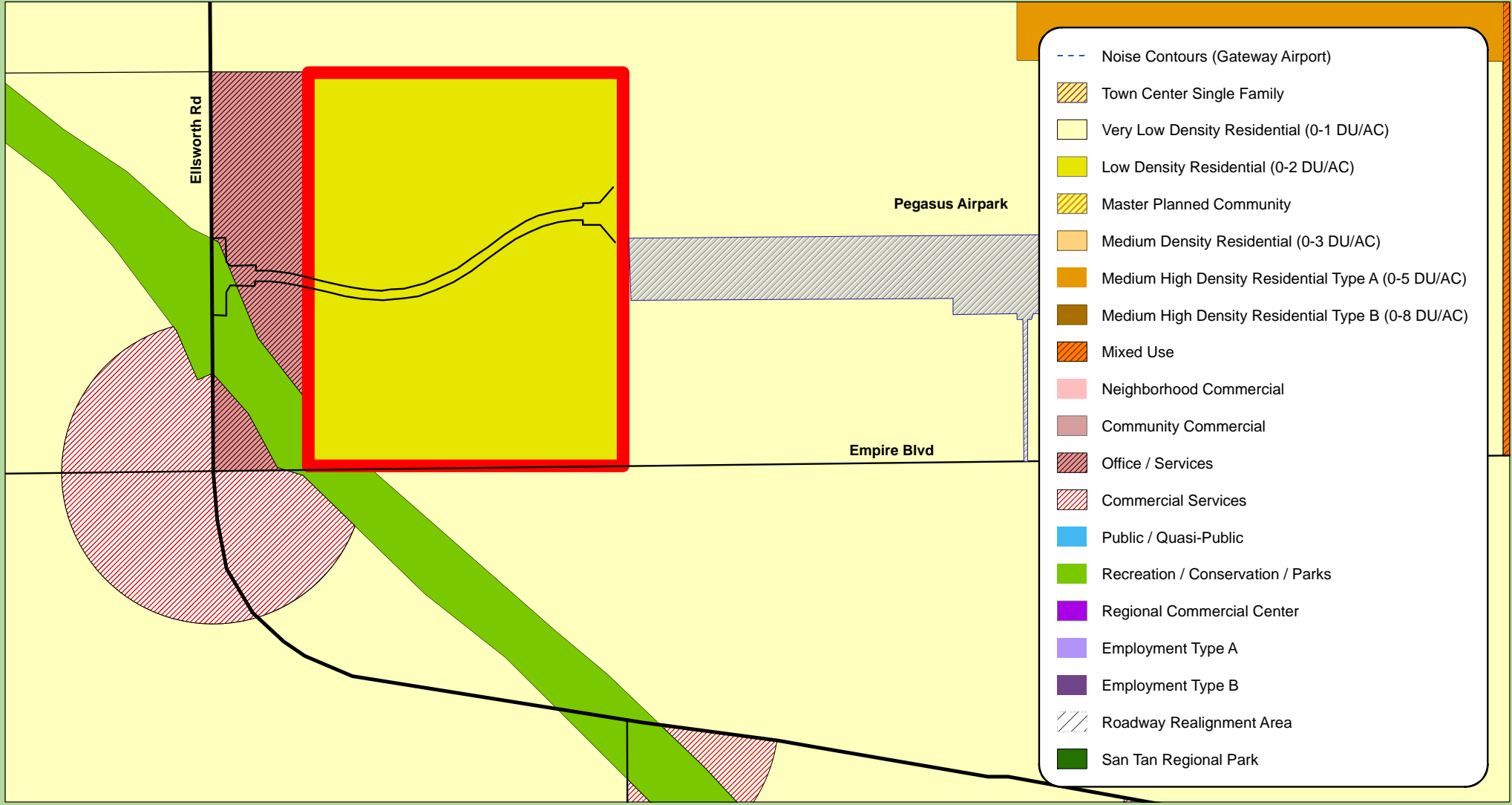
**V.2 – June 5, 2012**



# Existing



# Proposed



# 2012 General Plan Amendment

## GPA 12-48

## Bellerero

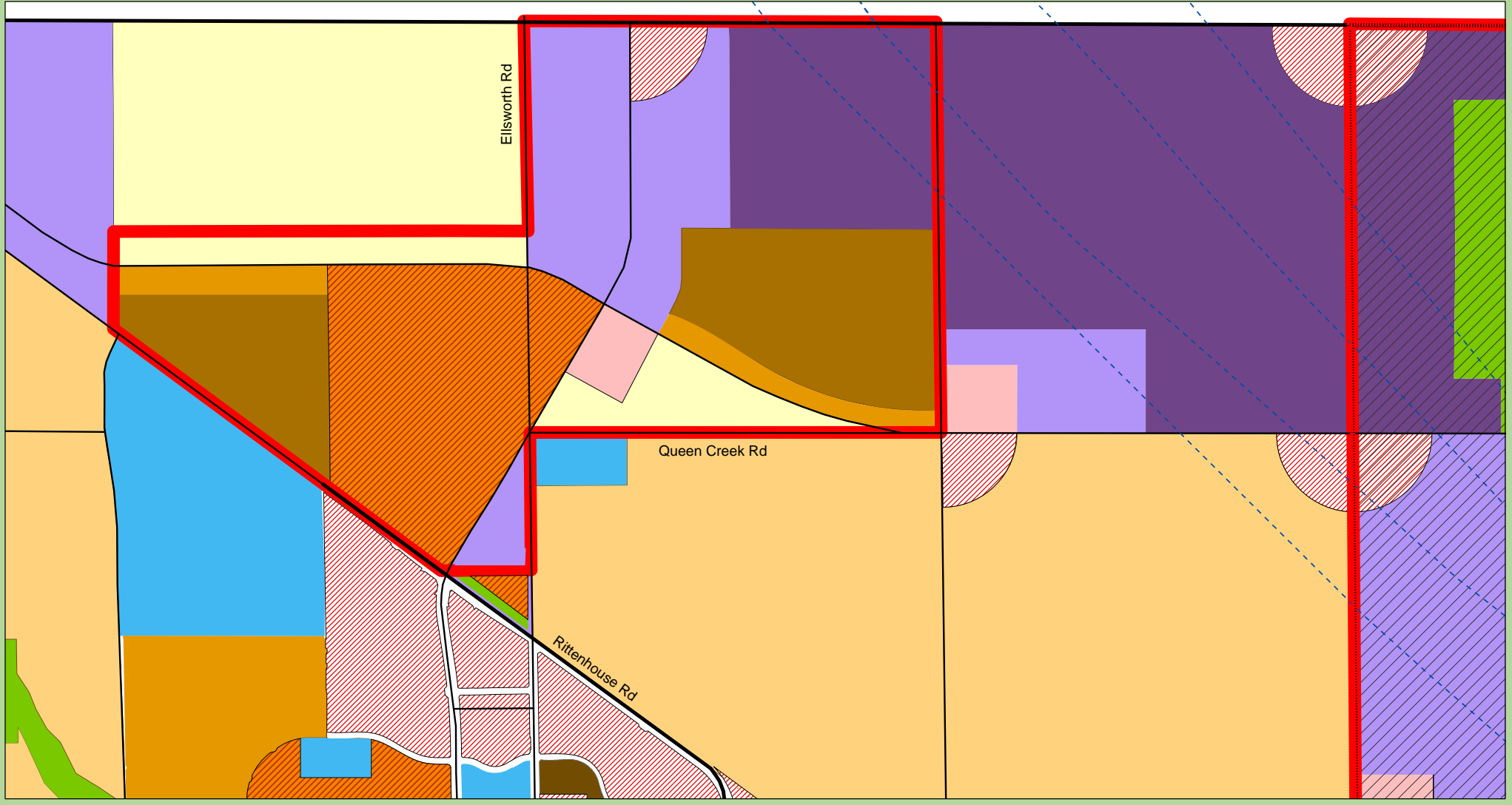
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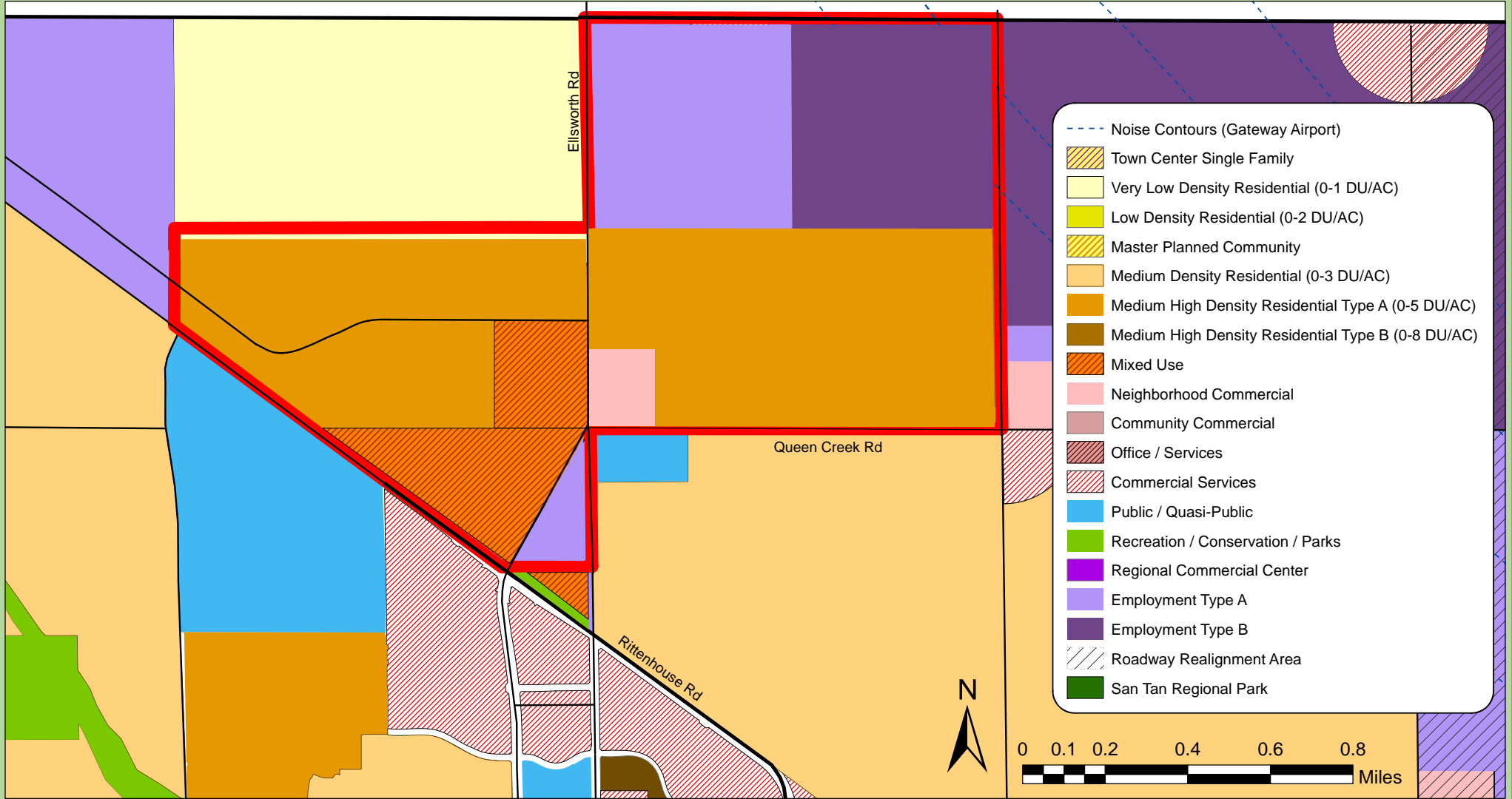
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# Existing



# Proposed



# 2012 General Plan Amendment

## GPA 12-49 Fulton Homes/ Queen Creek Station

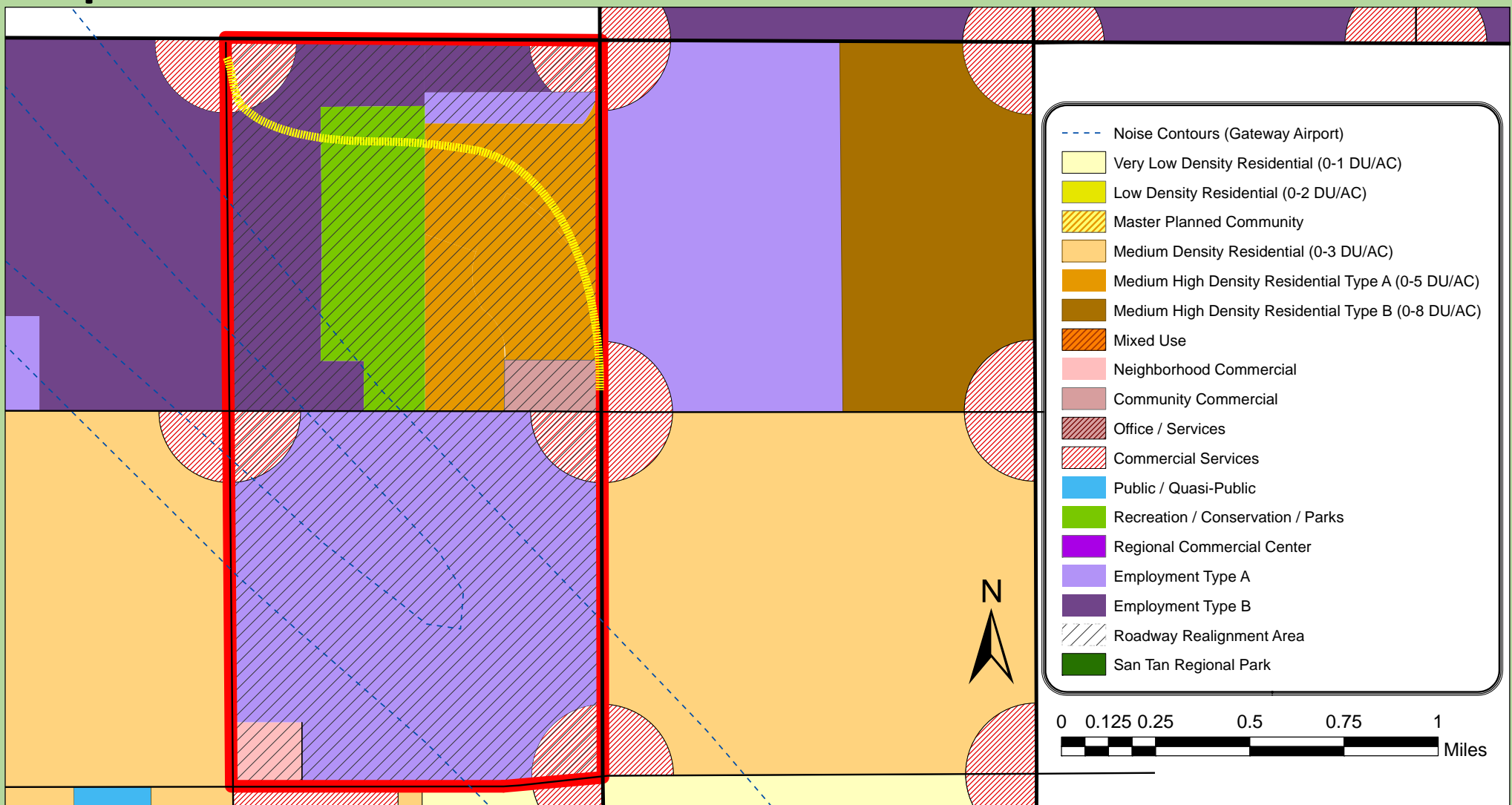
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# Proposed



# 2012 General Plan Amendment

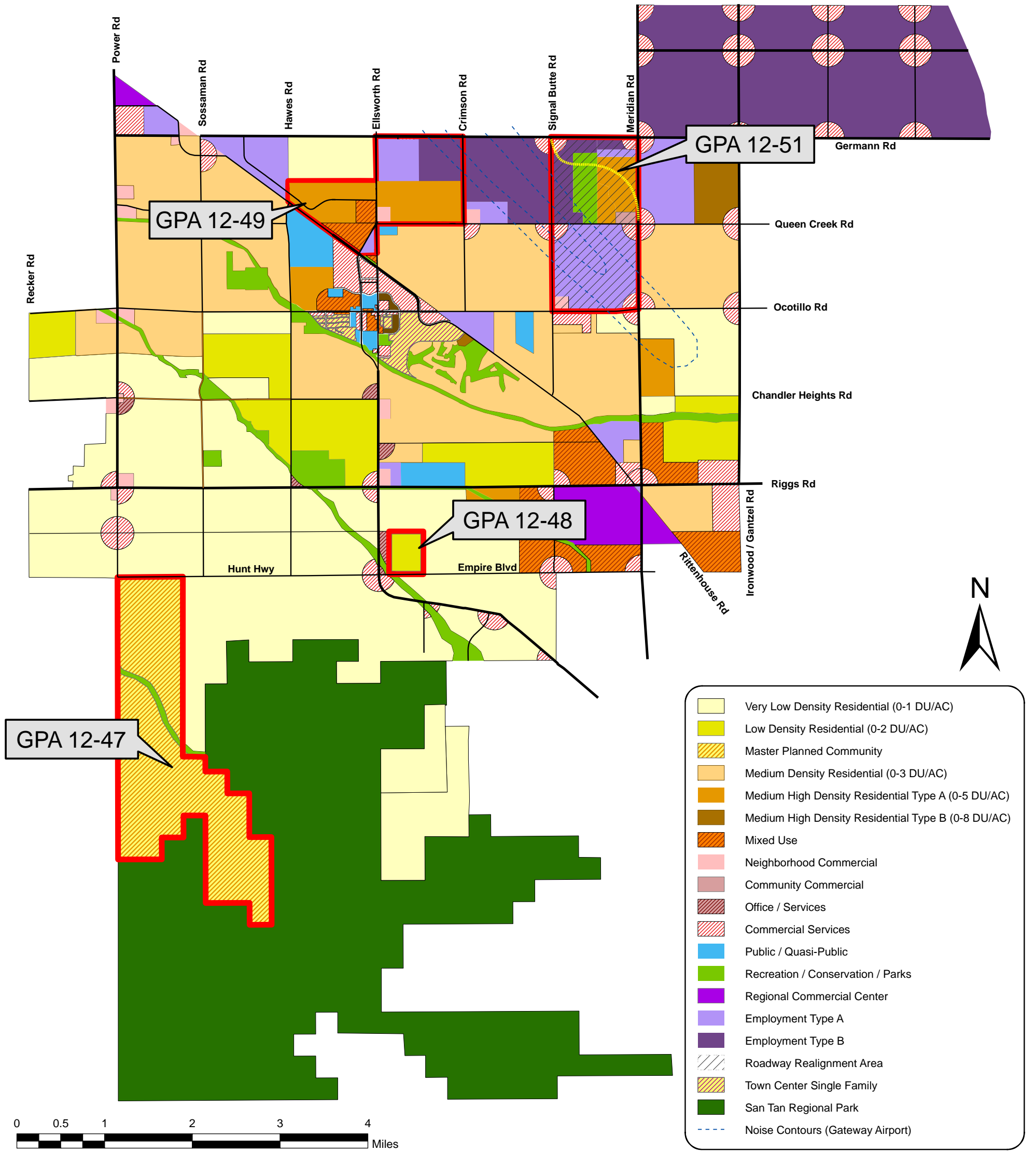
## GPA 12-51 Signal Butte Rd Realignment

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# 2012 General Plan Amendments

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480-358-3003



Requesting Department:  
Management Services  
Department



**TO: HONORABLE MAYOR AND TOWN COUNCIL**

**THROUGH: PATRICK FLYNN, ASSISTANT TOWN MANAGER,**

**FROM: DEBBIE GOMEZ, PARKS SPECIAL PROJECTS COORDINATOR  
ADAM ROBINSON, RECREATION SUPERINTENDENT**

**RE: DISCUSSION AND POSSIBLE APPROVAL TO AMEND THE  
RECREATION PROGRAM FEE POLICY REGARDING NON-RESIDENT  
FEES.**

**DATE: JULY 18, 2012**

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**Staff Recommendation:**

Staff recommends approval to amend the Recreation Program Fee Policy regarding non-resident fees changing the 50% fee increase to non-residents for participation in Special Interest Classes to a flat \$10 fee increase and maintain the resident priority registration policy.

**Relevant Council Goal(s):**

Parks Trails and Open Space Master Plan, 2005, Goal 4 pg. 14 – Promote Recreational Opportunities for all citizens; 4.3.2 – Offer a broad selection of community recreational classes, programs, and activities.

**Proposed Motion:**

Move to approve the amendment to the Recreation Program Fee Policy regarding non-resident fees changing the 50% fee increase to non-residents for participation in Special Interest Classes to a flat \$10 fee increase and maintain the resident priority registration policy.

**Discussion:**

In May 2003, Council approved a resident-priority registration method for recreation programming which allows residents to register prior to non-residents. Concurrently Council approved a fee policy which increases recreation program fees and facility reservation fees by 50% for non-residents. The two policies were adopted during a time when the Town was rapidly growing and needed a method to control volume for popular

programs and facilities, and the Town Council's desire to implement a non-resident fee at a policy level.

Currently non-resident fees are charged for youth sport programs and special interest classes. Presently the Town is not being overwhelmed by non-resident registrations for recreational programs. Non-residents comprised only 25% of our 1,814 program registrants.

In FY 2012-2013 recreation services offered by the Town are limited to two programs that are fee-based, Special Interest Classes and Adult Softball. Currently a non-resident fee is not charged for participants of the Adult Softball program primarily because the league is too small, consisting of 8 teams, and the staff time involved to administer the non-resident fee in this program is not feasible. The remaining three programs are free: Senior Program, Youth Center After-school Drop- In Program, and Special Events.

The new goals of the Recreation Division are to provide quality programs at affordable prices to all registrants, find ways to retain existing customers, attract new customers, increase operational efficiency, and enhance revenues. As staff continues to look for ways that will allow the Town of Queen Creek to improve services provided to the community and operate efficiently staff revisited the perspective of non-resident fees.

### **Staff Recommendation**

At the June 12, 2012 Parks and Recreation Advisory Committee meeting staff presented a recommendation to eliminate non-resident fees for the Town's recreation special interest classes and maintain the Town's policy which allows residents to register prior to non-residents. Staff did not recommend any policy changes to facility reservation fees with regard to non-resident fees until a further analysis on fees could be conducted.

Most municipalities that do not implement non-resident fees have a priority registration period for residents to ensure they get an opportunity to be served. This type of set up supports a general philosophy to eliminate obstructions to program registration and to generate revenues by getting people to come into your town, spend their dollars locally, and increase visibility to your town in hopes of attracting more residents. The presumption is people do not have to pay non-resident fees to use public parks or roads within an incorporated area. Although not publicly funded, retailers do not charge a non-resident fee to enter stores.

Another method used by municipalities is to charge a non-resident fee for popular programs needing volume control such as programs that are always filled and waiting lists are in place. This type of model, along with council's desire to implement a non-resident fee at a policy level, structured the existing Recreation Program Fee Policy. In Queen Creek today, non-resident fees can be a barrier to registering for a class and possibly be an impediment to increasing revenue.

In some cases non-residents are needed to meet the minimum number of participants for a viable program or special interest class to take place; although staff cannot quantify how many non-residents declined to register for a program or class because they are required to pay the additional increased rate. Elimination of non-resident fees is anticipated to help increase department revenue.

Specific rationale for eliminating non-resident fees for special interest classes includes:

- Current special interest class prices are set by the contracted instructor and market trend; the additional 50% non-resident up charge may price the program well above its market value. The fee charged should reflect the value of the program.
  - Potential non-resident customers may ask why they must pay more than the program is worth. For example, the price (or value) of a program is \$50, but non-residents are charged \$75 (\$50 + 50% increase for the non-resident).
- Eliminating non-resident fees could help the Town achieve its mission to support economic development. Attracting customers from the surrounding county area and other neighboring cities may result in auxiliary spending in Queen Creek businesses, particularly Town Center businesses.
- Non-resident fees may possibly deliver a message of exclusion that may carry over to other Queen Creek offerings, including business purchases.
- Non-resident registrations allow some programs to meet minimum registration amounts so the program is viable and not be canceled, which may lead to more opportunities for residents.
- Many non-residents participate through their friendship with a resident. Some non-residents work in Queen Creek and convenience plays a factor.

### **Parks and Recreation Advisory Committee Recommendation**

The Parks and Recreation Advisory Committee discussed the proposal presented by staff and agreed that during rapid growth the existing non-resident fee surcharge was best fitting. The members of the committee believe that given the limited recreation programs offered, fiscal recovery goals for recreation classes, and the Town's focus on generating revenues, a lower non-resident fee structure may attract the surrounding county and neighboring cities populations to participate in Town programs.

The committee did not support the elimination of non-resident fees and instead proposed a flat fee approach. The committee felt this type of set up supports a general philosophy that programs for residents should be discounted because they pay taxes to the Town. The committee is recommending council consider approving changing the 50% fee increase to non-residents for participation in Special Interest Classes to a flat \$10 fee increase and maintain the resident priority registration policy.

Staff concurs with the recommendation from the committee.

**Fiscal Impact:**

It is projected that this recommendation in either scenario will ultimately result in additional revenue; however it is difficult to provide an estimate at this time of how much and which option will produce more revenue. Changing or eliminating non-resident fees will result in less revenue generated per non-resident per class; however it could potentially generate more revenue in the end by increasing non-resident volume, the number of overall classes offered, and visitors to Town Center.

Staff will monitor the changes and update revenue estimates as part of FY 13/14 budget process.

**Alternatives**

1. Choose to eliminate non-resident fees for special interest recreation classes and maintain the Town's policy which allows residents to register prior to non-residents.
2. Choose to change the non-resident fee increase from 50% to a progressive fee structure and maintain the Town's policy which allows residents to register prior to non-residents.
  - \$10 non-resident fee for classes with fees of \$10 - \$50
  - \$20 non-resident fee for classes with fees of \$51 or higher.
3. Choose to maintain the current policy on recreation program pricing of an added 50% cost to non-residents for participation in special interest classes.

**Attachments**

None