



AMENDED AGENDA

Regular and Possible Executive Session Queen Creek Town Council

Community Chambers, 20727 E. Civic Parkway

December 20, 2017

5:30 PM

Public Hearings will not be held prior to 7:00 p.m.

Pursuant to ARS 38-431.02, notice is hereby given to the members of the Town Council and to the general public that, at this Regular Meeting, the Town Council may vote to go into Executive Session, which will not be open to the public, for legal advice and discussion with the Town Attorney(s) for legal advice on any item listed on the following agenda, pursuant to ARS 38-431-03(A)(3). An Executive Session may be called at any time during the Council Meeting.

1. Call to Order:

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

3. Motion to Adjourn into Executive Session (to be held in the Ironwood Conference Room in the Community Chambers Building) for the following purposes):

- A. Discussion and consultation with the Town's attorney for legal advice and with the Town's representatives to consider the Town's position and instruct its representatives regarding possible intergovernmental agreements with Maricopa County and Pinal County for library services to Pinal County residents. A.R.S. 38-431.03(A)(3) & (4)
- B. Discussion and consultation with the Town's representatives to consider the Town's position and instruct its representatives regarding possible acquisition of real property: 1) Ellsworth & Queen Creek LLC purchase agreement (Ellsworth & Queen Creek Intersection project); 2) Harvest QC, LLC purchase agreement (Riggs Road project); 3) Ellsworth Road from Empire Road to Hunt Highway project. A.R.S 38-431.03(A)(4) & (7)
- C. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorney and representatives to consider the Town's position and instruct its representatives regarding development agreements with 1) Taravella; and 2) Wadsworth. A.R.S. 38-431.03(A)(3) & (4)
- D. Discussion and consultation with the Town's attorney and with the Town's representatives regarding annexations and providing utility services. A.R.S. 38-431.03(A)(3) & (4)

Queen Creek Town Council

December 20, 2017

Page 2

- E. Discussion and consultation with the Town's attorney and with the Town's representatives regarding the incorporation petition and map filed on 10/6/17. A.R.S. 38-431.03(A)(3) & (4)
- F. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorney and representative to consider the Town's position and instruct its representatives regarding a pre-annexation development agreement (Fulton Homes). A.R.S. 38-431.03(A)(3) and (4)
- G. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorney and representatives to consider the Town's position and instruct its attorneys regarding pending litigation: Savage & Noschese vs. Town of Queen Creek. A.R.S. 38-431.03(A) (3) & (4).

4. Consent Agenda: Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. Members of the Council and or staff may comment on any item without removing it from the Consent Agenda or remove any item for separate discussion and consideration. (Items that the Council wishes to discuss may be considered under #11).

- A. Consideration and possible approval of Expenditures Over \$25,000. (Budgeted in FY17/18)
 - 1. BC Graphics, FastSigns - signage services: \$60,000
 - 2. BC Graphics, Complete Print Shop - printing services: \$85,000
 - 3. Shaila Abdulla; PepperTree; Paul Saylor; LP&G; Esser; and Catapult - graphic design services: \$95,000
 - 4. Kelco - water line installation: \$32,974
 - 5. Phoenix Pumps - utility pumps: \$50,000
 - 6. Infosend - utility bill printing and mailing service: \$105,000
 - 7. M.R. Tanner - paving and decorative asphalt: \$49,894
 - 8. Brown Wholesale Electric Co. - traffic equipment: \$27,331
- B. Consideration and possible approval of the FY 2017/18 carry forward budget reallocation of \$34.7million from Contingency Accounts for previously approved projects and other expenses.
- C. Consideration and possible approval of Resolution 1173-17 of the Mayor and Common Council of the Town of Queen Creek, Arizona, authorizing the purchase agreement with Ellsworth and Queen Creek LLC., in the amount not to exceed \$105,000 (including closing and other associated costs) for property located on the northeast corner of Ellsworth Road and Queen Creek Road (also known as a portion of Assessor's Parcel Number 304-62-941A) for the Ellsworth Road and Queen Creek Road intersection project (A0010).

Queen Creek Town Council

December 20, 2017

Page 3

- D. Consideration and possible approval of Resolution 1175-17 of the Mayor and Common Council of the Town of Queen Creek, Arizona, authorizing the purchase agreement with Harvest QC, LLC., in an amount not to exceed \$922,000 (including closing and other associated costs) for property located on Riggs/Combs alignment and lying east and west of old Meridian Road (also known as portions of Assessor's Parcel Numbers 304-92-018 W&Y; 304-92-019 G,U,V & W; 304-92-157 E,F & G; 304-92-237, 238A, 239 and 241; and 304-92-095) for the Riggs Road – Ellsworth Road to Meridian Road project (A0510).
- E. Consideration and possible approval of Resolution 1176-17 of the Mayor and Common Council of the Town of Queen Creek, Arizona, declaring a public need and necessity and a public purpose; authorizing and directing the Town Manager, Town Attorney and Town Clerk to take any and all action necessary; and to sign any and all documents, and to pay any and all costs or fees in order to acquire interest in real property located along Ellsworth Road and along Hunt Highway and also listed on Exhibit A attached hereto, for road improvements as necessary to the Ellsworth Road from Empire Road to Hunt Highway Project (A0208) and Sewer Project (WW062)
- F. Consideration and possible approval of Annexation Ordinance 653-17 extending and increasing the corporate limits of the Town of Queen Creek, Maricopa County, State of Arizona, pursuant to the provisions of A.R.S. §9-471.N by annexing certain County right-of-way contiguous to the existing Town limits, generally described as a portion of Ocotillo Road right-of-way from Power Road to Recker Road, located in Section 13, Township 2 South, Range 7 East, Maricopa County.
- G. Consideration and possible approval of the "Master Plat" of Madera, a request by Communities Southwest, Inc.
- H. Consideration and possible approval of two power distribution easements to be granted to Salt River Project at the Ellsworth and Queen Creek Roads intersection
- I. Consideration and possible approval of the agreement for Emergency Services between the Town of Queen Creek and Rural Metro Fire Department Incorporated.
- J. Consideration and possible approval of a 1st Amendment to the Construction Manager at Risk contract with Achen-Gardner Engineering, LLC, Contract 2017-068, in the amount of \$4,766,238 for the construction of Hunt Highway and Empire Blvd Widening Project, CIP No. A0208, WA140 and WW082; and necessary budget adjustments.
- K. Consideration and possible approval of Work Order #11 and Work Order #12 with AJP Electric, Inc., in an amount not to exceed \$616,986 for construction of two new traffic signals at the intersection of Ellsworth Road and Via de Palmas Road (CIP Project I0060) and the intersection of Hawes Road and Riggs Road (CIP Project I0028) and approval of necessary budget adjustments.
- L. Consideration and possible approval of Work Order No. 3 with Arizona Beeman Drilling under Town of Queen Creek contract No. 2015-016 in an amount not to exceed \$37,705 for Well Abandonment services associated with the Riggs Road, Crismon Road to Meridian Road Improvements, CIP Project (CIP A0510).

Queen Creek Town Council

December 20, 2017

Page 4

M. Consideration and possible approval of a First Amendment to the Professional Services Contract with Sisu Global for Project Management and Engineering Consulting Services as needed with an increase contract spending authority not to exceed \$124,500.

N. Consideration and possible approval of the Mutual Release of Claims in the Savage v. Town of Queen Creek, et al., Pinal County Superior Court, Cause No. S1100 CV-201701166, litigation filed against the Town and Council Members, and others.

5. Items for Discussion: These items are for Council discussion only and no action will be taken. In general, no public comment will be taken. Depending on time remaining, the Council may carryover any agenda item listed prior to the scheduled recess to the reconvened meeting that begins at 7:00p.m.

A. Discussion about Results of 2017 Citizen Survey.

B. Discussion and presentation regarding the Town's upcoming Home Rule (alternative expenditure limitation) renewal.

6. Recess

7. Pledge of Allegiance:

8. Invocation/Moment of Silence:

9. Ceremonial Matters (Presentations, Proclamations, Awards, Guest Introductions and Announcements):

A. Retirement recognition for MCSO Capt. David Munley

B. Great Neighbor Award

10. Public Comments: 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 Community Chambers and turn it in to the Town Clerk prior to the beginning of the meeting. The Town Council may not discuss or take action on any issue raised during public comment until a later meeting. There is a time limit of three (3) minutes for each speaker.

11. 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; CAG. 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. Committee and outside agency reports (only as scheduled)

Queen Creek Town Council

December 20, 2017

Page 5

12. Carryover Consent Agenda Items: Any Consent Agenda item that was pulled for a separate discussion and vote will be heard at this time.

13. Public Hearings Consent Agenda: Prior to consideration of the Public Hearings 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 comment on any item without removing it from the Consent Agenda or remove any item for separate discussion and consideration.

- A. Public Hearing and possible action on Ordinance 657-17 (Case P17-0145 and P17-0110) "Madera", a request from Michelle Yerger, Communities Southwest, Inc. for a Minor General Plan Amendment to reconfigure the project's Commercial and Medium High Density Land Use Classification areas (P17-0145), and a PAD zoning amendment (P17-0110) for the realignment of the R1-5, R1-7 and C-2 zoning district boundaries of the land development plan for approximately 316 acres located on the south side of Queen Creek Road, extending approximately ½ mile between Signal Butte Road and Meridian Road (i.e. Moeur Road).

14. 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.

None.

15. 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.

- A. Consideration and possible approval of establishing the Municipal Arts Commission.

16. Items for Discussion: These items are for Council discussion only and no action will be taken. In general, no public comment will be taken. Any agenda items listed for discussion prior to the scheduled recesses and were postponed will also be discussed at this time.

17. Motion to Adjourn to Executive Session The Council may reconvene the Executive Session for any of the items listed on the Executive Session Agenda.

18. Adjournment

Pursuant to ARS 38-431.02 notice is hereby given to the members of the Queen Creek Town Council and to general public that the Queen Creek Town Council will hold a meeting open to the public as set forth above.

Queen Creek Town Council

December 20, 2017

Page 6

I, Jennifer Robinson, do hereby certify that I caused to be posted this 19th day of December 2017 the Amended Agenda for the December 20, 2017 Regular and Possible Executive Session of the Queen Creek Town Council in the following places: 1) Queen Creek Town Hall; 2) Queen Creek Library; 3) Queen Creek Community Center bulletin board.

Jennifer F. Robinson, MMC

The Town of Queen Creek encourages the participation of disabled individuals in the services, activities, and programs provided by the Town. Individuals with disabilities who require reasonable accommodations in order to participate should contact the Town Clerk's office at (480) 358-3000.