



AGENDA

**Regular and Possible Executive Session
Queen Creek Town Council**

Community Chambers, 20727 E. Civic Parkway

November 7, 2018

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. **Pledge of Allegiance:**
4. **Invocation/Moment of Silence:**
5. **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 attorney and representatives to consider the Town's position and instruct its representatives regarding a possible pre-annexation development agreement with Anglin Dairy/Madera West. A.R.S. 38-431.03(A)(3) & (4)
 - B. 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 a possible development agreement for West Park regarding road improvements. A.R.S. 38-431.03(A)(3) & (4)
 - C. 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)

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- D. Discussion and consultation with the Town's attorney for legal advice and with the Town's representatives regarding the Arizona Corporation Commission actions related to Johnson Utilities. A.R.S. 38-431.03(A)(3) & (4)
- E. Discussion and consultation with the Town's attorney for legal advice and with the Town attorney and representatives to consider the Town's position and instruct its attorneys regarding a pending lawsuit: Johnson Utilities vs. Town of Queen Creek. A.R.S. 38-431.03(A)(3) & (4)

6. 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 the following minutes: October 3, 2018 Regular Session and October 17, 2018 Regular Session.
- B. Consideration and possible approval of Expenditures Over \$25,000. (FY 19 Budgeted Item)
 - 1. M.R. Tanner - pavement repair: \$277,627 (Public Works)
 - 2. Larry Miller Toyota - three replacement trucks: \$93,000 (Utilities)
 - 3. Empire - heavy equipment rental: \$50,000 (Utilities)
- C. Consideration and possible approval of the "Final Plat" of West Park Estates, a request by Falcon Pointe Group LLC.
- D. Consideration and possible approval of the Special Event Liquor License for the Mexican Rodeo scheduled on December 15, 2018 at Horseshoe Park & Equestrian Centre.
- E. Consideration and possible approval of a special event liquor license for the Queen Creek Holiday Festival & Parade in Town Center on December 1, 2018.
- F. Consideration and possible approval of Resolution 1237-18 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 at 6079 W. Hunt Highway (also known as Pinal County Assessor Number 509-04-080) from owners Dale A. Bell and Marylee Bell for road improvements as necessary to the Ellsworth Road from Empire Road to Hunt Highway Project (A0208).
- G. Consideration and possible approval of the Job Order Contracts with Hylan West, Inc., All American Underground and High Desert Communications for boring services. (FY 19 Budgeted Item)
- H. Consideration and possible approval of a long term lease of premises located at 22407 South Ellsworth Road with AZ Aspire Academy.

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- I. Consideration and possible approval of the First Amendment to Contract #2016-066 with PBC Phoenix Inc., dba Commercial Cleaning Services (CCS) for custodial cleaning services. (FY19/20 Budgeted item).
- J. Consideration and possible approval of an agreement with Salt River Project for conversion of overhead electrical distribution facilities along Queen Creek Road east of Ellsworth Road (CIP No. I0010) and the use of SRP Aesthetic Funds in the amount of \$142,100.
- K. Consideration and possible approval of a Project Order No. 002 to the on-call contract with EPS Group in an amount not to exceed \$639,409 for the engineering design of street, drainage, and utility related improvements to widen and improve Ocotillo Road between Signal Butte Road and Ironwood Road (CIP Project A0115) and necessary budget adjustments. (FY19 Budgeted Item)
- L. Consideration and possible approval of an Intergovernmental Agreement (IGA) with Maricopa County in an amount not to exceed \$2,005,191 for improvements to Ocotillo Road from 228th Street to Meridian Road.
- M. Consideration and possible approval of a Project Order in the amount of \$77,574 with Logan Simpson Design for preliminary design of the Sonoqui Wash trail (Project # TE200) (FY2019 budgeted item)
- N. Consideration and possible approval of a professional services agreement with Stantec Consulting Services in an amount not to exceed \$1,580,500 for design of Power Road from Brooks Farm to Chandler Heights Road (CIP Project A1404, WA126) and Chandler Heights Rd from Via Del Arroyo to Recker Road. (CIP Project A0603, WA166, WW090, A0604, WA196, A0605) and necessary budget adjustments.
- O. Consideration and possible approval of a proposal in an amount not to exceed \$320,045 with MR Tanner to construct the Hawes Road ½-street adjacent to Creek View Ranches (A0402) via City of Chandler Cooperative Contract Number ST5-745-3434 and necessary budget adjustments. (Budgeted in FY 2019)

7. 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 discussion agenda item to #15.

A. Presentation by Canyon State Academy.

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

A. Award Recognition to Environmental Services/Solid Waste Division for the 2018 Municipality of the Year Award for Recycling Excellence for the Town's "Shut Your Lid/Do More Blue" education and outreach program.

B. Award Recognition to Dennis Tan, Champion Youth Weightlifter

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- 9. 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.
- 10. 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)
- 11. Carryover Consent Agenda Items:** Any Consent Agenda item that was pulled for a separate discussion and vote will be heard at this time.
- 12. 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 682-18 “Madera West Planned Area Development Rezone (Case P18-0041)”, a request from Michelle Yerger, of Communities Southwest, to rezone a 94-acre property (approximately) from RU-43 (Maricopa County; R1-43 Town equivalent zoning) to R1-7, R1-12, R1-18, and C-2 with a Planned Area Development (PAD) Overlay to facilitate the development of a 192 lot residential community with a commercial corner. The project site is located at the southwest corner of Queen Creek Road and Signal Butte Road. (An indefinite continuance has been requested by applicant)
 - B. Consideration and possible action on Ordinance 677-18, P18-0034 “Complete Fire Protection”, a request from Les Partch, Functional Formation Architecture, to rezone from R1-43 (Rural Estate District) to EMP-A (Office/Industrial Park) for office and warehouse uses on a 5.0-acre (approx.) site located on the south side of Germann Road, 1,315 feet (approx.) east of Sossaman Road.
- 13. 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.

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- A. Discussion and possible action on Ordinance 683-18, Ordinance 684-18, Ordinance 685-18, Ordinance 686-18, Ordinance 687-18, Ordinance 688-18, “Town Center Rezone” (Case P18-0135) a staff initiated rezone and text amendments to amend the Town Center (TC) Zoning District to allow greater zoning flexibility by establishing the new Downtown Core (DC) District of Queen Creek on approximately 70 acres located between S. Ellsworth Loop Rd. and S. Ellsworth Rd. from E. Victoria Lane to the intersection of S. Ellsworth Rd. and S. Ellsworth Loop Rd.
- B. Discussion and possible action on Ordinance 689-18, “Town Center Rezone” (Case P18-0135), a staff initiated rezone and text amendments to amend the Town Center (TC) Zoning District to allow greater zoning flexibility by establishing the new Downtown Core (DC) District of Queen Creek on approximately 70 acres located between S. Ellsworth Loop Rd. and S. Ellsworth Rd. from E. Victoria Lane to the intersection of S. Ellsworth Rd. and S. Ellsworth Loop Rd.

14. 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 an Intergovernmental Agreement with the City of Mesa for the design and construction of Signal Butte Road from Germann to State Route 24 estimated at \$7.1 million and acceptance of terms for the design and construction of Meridian Road from Germann to State Route 24 and necessary budget adjustments.

15. 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 under #7 and were postponed may also be discussed at this time.

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

17. Adjournment

Pursuant to A.R.S. 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.

I, Jennifer Robinson, do hereby certify that I caused to be posted this 29th day of October 2018 the Agenda for the November 7, 2018 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

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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.