



AGENDA

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

Community Chambers, 20727 E. Civic Parkway
December 17, 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 representatives regarding the Arizona Corporation Commission actions related to Johnson Utilities. A.R.S. 38-431.03(A)(3) & (4)
 - B. 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)
 - C. 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)
 - D. Discussion and consultation with the Town's attorney for legal advice and with the Town's representatives regarding the potential use and/or sale of Groundwater Extinguishment Credits to meet the groundwater replenishment obligations required under the Arizona groundwater Management Act. A.R.S. 38-431.03(A)(3) & (4)

Queen Creek Town Council

December 17, 2018

Page 2

- E. 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 a development agreement for the Town-owned property at the SWC of Ellsworth & Rittenhouse Roads. 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 Expenditures over \$25,000. (FY19 budgeted items)
 - 1. Southwest Slurry Seal - road surface seal: \$628,183 (Public Works)
 - 2. DBA Construction, Inc. - bridge deck resurfacing: \$77,565 (Public Works)
 - 3. Franklin Striping, Inc. - pavement markings: \$100,000 (Public Works)
 - 4. MR Tanner - asphalt paving services: \$221,103 (Public Works)
- B. Consideration and possible approval of Second Amendment to the New Cingular Wireless PCS, LLC lease of premises located at Horseshoe Park and Equestrian Centre.
- C. Consideration and possible approval of the Third Amendment to the Intergovernmental Agreement with the Town Of Gilbert for Municipal Court, Judicial and Prosecutorial Services to extend the term for another five years.
- D. Consideration and possible approval of a Construction Services Contract with Rummel Construction, Inc., in an amount not to exceed \$129,224 for erosion repairs and gabions basket along the Sonoqui Wash, west of Sossaman Road (Project # D0200) and necessary budget adjustment. (This is not a FY19 budgeted Item)
- E. Consideration and possible approval of a revised Annual Expenditure Limitation Report for fiscal year 2016-17, and Resolution 1244-18 adjustments to the alternative expenditure limitation of the Town for fiscal year 2016-17.
- F. Consideration and possible approval of FY17/18 budget adjustments to allow completion of the Town's FY17/18 audited financial statements.
- G. Consideration and possible approval of FY18/19 mid-year budget amendments totaling \$5,610,076 in expenditures and increases to revenues of \$7,292,379.
- H. Consideration and possible approval and adoption of Resolution No. 1238-18 authorizing the Town Manager and/or Department Director to sign contracts or agreements related to the construction of certain Water and Wastewater Projects necessary for system redundancy, to facilitate system interconnect opportunities, and Resolution No. 1247-18 adjusting the alternative expenditure limitation for FY 2018-19 and authorizing any necessary budget adjustments.
- I. Consideration and possible approval of Resolution 1243-18 accepting a donation of Real Property from Barney Farms I, LLC for the use and benefit to the Town for the Queen Creek and Signal Butte Intersection and Roadway Improvement project as well as Fire Station # 4 and Queen Creek Sports Complex.

Queen Creek Town Council

December 17, 2018

Page 3

- J. Consideration and possible approval of a second amendment to the purchase agreement with Queen Creek Hospitality Group, LLC, for an extension of the close of escrow until January 23, 2019, for the Town owned land located on the SWC of Ellsworth and Rittenhouse Roads.

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. Discussion on the Parks and Recreation Advisory Committee (PRAC) recommendation to increase sport field rental fees.

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

- A. Proclamation: Speak Up, Stand Up, Save a Life Month
- B. Recognition of Firefighter Dallas Pardo on his return from deployment to Guantanamo Bay

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.

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.

Queen Creek Town Council

December 17, 2018

Page 4

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 \$12 million and acceptance of terms for the design and construction of Meridian Road from Germann to State Route 24 and necessary budget adjustments.
- B. Consideration and possible approval of a Purchase Agreement for the Acquisition of Groundwater Extinguishment Credits, Purchase Agreement for the Acquisition of Surface Water Rights, Resolution 1245-18 declaring the Town's official intent to be reimbursed for expenditures related to the purchase and acquisition of Groundwater Extinguishment Credits and Surface Water Rights, and Resolution 1246-18 adjusting the Alternative Expenditure Limitation for FY2018-19 and authorizing any 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 13th day of December 2018 the Agenda for the December 17, 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

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.