



AGENDA

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

Community Chambers, 20727 E. Civic Parkway
February 6, 2019
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 attorneys for legal advice and with the Town's attorneys and representatives to consider the Town's position and to instruct the Town's attorneys and representatives regarding contracts and agreements related to the Town's acquisition of water rights. 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 representatives regarding the Arizona Corporation Commission actions related to Johnson Utilities. 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 the pending lawsuit(s): Johnson Utilities vs. Town of Queen Creek. A.R.S. 38-431.03(A)(3) & (4)

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- 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)
- E. Discussion and consultation with the Town's representatives to consider the Town's position and instruct its representatives regarding acquisition of real property related to the southeast park. A.R.S. 38-431.03(A)(7)
- F. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorney and Town's representatives to consider the Town's position and instruct its representatives regarding the Town-owned property at the SWC of Ellsworth & Rittenhouse Roads. A.R.S. 38-431.03(A)(3) & (4)
- G. Discussion and consultation with the Town's attorneys for legal advice relating to development impact fees and utility fees. A.R.S. 38-431.03(A)(3)

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 December 17, 2018 and January 16, 2019 Regular Session Minutes.
- B. Consideration and possible approval of Expenditures over \$25,000. (FY19 budgeted items)
 - 1. PBC Phoenix, Inc. - custodial services: \$140,000 (Public Works)
 - 2. Courtesy Chevrolet - three (3) light duty trucks: \$105,000 (Public Works)
- C. Consideration and possible approval of the "Final Plat" of The Shops at Terravella, a request by Ellsworth Road and Queen Creek Road LLC & ALDI (Arizona) LLC.
- D. Consideration and possible approval of the "Final Plat" of Malone Place Parke Parcel I, a request by JB Holdings Inc.
- E. Consideration and possible approval of a Professional Services Contract with Clear Creek Associates in an amount not to exceed \$233,937 for the completion of a Recharge Capacity Assessment and Underground Storage Facility, Water Storage and Aquifer Protection Permitting at or near the Frisbee Park and Encanterra sites. (FY 19 budgeted item)
- F. Consideration and possible approval of the Purchase Agreement with SD Crane (State Cooperative Contract #ADSP017-174291) with a contract amount not to exceed \$95,180 plus an additional \$9,518 for owner's contingency for the construction of remaining tenant improvements to the Utilities Field Operations Facility for a total not to exceed \$104,698. (FY 19 Budgeted Item)

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- G. Consideration and possible approval through the National Cooperative Purchasing Alliance with CompuNet for cloud collaboration and storage services, and integrated media solutions to include audio/visual equipment, installation, support, and services and for an initial purchase not to exceed \$32,994 plus an additional \$3,500 for contingency for a refresh of audio/visual equipment for the Arroyo conference/training room.
 - H. Consideration and possible approval of the amendment to the Intergovernmental Agreement between Queen Creek County Island Fire District and the Town of Queen Creek for the provision of providing fire protection services
 - I. Consideration and possible approval of a Cooperative Purchase Agreement with Makinen Professional Services (MakPro Services, LLC) for public information and public outreach services in the Town's Transportation Capital Improvements Program, in amount not to exceed \$100,000. (FY18/19 budgeted)
 - J. Consideration and possible approval of an on-call project order with Dibble Engineering in the amount of \$394,565 for the Town Center Infrastructure Design Engineering Services.
 - K. Consideration and possible approval of Resolution 1251-19 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 the northeast corner and the northwest corner of Crismon Road and Germann Road, also known as Maricopa County Assessor's Numbers 304-63-006 L&N from owners Williams Gateway Land Investors LP and Gateway Farms LP , et al; and 304-62-002 A&B from owner Harris Cattle Co. for intersection improvements as necessary to the Crismon Road – Queen Creek Road to Germann Road Project (A0702).
 - L. Consideration and possible action to re-appoint Mayor Barney to the East Valley Partnership Economic Development/Aviation and Aerospace Committee and Council Member Brown to the Transportation Committee.
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 regarding outstanding policy issues necessary to complete the update to the Town's impact and capacity fees and water and wastewater rates.
 - B. Discussion and presentation on 2018 annual law enforcement update.
8. **Ceremonial Matters (Presentations, Proclamations, Awards, Guest Introductions and Announcements):**
- A. Introduction of Fire Academy Recruits

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- B. Presentation of Arizona Planning Association "Best General Plan 2018" Award
- C. Presentation of Arizona Planning Association "Best Public Outreach on 2018 General Plan Update" Award
- D. Presentation of the Accredited Economic Development Organization through IEDC
- E. Five-Year Service Award - Debra Kuffner
- F. Proclamation: Go Red for Women Month - February 2019

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)

A. Transportation Advisory Committee - January 17, 2019

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.

None.

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.

None.

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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. Discussion and possible approval of Resolution 1252-19 providing for the sale of subordinate lien excise tax and state shared revenue obligations evidencing proportionate interests in installment payments pursuant to a purchase agreement; authorizing with respect thereto necessary agreements; delegating certain authority; and declaring an emergency.

B. Discussion and possible approval of Resolution 1248-19 accepting the Town's Fiscal Year 2017-18 financial statements and audit reports.

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 28th day of January 2019 the Agenda for the February 6, 2019 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.