



AGENDA

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

Community Chambers, 20727 E. Civic Parkway

March 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 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 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 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)

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. Water Movers - pump and equipment rental: \$25,000 (Utilities)
 - 2. Dana Kepner - meters, meter fittings and services for water: \$300,000 (Utilities)
 - 3. Southwest Waterworks - well maintenance and repairs: \$250,000 (Utilities)
 - 4. Sentinel Technologies - network equipment: \$134,000 (Various)
 - 5. BPG Technologies - fiber to Desert Mountain Park: \$50,000 (Workforce/Technology)
- B. Consideration and possible approval of Resolution 1253-19 creating new Street Light Improvement District Number 103 (No. 2019-001) for Hastings Farms Parcel F and Resolution 1254-19 creating new Street Light Improvement District Number 104 (No. 2019-002) for Hastings Farms Parcel G.
- C. Consideration and possible approval of the "Final Plat" of Malone Place Parke Parcel 3, a request by JB Holdings Inc.
- D. Consideration and possible approval of a long term lease of premises located at 22407 South Ellsworth Road with AZ Aspire Academy.
- E. Consideration and possible approval of an Intergovernmental Agreement with Maricopa County for design and construction of Ocotillo Road from 228th Street to Meridian Road in an amount not to exceed \$1,002,596. (This is a budgeted item)
- F. Consideration and possible approval of Resolution 1254-19 for the Third Amendment to the purchase agreement with Queen Creek Hospitality Group, LLC, for an extension of the close of escrow until May 24, 2019 and a reduction in the amount of Town-owned land to be sold on the northwest corner of Ellsworth and Maya Roads.
- G. Consideration and possible approval of Resolution 1255-19 authorizing the Purchase Agreement with Ryu Enterprises 1968, LLC for the sale of Town-owned property located north of the northwest corner of Ellsworth Road and Ocotillo Road for \$12,360.
- H. Consideration and possible action on Ordinance 691-19, Case P18-0167 "Ranchos Legante Annexation", a proposed annexation of Maricopa County parcels totaling approximately 71.79 acres, generally located at the southwest corner of Ellsworth and Riggs Roads.

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- 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.

None.

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

None.

- 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)

1. Economic Development Commission - February 28, 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.

A. Public Hearing and possible action on "Dutch Brothers Coffee Shop" Conditional Use Permit (P18-0136) and Site Plan (P18-0137), a request by Matthew Rasmussen (Tectonics Design Group) for a Conditional Use Permit and Site Plan to allow construction of a new coffee shop with a drive-thru within the Shops at Terravella, located east of the northeast corner of Ellsworth and Queen Creek roads. (*A continuance to April 3, 2019 is requested*)

B. Public Hearing and possible action on Ordinance 692-19, P18-0166 "Ranchos Legante PAD", a request from Sean Lake, Pew and Lake PLC, to Rezone from R1-43 to R1-12/PAD for a 116 lot subdivision on approximately 58.52 acres located at the southwest corner of Ellsworth and Riggs Roads.

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- 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.

- 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 amendments to the Town's Procurement Policy to increase the single-project limit for projects awarded under a job-order contract from \$1 million to \$3 million. Town Council approval would still be required for individual job orders as provided in the Town Procurement Policy.
- B. Consideration and possible approval of a Job Order with B&F Contracting for the construction of the Power Road Lining Rehabilitation Project (WW070) in an amount not to exceed \$1,493,778; 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.

None.

- 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 25th day of February 2019 the Agenda for the March 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.