



AGENDA

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

Community Chambers, 20727 E. Civic Parkway
July 17, 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 at any time during the Council Meeting 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).

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. **Ceremonial Matters (Presentations, Proclamations, Awards, Guest Introductions and Announcements):**
 - A. Recognition of Senator David Farnsworth and Representative Warren Petersen for representing the Town of Queen Creek during the 2019 Legislative Session.
 - B. Proclamation: Parks & Recreation Month
 - C. Eagle Scout Recognition - Aidan Simpson
6. **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)

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A. Economic Development Commission - June 26, 2019

7. 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.

8. 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 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)
- 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)
- D. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorney and Town's representatives regarding a Purchase and Sale Agreement between Banner Health Foundation and the Town for the purchase of real property consisting of approximately three (3) acres for the construction of Fire Station #5. A.R.S. 38-431.03(A)(3), (4) & (7)
- E. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorney and Town's representatives regarding potential water rights agreements. 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 Town's representatives regarding potential litigation of the southeast corner of Ocotillo and Ellsworth Loop Roads . A.R.S. 38-431.03(A)(3)
- G. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorney and Town's representatives regarding the abandonment of Appleby Road right-of-way. A.R.S. 38-431.03(A)(3) & (4)
- H. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorney and Town's representatives regarding the purchase of SRP streetlights. A.R.S. 38-431.03(A)(3) & (4)

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- I. 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 a potential model ordinance pertaining to Hemp as a result of recent state legislation. A.R.S. 38-431.03(A)(3)

9. 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.

- A. Consideration and possible approval of the May 15, 2019 Regular and Special Session Minutes.
- B. Consideration and Possible Approval of Expenditures Over \$25,000. (FY20 Budgeted Items)
 1. Forklift Exchange (JCB) - forklift: \$33,108 (Utilities)
 2. League of Arizona Cities & Towns - FY20 annual membership dues: \$25,459 (Town Manager)
 3. Dana Kepner - meters, MXU's & fittings: \$909,591 (Utilities)
 4. IES Commercial Inc., - as needed contract cabling service: \$100,000 (Workforce & Technology)
 5. Ace Asphalt - parking lot/roadway maintenance: \$100,000 (Public Works/HURF)
- C. Consideration and possible approval of the "Final Plat" for the Pecans Phase 6 (Pecan Lights III), a request by the Pecans of Queen Creek, LLC.
- D. Consideration and possible approval of the "Map of Dedication" for Ellsworth Road Right-of-Way, a request by Sanman LLC.
- E. Consideration and possible approval of the "Map of Dedication" for Germann Road Right-of-Way, a request by Complete Development Corporation.
- F. Consideration and possible approval of the Economic Development Commission Work Plan for FY19-20.
- G. Consideration and possible approval of the reappointment of Dru Alberti, Daniel Babcock, Adam NeVille, Michael Shirley and Sylvia Tarin to the Parks and Recreation Advisory Committee (PRAC).
- H. Consideration and possible approval of the appointment of Eduardo Balli and Cindy Barnes and re-appointment of Spencer Hale and Susan Denton to the Transportation Advisory Committee.
- I. Consideration and possible approval of a lease with Verizon Wireless LLC at Desert Mountain Park for a cell tower and equipment compound.
- J. Consideration and possible approval of Third Amendment to the New Cingular Wireless PCS, LLC lease of premises located at Horseshoe Park and Equestrian Centre.

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- K. Consideration and possible approval of an on-call project order with Sunrise Engineering in an amount not to exceed \$139,900 for Civil Engineering Plan Review services for the Development Services Engineering Division.
- L. Consideration and possible approval of the First Amendment to the agreement for law enforcement service between the Town of Queen Creek and Maricopa County Sheriff's Office to authorize a credit in the amount of \$347,338 to the Town.
- M. Consideration and possible approval of a Professional Services Contract with Clear Creek Associates in an amount not to exceed \$180,133 for the completion of a Recharge Capacity Assessment and Underground Storage Facility, Water Storage and Aquifer Protection Permitting for a Roosevelt Water Conservation District Storage basin; and necessary budget adjustment.
- N. Consideration and possible approval of a Cooperative Purchase Agreement with Thirkettle Corporation dba Utiliuse, through the Houston-Galveston Area Council of Governments (HGAC) national contract WM08-18 for Water Meter Replacement Services in an amount not to exceed \$939,206. (FY 20 Budgeted Item)
- O. Consideration and possible approval of a Professional Services Contract with Jacobs Engineering Group in an amount not to exceed \$110,000 for Water Resources Consulting for long-term water resource strategy development; and necessary budget adjustment.
- P. Consideration and possible approval of an On-Call Project Order with Dibble Engineering in an amount not to exceed \$253,422 for Engineering Services for the design of Meridian Road Water and Sewer lines from Germann Road to SR 24 Alignment (WA257 & WW257); and necessary budget adjustments.
- Q. Consideration and possible approval of a Cooperative Purchase Agreement with InfoSend, Inc. through Prescott Valley Contract #INF20170303, for utility billing services in an amount not to exceed \$180,000. (FY19/20 budgeted item)
- R. Consideration and possible approval of Work Order #18 with AJP Electric, Inc. through a Maricopa County Department of Transportation Contract 2015-27 in an amount not to exceed \$48,648 for replacement of underground wiring and other related equipment items to repair the traffic signal on Ironwood and Germann Roads. (FY 2020 budgeted item)
- S. Consideration and possible approval of a Cooperative Purchase Agreement with EarthCare Consultants, LLC through City of Mesa Contract #2019051 for dust suppression product and application in the amount not to exceed \$50,000.
- T. Consideration and possible approval of a Cooperative Purchase Agreement with Fluoresco Services through City of Goodyear Contract #CON-17-3876-A1 in and amount not to exceed \$150,000. (FY 2020 budgeted item)

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- U. Consideration and possible approval of a Cooperative Purchase Agreement with Hillyard, Inc. through Mohave Educational Contract # 19A-Hill-0601 to purchase janitorial supplies and equipment products as needed in an amount not to exceed \$59,650. (FY 20 Budgeted Item)
- V. Consideration and possible approval of the Second Amendment to Town Contract #2016-066 with PBC Phoenix Inc., dba Commercial Cleaning Services (CCS). (FY 19/20 budgeted item)
- W. Consideration and possible approval of a power distribution easement to be granted to Salt River Project on Gary Road between Empire Boulevard and Riggs Road.
- X. Consideration and possible approval of a contract with Salt River Project in an amount not to exceed \$815,000 for the purchase of streetlights.
- Y. Consideration and possible approval of a Project Order for T.Y. Lin International in an amount not to exceed \$18,050 for supplemental post-design services for CIP Project No. 10010 and the necessary budget adjustments.
- Z. Consideration and possible approval of Resolution 1264-19 Modifying Assessment No. 20.01.01.01 and 20.01.01.03 for Improvement District No. 001 of the Town of Queen Creek, Arizona.
- AA. Consideration and possible approval of Resolution 1274-19 affirming and approving changes to the Financial Policies and Governing Guidance included with the FY 2019/20 Budget.
- AB. Consideration and possible approval of Resolution 1271-19 of the Mayor and Common Council of the Town of Queen Creek, Arizona declaring that certain right-of-way located within the Town of Queen Creek and described as a portion of Appleby Road right-of-way is no longer necessary for public use as a roadway; and vacating said right-of-way abandoned, subject to reservation of a public use easement.
- AC. Consideration and possible approval of Resolution 1273-19 of the Mayor and Common Council of the Town of Queen Creek, Arizona, declaring a 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 and/or personal property located along Queen Creek Road in sections 11, 12, 13 and 14, township 2 south, range 7 east, from owners and Maricopa assessor parcels listed on exhibit A attached hereto and their successors in interest through gift, purchase, or eminent domain and identifying the real and personal property as necessary for roadway improvements for the Queen Creek Road: Ellsworth Road to Signal Butte Road Phase I Project (A1002).
- AD. Consideration and possible approval of Delegation Resolution 1278-19 in an amount not to exceed \$396,000 for the Cloud Road Drainage Project (this is a FY 2019/20 budgeted Item and Phase II of Project #D0004).

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AE. Consideration and possible approval of Ordinance 703-19 (Case P18-0171) "Rittenhouse and Sossaman Annexation", a proposed annexation of one parcel totaling approximately 10 acres, located approximately 657 feet east of the southeast corner of Rittenhouse and Sossaman Roads.

AF. Consideration and possible approval of Ordinance 704-19 to join Valley Metro Regional Public Transportation Authority.

10. Items for Discussion: These items are for Council discussion only and no action will be taken. In general, no public comment will be taken.

A. Discussion of the Town's involvement on CCN deletions for vacant lands at the Arizona Corporation Commission Hearing on July 22, 2019.

11. Public Hearing Consent Agenda: Matters listed under the Public Hearing Consent Agenda are considered to be routine and will be enacted by one motion and one vote. If you wish to speak to the Council on an item listed on the Public Hearing Consent Agenda, 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. Public Hearing and possible approval of a new Series 10 Beer and Wine Store license application submitted by Theresa June Morse on behalf of Pizza Hut #35867, 7507 S. Power Rd, #106, Queen Creek, AZ 85142. (Power Marketplace)

B. Public Hearing and possible approval of a new Series 10 Beer and Wine Store license application submitted by Theresa June Morse on behalf of Pizza Hut #35870, 21258 E. Rittenhouse Rd., #101, Queen Creek, AZ 85142.

C. Public Hearing for Annexation P19-0044 NEC Ellsworth & Riggs Annexation, a proposed annexation of Maricopa County parcels totaling approximately 40 acres, generally located at the northeast corner of Ellsworth and Riggs Roads.

12. 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.

A. Public Hearing for "Arizona State Land Annexation" (Case P19-0115), a proposed annexation of approximately 4,136 acres of State Trust Land generally bounded by Germann Road to the south, approximately 745 feet east of Meridian Road to the West, approximately 2,920 feet north of Pecos Road to the north, and the CAP canal to the east.

13. 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.

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- A. Discussion and possible approval of Resolution 1271-19 adopting the Land Use Assumptions (LUA) and Infrastructure Improvement Plan (IIP) to be used as the basis for the 2019 Development Fee Update; issuing a Notice of Intent to Assess Development Fees; and setting a Public Hearing for the Impact Fee Schedule on September 4, 2019.

14. 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 8th day of July 2019 the Agenda for the July 17, 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.