



AGENDA

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

Community Chambers, 20727 E. Civic Parkway
August 7, 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 Representative Travis Grantham for representing the Town of Queen Creek during the 2019 Legislative Session.
- B. Recognition of Jennie Martinez of Queen Creek, for representing the State of Arizona at the National High School Finals Rodeo in Rock Springs, Wyoming.
- C. Recognition of Queen Creek High School Thespians.
- D. Recognition of Queen Creek Little League teams for placing 1st & 3rd in the Arizona State Tournament.
- E. Recognition of the Town's "Telly Award" for Town recruitment videos.
- F. Proclamation: Drowning Impact Awareness Month - August 2019

6. Committee Reports:

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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)

None.

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 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)

B. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of the public body. This is regarding the appointment of a Town Clerk. (A.R.S. 38-431.03(A)(1).

C. 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)

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 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)

F. 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)

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G. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorney and Town's representatives regarding a possible pre-annexation development agreement with Empire Pointe. A.R.S. 38-431.03(A)(3) & (4)

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 June 5, 2019 Regular Session Minutes.

B. Consideration and Possible Approval of Expenditures Over \$25,000. (FY20 Budgeted Items)

1. Fulton Homes - water extinguishment credits: \$198,098 (Utilities)
2. Corporate Interior Systems, Inc. - Utility Field Operations Facility office furniture: \$29,000 (Utilities)
3. Motorola Solutions - digital portable radios: \$61,136 (Fire & Medical)

C. Consideration and possible approval of FY 2019/20 budget amendments to increase state-shared revenue estimates by \$432,446 (due to final state budget appropriations pertaining to the Highway User Revenue Fund); amend CIP and debt funding transfers; and decrease debt service expenses by \$1.25 million, with an offsetting increase to contingency in the CIP budget resulting in no change to the overall expenditure budget.

D. Consideration and possible approval of the "Final Plat" for Madera Phase 1A & 1B, a request by QC320 Residential Land I LP.

E. Consideration and possible approval of a Third Amendment to the Professional Services Contract with Sisu Global for project management and engineering consulting services increasing the total contract amount by \$198,700 for a total amended contract not to exceed \$500,000; and necessary carry-forward budget adjustment.

F. Consideration and possible approval of Change Order No. 2 to the construction contract, 2018-026, with DCS Contracting in an amount not to exceed \$196,855 for re-alignment and bore depth changes to the Mesa gas line utility installed with the Riggs Road Improvements between Crismon Road and Meridian Road, (CIP A0510, CP0223) and the necessary budget adjustments.

G. Consideration and possible approval of a Cooperative Purchase Agreement with Holbrook Asphalt Company through City of Goodyear contract #CON-16-3332-A4 for pavement preservation work in an amount not to exceed \$715,000. (FY20 Budgeted Item)

H. Consideration and possible approval of Resolution 1275-19 and the Capacity Fee Agreement with Lennar Arizona, LLC, Ashton Woods Arizona, LLC, CND - The Parks, LLC and Starlight Homes Arizona, LLC, developers of The Parks subdivision addressing certain related issues under an existing Master Utility Agreement.

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- I. Consideration and possible approval of Ordinance 706-19 (Case P19-0115) "Arizona State Land Annexation", a proposed annexation of approximately 4,150 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.
- J. Consideration and possible approval of Resolution 1279-19 "Expanding General Plan Planning Area Boundary", a proposed expansion of the Town's General Plan Planning Boundary for approximately 598 acres of State Trust Land generally bounded by Germann Road to the north, Schnepf Road extended to the west, Queen Creek Road extended to the south, and the CAP Canal to the east.
- K. Consideration and possible approval of updated Public Park Rules and Regulations related to electric scooters.
- L. Consideration and possible approval of Ordinance 702-19 amending the adopted Water and Wastewater Capacity Charges, declaring an emergency, and establishing an effective date of August 8, 2019.

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 on the Town's Certified Autism Designation for the Town's Parks & Recreation Department.

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 action on Ordinance 707-19, P19-0084 Zoning Ordinance Text Amendments, a request for Zoning Ordinance Text Amendments addressing fencing standards, animal standards, and general code corrections.

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 and possible action on Arizona State Land Department Specific Plan Ordinance 705-19 (Case P19-0101), a request by the Arizona State Land Department for approval of a Specific Plan for approximately 4,150 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.

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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.

- A. Consideration and possible approval of a Purchase Agreement between the Town of Queen Creek and the Banner Health Foundation for the purchase of three-acres of land located west of the southwest corner of Combs and Gantzel Roads for a future permanent fire station location in an amount not to exceed \$1,090,000 (land cost of \$1,078,000 plus estimated escrow/closing costs of \$12,000) and authorizing the Town Manager to execute the required documents and necessary budget adjustments.
- B. Consideration and possible approval of a Delegation Resolution 1280-19 for the Rittenhouse Road project in an amount not to exceed \$15,913,771 for all associated contracts, agreements and land purchase required to complete proposed construction improvements between 213th Street and Riggs Road, Projects A0306, A0307 and WA119 (FY 2018/19 Carry forward, FY 2019/20 Current Budget and Contingency) and all associated budget transfers.
- C. Discussion and possible action on the Town's support for the 2019 League of Arizona Cities and Towns proposed Resolutions.

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 29th day of July 2019 the Agenda for the August 7, 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.