



Minutes
Regular and Special Session
Queen Creek Town Council
Community Chambers, 20727 E. Civic Parkway
May 15, 2019
5:30 PM

1. Call to Order:

The meeting was called to order at 5:30pm.

2. Roll Call: (one or more members of the Council may participate by telephone)

Jeff Brown	Council Member	Present
Jake Hoffman	Council Member	Present
Dawn Oliphant	Council Member	Present – arrived at 6:04pm.
Emilena Turley	Council Member	Present
Julia Wheatley	Council Member	Present
Robin Benning	Vice Mayor	Present
Gail Barney	Mayor	Absent

3. Pledge of Allegiance:

Led by Council Member Turley.

4. Invocation/Moment of Silence:

A moment of silence was observed.

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

- A. Recognition of Kimberly Key, Parks & Recreation employee, for her lifesaving CPR actions.

Deputy Assistant Chief Andy Marlar commended Kimberly on her quick recognition of an emergency situation and action to perform CPR at the Recreation Annex.

Vice Mayor Benning provided comments on the following proclamations:

- B. Proclamation: Police Week May 12-18
- C. Proclamation: Infrastructure Week May 13-20

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D. Proclamation: Public Works Week May 19-25

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.

See attached report.

B. Committee and outside agency reports (only as scheduled)

A. Transportation Advisory Committee - May 9, 2019: Council Member Turley reported on the Committee's review of the impact/capacity fees relative to transportation and a presentation on the conceptual design of the agritainment district. Staff provided updates on CIP projects, events and 2020 Work plan.

B. Parks & Recreation Advisory Committee - May 14, 2019: Council Member Wheatley reported on the discussion and review of the Sonoqui Wash Trail design concepts; impact/capacity fees and updates on league programs.

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.

None.

8. Motion to Adjourn into Executive Session (to be held in the Ironwood Conference Room in the Community Chambers Building) for the following purposes):

RESULT:	Approved unanimously (5-0)
MOVER:	Council Member Wheatley
SECONDER:	Council Member Hoffman
AYES:	Wheatley, Benning, Brown, Turley, Hoffman
ABSENT:	Oliphant, Barney

A. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorney and Town's representatives regarding a pre-annexation development agreement for the northeast corner of Ellsworth and Riggs Roads. A.R.S. 38-431.03(A)(3) & (4)

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- B. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorney and Town's representatives regarding reimbursements of impact fee assessments. 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's attorney and Town's representatives regarding a potential Intergovernmental Agreement(s) with the Town of Gilbert for cooperative effluent discharge, infrastructure lease, and groundwater credit exchange. 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 Arizona Corporation Commission actions related to Johnson Utilities. 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 and with the Town's representatives regarding annexations and providing utility services. A.R.S. 38-431.03(A)(3) & (4)

The Regular Session reconvened at 7:10pm.

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.

MOTION:	To approve the Consent Agenda as presented:
RESULT:	Approved unanimously (6-0)
MOVER:	Council Member Turley
SECONDER:	Council Member Brown
AYES:	Wheatley, Benning, Brown, Oliphant, Turley, Hoffman
ABSENT:	Barney

- A. Consideration and possible approval of Expenditures over \$25,000. (FY19 budgeted items)
 - 1. Bingham Equipment Company - mini-excavator: \$42,905 (Utilities)
- B. Consideration and possible approval of the "Map of Dedication" for Cherrywood Drive Phase 2, a request by William Lyon Homes Inc.
- C. Consideration and possible approval of the "Final Plat" of Church Farm Parcels F3 & H, a request by William Lyon Homes Inc.

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- D. Consideration and possible approval of the "Final Plat" of Ovation at Meridian Parcels S2, T, & U, a request by William Lyon Homes Inc.
- E. Consideration and possible approval of an on-call project order with Hilgartwilson, LLC in an amount not to exceed \$35,090 for Engineering Services for the design of the Twin Acres Water Main; and necessary budget adjustments.
- F. Consideration and possible approval of an on-call project order with Wood Environment and Infrastructure Solutions, Inc., in an amount not to exceed \$231,738 for Engineering Services for the design of the Combs Road Sewer Line and Water Line Extension and necessary budget adjustments.
- G. Consideration and possible approval of a Cooperative Purchase Agreement with SHI International Corp for the purchase and installation of Econolite Centracs traffic software solution, including licensing, training & integration, not to exceed \$141,034 (FY 18/19 budgeted item; Project IT030). This solution will include an annual software maintenance agreement with Econolite, renewable on an annual basis.
- H. Consideration and possible approval of Resolution 1262-19 and the Recovered Reclaimed Water Agreement and Water Services Agreement between the Town and Sossaman Holdings, LLC and Taylor Morrison/Arizona, Inc. to facilitate development of approximately ± 119 acres generally located at the northwest corner of Sossaman and Ocotillo Roads known as Legado Phase I.
- I. Consideration and possible approval of Work Order #17 with AJP Electric, Inc., in an amount not to exceed \$121,693 for the construction of trenching, conduit, pull boxes, and other related items to install street lights along Ocotillo Road, between Recker Road and Power Road. (Project #A0107)
- J. Consideration and possible approval of Amendment No. 1 to the on-call contract, 2016-119 Project Order #1, with EPS Group in an amount not to exceed \$251,464 for engineering design of street, drainage, and utility related improvements for the Queen Creek and Signal Butte Road Intersection (A1002, Phase 1). (FY2019 budgeted item)
- K. Consideration and possible approval of Amendment No. 2 to the on-call contract, 2016-119 Project Order #3, with EPS Group in an amount not to exceed \$180,147 for the engineering design of street, drainage, and utility related improvements to widen and improve Ocotillo Road between Signal Butte Road and Ironwood Road (Project #A0115) and any necessary budget adjustments. (FY19 Budgeted Item)

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- L. Consideration and possible approval of Resolution 1258-19 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 Rittenhouse Road in Sections 22, 23 and 25, Township 2 South Range 7 East, from owners and Maricopa County Assessor parcels listed on Exhibit A attached hereto through gift, purchase, or eminent domain; and identifying the real and personal property as necessary for roadway improvements for the Rittenhouse Road from 213th Street alignment to Riggs Road Project (A0306).
- M. Consideration and possible approval of a power distribution easement to be granted to Salt River Project along Ocotillo Road from Power Road to Recker Road for the Ocotillo Road from Power Road to Recker Road Project (A0107).
- N. Consideration and possible approval of the 2019 -2024 Town of Queen Creek Corporate Strategic Plan.
- O. Consideration and Possible Approval of an Amended Intergovernmental Agreement (IGA) with the City of Mesa for the Construction of Signal Butte Road from Germann to State Route 24.

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. Update on the resident-led effort to build a Veteran's Memorial.

Communications, Marketing and Recreation Director Marnie Schubert reported that two different groups from Citizen Leadership Institute had selected a Veteran's Memorial project and each group had a different idea for the memorial. Ms. Schubert explained that over the summer, the two groups will meet to exchange ideas and work through the Parks Advisory Committee (PRAC) to come up with a recommendation to be forwarded to Council. Ms. Schubert added that each group wanted the project to be citizen lead and paid for through fundraising efforts. Council discussed supporting community engagement and volunteerism.

11. Public Hearings Consent Agenda:

None.

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.

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Vice Mayor Benning explained the statutory requirements and process of adopting the final budget.

1. Public Hearing and possible action on the increase in the primary property tax levy dedicated for public safety purposes, setting the property tax levy assessment date for June 5, 2019, pursuant to Truth in Taxation requirements.

(This presentation covered 12(1) and 12(2).

Finance Director Scott McCarty reviewed a presentation on the Town's property tax which is dedicated the funding EMS (Fire and MCSO). The FY19/20 proposed budget for emergency services is \$21.2M (Fire: \$12.9M and Public Safety/MCSO: \$8.3M). The property tax covers 39% of those costs with the balance of funding coming from dedicated sales tax, the general fund, fire district, Utility ROI and pension reserves. Mr. McCarty reported that 15cents of every tax dollar goes towards funding EMS with the remaining going to other taxing agencies.

Mr. McCarty discussed how property tax is calculated based on the assessed value of property as determined by the County Assessor. He also explained that property tax assessments can increase/decrease based on the assessed value and that the Council sets the revenue amount to be collected through the levy amount, which can't be any higher than \$1.95 per \$100 of assessed value, as approved by voters. Mr. McCarty added that the assessed valuation in Queen Creek had increased 17% from FY18/19.

Mr. McCarty presented three tax levy options:

- Option A: same revenue as current year - \$7M (includes Ironwood Crossing)
- Option B: same revenue as current year plus new construction - \$7.8M
- Option C: maximum revenue - \$8.3M (includes new construction, Ironwood Crossing and increased valuation)

Mr. McCarty stated that the Town's property tax on the median value home is \$432 and the average increase is \$21/year.

Mr. McCarty provided an overview of the Tentative Budget approved May 1, 2019 noting the majority of the increase is due to road construction, new fire stations and as projects are completed, the following budgets are expected to decreased.

The Public Hearing was opened. No one came forth and the Public Hearing was closed.

Council discussion and comments were in regard to the partial funding of public safety services through the dedicated property tax and using general fund balance

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for the remaining costs and decreasing future budgets through good financial policies.

MOTION: To approve the property tax levy increase of \$474,043 (Option C - \$1.95 levy) dedicated for Public Safety and set the final property tax levy assessment date for June 5, 2019:

RESULT: Approved (4-2)

MOVER: Council Member Brown

SECONDER: Council Member Wheatley

AYES: Wheatley, Benning, Brown, Oliphant

NAYES: Turley, Hoffman

ABSENT: Barney

MOTION: To approve the property tax levy Option B (\$1.83 levy):

RESULT: Failed (2-4)

MOVER: Council Member Hoffman

SECONDER: Council Member Turley

AYES: Turley, Hoffman

NAYES: Wheatley, Benning, Brown, Oliphant

ABSENT: Barney

2. Public Hearing on the Town's FY 2019/20 Final Budget.

The Public Hearing was opened. No one came forth and the Public Hearing was closed.

Vice Mayor Benning adjourned the Regular Session at 8:17pm.

(The Regular Session will be recessed or adjourned after this Public Hearing and a Special Session to adopt the Final Budget will be held.)

1. Call to Order of the Special Session:

The Special Session was called to order at 8:18pm.

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2. Roll Call: (one or more members of the Council may participate by telephone)

Jeff Brown	Council Member	Present
Jake Hoffman	Council Member	Present
Dawn Oliphant	Council Member	Present
Emilena Turley	Council Member	Present
Julia Wheatley	Council Member	Present
Robin Benning	Vice Mayor	Present
Gail Barney	Mayor	Absent

3. 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.

1. Discussion and possible action on Resolution 1260-19 adopting the FY 2019/20 Final Town Budget.

MOTION:	To approve Resolution 1260-19 adopting the FY2019/20 Final Town Budget:
RESULT:	Approved (4-2)
MOVER:	Council Member Wheatley
SECONDER:	Vice Mayor Benning
AYES:	Wheatley, Benning, Brown, Oliphant
NAYES:	Turley, Hoffman
ABSENT:	Barney

4. Adjournment of the Special Session:

The Special Session adjourned at 8:25pm.

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.

None.

14. Adjournment

The Regular Session adjourned at 8:17pm.

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TOWN OF QUEEN CREEK



Gail Barney, Mayor

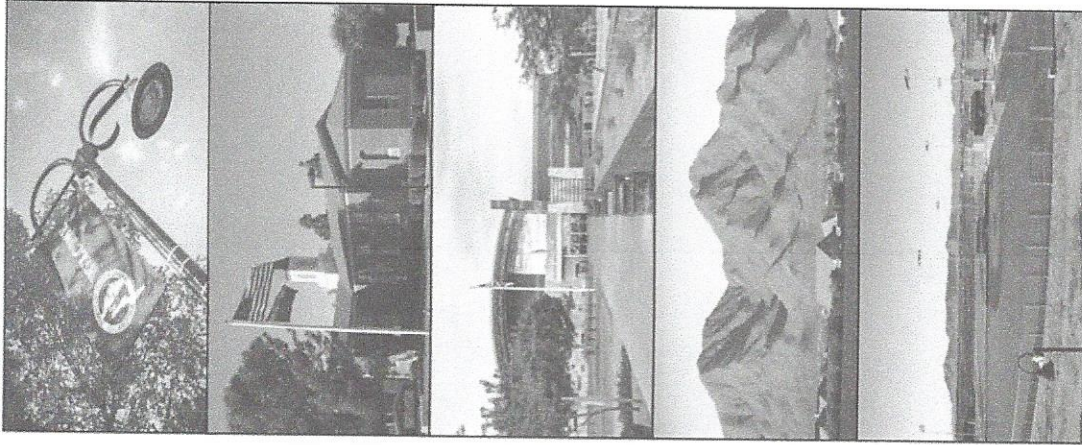
ATTEST:



Jennifer F. Robinson, Town Clerk

I, Jennifer F. Robinson, do hereby certify that, to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Minutes of the May 15, 2019 Regular and Special Session of the Queen Creek Town Council. I further certify that the meeting was duly called and that a quorum was present.

Passed and approved on July 17, 2019



Council Committee Reports (1)

- 05/02 – QCFMD Chill & Grill Event (Barney, Turley)
- 05/02 – Hand & Stone Spa Ribbon Cutting (Turley)
- 05/06 – QCHS Field House Ribbon Cutting (Wheatley)
- 05/07 – Multi-Faith Meeting (Barney)
- 05/07 – Meeting with Fry’s Representatives (Benning)
- 05/07 – MAG Economic Development Committee (Barney)
- 05/07 – Agenda Briefing with Assistant Town Manager Bruce Gardner (Hoffman, Turley)
- 05/08 – Media Briefing (Barney)
- 05/08 – Meeting with Sean Lake regarding QC Station/Thelander (Benning)
- 05/08 – League Executive Committee Briefing (Barney)
- 05/08 – PRTA Board Meeting (Benning)
- 05/08 – CAG Regional Council Meeting (Benning)
- 05/09 – Schmeear Bagels Ribbon Cutting (Brown, Oliphant, Wheatley)



Council Committee Reports (2)

- 05/09 – TAC Meeting (Benning, Turley)
- 05/10 – League Executive Committee Meeting (Barney)
- 05/10 & 05/11 – Vintage & Vino (Benning, Wheatley)
- 05/13 – MAG Regional Council Executive Committee Meeting (Barney)
- 05/14 – Meeting with ASU Executive Director of Government Affairs (Oliphant)
- 05/14 – QC Chamber Business Partner Luncheon (Oliphant)
- 05/14 – Meeting with GH2 Architects (Oliphant)
- 05/14 – Budget Discussion with Town Manager John Cross and Assistant Town Manager Bruce Gardner (Hoffman, Turley)
- 05/14 – PRAC Meeting (Wheatley)