



AGENDA

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

Community Chambers, 20727 E. Civic Parkway
October 2, 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. Proclamation: Domestic Violence Awareness Month
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)
 - A. Economic Development Commission - September 25, 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

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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 abandonment of Town-owned property along Appleby Road and proposed 194th Place. 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 attorney and Town's representatives concerning an Intergovernmental Agreement with the Queen Creek County Island Fire District. 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 potential water rights agreements. 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 the Encanterra Development Agreement and Water Exchange Agreement. A.R.S. 38-431.03(A)(3) & (4)
- E. Discussion and consultation with the Town's attorneys for legal advice and with the Town's attorneys and Town's representatives relating to development impact fees. A.R.S. 38-431.03(A)(3)
- F. 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)
- G. 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)
- H. 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)

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 September 4, 2019 Regular Session Minutes.

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- B. Consideration and possible approval of the "Map of Dedication" for Church Farm Parcels I and N, a request by William Lyon Homes Inc.
- C. Consideration and possible approval of Resolution 1292-19 authorizing and directing staff to acquire the Davidson Well Site east of the northeast corner of Empire Boulevard and Signal Butte Road in an amount not to exceed \$127,000 (WA258); and necessary budget adjustments.
- D. Consideration and possible approval of Delegation Resolution 1293-19 authorizing and directing the Town Manager, and/or Utilities Department Director to take any and all action necessary; and to sign any and all documents, contract or agreement related to construction and completion of the Utilities Administration Building project at the Field Operations Facility #WA288 and #WW075 in an amount not to exceed \$4,900,000. (FY20 budgeted item)
- E. Consideration and possible approval of a Mutual Aid Agreement with the Arizona Water and Wastewater Agency Response Network to assist in the response to water and wastewater utility emergencies.
- F. Consideration and possible approval of a First Amendment to the Professional Services Contract with Clear Creek Associates 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 increasing the total contract amount by \$46,816 for a total amount not to exceed \$210,574 (WW071); and necessary budget adjustments.
- G. Consideration and possible approval of a First Amendment to a Standard Design Contract with HDR Inc., in an amount not to exceed \$9,400 (for a total contract amount of \$29,400) for revised concept planning, options and recommendations.
- H. Consideration and possible approval of a Job Order with Garney Companies, Inc. for the construction of the Hunt Highway to Sundance Drive Sewer Main Project (WW062) in an amount not to exceed \$425,756; and necessary carry-forward budget adjustment.
- I. Consideration and possible approval of the First Amendment to the Intergovernmental Agreement between Pinal County and the Town of Queen Creek to define responsibilities for design and construction of Meridian (Moeur) Road from Combs Road to Germann Road (CIP Project A1505). (FY20 budgeted item)

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. Presentation on Standard and Poor's bond rating upgrade.

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.

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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 to continue indefinitely Case P19-0048 “Zimmerman Dairy Major General Plan Amendment”, a request by Zimmerman Dairy LLC, for a Major General Plan Amendment for 191 acres from Industrial to 14 acres of Commercial and 177 acres of Neighborhood. This project is generally located at the southeast corner of Meridian Road and Germann Road. (The applicant and staff have requested to continue this case indefinitely)

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.

None.

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

Pursuant to ARS 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 23rd day of September 2019 the Agenda for the October 2, 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.