



**Regular and Possible Executive Session
Queen Creek Town Council
Community Chambers, 20727 E. Civic Parkway
October 2, 2019
5:30 PM**

1. Call to Order:

The meeting was called to order at 5:30 p.m.

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

Gail Barney	Mayor	Present
Robin Benning	Vice Mayor	Present
Jeff Brown	Council Member	Present
Jake Hoffman	Council Member	Present – arrived at 6:00 p.m.
Dawn Oliphant	Council Member	Present
Emilena Turley	Council Member	Present – arrived at 5:37 p.m.
Julia Wheatley	Council Member	Absent

3. Pledge of Allegiance:

Led by Mayor Barney.

4. Invocation/Moment of Silence:

A moment of silence was held in recognition of all men and women in uniform, especially the Queen Creek Fire & Medical Department and MCSO Officers.

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

A. Proclamation: Domestic Violence Awareness Month

Mayor Barney read the proclamation.

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)

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

A. Economic Development Commission - September 25, 2019

Committee Chair Lee Ester reported that Marc Garcia of Visit Mesa gave an overview of the tourism industry and announced Visit Mesa became the first Autism Certified Destination Marketing Organization (DMO) in the world; Queen Creek's Parks and Recreation staff was trained as part of that initiative. Lee added that Principal Planner Erik Swanson presented on recent State Land annexation and zoning and that Sr. Planner Sarah Clark introduced the Zimmerman Dairy Major General Plan Amendment, to be brought back to the committee in October.

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.*

Ms. Robyn Burden, 21777 E. Domingo Road, encouraged the Town Council to continue talks with Valley Metro regarding Rideshare program and Paratransit services as it will be extremely helpful to her and her disabled adult children.

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

Mayor Barney invoked the Chair's privilege and moved the Executive Session as the final item on the Agenda. The Mayor moved onto the Consent Agenda (Item 9).

- 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 Water Agreement. A.R.S. 38-431.03(A)(3) & (4)

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- 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)

MOTION:	To adjourn to Executive Session at 6:20 p.m.
RESULT:	Approved Unanimously (6-0)
MOVER:	Emilena Turley, Council Member
SECONDER:	Robin Benning, Vice Mayor
AYES:	Barney, Benning, Brown, Oliphant, Turley, Hoffman
ABSENT:	Wheatley

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.
 - 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 (Moer) Road from Combs Road to Germann Road (CIP Project A1505). (FY20 budgeted item)

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

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 & Poor's bond rating upgrade.

Mayor Barney invoked the Chair's privilege and moved up Item 10-A: S&P Bond Rating Update following Item 5: Ceremonial Matters.

Finance Director Scott McCarty provided the Council with a brief presentation regarding the Town's Issuer Credit Rating increase from AA- to AA with a stable outlook, affirming the Town's strong financial condition.

Primary Credit Analyst Alyssa Farrell of Standard & Poor's (S&P) provided the Council with a Ratings Introduction and Criteria Overview. Financial Advisor Jim Strickland of Wedbush Securities noted the steps involved in initiating the process with S&P, focus on the concept of combining utility pledge, and review process of the Town's excise tax.

Town Manager John Kross acknowledged and commended staff's efforts. Mayor Barney concurred.

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 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)

The Public Hearing was opened. No one came forth and the Public Hearing was closed. Mayor Barney noted the request from the applicant and Town staff to indefinitely continue the Zimmerman Dairy Major Plan Amendment.

MOTION:	To approve the Public Hearing Consent Agenda
RESULT:	Approved Unanimously (6-0)
MOVER:	Emilena Turley, Council Member
SECONDER:	Robin Benning, Vice Mayor
AYES:	Barney, Benning, Brown, Oliphant, Turley, Hoffman
ABSENT:	Wheatley

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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

The Regular Session reconvened and adjourned at 7:45 p.m.

TOWN OF QUEEN CREEK



Gail Barney, Mayor

ATTEST:



Maria E. Gonzalez, Town Clerk

I, Maria E. Gonzalez, 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 October 2, 2019 Regular 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 November 6, 2019.



Council Committee Reports (1)

- 09/19 – QCUSD CAFÉ (Oliphant, Wheatley)
- 09/19 – Valley Metro Board Meeting (Barney)
- 09/19 – Serrano’s Centennial Fiesta (Barney)
- 09/19 – QC Chamber 2019 Business Awards Dinner (Benning, Brown, Oliphant, Wheatley)
- 09/21 – Founders’ Day (Benning, Brown, Turley, Wheatley)
- 09/21 – Arizona Forward Black-Tie 50th Anniversary Gala (Barney)
- 09/23 – ASU Polytechnic VIP tour (Barney)
- 09/24 – Fire Centers Tour for Mesa, Chandler, and Gilbert (Barney, Benning, Brown)
- 09/24 – 2019 Leader of the Year Award Ceremony (Barney)
- 09/25 – EDC Meeting (Oliphant, Turley)
- 09/25 – Coffee & A Mic with Supervisor Sellers (Brown, Wheatley)
- 09/25 – Fire Station #4 Groundbreaking Ceremony (Barney, Brown, Oliphant, Wheatley)
- 09/25 – MAG Regional Council Meeting (Barney)
- 09/25 – CAG Regional Council Meeting (Benning)
- 09/26 – Connected and Autonomous Vehicle 101 Workshop (Barney)
- 09/26 – Special Session / Joint Meeting of the QC Town Council and QCUSD Governing Board (Barney, Benning, Brown, Oliphant, Turley, Wheatley)



Council Committee Reports (2)

- 09/27 – Pinal Supervisor Greg Stanley’s Retirement Party (Benning)
- 10/01 – Encanterra Annexation & Fire Station 5 Briefing (Benning, Brown, Oliphant)
- 10/02 – Breakfast with Congressman Biggs (Benning, Hoffman, Turley)
- 10/02 – Florence State of the Town (Barney, Brown)