



Minutes
Regular Session
Queen Creek Town Council
Community Chambers, 20727 E. Civic Parkway
September 4, 2019
5:30 PM

1. Call to Order:

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

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	Present

3. Pledge of Allegiance:

Led by Mayor Barney.

4. Invocation/Moment of Silence:

A moment of silence was held.

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

A. Proclamation: Town of Queen Creek 30th Anniversary

Mayor Barney read the following highlights of the proclamation:

In celebration of the Town's 30th Anniversary, I will designate the month of September as a time to celebrate our beautiful community and all of its accomplishments with a proclamation, and I invite you to celebrate Queen Creek's birthday with us at Founder's Day on September 21.

Our Town may be young, but it has a rich history. On September 5, 1989, with the assistance of key State and County leaders, a group of forward thinking Queen Creek residents worked to incorporate the Town of Queen Creek under

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the laws of the State of Arizona.

Following incorporation, our first Town Council undertook the important tasks of creating a General Plan to guide the development of land uses, hiring management staff to implement supporting policies, creating the first budget, and generally establishing a framework of good governance.

Queen Creek residents played an important role as well, as they came forward to support these early efforts by volunteering to serve on committees and task forces, by educating themselves on important issues and voting, and by coming together and cooperating in the face of challenges.

The past 30 years have seen dedicated leadership, sound decision-making, involved residents, quality managed growth, perseverance in tough times, pride in community, and enjoyment of a high quality of life.

Thank you to our residents, Town staff, and to my fellow Town Council Members, both present and past, for working hard to make Queen Creek the beautiful, neighborly community that it is today.

B. Proclamation: QC Neighborly

Mayor Barney read the following highlights of the proclamation:

QC Neighborly Week is a time for our residents to come together and celebrate the things that make Queen Creek unique, like our hometown values and agricultural roots.

It is important for our residents to take time to connect with our neighbors and support one another through respect and kindness, as this will continue to make Queen Creek a quality place to live, do business and visit.

I invite all residents to join me in being QC Neighborly each and every day, leaving a lasting impact on your family, neighbors and friends!

A short video was played promoting the QC Neighborly program.

C. Proclamation: Week Without Violence

Mayor Barney read the proclamation and presented it to Connie Perez, CEO of Boys & Girls Club of East Valley who accepted the proclamation on behalf of Dr. Ruth Lim.

D. Recognition of APRA Awards for Mansel Carter Oasis Park

During the annual APRA awards ceremony, the Town of Queen Creek received

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two awards: the Natural Resources Award for the lake at Mansel Carter Oasis Park; and the Outstanding Facility Award (population 10,001 to 100,000) for the park itself.

The Natural Resource award honors a resource that was efficiently developed and utilized, includes problem solving and focuses on conservation.

The lake at Mansel Carter Oasis Park uses recovered groundwater, allowing this important amenity to solve problems related to high water usage and the expense of water replenishment. The Outstanding Facility Award honors a facility that positively impacts leisure opportunities, includes innovative features, energy conservation and is environmentally sensitive while being functional and aesthetically appealing.

Mansel Carter Oasis Park offers 48-acres of fun, creating an experience that encourages play for all ages and abilities.

E. Recognition to Life Link Church for volunteer service

Mayor Barney recognized members of Life Link Church for their assistance in beautifying Founders' Park and the Town's Municipal Services Building. The volunteers painted the wrought iron fence around the perimeter of the Municipal Services Building, as well as the fence around the Skate Park.

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. Parks & Recreation Advisory Committee - August 13, 2019

Council Member Brown reported on the Committee's discussion on a Veteran's Memorial project initiated by the Citizen Leadership Institute. The Committee also discussed and approved the FY19 Work Plan; and received close-out reports from QC Heat and QC Little League.

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B. Economic Development Commission - August 28, 2019

Lee Ester, Commission Chair, reported on the presentations on SRP water programs and the new Economic Development website. A presentation and discussion was also held on Gangplank.

C. Boys & Girls Club of East Valley - Queen Creek Branch - FY19 Annual Report

Connie Perez, CEO of Boys & Girls Clubs of East Valley, provided an overview of the Boys & Girls Club program including the mission and vision. She also provided statistics on club membership, attendance data and programming for the Queen Creek Branch.

- 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):**

MOTION:	To adjourn to Executive Session at 6:22pm:
RESULT:	Approved unanimously
MOVER:	Council Member Wheatley
SECONDER:	Council Member Brown
AYES:	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

- A. 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 and non-residential uses. A.R.S. 38-431.03(A)(3)
- B. 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)
- 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 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)

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- 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 a possible pre-annexation development agreement with Empire Pointe. A.R.S. 38-431.03(A)(3) & (4)
- G. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorney and Town's representatives regarding a Water Recharge Agreement with the Town of Gilbert. A.R.S. 38-431.03(A)(3) & (4)
- H. Discussion and consultation with the Town's attorneys and representatives to consider the Town's position and instruct its representatives regarding acquisition of real property related to the Ocotillo Road from Sossaman to Hawes Roads project (A0116) and the Meridian Road from Combs to Germann Roads project (A1505). A.R.S. 38-431.03(A)(7)
- 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 Town-owned properties in Town Center. A.R.S. 38-431.03(A)(3) & (4)
- J. 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)

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.

Consent Agenda Items O & P were removed for a separate vote.

MOTION:	To approve the remainder of the Consent Agenda:
RESULT:	Approved unanimously
MOVER:	Council Member Turley
SECONDER:	Council Member Hoffman
AYES:	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

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MOTION: To approve Consent Agenda #O:
RESULT: Approved 5-2
MOVER: Vice Mayor Benning
SECONDER: Council Member Wheatley
AYES: Barney, Wheatley, Benning, Brown, Oliphant
NAYES: Hoffman, Turley

MOTION: To approve Consent Agenda #P:
RESULT: Approved 5-2
MOVER: Council Member Oliphant
SECONDER: Vice Mayor Benning
AYES: Barney, Wheatley, Benning, Brown, Oliphant
NAYES: Hoffman, Turley

- A. Consideration and possible approval of the July 17, 2019 Regular Session Minutes and August 7, 2019 Regular and Special Session Minutes.
- B. Consideration and Possible Approval of Expenditures Over \$25,000. (FY20 Budgeted Items)
 - 1. Cactus Asphalt - arterial asphalt preservation: \$900,000 (Public Works)
 - 2. Sentinal Technologies - maintenance/repair for Cisco equipment: \$275,000 (Workforce/Technology)
 - 3. Taylor Morrison - water extinguishment credits: \$177,807 (Utilities)
- C. Consideration and possible approval of the employment agreement for Maria Gonzalez as Town Clerk.
- D. Consideration and possible approval of the Condominium Plat for Hangers at the Pegasus, a request by Premium Hanger Investments LLC.
- E. Consideration and possible approval of the Final Plat for Harvest Queen Creek Tract F, a request by EVT Riggs Gary Investments LLC.
- F. Consideration and possible approval of the Final Plat for the Legado - School Site, a request by Sossaman Holdings LLC.
- G. Consideration and possible approval of the Final Plats for Fulton Homes Barney Farms Phase 1A, Phase 1B, and Phase 1 Park, a request by Fulton Homes Corporation.

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- H. Consideration and possible approval of the Final Plat for Caleda by Toll Brothers, a request by Toll Brothers AZ Construction Company.
- I. Consideration and possible approval of the Fulton Homes Barney Farms Maps of Dedication for Queen Creek Road, Signal Butte Road, Meridian Road, Phase 1 C School Access, and interior Collector Roads, a request by Fulton Homes Corporation.
- J. Consideration and possible approval of the appointment of David Gillette and Matt McWilliams and the reappointment of Jeremy Benson to the Planning and Zoning Commission.
- K. Consideration and possible approval of the appointment of Carson Brown to the GPEC Board of Directors for fiscal year 2019-2020.
- L. Consideration and possible approval of the FY19/20 Parks and Recreation Advisory Committee Work Program.
- M. Consideration and possible approval of Delegation Resolution 1281-19 in the amount of \$6,999,400 and authorizing the Town Manager and/or Department Director to take any and all action necessary; and to sign any and all documents, certain contracts or agreements for the construction of Fire Station #4 and necessary budget adjustments. (Project #MF007)
- N. Consideration and possible approval of Delegation Resolution 1284-19 authorizing and directing the Town Manager, and/or Public Works Department Director to take any and all action necessary; and to sign any and all documents, contracts or agreements related to construction and completion of the Field Operations Facility project #MF005 not to exceed \$533,874. (FY 2019/20 Budget carryforward item)
- O. Consideration and possible approval of Resolution 1282-19 supporting the East Valley Homelessness Regional Collaboration.
- P. Consideration and possible approval of Resolution 1286-19 authorizing the Town Manager and Public Works Director to submit an application for Transportation Alternatives (TA)/Congestion Mitigation Air Quality (CMAQ) funds and approval of Project Order #003 with Wood Environment and Infrastructure Solutions, Inc., in an amount not to exceed \$40,544 for a project assessment and 15% design plans for the extension of the Queen Creek Wash Trail (Project TE100; Queen Creek Wash: Crismon to Rittenhouse).
- Q. Consideration and possible approval of a Cooperative Purchase Agreement through 1GPA Contract 17-16P-01 with Ace Asphalt of Arizona, Inc. in an amount not to exceed \$252,064 for slurry seal pavement preservation. (FY 20 Budgeted Item)
- R. Consideration and possible approval of Work Order #19 with AJP Electric, Inc. through a Maricopa County Department of Transportation Contract 2015-27 in an amount not to exceed \$185,405 for underground wiring and other related equipment items to install a traffic signal on Ocotillo Road and Victoria Road. (Project #I0061 and an FY 2019/20 Budgeted Item)

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- S. Consideration and possible approval of a Cooperative Purchase Agreement with Goodwill of Central and Northern Arizona through a City of Phoenix Professional Services Consulting Agreement No. 148937-0, for residential curbside textile diversion services.
- T. Consideration and possible approval of an Intergovernmental Agreement (IGA) with Arizona Department of Transportation (ADOT) for Project #A0308 Rittenhouse and Ocotillo Intersection Improvements. Project funding will be from contingency as this is not a current, budgeted item. The Town' share of expected costs total \$7,893 (including any necessary budget transfers from contingency) and any additional unexpected costs that may be incurred.
- U. Consideration and possible approval of a Contract with J2 Engineering and Environmental Design in an amount not to exceed \$1,628,000 for Project P0620 (East Park) for the design of the East Park Flood Control Basin and 60% design of the East Park site (included in the FY 2019/20 budget).
- V. Consideration and possible approval of a Cooperative Purchase Agreement with Progressive Services Inc., through Mohave Contract #18R-PRO-0418 in an amount not to exceed \$229,528 for roof maintenance and repairs of Town-owned buildings. (FY19/20 Budgeted Item)
- W. Consideration and possible approval of a contract with CS Engineering Constructability Reviews in an amount not to exceed \$224,999 for project design and construction related services.

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 by the Queen Creek Unified School District regarding the extension of budget override.

Matt Strom, Assistant Superintendent, provided an overview on overrides and bonds and the purpose of each. He discussed what projects and improvements recent bonds have been used for and the requirements for override renewals, adding that overrides provide funding for teachers and programs.

Charlie Martin, Director of Business Services, discussed how the overrides have been used to increase teacher salaries; enhance security at several schools; provide smaller classroom sizes and additional special classes and programs.

Crystal Zachary, CFO, provided financial information on the use of prior overrides and explained about the term of an override and the renewal period prior to expiring. She added that the upcoming override election would be an all-mail ballot election and additional information was available on the Districts website.

- B. Presentation on Queen Creek Maps available on the Town's website.

Shawny Ekadis, GIS Analyst, demonstrated the variety of interactive maps available on the Town's website including the current planning cases; historic photo tour;

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Queen Creek services; school districts and schools; parks and recreation facilities; Legislative Districts and cell tower location availability (streetlights) for cell phone providers.

- 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.

MOTION:	To approve the Public Hearing Consent Agenda:
RESULT:	Approved unanimously
MOVER:	Council Member Brown
SECONDER:	Council Member Wheatley
AYES:	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

- A. Public Hearing and possible approval of Ordinance 708-19, Pegasus Airpark PAD Rezone (Case P19-0074), a request from Sean Lake, Pew and Lake PLC, on behalf of the Pegasus Airpark Flight Association to rezone approximately 49.44 acres from R1-43/CUP to Mixed Use (MU)/PAD for continued use of the Pegasus Airpark Flight Association runway and associated hangars, located east of the northeast corner of Empire Blvd and Ellsworth Road.

- 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 Resolution 1288-19 amending Resolution 1271-19 regarding the date of the Public Hearing on the proposed development impact fees.

Mayor Barney declared a conflict of interest and stepped down from dais. Vice Mayor Benning chaired this portion of the meeting.

Finance Director Scott McCarty reviewed the procedure for continuing the public hearing to the October 16, 2019 Council meeting. Mr. McCarty discussed the error found in the fee calculation for Fire, Police and Parks Fees in the single family residential category. He explained the error resulted in a total of \$399 too low.

The Public Hearing was opened.

Jackson Moll, representing the Homebuilders Association of Central Arizona, stated his support of continuing the Public Hearing to October 16, 2019 and appreciation

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for the continued outreach to stakeholders. He said the stakeholders understand the fees would be increasing in January 2020 but now need to further review the additional increase. He discussed the possibility of adopting the lower fee also. Mr. Moll stated that the stakeholders remain committed to working with the Town.

MOTION: To approve Resolution 1288-19 amending Resolution 1271-19 regarding the date of the Public Hearing on the proposed development impact fees, continuing the Public Hearing to October 16, 2019:
RESULT: Approved unanimously (6-0)
MOVER: Council Member Brown
SECONDER: Council Member Turley
AYES: Wheatley, Benning, Brown, Oliphant, Turley, Hoffman
ABSTAIN: Barney

Mayor Barney returned to the dais.

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 Delegation Resolution 1283-19 for the Meridian Road Project - Phase 1, for all associated contracts, agreements, and land purchases required to complete the proposed improvements between Combs Road and Cherrywood Drive, including Project A1505 not to exceed \$4,430,000; and WA253 not to exceed \$664,245 (both projects included in the FY 2019/20 budget).

Public Works Director Troy White discussed the opportunity to move up the opening of Meridian Road by constructing a temporary roadway which would allow the required box culvert to be installed sooner. He added that temporary traffic signals would also be installed which can be re-used. Mr. White discussed the additional cost of \$380,000 for the temporary roadway and \$120,000 for temporary signals which will be re-used for other roadway projects. Mr. White stated that Pinal County is a partner in the project.

Discussion was in regard to the benefits of opening the new road sooner, including faster response times and access for Fire Station #4, as well as providing an alternative route during the Rittenhouse Road construction project.

MOTION:	To approve Resolution 1283-19:
RESULT:	Approved unanimously
MOVER:	Council Member Turley
SECONDER:	Council Member Hoffman
AYES:	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffman

- B. Discussion and possible approval of the Sonoqui Wash Trail Design Project concept designs.

Recreation Manager Adam Robinson presented four proposed themed trail nodes to enhance the Sonoqui Wash Trail:

- A. Ellsworth/Crismon/Riggs
- B. Hawes/Ellsworth/Riggs
- C. Chandler/Sossaman (Desert Wells Stage Stop)
- D. Ocotillo/Recker (west of Power Rd)

Mr. Robinson reviewed the public input participation process that included open houses; surveys and Parks & Recreation Advisory Committee meetings. He also reviewed the design components and costs of each node:

- A. Hohokam theme: \$1.6M
- B. Equestrian theme: \$1.25M
- C. Community Gathering theme: \$1.2M
- D. Agriculture theme: \$1.6M

Council asked for clarification on the costs for each node. Mr. Robinson explained that the costs differed because of the components and length of each but staff didn't have the specific breakdown for granite, plants and other materials. He also explained that the nodes are "scalable" for budgetary consideration and the estimated costs are for materials and construction, also, that the Town already owns the right-of-way for the nodes.

Council discussed the costs and opportunities to scale the nodes to fit within the development fee category and the need to have more details, including examples of scaled design and costs.

Council commended the Parks and Recreation Advisory Committee, public and staff for creating and recommending the project designs.

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MOTION:	To continue approval of the Sonoqui Wash Trail Design Project concept designs to a future meeting:
RESULT:	Approved unanimously
MOVER:	Council Member Brown
SECONDER:	Council Member Hoffman
AYES:	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Hoffmán

Council readjourned to Executive Session at 8:32p.m.

14. Adjournment

The meeting adjourned at 10:07p.m.

Minutes prepared by Jennifer Robinson.

TOWN OF QUEEN CREEK



Gail Barney, Mayor

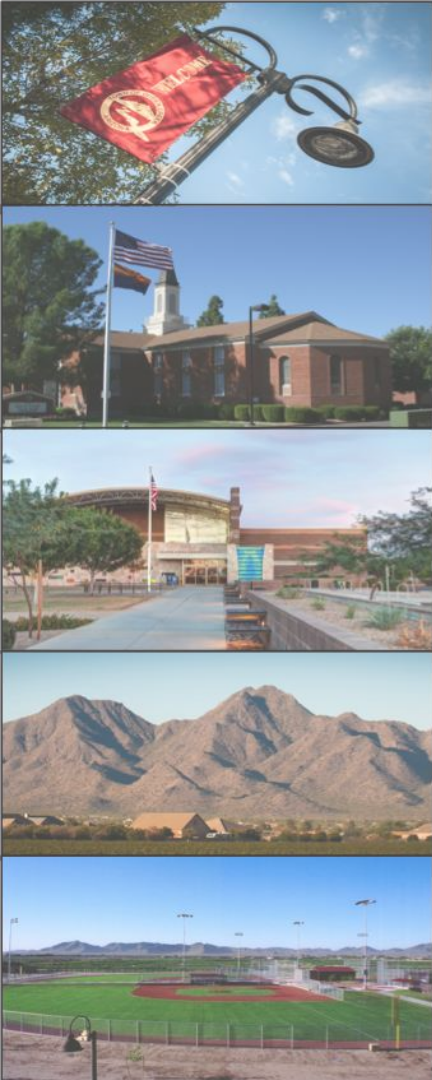
ATTEST:



Maria E. Gonzalez, Town Clerk

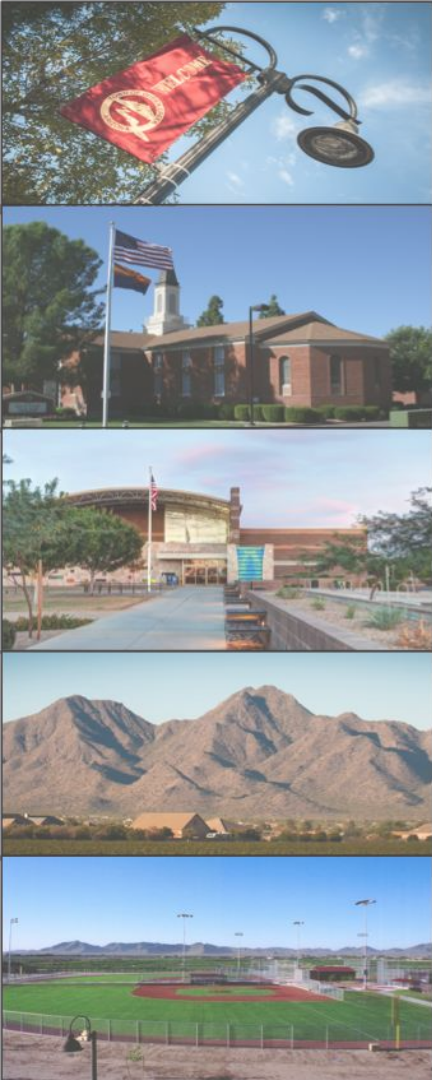
I, Maria E. Gonzalez, do hereby certify that, to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Minutes of the September 4, 2019 Regular Session of the Queen Creek Town Council. I further certify that the meeting was duly called and that a quorum was present.

Passed and approved on October 2, 2019.



Council Committee Reports (1)

- 08/08 – Meeting with Zimmerman Dairy (Hoffman)
- 08/08 – Valley Partnership City / County Committee Meeting (Barney)
- 08/08 – QCUSD Financial Advisory Committee Meeting (Wheatley)
- 08/09 – Meeting with Zimmerman Dairy (Benning, Brown)
- 08/13 – Ellsworth & Queen Creek Roads Ribbon Cutting Ceremony (Barney, Brown, Hoffman, Oliphant, Turley, Wheatley)
- 08/13 – Meeting with Rick Jewett of TeenLink (Oliphant, Wheatley)
- 08/13 – Meeting with Congressman Paul Gosar (Barney, Benning, Hoffman, Turley, Wheatley)
- 08/13 – Chamber Network Luncheon (Wheatley)
- 08/13 – PRAC Meeting (Brown)
- 08/14 – Meeting with QCUSD Superintendent Berry (Benning)
- 08/14 – EDC Discussion (Barney)
- 08/14 – MAG Transportation Policy Committee Meeting (Barney)
- 08/15 – PMGAA Telephonic Board Meeting (Barney)
- 08/19 – MAG Regional Council Executive Committee Meeting (Barney)
- 08/20 – 08/23 – League of Arizona Cities and Towns Annual Conference (Barney, Benning, Brown, Oliphant, Wheatley)



Council Committee Reports (2)

- 08/22 – Legislative Dinner with Senate President Karen Fann, Senator Frank Pratt, Representative T.J. Shope, Representative David Cook, Commissioner Andy Tobin, and Speaker of the House Rusty Bowers (Barney, Benning, Brown, Oliphant, Wheatley)
- 08/26 – 2019 ASU Congressional Conference: Water Resilience and Security for the Southwest (Barney)
- 08/27 – PHX EVP Transportation Committee Meeting (Brown)
- 08/27 – Agenda Briefing with Town Manager John Kross (Hoffman, Turley)
- 08/28 – EDC Meeting (Turley)
- 08/28 – MAG Regional Council Meeting (Barney)
- 08/29 – Fire Resource Center Discussion (Brown, Wheatley)
- 08/29 – QC Youth Wellbeing Meeting (Brown, Wheatley)
- 08/29 – Valley Metro Board Meeting (Barney)
- 08/29 – TAC Meeting (Brown)
- 09/03 – MAG Economic Development Committee Meeting (Barney)
- 09/03 – Text Amendment Briefing with Development Services Director Brett Burningham (Benning, Oliphant)
- 09/04 – NY Times Magazine Interview (Oliphant)