



AMENDED AGENDA

Regular and Possible Executive Session Queen Creek Town Council

Community Chambers, 20727 E. Civic Parkway

February 5, 2020

5:30 PM

Pursuant to A.R.S. § 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 A.R.S. § 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: Go Red for Women 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)
 1. Economic Development Commission (January 22, 2020)
 2. Parks and Recreation Advisory Committee (January 14, 2020)
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 the Town's information technology systems. A.R.S. § 38-431.03(A)(2), (3) & (4)
- B. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorney and Town's representatives regarding the Town's solid waste contract. 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 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 for legal advice 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's attorney to consider the Town's position and instruct its attorneys regarding a pending lawsuit: 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 to consider the Town's position and instruct its attorneys regarding a pending lawsuit: Vangilder v. Arizona Department of Revenue and Pinal County. 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 potential water rights agreements. 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 Expenditures Over \$25,000. (Budgeted in FY2020)

1. Southwest Waterworks - Well Maintenance and Repairs: \$400,000 (Utilities)
 2. Vertech - SCADA support services: \$350,000 (Utilities)
- B. Consideration and possible approval of the committee assignment of Council Member Dawn Oliphant to the Economic Development Commission for 2020.
 - C. Consideration and possible approval of the appointment of Ed Payne to the Board of Adjustment.
 - D. Consideration and Possible Approval of a three-year Small Government Enterprise License Agreement in the amount not to exceed \$115,878 for geographic information systems software and support from Environmental Systems Research Institute, Inc. - Fiscal Year 19/20 budgeted item.
 - E. Consideration and possible approval of the "Final Plat" of the Town of Queen Creek Municipal Campus.
 - F. Consideration and Possible Approval of an Intergovernmental Agreement (IGA) with the Arizona Department of Transportation (ADOT) in an amount not exceed \$54,741 for design of conduit and utility sleeves as part of State Route 24 Ellsworth Rd to Ironwood Rd Project (A partnership project with the City of Mesa and ADOT - Fiscal Year 19/20 budgeted item).
 - G. Consideration and Possible Approval of a First Amendment to the Contract for Community Recreation and Professional Services with Boys & Girls Clubs of the East Valley – Queen Creek Branch to Increase their operational space within the Community Center at Founders' Park.
 - H. Consideration and possible approval of Resolution No. 1320-20 authorizing the early repayment of an interfund loan in the amount of \$6,627,668 and approval of related FY 19/20 budget adjustments of \$12,072,180.
 - I. Consideration and possible approval of Resolution 1321-20 and the Recovered Reclaimed Water Agreement between the Town, Mainspring Golf, LLC and the Villages at Queen Creek Homeowner's Association, Inc. to facilitate the use of a portion of the Town's stored Reclaimed Water supply to serve the lake located within the development generally known as the Villages at Queen Creek.

- J. Consideration and possible approval of Delegation Resolution 1322-20 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 Combs, Gantzel, and Kenworthy Roads Water and Sewer line projects #WA255, #WW255, #WW256, and #WW258 in an amount not to exceed \$7,818,587; and necessary budget adjustments.
- K. Consideration and possible approval of Delegation Resolution 1323-20 for the Chandler Heights Road, Power Road to Via Del Arroyo project, for all associated contracts, agreements, and land purchases required to complete the proposed improvements, including CIP Project A0603, not to exceed \$12,933,301, and WA166, not to exceed \$1,337,931 (both projects are included in the FY 19/20 budget), for a total not to exceed amount of \$14,271,232.
- L. Consideration and possible approval of a Contingent Settlement Agreement and Mutual Release with Johnson Utilities, LLC and the George H. Johnson Revocable Trust.
- M. Consideration and possible approval of Resolution 1324-20 authorizing the application for a drinking water state revolving fund loan from the Water Infrastructure Finance Authority of Arizona (WIFA) in the amount not to exceed \$60 million.
- N. Consideration and possible approval of an Amendment to Purchase and Sale Agreement with Caron Springs Investments LLC for the Town to purchase additional assured water supply credits.

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.*

None.

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 approval of a Series 9 Liquor Store License application submitted by Nicholas Carl Guttilla on behalf of Total Wine & More #1101, 21072 S Ellsworth Loop Road, Queen Creek (Queen Creek Marketplace).

- B. Public Hearing and Possible Action on Ordinance 719-20, cases P19-0125/P19-0126/P19-0127 QC SELF STORAGE REZONE, CONDITIONAL USE PERMIT (CUP), AND SITE PLAN, a request for Rezoning with a Planned Area Development (PAD), CUP, and Site Plan approval for development of a self-storage facility on approximately 9.11 acres, located at the southwest corner of Germann Road and 196th Street
- C. Request for Continuance: Public Hearing and Possible Action on Ordinance 718-20, P19-0186 MADERA WEST ESTATES PAD AMENDMENT, Request for a PAD amendment to Ordinance 553-14 to rezone from R1-9/PAD to R1-9/PAD and R1-7/PAD for a 219 lot future residential development, located at the Southwest corner of Queen Creek Road and 220th Street. (The applicant and staff have requested to continue this case to the March 4, 2020 Town Council Meeting)

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 Ordinance 720-20 “Fat Cats PAD Amendment (P19-0108) and Site Plan (P19-0107)”, a request by Fat Cats Entertainment, to amend the Pecan Lake PAD by rezoning approximately 3.7 acres (approx.) of R1-5/PAD to C-2/PAD to facilitate the development of a Fat Cats entertainment center. The property is located approximately 575-feet west of the northwest corner of Ellsworth and Riggs roads.

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, Joy Maglione, do hereby certify that I caused to be posted this 4th day of February, the Amended Agenda for the February 5, 2020 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.

Joy Maglione, CMC

Queen Creek Town Council

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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.