



**Regular Session Minutes
Queen Creek Town Council**

Community Chambers, 20727 E. Civic Parkway
November 17, 2021
6:30 PM

1. Call to Order:

The meeting was called to order at 6:38 p.m.

2. Roll Call: (Members of the Town Council may attend electronically and/or telephonically)

Gail Barney	Mayor	Present via WebEx
Dawn Oliphant	Vice Mayor	Present
Robin Benning	Council Member	Present
Jeff Brown	Council Member	Present
Leah Martineau	Council Member	Present
Emilena Turley	Council Member	Present
Julia Wheatley	Council Member	Present

3. Pledge of Allegiance:

Led by Vice Mayor Oliphant.

4. Invocation/Moment of Silence:

A moment of silence was held for first responders and men and women in uniform that are keeping our country safe.

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

- A. Arizona Parks and Recreation Association Award presentation for Outstanding Youth Enrichment Program for Parks & Recreation Camp Live Play Learn
- B. Arizona Parks and Recreation Association Award presentation for Marketing and Communications for Parks and Recreation Camp Live Play Learn

Recreation Manager Adam Robinson presented the Town with two awards for the Town's programming during Covid and he praised staff for their hard work and creativity. A video was shown that featured Queen Creek staff and an overview of the awards they received.

Mr. Robinson introduced Miranda Gomez, Town of Buckeye Community Services Director and Chair of the Arizona Parks and Recreation Association Awards Committee. Ms. Gomez provided details on the award program and said there are twenty winners around the State in many categories and she said both awards are highly competitive. She congratulated Queen Creek on receiving Outstanding Program/Youth Enrichment Program and the Marketing and Communications Award.

6. Committee Reports:

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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. Transportation Advisory Committee (November 4, 2021)

Vice Chair Bob Adelfson presented the report. The committee received CIP project updates from CIP Director Dave Lipinski. Deputy Public Works Director Mohamed Youssef discussed the traffic signal project, Smart Cities presentation and construction updates on the Ellsworth Road and City of Mesa project.

The next meeting is scheduled for February 3, 2022.

2. Downtown Arts & Placemaking Sub-Advisory Committee (November 4, 2021)

Committee Member Valerie Done presented the report. The committee heard presentations on Facade Improvement Program grants and a review of the Scope of Work for the Downtown Arts Master Plan. The Committee made a recommendation to issue an RFP for the Master Plan.

The next meeting is scheduled for January 13, 2022.

7. Public Comments: *Members of the public may address the Town Council on items not on the printed agenda and during Public Hearings. Please address the Town Council by completing a Request to Speak Card and turn it into the Town Clerk, sending an email to PublicComment@QueenCreekAZ.gov by 6:30 p.m. on November 17, 2021 (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record). The Town Council may not discuss or take action on any issue raised during public comment until a later meeting. Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.*

Shannon McGregor Jr., 1538 N. Main Drive, Apache Junction expressed his opposition and concern regarding Consent Agenda Item 8(K), as well as his reason for initiating a protest to the RFP award.

8. 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 Town 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.*

Council Member Brown asked the Town Attorney to work with the customer who provided the comment regarding Item 8(K). Town Attorney Scott Holcomb said there is a protest procedure in progress.

MOTION:	To approve the Consent Agenda
RESULT:	Approved unanimously (7-0)
MOVER:	Julia Wheatley, Council Member
SECONDER:	Robin Benning, Council Member
AYES:	Barney, Oliphant, Benning, Brown, Martineau, Turley, Wheatley

- A. Consideration and possible approval of Expenditures over \$25,000. (FY 21/22 Budgeted Items)
 - 1. Hill Brothers - Water Quality and Safety: \$185,000 (Utilities)
 - 2. Motorola - Communication Equipment for Replacement Apparatus E412: \$62,353 (Fire & Medical)
 - 3. Sentinel - Information Security Services (CISO): \$80,000 (Workforce Technology)
 - 4. Courtesy Chevrolet - 2 New CIP Department Vehicle: \$83,526 (CIP)
- B. Consideration and Possible Approval of the Appointment of the Local Police Public Safety Personnel Retirement Systems (PSPRS) Board Members and Clerk of the Board.
- C. Consideration and possible approval of the Town of Queen Creek's 2022 Legislative Guiding Principles.
- D. Consideration and possible approval of a one-year audio-video production services contract, with up to four possible one-year renewals, with J2 Media for video filming and post-production services for all Council Meetings, all Planning and Zoning Meetings, and special events videos not to cumulatively exceed \$55,000. (FY 21/22 Budgeted Item)
- E. Consideration and Possible Approval of an Amendment #2 to the Agreement for Law Enforcement Services with Maricopa County on Behalf of the Sheriff's Office Concerning Formalizing the Contract Termination Date with Respect to the Start of the Queen Creek Police Department.
- F. Consideration and Possible Approval of a Cooperative Purchase Agreement through City of Mesa Contract #2021165 with Western States Petroleum for the Purchase of Unleaded and Diesel Fuel in an Amount Not to Exceed \$1,500,000 Annually. (FY 21/22 Budgeted Item)
- G. Consideration and possible approval of an On-Call Project Order with Sunrise Engineering for engineering services for the Meridian Road Phase 1 (Barney Farms Wellsite to Queen Creek Road) and Meridian Road Phase 2 (Meridian to Ironwood along Pima Road) waterlines (CIP Project No. WA021 and WA022) in an amount not to exceed \$194,764; and necessary budget adjustments.
- H. Consideration and Possible Approval of an Intergovernmental Agreement with Pinal County for a Multi-Agency Vehicular Crimes Task Force; and Authorize the Town Manager and Town Attorney to Modify, Negotiate, Finalize and Sign All Documents Necessary to Effectuate the Agreement.

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- I. Consideration and Possible Approval of an Intergovernmental Agreement with Pinal County for a Multi-Agency Special Weapons and Tactics (SWAT) Team; and Authorize the Town Manager and Town Attorney to Modify, Negotiate, Finalize and Sign All Documents Necessary to Effectuate the Agreement.
 - J. Consideration and Possible Approval of a Cooperative Purchase Agreement with the Town of Gilbert for Property/Evidence Storage and Management Services Not to Exceed \$85,000 (FY 21/22 Budgeted Item); and Authorize the Town Manager and Town Attorney to Modify, Negotiate, Finalize and Sign All Documents Necessary to Effectuate the Agreement.
 - K. Consideration and Possible Approval of One-Year Contracts with Up to Four (4) One-Year Renewals to Apache Sands Towing, Executive Towing LLC, and Professional Towing and Recovery LLC for Towing and Vehicle Storage Services on an As-Needed Basis Not to Exceed \$30,000 (FY 21/22 Budgeted Item); and Authorize the Town Manager and Town Attorney to Modify, Negotiate, Finalize and Sign All Documents Necessary to Effectuate the Agreement.
 - L. Consideration and possible approval of an Agreement for the Purchase and Sale of a Lot with Groundwater Rights and Escrow Instructions, located within Harquahala Acres, Maricopa County, Arizona and to authorize the Town Manager and Town Attorney to modify, negotiate, finalize and sign all documents necessary to effectuate the transaction.
 - M. Consideration and possible approval of Delegation Resolution 1386-21 Amendment 2 authorizing and directing the Town Manager and/or Department Director to take any and all action necessary; and to sign any and all documents, contracts, or agreements for roadway construction, additional construction related services, and right-of-way costs for CIP Project A1507 Meridian Road: Queen Creek Road to Germann Road in an amount not to exceed \$10,774,493 and necessary budget adjustments.
 - N. Consideration and possible approval of an amendment to Delegation Resolution 1407-21 for the Municipal Service Building Fuel Island project in an amount not to exceed \$275,000 for construction contracts associated with the MSB Fuel Island site modification project XX028, and related budget adjustments.
 - O. Consideration and Possible Approval of Resolution 1430-21 Authorizing a Drinking Water Loan Agreement for Costs Related to the Acquisition of Non-Indian Agricultural Priority with the Water Infrastructure Finance Authority of Arizona (WIFA) and Declaring an Emergency to Accommodate the Loan Closing Date.
- 9. 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. Please address the Town Council on any items on the Public Hearing Consent Agenda by completing a Request to Speak Card and turn it into the Town Clerk, sending an email to PublicComment@QueenCreekAZ.gov (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record) or by WebEx (instructions at [QueenCreekAZ.gov/WatchMeetings](https://www.queen-creek.gov/WatchMeetings)). Speakers*

are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.

- A. Public Hearing and possible approval of a new Series 010 Beer & Wine Store Liquor License application submitted by Theresa June Morse on behalf of Pizza Hut #39121, 40930 N. Ironwood Road, Queen Creek, AZ 85140.

MOTION:	To approve the Public Hearing Consent Agenda
RESULT:	Approved unanimously (7-0)
MOVER:	Jeff Brown, Council Member
SECONDER:	Robin Benning, Council Member
AYES:	Barney, Oliphant, Benning, Brown, Martineau, Turley, Wheatley

Vice Mayor Oliphant opened the public hearing. There were no comments from the public or the Council and the public hearing was closed.

- 10. Public Hearings:** *If you wish to speak to the Town Council on any of the items listed as a Public Hearing, please address the Town Council by sending an email to PublicComment@QueenCreekAZ.gov (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record) or by WebEx (instructions at QueenCreekAZ.gov/WatchMeetings). Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.*

- A. Consideration and Possible Approval of Ordinance No. 770-21 Adopting the Fee Schedule to Cover Costs Associated with Public Requests for Queen Creek Police Department Records.

MOTION:	To approve Ordinance No. 770-21 adopting the fee schedule to cover costs associated with public record requests for Queen Creek Police Department records.
RESULT:	Approved unanimously (7-0)
MOVER:	Robin Benning, Council Member
SECONDER:	Jeff Brown, Council Member
AYES:	Barney, Oliphant, Benning, Brown, Martineau, Turley, Wheatley

Vice Mayor Oliphant opened the public hearing. There were no comments from the public or Council and the public hearing was closed.

11. Items for Discussion: *These items are for Town Council discussion only and no action will be taken. In general, no public comment will be taken.*

A. Queen Creek Police Department (QCPD) Update

Queen Creek Police Chief Randy Brice provided an update on monthly activities. He outlined the ongoing progress regarding the hiring and testing of police officers.

He spoke about the importance of community connection and how the QCPD will incorporate five key aspects for positive community-police relationships:

1. Acknowledge and discuss challenges with the community
2. Be transparent and accountable
3. Take steps to be culturally competent
4. Focus on collaboration and be visible in the community
5. Promote internal diversity & provide professional growth opportunities

C. Update on Alternative Expenditure Limitation - Permanent Base Adjustment

Deputy Finance Director Dan Olsen provided a follow up on the Alternative Expenditure Limitation – Permanent Base Adjustment option. He provided Council with updated estimates to submit to the voters as an adjustment to the Town's 1979-80 expenditure base. Mr. Olson said the Town is still in a high-growth mode and the information we will provide to the voters is for FY23-23 target year. He said the recommended Expenditure Limit Target is \$550M and the adjustment to the base is \$5.4M. Mr. Olsen explained the calculation used to determine this and displayed what the voters will see on the Publicity Pamphlet and Sample Ballot. He said the proposed language must first be submitted to the Auditor General for approval before it can be placed on the ballot.

Mr. Olsen briefly reviewed the consequences in the event that the voters do not approve the proposition and said it would result in drastic reductions to the Town's core services.

He outlined the timeline and key dates for a Permanent Base Adjustment Election. Remaining tasks include confirming the calculations with the Auditor General; confirming the election calendar with the Town Clerk; and a decision by Town Council at the December 1, 2021 meeting.

Communications and Marketing Director Marnie Schubert provided Council with the public outreach plan, which includes news releases; a FAQ fact sheet; various social media posts; and presentations at Town Boards & Commissions meetings and other community events. She said these efforts will be purely educational and stressed that we cannot use public funds or resources to advocate for or against the ballot item.

Council commented that they are in support of this item and said it will allow the Town to determine our own path.

12. Final Action: *If you wish to speak to the Town Council on any of the items listed under Final Action Please address the Town Council by completing a Request to Speak Card and turn it into the Town Clerk, sending an email to PublicComment@QueenCreekAZ.gov (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record) or by WebEx (instructions at QueenCreekAZ.gov/WatchMeetings). Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.*

- A. Consideration and Possible Approve of an Intergovernmental Agreement Between the Town of Queen Creek, the City of Mesa, and Maricopa County for Design of the Sossaman and Germann Roads Intersection at the Union Pacific Railroad in an Amount Estimated at \$1.5 Million, and the Necessary Budget Adjustments.

Public Works Director Troy White provided a presentation for this item. Town Manager John Kross announced that this is Troy's last presentation as he will be retiring on December 1. Mr. Kross thanked him for 17 years of service with the Town.

Mr. White gave background information on the intersection of Germann and Sossaman where it crosses the Union Pacific Railroad (UPRR). He said the IGA between Queen Creek, City of Mesa and Maricopa County would allow for final design of the intersection. He said that Queen Creek has led the discussions and the studies for this intersection and the costs will be split three ways. Mr. White said the Town will annex the remaining section of Germann Road at Sossaman intersection and will maintain and operate the intersection after construction, allowing us to control timing and signals.

Mr. White said the intersection is not designed for the current capacity and he discussed how the improvements would provide relief and improve traffic in the area. He said doing interim improvements would be challenging due to the railroad and right-of-way constraints with the Flood Control District and would not be cost effective or time saving.

Council thanked Mr. White for his work on this project and for all his years of service. They acknowledged the challenges in this intersection and said it has been a long time coming.

MOTION:	To approve an IGA between the Town of Queen Creek, the City of Mesa, and Maricopa County for Design of the Sossaman and Germann Roads Intersection at the Union Pacific Railroad in an Amount Estimated at \$1.5 Million, and the Necessary Budget Adjustments.
RESULT:	Approved unanimously (7-0)
MOVER:	Robin Benning, Council Member
SECONDER:	Emilena Turley, Council Member
AYES:	Barney, Oliphant, Benning, Brown, Martineau, Turley, Wheatley

- B. Consideration and possible approval to authorize staff to work with the nonprofit group Queen Creek Veterans Memorial Foundation to finalize a design of a Veterans Memorial for possible construction at the turf area in front of the main entrance area of the Community Chambers and Law Enforcement Buildings

Recreation Manager Adam Robinson said the idea for the Veterans Memorial originated in 2020 by participants of the Citizen Leadership Program as part of a group volunteer project. He said the efforts were put on hold due to Covid. Mr. Robinson said the group is seeking Federal status as a non-profit and they are back tonight to present a formal request to authorize staff to work with the Queen Creek Veterans Memorial Foundation to finalize design and construct a memorial on the grass circle at the entrance area of the Community Chambers and Law Enforcement Building.

Chris Moss and Derek Ziegler, from the Queen Creek Veterans Memorial Foundation, presented the project background and said they would like to regroup and begin fundraising with the full support of the Town. Mr. Ziegler provided a project overview, including design elements, location, pricing and quotes, and funding sources. He said the main funding source would be from selling engraved bricks, donations, and fundraising. The estimated construction timeline, if the project is approved, would be Veterans Day 2023. They are asking the Town for assistance with permitting and for future Town upkeep of the memorial which they are asking to locate on Town property. They said the plan to continue with the foundation even after the memorial is completed to support the community.

Council was in support of this idea and agreed that the requests presented were reasonable. Council encouraged them to reach out to other local groups and volunteers to assist with fundraising.

MOTION:	To approve authorization of staff to work with the nonprofit group Queen Creek Veterans Memorial Foundation to finalize design of a Veterans Memorial for possible construction at the turf area in front of the main entrance area of the Community Chambers and Law Enforcement Buildings
RESULT:	Approved unanimously (7-0)
MOVER:	Jeff Brown, Council Member
SECONDER:	Leah Martineau, Council Member
AYES:	Barney, Oliphant, Benning, Brown, Martineau, Turley, Wheatley

- D. Consideration and Possible Approval of Resolution 1431-21 Temporarily Modifying the Town's Purchasing Policy Section 2-104, Town Council, by Authorizing the Town Manager and Department Directors to be the Awarding Authority for Procurements that Are \$50,000 or Less; Temporarily Suspending the Town's Purchasing Policy Section 3-101, Informal Competitive Bids or Proposals, to Address Supply Chain Issues; and Declaring an Emergency.

Procurement Manager Melissa Bauer discussed the proposal to temporarily modify the purchasing policy to address supply chain issues. She said lead times have been extended by 6 to 24 months, costs are increasing and vendors are not willing to hold quoted prices and quantities. This is affecting critical infrastructure and public safety supplies in particular.

Ms. Bauer outlined the temporary recommendations as follows:

- Increase Town Council approval amount to \$50K (currently \$25K)
- Temporarily suspend the informal competitive bids or proposals
- Applies to critical infrastructure components and public safety supplies only
- Effective through June 30, 2022 (either rescind or extend after this date)
- Use the emergency clause to be effective immediately
- Staff will provide Council with a monthly summary report with items, dollar amount and method of procurement.

Council commented that they liked the monthly report feature and the stipulation that it was for critical infrastructure and public safety only. Council was supportive of this as a temporary policy under the current situation regarding the supply chain.

MOTION:	To approve Resolution 1431-21 temporarily modifying the Town's Purchasing Policy Section 2-104, Town Council, by authorizing the Town manager and Department Directors to be awarding authority for procurements that are \$50,000 or less; temporarily suspending the Town's Procurement Policy Section 3-1-1, Informal Competitive Bids or Proposals to address supply chain issues and declaring an emergency.
RESULT:	Approved unanimously (7-0)
MOVER:	Gail Barney, Mayor
SECONDER:	Julia Wheatley, Council Member
AYES:	Barney, Oliphant, Benning, Brown, Martineau, Turley, Wheatley

13. Adjournment

The Regular Session adjourned at 8:34 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 Regular Session Minutes of the November 17, 2021 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 December 1, 2021.

Council Committee Reports

- 11/04 – PHX East Valley Partnership Board of Directors Meeting (Benning)
- 11/04 – East Valley Mayors’ Luncheon (Barney)
- 11/04 – Queen Creek Transportation Advisory Committee Meeting (Martineau)
- 11/06 – Pancake Breakfast (Barney, Benning, Brown, Martineau, Wheatley)
- 11/06 – Arizona Muslim Law Enforcement Appreciation Dinner (Barney)
- 11/08 – Quarterly Meeting with Pinal County Supervisor Mike Goodman (Barney)
- 11/09 – Gulfstream Announcement Event (Oliphant)
- 11/10 – League of Arizona Cities and Towns Executive Committee Meeting (Barney)
- 11/11 – San Tan Memorial Gardens Veterans Day Celebration (Oliphant, Brown, Martineau)
- 11/16 – Queen Creek Unified School District 2nd Quarter Business Partner Breakfast (Oliphant, Wheatley)
- 11/16 – Phoenix-Mesa Gateway Airport Authority Board of Directors Meeting (Barney)
- 11/17 – Maricopa Association of Governments Transportation Policy Committee Meeting (Barney)

