



Minutes
Town Council Regular Session
Community Chambers, 20727 E. Civic Parkway
Wednesday, September 21, 2022
6:30 PM

1) **Call to Order:**

The meeting was called to order at 6:33 p.m.

2) **Roll Call:**

PRESENT:

Jeff Brown, Vice Mayor
Robin Benning, Council Member
Leah Martineau, Council Member
Dawn Oliphant, Council Member
Julia Wheatley, Mayor-Elect

ABSENT:

Emilena Turley, Council Member

Council Member Benning and Mayor-Elect Wheatley attended the meeting virtually.

3) **Pledge of Allegiance:**

Council Member Martineau led the pledge of allegiance.

4) **Invocation/Moment of Silence:**

A moment of silence was held for first responders, all those in the medical community and men and women in uniform that are keeping our country safe.

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

5.A) Recognition of QCPD Crime Scene/Evidence Specialist Stephanie Kirkpatrick for obtaining her Crime Scene Analyst Certification.

Council recognized Queen Creek Police Department Crime Scene and Evidence Specialist Stephanie Kirkpatrick who recently obtained her Crime Scene Analyst Certification.

Police Chief Randy Brice shared the QCPD values and praised Ms. Kirkpatrick's for

her hard work and competence in her field. He said this is the second highest level of certification offered by the International Association for Identification.

6) **Committee Reports:**

- 6.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 summery unless the specific matter is properly noticed for legal action.

Council Member Oliphant commented on the Patriot's Day Ceremony held on September 11. She thanked the American Legion Post, those who organized the event and those who attended. She said she would like to see this event continue in future years.

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

None.

7) **Public Comments:**

None.

8) **Consent Agenda:**

- 8.A) Consideration and possible approval of Expenditures \$25,000 and over, pursuant to Town Purchasing Policy. (FY 22/23 Budgeted Items)

Department: Finance

Staff Report 


September 21, 2022 Expenditures over \$25,000.pdf 

- 8.B) Consideration and possible approval of the "Final Plat" for Jorde Farms North Phase 2, a request by Shea Homes Limited Partnership.

Department: Development Services

Staff Report 


Aerial Exhibit - Jorde Farms North.pdf 


Final Plat - Jorde Farms North Phase 2.pdf 

- 8.C) Consideration and possible approval of the "Condominium Plat" for Encanterra Casitas, a request by Encanterra Club Holdings LLC and the Club at Encanterra LLC.

Department: Development Services

Staff Report 

[Aerial Exhibit - Encanterra Casitas.pdf](#) 


[Condominium Plat - Encanterra Casitas.pdf](#) 

- 8.D) [Consideration and possible approval of a Preconstruction Services Contract with Haydon Building Corp for the Recreation and Aquatic Center within the Frontier Family Park \(CIP project RQ030\) in the amount of \\$559,784. \(This is a FY 2022/23 Budgeted Item\)](#)

Department: Capital Improvement Projects

[Staff Report](#) 

[RQ030 Project Location Exhibit](#) 

[RQ030 Site Location](#) 

[Haydon Building Corp Aquatic Center Contract](#) 

Item 8(D) was pulled by Council Member Martineau for a separate vote.

- 8.E) Consideration and possible approval of one-year Agreement with Thin Client Computing, L.L.C in an amount not to exceed \$250,000 for technology products and services including hardware and equipment, software, consulting and managed services, installation, training, maintenance, and repair with the ability to extend the agreement for up to four additional years. (FY 2022/23 Budgeted Item)

Department: Information Technology

[Staff Report](#) 

[Contract](#) 

- 8.F) Consideration and possible approval of a Fourth Amendment to the Professional Services Contract with Southwest Groundwater, a Division of Matrix New World for Physical Availability Demonstration Services increasing the total contract amount by \$20,000 for a total amended contract not to exceed \$116,610. (FY 2022/23 Budgeted Item)

Department: Utilities

[Staff Report](#) 

[Southwest Groundwater Fourth Amendment](#) 

- 8.G) Consideration and possible approval of Amendment No. 1 to Contract 2020-033 between the Town of Queen Creek and Waste Connections to include small commercial services.

Department: Public Works

[Staff Report](#) 

MOTION: To approve the Consent Agenda less item 8(D)
RESULT: Approved unanimously (5-0)
MOVER: Leah Martineau, Council Member
SECONDER: Dawn Oliphant, Council Member
AYES: Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect
ABSENT: Emilena Turley, Council Member

MOTION: To approve a Preconstruction Services Contract with Haydon Building Corp for the Recreation and Aquatic Center in the Frontier Family Park (CIP project RQ030) in the amount of \$559,784. (This is a FY 2022/23 Budgeted Item)
RESULT: Approved (4-1)
MOVER: Robin Benning, Council Member
SECONDER: Dawn Oliphant, Council Member
AYES: Jeff Brown, Vice Mayor, Robin Benning, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect
NAYS: Leah Martineau, Council Member
ABSENT: Emilena Turley, Council Member

9) **Public Hearing Consent Agenda:**

- 9.A) Public Hearing and possible action on Ordinance 794-22, P22-0052 Arizona State Land Department Specific Plan Supplement 3, a request from Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC, to Request for Rezoning for an Amendment of approximately 1,600 +/- acres to the State Land Specific Plan by amending the zoning designations for Planning Units 5, 6, 7, 8, 9 and 13 from Neighborhoods and Urban to Urban Employment, and defining development guidelines for the remainder of the property as it relates to the Urban Employment designation.

Department: Development Services

[Staff Report](#) 

[ASLD Aerial](#) 


[ASLD Zoning Exhibit](#) 


[General Plan Exhibit](#) 


[Current Specific Plan.pdf](#) 

[Proposed Specific Plan.pdf](#) 


[Specific Plan Supplemental 3.pdf](#) 

[ASLD Supplement 3 Public Participation Report.pdf](#) 

[Ordinance 794-22.pdf](#) 

[TC 9.21.22.pptx](#) 

Vice Mayor Brown opened the public hearing. The following online comments were received in opposition of the item:

[Jared McGowan - 1148 E Press Rd, San Tan Valley 85140](#) 

[Shanda Newsam, 43703 N Coyote Rd, San Tan Valley](#) 

[Breann Nichols, 42941 N Suburban Ave, San Tan Valley](#) 

Vice Mayor Brown closed the public hearing.

MOTION: To approve Ordinance 794-22, P22-0052 Arizona State Land Department Specific Plan Supplement 3, subject to the Conditions of Approval outlined in the staff report

RESULT: Approved unanimously (5-0)

MOVER: Dawn Oliphant, Council Member

SECONDER: Julia Wheatley, Mayor-Elect

AYES: Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect


ABSENT: Emilena Turley, Council Member

10) **Public Hearings:**


10.A) Public Hearing and possible action on Ordinance 793-22, P22-0102 Queen Creek Olive Mill Phase II Agritainment PAD Rezone, a request to PAD Rezone approximately 32 acres from R1-43 (Rural Estate District) to AT/PAD (Agritainment) for future residential and commercial development located at the northeast corner of Meridian and Combs roads.

Department: Development Services

[Staff Report](#) 

[Aerial Exhibit.pdf](#) 

[General Plan Exhibit.pdf](#) 

[Current Zoning Exhibit.pdf](#) 

[Proposed Zoning Exhibit.pdf](#) 

[Conceptual Development Plan.pdf](#) 

[Character Imagery Boards.pdf](#) 

[Project Narrative.pdf](#) 

[Neighborhood Meeting Summary.pdf](#) 

[P22-0102 QC Olive Mill Phase II Agritainment PAD Rezone - 9.21.22 TC.pptx](#) 

[Ordinance 793-22](#) 

Steven Ester, Planner II presented Case P22-102 Queen Creek Olive Mill Phase II to rezone approximately 32 acres from Rural Estate District to Agritainment for future residential and commercial development. He outlined the project site location and discussed the conceptual development plans which are all permitted under the requested Agritainment zoning. Mr. Ester said the project site is also located within the South Specific Area Plan and will integrate with surrounding properties in the area. He outlined the three phases of proposed uses for the property and said that each phase will require Site Plan Review process by staff. He said a neighborhood meeting was held with no opposition raised and the Planning Commission recommended approval of the project (7-0).

Vice Mayor Brown opened the public hearing.

Sean Lake, Pew & Lake, was in attendance on behalf of the applicant. He said this is a vision that has been in place for this area for a long time and he was available for questions.

Council Member Oliphant had a question regarding Phase 3 and the location for the proposed hotel/boutique use. Mr. Lake said it is a conceptual plan to accommodate this type of use and it will allow for flexibility.

Council was supportive of the agritainment development and unique uses proposed for this area.

There were no other comments and Vice Mayor Brown closed the public hearing.

MOTION: To approve Ordinance 793-22, P22-0102 Queen Creek Olive Mill Phase II Agritainment PAD Rezone, subject to the Conditions of Approval.

RESULT: Approved unanimously (5-0)

MOVER: Dawn Oliphant, Council Member

SECONDER: Leah Martineau, Council Member

AYES: Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect

ABSENT: Emilena Turley, Council Member


11) **Items for Discussion:**

11.A) Follow up from February, 2022 Town Council Strategic Planning Session - Comprehensive Review of the Town's Financial Policies.

Department: Finance

Staff Report 

Presentation: Comprehensive Review of Financial Policies 

Presentation: Recommendation to Reduce Water Replenishment Fees by \$0.6M for 2023-24 

Town Manager John Kross introduced this item and said these are items that were discussed at the Town Council Strategic Planning Session and staff has been working on specific financial policy issues as requested by Council.

Finance Director Scott McCarty introduced a recommended two phased approach to address financial policies that can help the Town strategically reduce costs. He said the first phase is to achieve a "AAA" Bond Rating by looking at our Operating Budget reserve; pension funding; and our plans for debt management and the second phase includes changes to our financial policies that can reduce fees paid by water customers and property owners in 2023-24. He outlined the future council meeting calendar where these issues will be presented to Council for additional discussion and possible approval.


Council appreciated the aggressive timeline to achieve these goals and to lower costs for residents. Council thanked staff for the work involved.

11.B) Follow up from February, 2022 Town Council Strategic Planning Session - Recommendation to Reduce Water Replenishment Fees by \$0.6M for 2023-24 (CAGR fees).

Department: Finance

Staff Report 

Presentation: Comprehensive Review of Financial Policies 

Presentation: Recommendation to Reduce Water Replenishment Fees by \$0.6M for 2023-24 

Deputy Utilities Director Marc Skocypec introduced the second recommendation to reduce water replenishment fees by Central Arizona Ground Water District (CAGR) by \$0.6M for 2023-2024 for town customers. He provided a background on Arizona water resource requirements and Queen Creek's current water supply. He said this reduction is possible because of recent purchases of water and steps the Town has been taking to reduce fees since 2018.

Mr. Skocypec explained the CAGR costs, surcharges and rules and how it affects the customer's water bill. He said the rules apply to both potable and irrigation water. He said the reduction strategies the Town has implemented have resulted in a cumulative \$8M annual savings to customers and thanked Council for the

decisions they made to help achieve this. He said there is a recommendation tonight to reduce fees by another \$0.6M that would make the annual savings \$8.6M.

Director McCarty provided specific examples on how these reductions, if approved, would save a typical subdivision HOA and individual property owners on their monthly water bills. He concluded with the next steps to complete the policy at future meetings. Mr. McCarty thanked Utility Director Paul Gardner and Deputy Director Skocypec and their staff for their strategy and vision on these matters.


Council thanked staff for the high level presentation and their expertise on these accomplishments. Council suggested that the Town get the word out and asked that residents be provided with the cost savings information as well.

12) Final Action:

- 12.A) Consideration and possible approval of Resolution No. 1495-22 authorizing the execution of the contract between the United States Bureau of Reclamation and the Town of Queen Creek for the delivery of Colorado River Water; the partial assignment of Colorado River Water under contract with GSC Farm LLC to the Town of Queen Creek; and contract for system use between the United States Bureau of Reclamation and the Town of Queen Creek; authorizing the Vice Mayor, the Town Manager, the Town Clerk, and the Town Attorney to take all actions necessary to carry out the final execution of the contracts in accordance with their terms and intent; and declaring an emergency to accommodate the immediate and timely execution of multi governmental agreements.

Department: Finance

Staff Report 

Resolution No. 1495-22 Authorizing the Execution of Agreements Related to the Transfer of Cibola Water to the Town of Queen Creek, Arizona 

6) Presentation: Cibola Water Rights Acquisition and WIFA Financing 

Deputy Director Skocypec spoke briefly on the Town's water supply and future strategies. He said Queen Creek has enough groundwater to meet the needs for the next 100 years. He said groundwater use is becoming expensive and the Town is providing a mix of non-groundwater sources to off-set costs and hopes to be water independent by 2025.

Mr. Skocypec outlined the three agreements required to complete the Cibola water transfer acquisition that will be voted on tonight.

Finance Director McCarty spoke on the financial details to purchase the water. He is recommending the use of a WIFA low-interest loan and he provided closing details on the loan application process.


<p>MOTION: To approve Resolution No. 1495-22 authorizing the execution of the contract between the United States Bureau of Reclamation and the</p>

Town of Queen Creek for delivery of Colorado River Water; the partial assignment of Colorado River Water under contract with GSC Farm LLC to the Town of Queen Creek; and contract for system use between the United States Bureau of Reclamation and the Town of Queen Creek; authorizing the Vice Mayor, the Town Manager, the Town Clerk, and the Town Attorney to take all actions necessary to carry out the final execution of the contracts in accordance with their terms and intent; and declaring an emergency to accommodate the immediate and timely execution of multi governmental agreements.

RESULT: Approved unanimously (5-0)
MOVER: Julia Wheatley, Mayor-Elect
SECONDER: Leah Martineau, Council Member
AYES: Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect
ABSENT: Emilena Turley, Council Member

- 12.B) Consideration and possible approval of Resolution No. 1496-22 authorizing the application for a Drinking Water State Revolving Fund Program Loan ("DWSRF") through the Water Infrastructure Finance Authority of Arizona ("WIFA") for costs related to the acquisition of surface water rights (Cibola) in an amount not to exceed \$27 Million and declaring an emergency to accommodate the closing date for the loan.

Department: Finance

Staff Report 

Resolution No. 1496-22 Authorizing the Application for a Drinking Water State Revolving Fund Loan from the Water Infrastructure Finance Authority of Arizona 

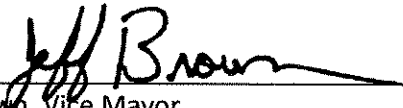
MOTION: To approve Resolution No. 1496-22 authorizing the application for a Drinking Water State Revolving Fund Program Loan ("DWSRF") through the Water Infrastructure Finance Authority of Arizona ("WIFA") for costs related to the acquisition of surface water rights (Cibola) in an amount not to exceed \$27 million and declaring an emergency to accommodate the closing date for the loan.

RESULT: Approved unanimously (5-0)
MOVER: Dawn Oliphant, Council Member
SECONDER: Leah Martineau, Council Member
AYES: Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect
ABSENT: Emilena Turley, Council Member

- 13) Adjournment:

The meeting adjourned at 8:07 p.m.

TOWN OF QUEEN CREEK



Jeff Brown, Vice 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 Town Council Regular Session Minutes of the September 21, 2022 Town Council 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 5, 2022