



AMENDED AGENDA
Queen Creek Town Council Regular Session
Community Chambers, 20727 E Civic Parkway
August 16, 2023
6:30 PM

Pursuant to A.R.S. §§ 38-431.02 and 38-431.03, notice is hereby given to the members of the Town Council and 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).

The public can continue to watch the meeting live streamed at [QueenCreek.org/WatchMeetings](https://www.queen-creek.org/WatchMeetings) by selecting "video" next to the applicable meeting (once the meeting begins) or by visiting the Town's Ustream account at <https://video.ibm.com/councilmeeting>.

In addition to attending in-person, residents may submit public comment for this Town Council meeting by submitting their comments via email to PublicComment@QueenCreekAZ.gov. Every email, if received by the deadline of 5:00 p.m., the day of the meeting will be entered into the official record. Please include your name, address, comment and note if your comment is for call to the public. Comments without identifying name and address will not become part of the written record.

The Mayor or other presiding officer at the meeting may change the order of Agenda Items and/or take items on the Agenda in an order they determine is appropriate. Some members of the Town Council and staff may attend electronically.

- 1. Call to Order:**
- 2. Roll Call:** *(Members of the Town Council may attend electronically and/or telephonically)*
- 3. Pledge of Allegiance:**
- 4. Invocation/Moment of Silence:** Floria Goharriz, Bahai Faith of Queen Creek
- 5. Ceremonial Matters (Presentations, Proclamations, Awards, Guest Introductions and Announcements):**
 - A. Recognition of the Queen Creek Little League
 - B. Introduction of new Queen Creek Fire and Medical Emergency Transportation Services (Ambulance) staff
- 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. Parks and Recreation Advisory Committee (August 8, 2023)
 - 2. Transportation Advisory Committee (August 10, 2023)

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 returning it to the Town Clerk (limited to three (3) minutes each), or by emailing your comment for this Town Council meeting to PublicComment@QueenCreekAZ.gov (limited to 500 words). Every email, if received by the deadline of 5:00 p.m., the day of the meeting, will be entered into the official record. Only one comment per person, per Agenda Item will be allowed. Comments without identifying name and address will not be entered into the official record. The Town Council may not discuss or take action on any issue raised during public comment until a later meeting.*

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.*

- A. Consideration and possible approval of the August 2, 2023 Regular Session minutes.
- B. Consideration and possible approval of the "Final Plat" for Ellsworth Ranch Phase 2 Parcel D, a request by Taylor Morrison/Arizona Inc.
- C. Consideration and possible approval of the "Final Plat" for Mayberry on Rittenhouse, a request by LDR Pacific-Lone MT, LLC.
- D. Consideration and possible approval of a Project Order #5 Town Contract 2022-023, with Lee Engineering, LLC for traffic signal design engineering services at Queen Creek Road and 220th Street (CIP Project I0052) in an amount not to exceed \$27,390 and necessary budget adjustments.
- E. Consideration and possible approval of an On-Call Project Order with Sunrise Engineering, Contract 2023-003 in an amount not to exceed \$40,026 for engineering services for the Barney Farms Well Site Blending Plan. (FY 24 Budgeted Item)
- F. Consideration and possible approval of a purchase order in the amount of \$4,180,000 with Pumpman Waterworks utilizing Town Contract 2020-046 for well drilling and hydrogeological services for Ware Farms Well 1 - Coyote Well Site Project WA014 and Ware Farms Well 2 - Stagecoach Well Site Project WA025, and related budget adjustments.
- G. Consideration and possible approval of Delegation Resolution #1531-23 authorizing and directing the Town Manager and/or Capital Improvement Projects Department Director to take any and all action necessary; and to sign any and all documents, contracts, and/or agreements related to construction and completion of Ryan Road and 220th Street Improvements (CIP Projects No. A2001 & A1702), in an amount not to exceed \$5,800,000 and related budget adjustments.
- H. Consideration and possible approval of Delegation Resolution #1532-23 authorizing and directing the Town Manager and/or Capital Improvement Projects Department Director to take any and all action necessary; and to sign any and all documents, contracts, and/or agreements related to construction and completion of Cloud Road and Ellsworth Road Improvements (CIP Project No. A1006) in an amount not to exceed \$2,500,000; and necessary budget adjustments.

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 by completing a Request to Speak Card and returning it to the Town Clerk (limited to three (3) minutes each), or by emailing your comment for this Town Council meeting to PublicComment@QueenCreekAZ.gov (limited to 500 words). Every email, if received by the deadline of 5:00 p.m., the day of the meeting, will be entered into the official record. Only one comment per person, per Agenda Item will be allowed. Comments without identifying name and address will not be entered into the official record.*

A. Consideration and possible recommendation of approval on a new Series 012 Restaurant Liquor License application submitted by Navayogasingam Thuraisingam on behalf of Macayo's Mexican Food located at 24460 E Ocotillo Road, Queen Creek.

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 completing a Request to Speak Card and returning it to the Town Clerk (limited to three (3) minutes each), or by emailing your comment for this Town Council meeting to PublicComment@QueenCreekAZ.gov (limited to 500 words). Every email, if received by the deadline of 5:00 p.m., the day of the meeting, will be entered into the official record. Only one comment per person, per Agenda Item will be allowed. Comments without identifying name and address will not be entered into the official record.*

A. None.

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. Presentation and discussion regarding devices identified as micromobility and the use of motor-driven cycles, golf carts, mopeds, all-terrain vehicles, neighborhood electric vehicles, quadricycles, motorcycles, and other motor vehicles on town-owned sidewalks, streets, and other designated public areas.

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 returning it to the Town Clerk (limited to three (3) minutes each), or by emailing your comment for this Town Council meeting to PublicComment@QueenCreekAZ.gov (limited to 500 words). Every email, if received by the deadline of 5:00 p.m., the day of the meeting, will be entered into the official record. Only one comment per person, per Agenda Item will be allowed. Comments without identifying name and address will not be entered into the official record.*

A. None.

13. Adjournment:

I, Maria Gonzalez, do hereby certify that I caused to be posted this 15th day of August 2023, the Agenda for the August 16, 2023 Regular and Possible Executive Session of the Queen Creek Town Council at Town Hall and on the Town's website at www.QueenCreekAZ.gov.

Maria E. Gonzalez, MMC
Town Clerk

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.

Council Committee Reports

- 08/03 – Meeting with the Arizona Korean Association (Wheatley)
- 08/04 – Global Leadership Summit at Central Christian Church (Wheatley)
- 08/04 – Queen Creek Performing Arts Center Grand Re-Opening (Wheatley, Brown, Benning, McClure)
- 08/08 – Pinal Regional Transportation Authority Executive Committee Meeting (Benning)
- 08/08 – Meeting with Phoenix Mesa Gateway Airport Authority Director (Wheatley)
- 08/08 – Queen Creek Chamber Network QC Luncheon (Brown, McClure, Oliphant)
- 08/08 – Parks and Recreation Advisory Committee Meeting (Padilla)
- 08/08 – Queen Creek Unified School District Board Meeting Alumni Spotlight Recognition (McClure)
- 08/10 – Senate Bill 1102 Signing Ceremony (Wheatley, Brown)
- 08/10 – Transportation Advisory Committee Meeting (Martineau)
- 08/14 – Review for League of Arizona Cities & Towns Resolutions Committee (Wheatley)
- 08/15 – Pinal Regional Transportation Authority Board Meeting (Benning)
- 08/15 – Tour of Steel & Spark Workshop (Brown, McClure)
- 08/15 – Featured Speaker at Benjamin Franklin High School (Wheatley)
- 08/16 – Maricopa Association of Governments Transportation Policy Committee Meeting (Wheatley)





TOWN OF
QUEEN CREEK
ARIZONA

TO: HONORABLE MAYOR AND TOWN COUNCIL
THROUGH: BRUCE GARDNER, TOWN MANAGER
FROM: MARIA GONZALEZ MMC, TOWN CLERK
RE: CONSIDERATION AND POSSIBLE APPROVAL OF THE AUGUST 2, 2023 REGULAR SESSION MINUTES.
DATE: August 16, 2023

Suggested Action:

To approve the draft minutes as presented.

Alternatives:

Council can request revisions to be made to the draft minutes and approve with revisions or continue to a future meeting.

Attachment(s):

1. [Minutes](#)



Minutes
Town Council Regular Session
Community Chambers, 20727 E. Civic Parkway
Wednesday, August 2, 2023
6:30 PM

1) Call to Order:

The meeting was called to order at 6:30 p.m.

2) Roll Call:

PRESENT:

Julia Wheatley, Mayor
Jeff Brown, Vice Mayor
Robin Benning, Council Member
Leah Martineau, Council Member
Bryan McClure, Council Member
Dawn Oliphant, Council Member
Travis Padilla, Council Member

Due to technical difficulties with WebEx, Council Member Oliphant could not be heard.

3) Pledge of Allegiance:

Led by Council Member Benning.

4) Invocation/Moment of Silence: Bill Bush, Pastor - Rock Point Church

Pastor Bill Bush from Rock Point Church provided the invocation.

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

5.A) Cities Empowered Against Sexual Exploitation (CEASE) Designation Recognition

Mayor Wheatley recognized the CEASE program and said employees from the Town have recently completed training to become designated as a CEASE Community. She introduced members of the Arizona Anti-Trafficking Network who were in attendance: Michelle Rucker, CEASE Program Director; Nancy Baldwin, Co-Founder and Treasurer for the Arizona Anti-Trafficking

Network; Stacey Sutherland, TRUST Program Director; Ashlynn Rooney, SAFE Program Director and John Meza, Arizona Anti-Trafficking Network Board President.

Mr. Meza spoke briefly on the CEASE program and thanked Queen Creek for becoming a CEASE designated town and completing the training in record time. Mr. Meza thanked Council Member Martineau for bringing the program to Queen Creek and Management Support Specialist Missy Gunter for her support throughout the program. He also recognized Police Chief Brice and Lieutenant Southwick for assuring that officers receive supplemental training.

Council Member Martineau said she is proud that Queen Creek is the third municipality to complete this training in the State and had an impressive 90% participation rate by staff. She thanked staff and encouraged other cities and towns to follow suit.

Mayor Wheatley commented on her attendance, along with Council Member Martineau and representatives from the Queen Creek Police Department, at the Lighthouse Summit at Rock Point Church to raise awareness for victims and survivors of exploitation and human trafficking. She also recognized Council Member Oliphant who recently joined the CeCe's Hope Center Board of Directors. She said this organization focuses on anti-trafficking efforts.

5.C) Proclamation: Child Support Awareness Month

Council Member Martineau read the proclamation on Child Support Awareness Month which recognizes programs for children and the State's efforts to improve the lives of children through the Department of Economic Security and the Division of Child Support Services.

5.B) Proclamation: Drowning Impact Awareness Month

Council Member McClure read the proclamation for Drowning Impact Awareness Month which recognizes the importance of water safety. He said the Council is wearing purple ribbons to remind everyone about water safety.

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 summary unless the specific matter is properly noticed for legal action.

Committee Reports 

6.B) Committee and outside agency reports (only as scheduled): None.

None.

7) **Public Comments:**


None.

8) **Consent Agenda:**

- 8.A) Consideration and possible approval of the July 19, 2023 Regular Session minutes.

Department: Town Clerk's Office


Staff Report 

Minutes 07-19-23 

- 8.B) Consideration and possible approval of Expenditures \$25,000 and over, pursuant to Town Purchasing Policy. (FY 23/24 Budget Items)

Department: Finance

Staff Report 


Expenditures over \$25,000 


- 8.C) Consideration and possible approval of the appointment of Jeff Kramer and re-appointment of Cindy Barnes, Lamar Keener and David Goldman to the Transportation Advisory Committee (TAC).

Department: Public Works

Staff Report 

Kramer, Jeffrey - New 

Barnes, Cindy - Renewal 

Keener, Lamar - Renewal 

Goldman, David - Renewal 


- 8.D) Consideration and possible approval of the appointment of Lindzie Head and reappointment of Daniel Babcock, Michael Shirley and Sylvia Tarin, to the Parks and Recreation Advisory Committee (PRAC).


Department: Community Services


Staff Report 

Head, Lindzie 

Tarin, Sylvia 


Shirley, Michael 2023 

Babcock, Daniel 2023 

PRAC Proposed Terms 

- 8.E) Consideration and possible approval of the "Condominium Plat" for Volare Hangars at Pegasus Airpark, a request by Hangar Homes at Pegasus LLC & Hangar Homes at Pegasus II LLC.

Department: Development Services


Aerial Exhibit - Volare Hangars at Pegasus 

Volare Hangars At Pegasus Airpark - Condominium Plat 

- 8.F) Consideration and possible approval of a one-year contract with Saguaro Summit LLC, dba Christmas Light Decorators for holiday lights and decorations in downtown Queen Creek with up to four possible one-year renewals in the amount not to exceed \$85,000 on an annual basis. (FY 2023/24 Budgeted Item)

Department: Economic Development

Staff Report 


Contract 

Item 8(G) was pulled for a separate vote by Mayor Wheatley, and set to follow Item 11(A).

- 8.H) Consideration and possible approval of Resolution 1530-23 approving the Second Amendment to the Development Agreement with Chelsea United

Department: Economic Development

Staff Report 

Resolution 1530-23 

Copy of the Second Amendment to the Development Agreement 

Due to technical difficulties with WebEx, Council Member Oliphant was unable to indicate her vote and thus marked "absent".

MOTION: To approve the Consent Agenda less Item 8(G).
RESULT: Failed (0-0)
MOVER: Robin Benning, Council Member
SECONDER: Jeff Brown, Vice Mayor
AYES: Julia Wheatley, Mayor, Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Bryan McClure, Council Member, Travis Padilla, Council Member
ABSENT: Dawn Oliphant, Council Member

9) **Public Hearing Consent Agenda:**

None.

10) **Public Hearings:**

None.

11) **Items for Discussion:**

11.A) **Presenta on and discussion on the preliminary findings for the Horseshoe Park and Equestrian Centre (HPEC) Five Year Strategic Plan.**

Department: Economic Development

Staff Report

Five Year Strategic Plan Presenta on

General Manager David Solum provided a brief background on consultant Brian Dygert, who was contracted to develop a Five-Year Strategic Plan for Horseshoe Park and Equestrian Centre (HPEC).

Brian Dygert, 4D Produc on LLC, presented findings and shared a plan to maximize ac vity at HPEC today and into the future. Mr. Dygert briefly outlined the history of the HPEC and provided numbers for revenues, a endance and use days showing increases from year to year. He discussed event growth poten al and said that FY22-23 had an economic impact of \$42M for the Town with 65% of visitors from out of state.

He provided short term recommenda ons such as a formal booking policy; annual analysis on rates and fees; RFP for food and beverage and a full service restaurant; master site plan design that plans for the future; formal sponsorship using digital signage; increase barn, stall and RV capacity to allow for growth; and marke ng and brand awareness plan. Mr. Dygert said a Five-Year Strategic Plan will allow the Town to stay current. Long-term recommenda ons included air condi oning to make it a year-round venue and maximize capacity.

Council thanked staff and Mr. Dygert for the presenta on and commented that the park was well-run and an asset to the community. Council discussed maximizing the return on investment; closing the gap; cost recovery; becoming revenue neutral; sponsorships; and the economic impacts it brings to the

Town. Council favored smaller investments to maintain the facility but had concerns about more costly long-term recommendations such as air-conditioning.

Council Members Martineau and Padilla were in support of the park and the benefits to the community but spoke about the role of government and use of tax dollars to subsidize costs at HPEC.

Council had further discussion on future funding and mitigating the gap and asked for more information.

Mr. Dygert provided additional information on the larger industry side of publicly owned venues of this sort and said the bulk of the large venues are government owned with some subsidization. He said Queen Creek's venue is well managed but there are considerations such as it is seasonal and the town does not own the events.

Economic Development Director Doreen Cott said this is a Draft Strategic Plan and tonight we are here to make sure we are on the right track. She said the plan is in the works and we will come to Council with final details in September for a recommendation. Town Manager Gardner said a draft will be provided to Council prior to the meeting.

- 8.G) Consideration and possible approval of Delegation Resolution #1528-23 authorizing and directing the Town Manager and/or Capital Improvement Projects Department Director to take any and all action necessary; and to sign any and all documents, contracts, and/or agreements related to construction and completion of Horseshoe Park & Equestrian Centre (HPEC) RV Park Improvements (CIP Projects No. HP301 and HP302) in an amount not to exceed \$613,065 and related budget adjustments.**

Department: Capital Improvement Projects

Staff Report 

HP 301-302 Project Site Exhibit 

Delegation Resolution #1528-23 Exhibit 1 

Vice Mayor Brown said he would like to take action on this item after the final presentation on the Five-Year Strategic Plan and would like to motion for a continuance.

Council Member Benning commented on the different requirements for public and private entities in relation to contracts and bids. He said this item is necessary and will increase revenue and we run the risk of losing the contract on the previously budgeted item if continuance were to occur. Council Member Benning asked what the original cost was that was budgeted for the two improvements.

Town Manager Gardner clarified that the additional 10% increase was built into contingency. He said if we decide to continue the item we will lose the pricing on the current contract and will have to re-bid in 25 days.

Council had additional discussion on the RV dump aspect of the expense.

Council Member Benning made an alternative motion. Town Attorney Scott Holcomb provided guidance on voting procedures. He said the alternative motion will be voted on first.

Prior to voting Mayor Wheatley explained her vote. She said the item was previously approved and we have commitments and appreciates that we will be looking at the total picture of HPEC in the future.

Prior to voting Council Member McClure explained his vote. He said he will vote yes and this will help close the gap and produce additional revenue.

MOTION: To approve Consent Agenda Item 8(G), Consideration and possible approval of Delegation Resolution #1528-23 authorizing and directing the Town Manager and/or Capital Improvement Projects Department Director to take any and all action necessary; and to sign any and all documents, contracts, and/or agreements related to construction and completion of Horseshoe Park & Equestrian Centre (HPEC) RV Park Improvements (CIP Projects No. HP301 and HP302) in an amount not to exceed \$613,065 and related budget adjustments.

RESULT: Approved (4-3)

MOVER: Robin Benning, Council Member

SECONDER: Bryan McClure, Council Member

AYES: Julia Wheatley, Mayor, Robin Benning, Council Member, Bryan McClure, Council Member, Dawn Oliphant, Council Member

NAYS: Jeff Brown, Vice Mayor, Leah Martineau, Council Member, Travis Padilla, Council Member

12) Final Action:

None.

13) Adjournment:

The Regular Session adjourned at 8:14 p.m.

TOWN OF QUEEN CREEK

Julia Wheatley, 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 August 2, 2023 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: _____



TOWN OF
QUEEN CREEK
 ARIZONA

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: BRUCE GARDNER, TOWN MANAGER

FROM: BRETT BURNINGHAM, DEVELOPMENT SERVICES DIRECTOR, CHRIS DOVEL, TOWN ENGINEER, MARC PALICHUK, PRINCIPAL ENGINEER

RE: CONSIDERATION AND POSSIBLE APPROVAL OF THE "FINAL PLAT" FOR ELLSWORTH RANCH PHASE 2 PARCEL D, A REQUEST BY TAYLOR MORRISON/ARIZONA INC.

DATE: August 16, 2023

Suggested Action:

To approve the "Final Plat" for Ellsworth Ranch Phase 2 Parcel D, a request by Taylor Morrison/Arizona Inc.

Relevant Council Goal(s):

Superior Infrastructure

Discussion:

History:

May 4, 2005

- Town Council approved Ordinance 308-05 for rezoning of 63 acres from R1-43 to R1-18 (RZ12-04) for Circle G at Ellsworth Estates.

June 10, 2020

- Planning and Zoning Commission approved Ordinance 734-20, case P19-0251 Ellsworth Ranch PAD Rezone.

July 15, 2020

- Town Council approved Ordinance 734-20, case P19-0251 Ellsworth Ranch PAD Rezone.

August 12, 2020

- Planning and Zoning Commission approved the Ellsworth Ranch Preliminary Plat (P20-0018).

January 19, 2022

- Town Council approved Ellsworth Ranch Master Plat and Phase 1 Parcels A, E, F, & G Final Plats.

May 17, 2023

- Town Council Approved Ellsworth Ranch Phase 2 Parcels A, B, C, H & I Final Plats.

Background:

The applicant is requesting approval of the Ellsworth Ranch Phase 2 Parcel D Final Plat. Parcel D of Ellsworth Ranch is an 83-lot single-family residential subdivision situated on approximately 21.0 gross acres located at the northwest corner of Ellsworth Road and Chandler Heights Road. The subdivision

has underlying R1-12/PAD, R1-7/PAD, and R1-5/PAD zoning which is consistent with the General Plan land use designation. The total number of lots proposed for Ellsworth Ranch at buildout of two phases is 452 lots.

The Final Plat for Parcel D establishes the local street and lot layout. Parcel D provides 2 points of access into Parcel C and 1 point of access into Parcel G. Onsite roadway improvements will be constructed per the approved phasing plan.

Fiscal Impact:

The Town will receive building permit fees for all homes that develop within the 83-lot subdivision. The Developer (Taylor Morrison/Arizona Inc.) will complete onsite improvements for the public streets that will require future maintenance costs by the Town.

Alternatives:

Not to accept the Final Plat for Ellsworth Ranch Phase 2 Parcel D. If the Town does not accept the Final Plat, the subdivision will not be constructed at this time and the Town will not collect building permit fees.

Attachment(s):

1. [Aerial Exhibit - Ellsworth Ranch.pdf](#)
2. [Final Plat - Ellsworth Ranch Phase 2 Parcel D.pdf](#)

Aerial Exhibit - Ellsworth Ranch



DEDICATION

STATE OF ARIZONA)
COUNTY OF MARICOPA) ss

KNOW ALL MEN BY THESE PRESENTS:

THAT TAYLOR MORRISON/ARIZONA, INC., AN ARIZONA CORPORATION (OWNER), HAS SUBDIVIDED UNDER THE NAME OF "A REPLAT OF PARCEL D, ELLSWORTH RANCH", RECORDED IN BOOK 1651, PAGE 21, MARICOPA COUNTY RECORDS (MCR), LYING WITHIN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 7 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN PLATTED HEREON AND HEREBY PUBLISHES THIS REPLAT AS AND FOR THE PLAT OF SAID "A REPLAT OF PARCEL D, ELLSWORTH RANCH", AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF ALL LOTS, TRACTS, STREETS, AND EASEMENTS CONSTITUTING THE SAME, AND THAT EACH LOT, TRACT AND STREET SHALL BE KNOWN BY THE NUMBER, LETTER, AND NAME GIVEN EACH RESPECTIVELY, AND THAT TAYLOR MORRISON/ARIZONA, INC., AN ARIZONA CORPORATION, AS OWNER, HEREBY DEDICATES TO THE PUBLIC FOR USE AS SUCH THE STREETS AND HEREBY GRANTS TO THE PUBLIC THE DRAINAGE AND PUBLIC UTILITY EASEMENTS AS SHOWN ON SAID PLAT.

STREET RIGHT-OF-WAY AS SHOWN ON SAID PLAT IS HEREBY DEDICATED TO THE TOWN OF QUEEN CREEK FOR USE AS PUBLIC RIGHT-OF-WAY.

EASEMENTS ARE DEDICATED AS SHOWN ON THIS PLAT.

THE MAINTENANCE OF LANDSCAPING WITHIN THE PUBLIC RIGHT-OF-WAY TO BACK OF CURB SHALL BE THE RESPONSIBILITY OF THE ELLSWORTH RANCH COMMUNITY ASSOCIATION, INC. OR ABUTTING PROPERTY OWNER.

ALL PROPERTY, AMENITIES AND FACILITIES PROPOSED TO BE MAINTAINED BY THE ELLSWORTH RANCH COMMUNITY ASSOCIATION, INC. ARE HEREWITH PLATTED AS COMMON PROPERTY WITH AN UNDIVIDED INTEREST OWNED IN COMMON BY EACH LOT OWNER.

TRACTS EEE THROUGH MMM ARE NOT DEDICATED TO THE PUBLIC, BUT ARE PLATTED AS COMMON PROPERTY FOR THE USE AND ENJOYMENT OF THE ELLSWORTH RANCH COMMUNITY ASSOCIATION, INC., AS MORE FULLY SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS.

IN WITNESS TAYLOR MORRISON/ARIZONA, INC., AN ARIZONA CORPORATION, AS OWNER, HAS HEREUNTO CAUSED ITS NAME TO BE SIGNED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF THE UNDERSIGNED, DULY AUTHORIZED OFFICER.

ON THIS DAY OF , 20.

TAYLOR MORRISON/ARIZONA, INC., AN ARIZONA CORPORATION

BY:

ITS:

ACKNOWLEDGMENT

STATE OF ARIZONA)
COUNTY OF MARICOPA) ss

ON THIS DAY OF , 20, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED

WHO ACKNOWLEDGES THAT HE/SHE TO BE A OF TAYLOR MORRISON/ARIZONA, INC., AN ARIZONA CORPORATION, AND THAT HE/SHE EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES CONTAINED THEREIN.

IN WITNESS WHEREOF I HEREUNTO SET ME HAND AND OFFICIAL SEAL

BY: NOTARY PUBLIC DATE

MY COMMISSION EXPIRES:

RATIFICATION

STATE OF ARIZONA)
COUNTY OF MARICOPA) ss

ELLSWORTH RANCH COMMUNITY ASSOCIATION, INC., AN ARIZONA NON-PROFIT CORPORATION, HEREBY RATIFIES, AFFIRMS AND APPROVES THIS PLAT FOR "A REPLAT OF PARCEL D, ELLSWORTH RANCH" AND THE RESPONSIBILITIES IMPOSED UPON IT UNDER THIS PLAT.

IN WITNESS WHEREOF, ELLSWORTH RANCH COMMUNITY ASSOCIATION, INC., AN ARIZONA NON-PROFIT CORPORATION, HAS CAUSED ITS NAME TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER.

THIS DAY OF , 20.

ELLSWORTH RANCH COMMUNITY ASSOCIATION, INC., AN ARIZONA NON-PROFIT CORPORATION .

BY:

NAME:

ITS:

FINAL PLAT OF A REPLAT OF PARCEL D, ELLSWORTH RANCH

RECORDED IN BOOK 1651, PAGE 21, MARICOPA COUNTY RECORDS, (MCR)

LYING WITHIN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 7 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

OWNER

TAYLOR MORRISON/ARIZONA, INC. 4900 N. SCOTTSDALE ROAD, SUITE 2200 SCOTTSDALE, ARIZONA 85251 PHONE: (480) 346-1735 CONTACT: MR. ROBERT JOHNSON

CIVIL ENGINEER

WOOD, PATEL & ASSOCIATES, INC. 1630 SOUTH STAPLEY DRIVE - SUITE 219 MESA, ARIZONA 85204 PHONE: (480) 834-3300 CONTACT: MR. DAN MATTHEWS

SHEET INDEX

SHEET 1 COVER SHEET SHEET 2 KEY MAP, DETAILS, TABLES & LEGEND SHEET 3-4 PLAN SHEETS

TOWN APPROVAL

APPROVED BY THE TOWN COUNCIL OF QUEEN CREEK, THIS DAY

OF 20.

BY: MAYOR DATE

ATTEST: TOWN CLERK DATE

DEPARTMENT APPROVAL

THIS PLAT WAS APPROVED AS TO FORM BY THE TOWN ENGINEERING MANAGER AND THE TOWN PLANNING ADMINISTRATOR

TOWN ENGINEERING MANAGER DATE

TOWN PLANNING ADMINISTRATOR DATE

ACKNOWLEDGMENT

STATE OF ARIZONA)
COUNTY OF MARICOPA) ss

ON THIS DAY OF , 20, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED

WHO ACKNOWLEDGES THAT HE/SHE TO BE A OF ELLSWORTH RANCH COMMUNITY ASSOCIATION, INC., AN ARIZONA NON-PROFIT CORPORATION AND THAT HE/SHE EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES CONTAINED THEREIN.

IN WITNESS WHEREOF I HEREUNTO SET ME HAND AND OFFICIAL SEAL

BY: NOTARY PUBLIC DATE

MY COMMISSION EXPIRES:

LEGAL DESCRIPTION

PARCEL D, ELLSWORTH RANCH, RECORDED IN BOOK 1651, PAGE 21, MARICOPA COUNTY RECORDS (MCR), LYING WITHIN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 7 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

BASIS OF BEARING

NATIONAL GEODETIC SURVEY (NGS) GEODETIC NORTH BASED ON:

THE HORIZONTAL DATUM FOR THIS SURVEY IS BASED ON THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION (MCDOT) GEODETIC DENSIFICATION AND CADASTRAL SURVEY (GDACS) WEBSITE WWW.MCDOT.MARICOPA.GOV, UNDER THE SURVEY INFORMATION LINK ON MAY 2, 2019.

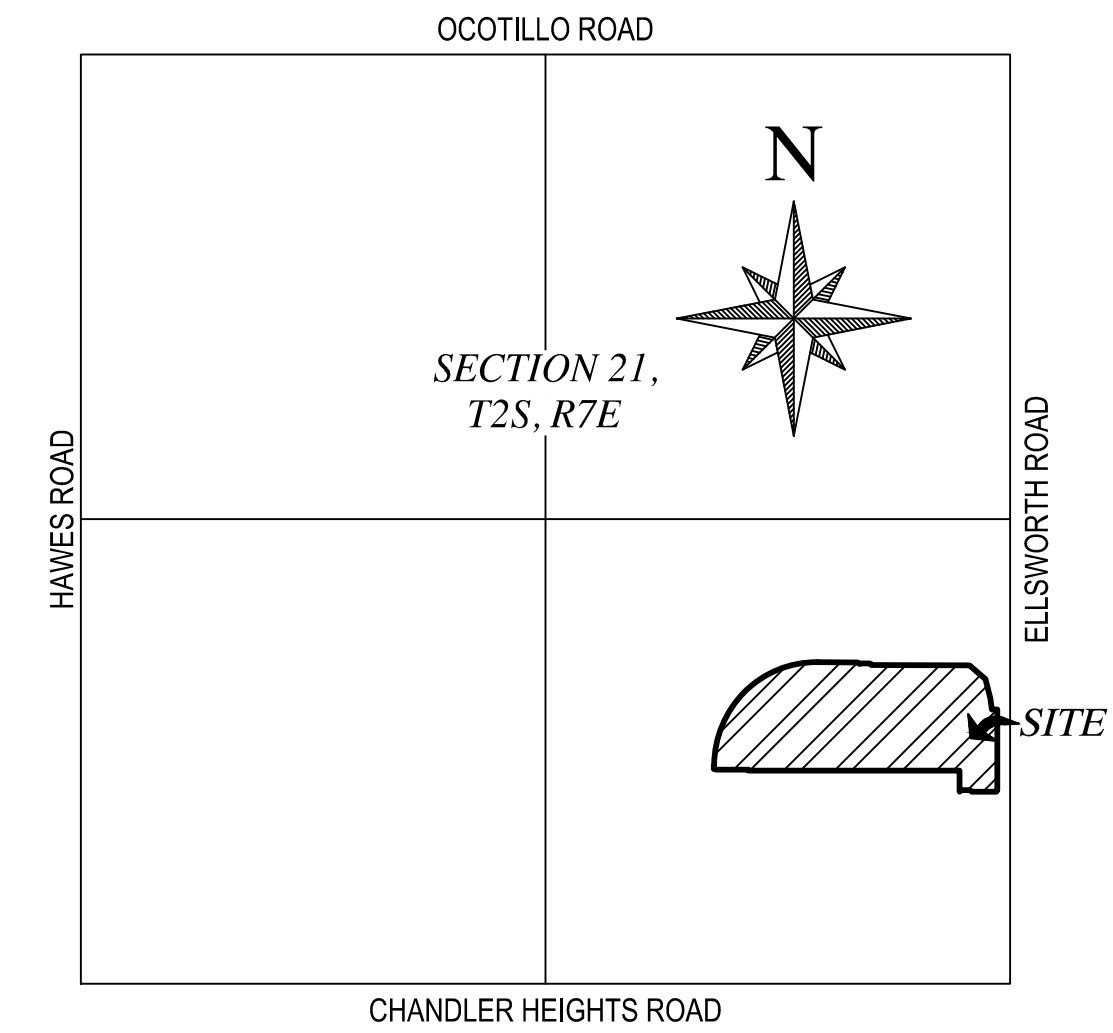
PROJECTION ARIZONA CENTRAL ZONE, NAD 83 (EPOCH 2010) DATUM GRS-80 UNITS INTERNATIONAL FEET GEOID MODEL GEOID 2012A CONTROL POINT 2DN1 PID AJ3639 LATITUDE 33°14'54.66799"N LONGITUDE 111°38'11.99253"W ELLIPSOID HEIGHT 396.693 (METERS) DESCRIPTION ALUMINUM CAP ON STAINLESS STEEL ROD IN CONCRETE

MODIFIED TO GROUND AT N: 818117.829 E: 786260.510, USING A SCALE FACTOR OF 1.0001537427.

HORIZONTAL ADJUSTMENT NONE HORIZONTAL ROTATION NONE

FLOOD ZONE DESIGNATION

THE PROPERTY IS LOCATED WITHIN AN AREA DESIGNATED AS HAVING OTHER FLOOD ZONE AREA X, DESCRIBED AS: "AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD."



VICINITY MAP

NTS

NOTES

- 1. DEVELOPMENT AND USE OF THIS SITE WILL CONFORM TO ALL APPLICABLE TOWN OF QUEEN CREEK CODES AND ORDINANCES.
2. AN 18" REBAR WITH AN R.L.S. CAP WILL BE SET AT ALL SUBDIVISION CORNERS, LOTS AND TRACTS.
3. ALL MEASUREMENTS ARE THE SAME AS RECORD UNLESS OTHERWISE NOTED. ALL FOUND MONUMENTS ARE WITHIN ACCEPTABLE TOLERANCES PER ARIZONA BOUNDARY SURVEY MINIMUM STANDARDS, UNLESS OTHERWISE NOTED.
4. TOTAL AREA OF SUBDIVISION IS 914,983 SQ. FT. OR 21.0051 ACRES MORE OR LESS.
5. MAINTENANCE OF ALL COMMON AREAS AND TRACTS IS THE RESPONSIBILITY OF THE ELLSWORTH RANCH COMMUNITY ASSOCIATION, INC.
6. CONSTRUCTION WITHIN UTILITY EASEMENTS SHALL BE LIMITED TO UTILITIES AND DRIVEWAYS.
7. NO STRUCTURES OF ANY KIND MAY BE CONSTRUCTED, NOR ANY VEGETATION PLANTED NOR ALLOWED TO GROW WITHIN DRAINAGE EASEMENTS WHICH WOULD IMPEDE THE FLOW OF WATER THROUGH THE EASEMENTS.
8. ALL TRACTS THAT WILL NOT BE CONVEYED TO THE TOWN OF QUEEN CREEK AND ALL COMMON PROPERTY SHALL BE IMPROVED IN ACCORDANCE WITH PLANS APPROVED BY THE TOWN OF QUEEN CREEK AND SHALL BE CONVEYED BY WARRANTY (OR SPECIAL WARRANTY) DEED TO THE ELLSWORTH RANCH COMMUNITY ASSOCIATION, INC.

ASSURED WATER SUPPLY

THE ARIZONA DEPARTMENT OF WATER RESOURCES HAS GRANTED A CERTIFICATE OF ASSURED WATER SUPPLY, DWR FILE NO. 27-701139.0000

ASSURANCE STATEMENT

ASSURANCE IN THE FORM OF A CERTIFICATE OF OCCUPANCY HOLD AGREEMENT HAS BEEN DEPOSITED WITH THE TOWN ENGINEERING MANAGER TO GUARANTEE CONSTRUCTION OF THE REQUIRED SUBDIVISION IMPROVEMENTS.

CERTIFICATION

THIS IS TO CERTIFY THAT THIS REPLAT IS CORRECT AND ACCURATE AND THE MONUMENTS DESCRIBED HEREIN HAVE EITHER BEEN SET OR LOCATED AS DESCRIBED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BRIAN J. DIEHL, RLS #23945 WOOD, PATEL & ASSOCIATES, INC. 1630 SOUTH STAPLEY DRIVE - SUITE 219 MESA, ARIZONA 85204 (480) 834-3300 SURVEYOR@WOODPATEL.COM

WOOD PATEL

Wood, Patel & Associates, Inc. Civil Engineering Water Resources Land Survey Construction Management 602.335.8500 www.woodpatel.com

FINAL PLAT A REPLAT OF PARCEL D, ELLSWORTH RANCH RECORDED IN BOOK 1651, PAGE 21, MARICOPA COUNTY RECORDS, (MCR) LYING WITHIN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 7 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

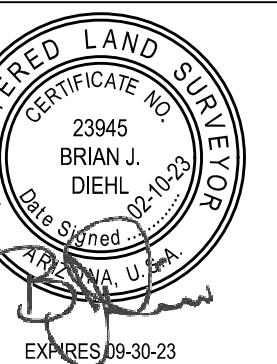
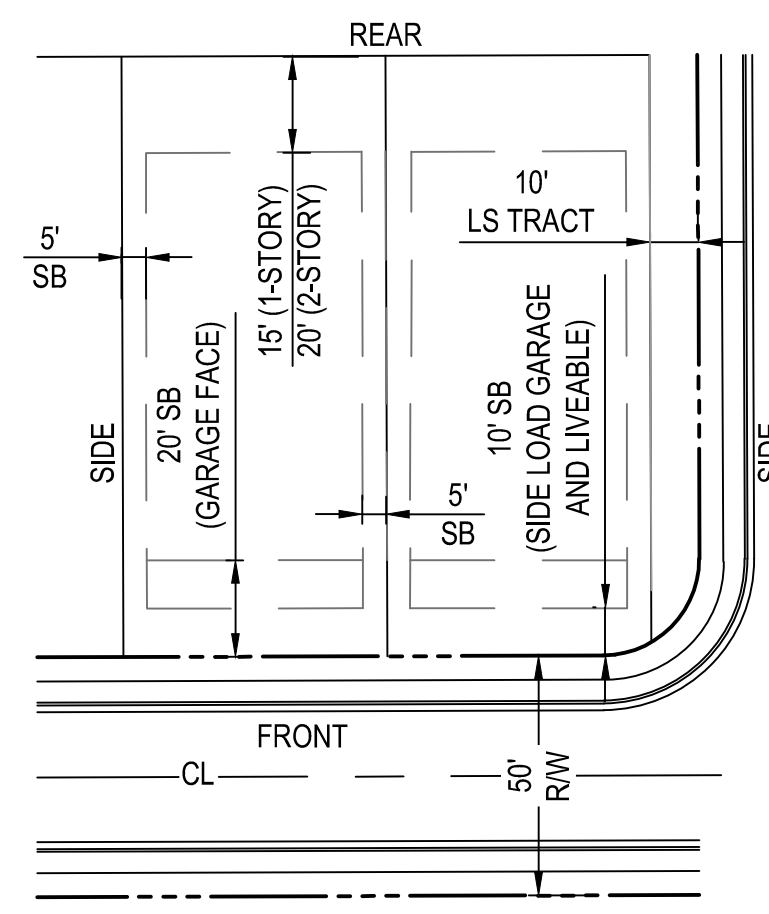


Table with 2 columns: Field Name and Value. Includes rows for Completed Survey Field Work On, Checked By, CAD Technician, Scale, Date, Job Number, and Sheet.

2:0216165153, Surveyor: WP#2019-150, DWG

SITE AREA TABLE		
	SQUARE FEET	ACRES
LOTS	590,254	13.5487
TRACTS	154,088	3.5375
R/W	170,645	3.9175
TOTAL	914,987	21.0037



LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE		
LOT NO.	LOT AREA SQUARE FEET	LOT AREA ACRES	LOT NO.	LOT AREA SQUARE FEET	LOT AREA ACRES	LOT NO.	LOT AREA SQUARE FEET	LOT AREA ACRES	LOT NO.	LOT AREA SQUARE FEET	LOT AREA ACRES
LOT 369	7,329	0.1683	LOT 390	6,875	0.1578	LOT 411	6,875	0.1578	LOT 432	6,875	0.1578
LOT 370	7,533	0.1729	LOT 391	6,875	0.1578	LOT 412	6,875	0.1578	LOT 433	6,875	0.1578
LOT 371	7,533	0.1729	LOT 392	9,658	0.2217	LOT 413	6,875	0.1578	LOT 434	6,875	0.1578
LOT 372	7,533	0.1729	LOT 393	10,386	0.2384	LOT 414	6,875	0.1578	LOT 435	6,875	0.1578
LOT 373	7,533	0.1729	LOT 394	8,703	0.1998	LOT 415	6,875	0.1578	LOT 436	6,875	0.1578
LOT 374	7,533	0.1729	LOT 395	7,605	0.1746	LOT 416	6,875	0.1578	LOT 437	6,875	0.1578
LOT 375	7,533	0.1729	LOT 396	7,551	0.1734	LOT 417	6,875	0.1578	LOT 438	6,875	0.1578
LOT 376	7,539	0.1731	LOT 397	7,194	0.1651	LOT 418	6,875	0.1578	LOT 439	6,875	0.1578
LOT 377	7,539	0.1731	LOT 398	7,183	0.1649	LOT 419	6,875	0.1578	LOT 440	6,875	0.1578
LOT 378	7,539	0.1731	LOT 399	7,183	0.1649	LOT 420	6,875	0.1578	LOT 441	6,875	0.1578
LOT 379	7,851	0.1802	LOT 400	7,183	0.1649	LOT 421	6,875	0.1578	LOT 442	6,875	0.1578
LOT 380	6,905	0.1585	LOT 401	7,183	0.1649	LOT 422	6,877	0.1579	LOT 443	6,875	0.1578
LOT 381	6,875	0.1578	LOT 402	7,183	0.1649	LOT 423	7,496	0.1721	LOT 444	6,875	0.1578
LOT 382	6,875	0.1578	LOT 403	7,144	0.1640	LOT 424	6,875	0.1578	LOT 445	6,875	0.1578
LOT 383	6,875	0.1578	LOT 404	6,825	0.1567	LOT 425	6,875	0.1578	LOT 446	6,875	0.1578
LOT 384	6,875	0.1578	LOT 405	6,875	0.1578	LOT 426	6,875	0.1578	LOT 447	6,875	0.1578
LOT 385	6,875	0.1578	LOT 406	6,875	0.1578	LOT 427	6,875	0.1578	LOT 448	6,875	0.1578
LOT 386	6,875	0.1578	LOT 407	6,875	0.1578	LOT 428	6,875	0.1578	LOT 449	6,875	0.1578
LOT 387	6,875	0.1578	LOT 408	6,875	0.1578	LOT 429	6,875	0.1578	LOT 450	6,875	0.1578
LOT 388	6,875	0.1578	LOT 409	6,875	0.1578	LOT 430	6,875	0.1578	LOT 451	6,875	0.1578
LOT 389	6,875	0.1578	LOT 410	6,875	0.1578	LOT 431	6,875	0.1578	TOTAL	590,254	13.5487

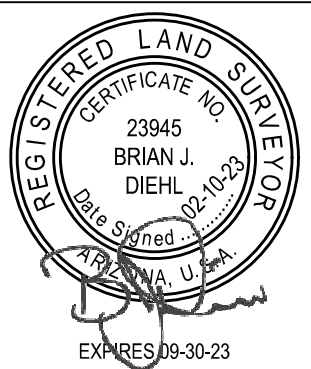
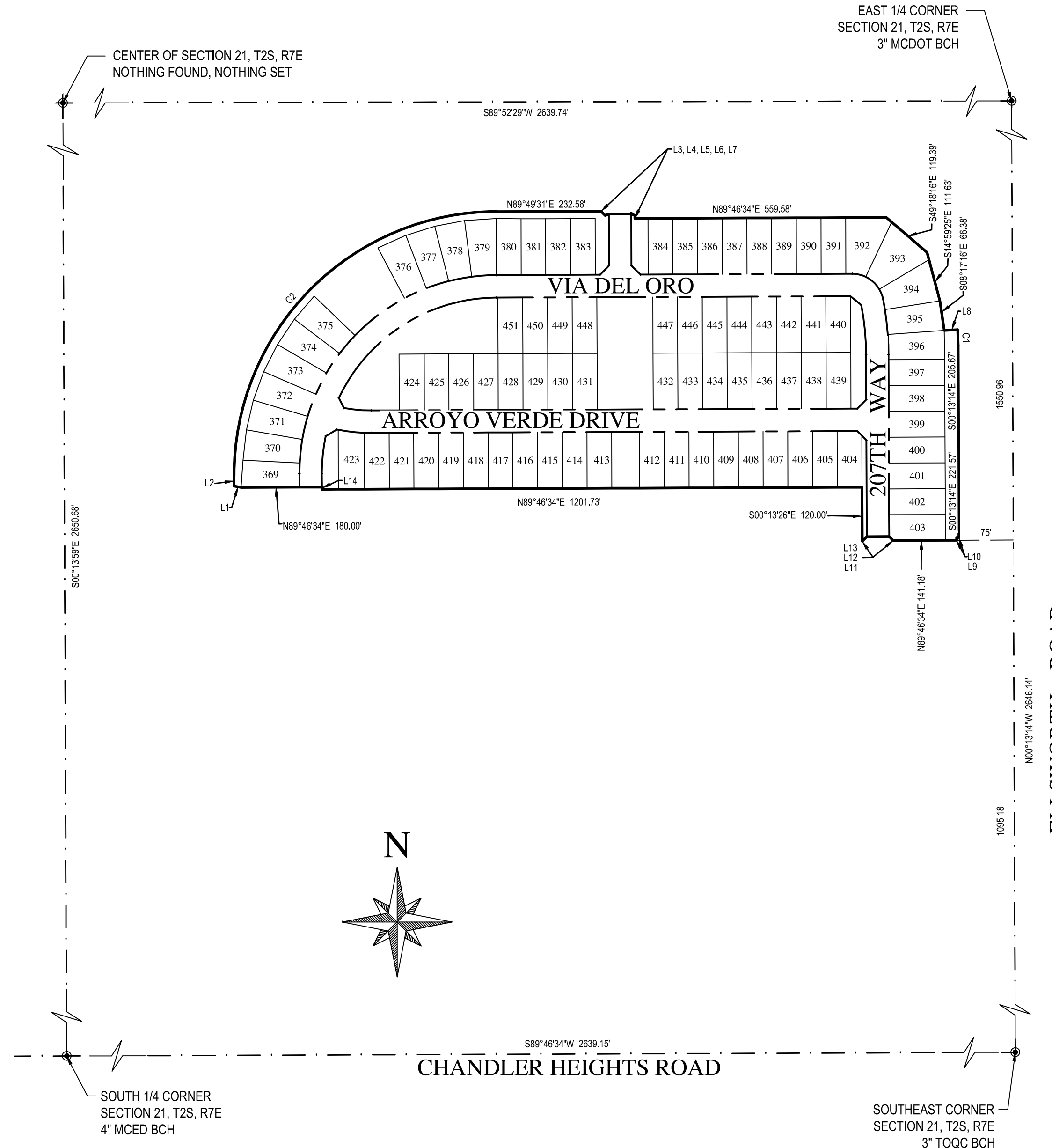
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N79°20'52"W	16.29'
L2	N00°13'26"W	22.26'
L3	S45°11'57"E	13.18'
L4	N67°17'18"E	8.66'
L5	N89°49'31"E	50.00'
L6	S67°42'42"E	8.66'
L7	S00°13'26"E	6.76'
L8	N87°01'36"E	30.00'
L9	S89°46'46"W	5.00'
L10	S00°13'14"E	6.38'
L11	N45°13'26"W	12.47'
L12	S89°46'34"W	50.00'
L13	S44°46'34"W	14.14'
L14	N00°13'26"W	5.00'
L15	S00°13'26"E	30.00'
L16	N00°13'26"W	30.00'
L17	N44°46'34"E	28.28'
L18	N45°13'26"W	28.28'
L19	N45°13'26"W	28.28'
L20	N44°46'34"E	28.28'
L21	N50°56'06"W	30.96'
L22	S58°19'21"W	28.40'
L23	S26°57'14"E	25.27'
L24	S00°13'26"E	30.00'

TRACT AREA TABLE			
TRACT NO.	TRACT AREA SQUARE FEET	TRACT AREA ACRES	USAGE
TRACT EEE	43,808	1.0057	OPEN SPACE, LANDSCAPE AREA, DRAINAGE EASEMENT
TRACT FFF	4,512	0.1036	OPEN SPACE, LANDSCAPE AREA, DRAINAGE EASEMENT
TRACT GGG	38,837	0.8916	OPEN SPACE, LANDSCAPE AREA, DRAINAGE EASEMENT
TRACT HHH	31,143	0.7149	OPEN SPACE, LANDSCAPE AREA, DRAINAGE EASEMENT
TRACT III	7,519	0.1726	OPEN SPACE, LANDSCAPE AREA
TRACT JJJ	4,245	0.0975	OPEN SPACE, LANDSCAPE AREA
TRACT KKK	7,753	0.1780	OPEN SPACE, LANDSCAPE AREA, DRAINAGE EASEMENT
TRACT LLL	2,250	0.0517	OPEN SPACE, LANDSCAPE AREA
TRACT MMM	14,021	0.3219	OPEN SPACE, LANDSCAPE AREA, DRAINAGE EASEMENT
TOTAL	154,088	3.5375	

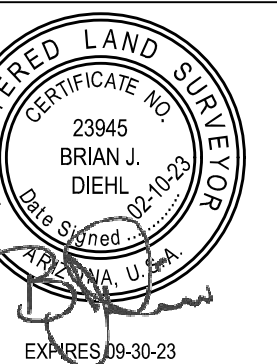
CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CHORD BEARING	CHORD DIST.
C1	2°45'10"	724.00'	34.79'	N01°35'49"W	34.78'
C2	90°02'57"	586.00'	920.99'	S44°48'03"W	829.09'
C3	90°00'00"	440.00'	691.15'	S44°46'34"W	622.25'
C4	12°18'09"	390.00'	83.74'	S05°55'38"W	83.58'
C5	11°47'36"	375.00'	77.19'	S84°19'38"E	77.05'
C6	10°41'39"	325.00'	60.66'	S84°52'37"E	60.57'
C7	64°26'53"	390.00'	438.68'	S57°33'07"W	415.92'
C8	79°11'57"	45.00'	62.20'	N50°37'28"W	57.37'
C9	10°50'45"	655.29'	124.04'	N05°37'28"W	123.86'
C10	10°28'46"	608.00'	111.20'	N05°27'49"W	111.05'
C11	79°11'57"	70.00'	96.76'	N50°37'28"W	89.24'
C12	10°48'03"	633.00'	119.33'	N05°37'28"W	119.15'
C13	90°00'00"	415.00'	651.88'	S44°46'34"W	586.90'
C14	18°47'10"	350.00'	114.76'	S80°49'51"E	114.24'

LEGEND

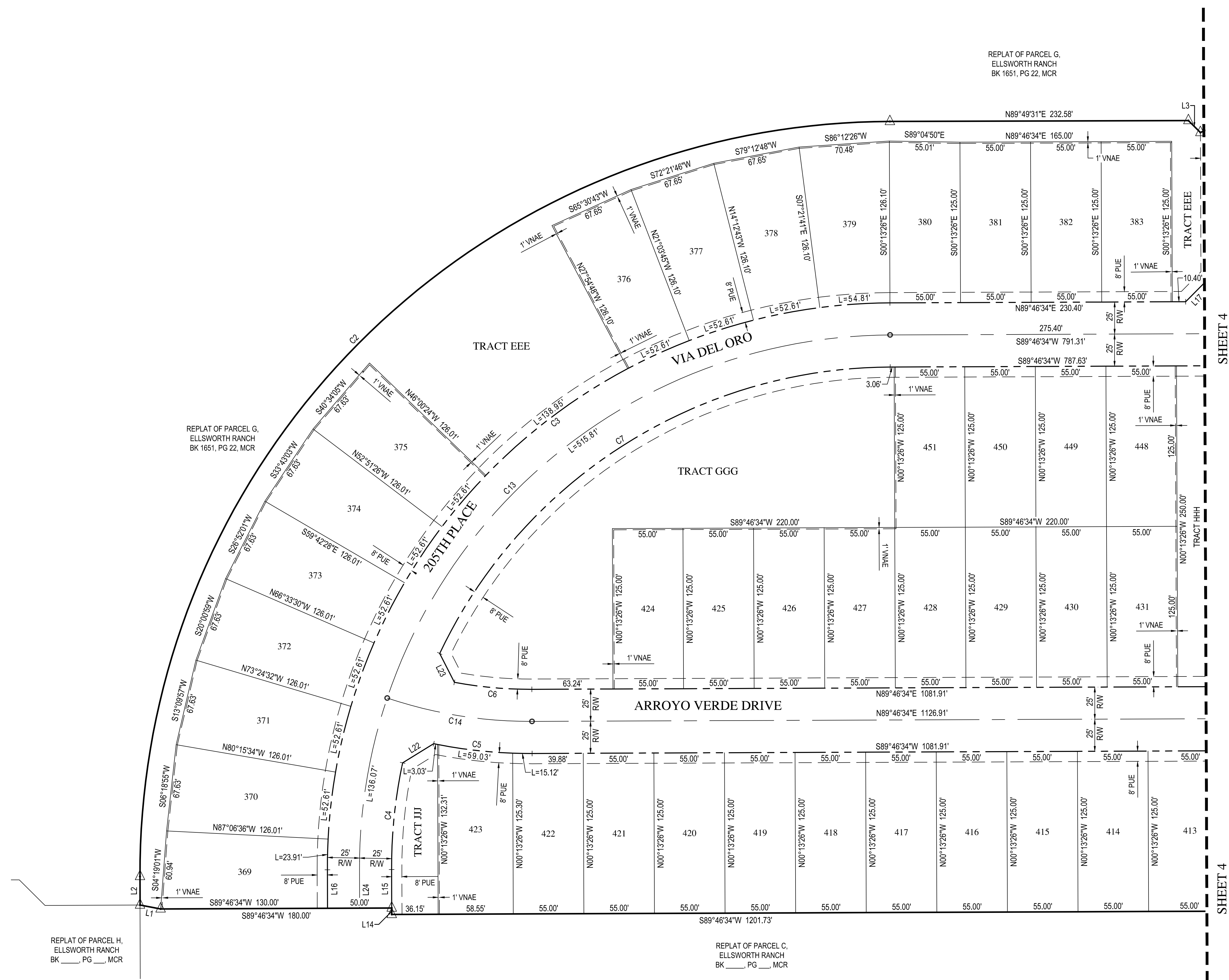
- SURVEY MONUMENT FOUND AS NOTED
- CENTERLINE MONUMENTATION - SET BRASS CAP FLUSH UPON COMPLETION OF PROJECT PER M.A.G. STD. DET. 120 TYPE "B"
- △ SUBDIVISION CORNER - SET MONUMENT W/ RLS TAG OR CAP UNLESS OTHERWISE NOTED
- APN ASSESSOR PARCEL NUMBER
- BCH BRASS CAP IN HANDHOLE
- BK BOOK
- MCDOT MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION
- MCED MARICOPA COUNTY ENGINEERING DEPARTMENT
- MCR MARICOPA COUNTY RECORDS
- PG PAGE
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- TOQC TOWN OF QUEEN CREEK
- VNAE VEHICULAR NON ACCESS EASEMENT
- BOUNDARY LINE
- - - CENTER LINE
- · - · - EASEMENT LINE
- - - LOT LINE
- · - · - RIGHT OF WAY LINE
- - - SECTION LINE



COMPLETED SURVEY FIELD WORK ON N/A
CHECKED BY BJD
CAD TECHNICIAN RWK
SCALE NOT TO SCALE
DATE 02/10/2023
JOB NUMBER W/P# 195076.01
SHEET 2 OF 4



COMPLETED SURVEY FIELD WORK ON	N/A
CHECKED BY	BJD
CAD TECHNICIAN	RWK
SCALE	1" = 40'
DATE	02/10/2023
JOB NUMBER	WP# 195076.01
SHEET	3 OF 4



REPLAT OF PARCEL H,
ELLSWORTH RANCH
BK ____, PG ____, MCR

REPLAT OF PARCEL C,
ELLSWORTH RANCH
BK ____, PG ____, MCR

REPLAT OF PARCEL G,
ELLSWORTH RANCH
BK 1651, PG 22, MCR

REPLAT OF PARCEL G,
ELLSWORTH RANCH
BK 1651, PG 22, MCR

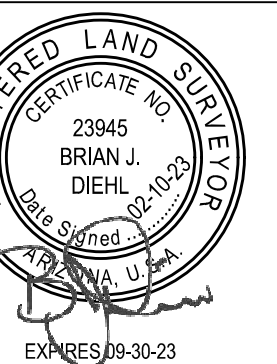
SHEET 4

SHEET 4

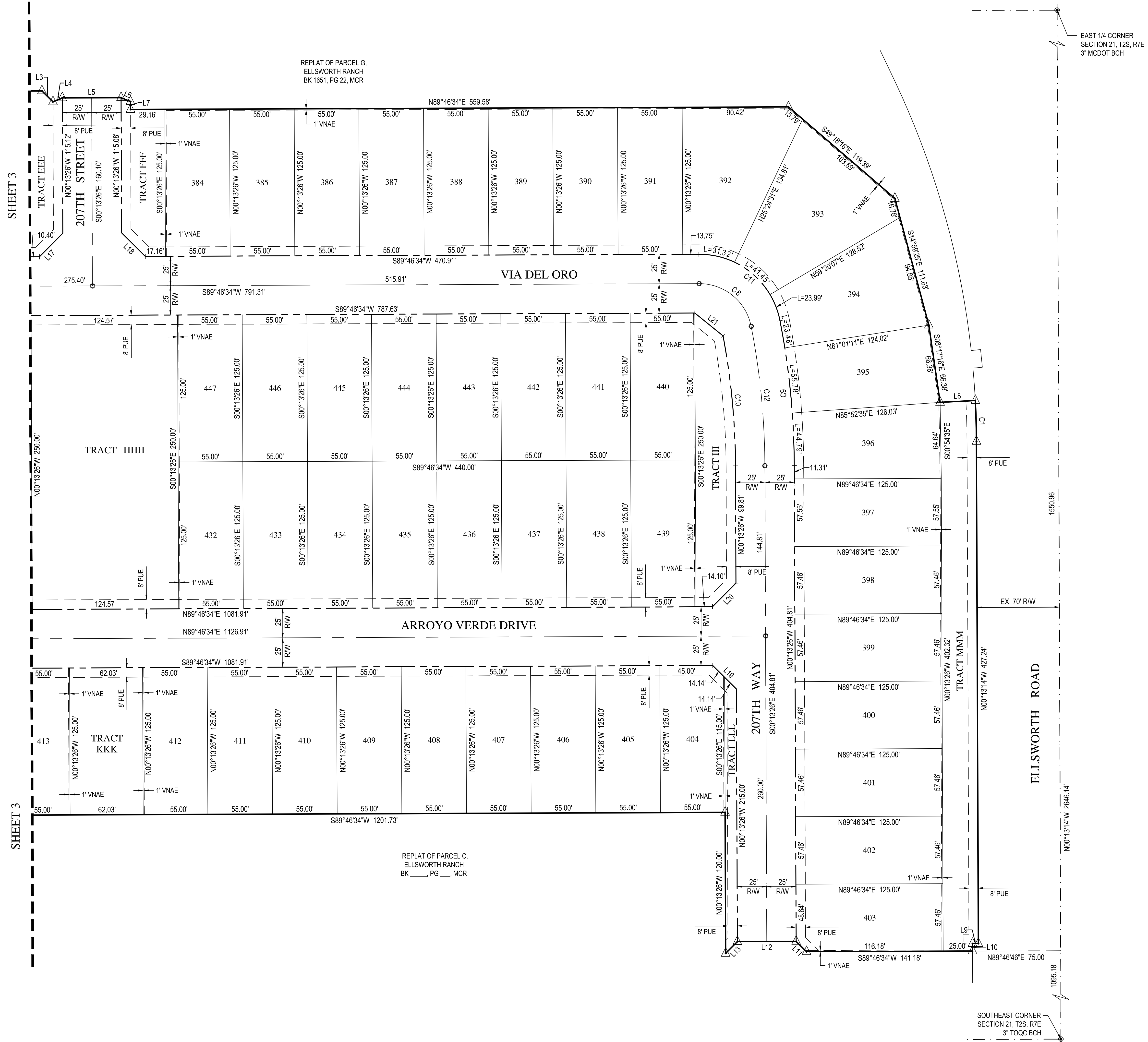
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FINAL PLAT

A REPLAT OF PARCEL D, ELLSWORTH RANCH
RECORDED IN BOOK 1651, PAGE 21, MARICOPA COUNTY RECORDS, (MCR)
LYING WITHIN SECTION 21, TOWNSHIP 2 SOUTH, RANGE 7 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA



COMPLETED SURVEY FIELD WORK ON N/A
CHECKED BY BJD
CAD TECHNICIAN RWK
SCALE 1" = 40'
DATE 02/10/2023
JOB NUMBER W/P# 195076.01
SHEET 4 OF 4



REPLAT OF PARCEL G,
ELLSWORTH RANCH
BK 1651, PG 22, MCR

REPLAT OF PARCEL C,
ELLSWORTH RANCH
BK _____, PG _____, MCR

EAST 1/4 CORNER
SECTION 21, T2S, R7E
3" MCDOT BCH

SOUTHEAST CORNER
SECTION 21, T2S, R7E
3" TOCC BCH

SHEET 3

SHEET 3

Z:\2019\195076\Survey\WP#195076-F1.dwg



TOWN OF
QUEEN CREEK
 ARIZONA

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: BRUCE GARDNER, TOWN MANAGER

FROM: BRETT BURNINGHAM, DEVELOPMENT SERVICES DIRECTOR, CHRIS DOVEL, TOWN ENGINEER, MARC PALICHUK, PRINCIPAL ENGINEER

RE: CONSIDERATION AND POSSIBLE APPROVAL OF THE "FINAL PLAT" FOR MAYBERRY ON RITTENHOUSE, A REQUEST BY LDR PACIFIC-LONE MT, LLC.

DATE: August 16, 2023

Suggested Action:

To approve the "Final Plat" for Mayberry on Rittenhouse, a request by LDR Pacific-Lone MT, LLC.

Relevant Council Goal(s):

Superior Infrastructure

Discussion:

History:

Feb. 7, 2001

- The Town Council approved Ordinance No. 197-01, annexing approximately 5 acres of land, a portion of which is the easternmost portion of the project site. The equivalent Town Zoning District of R1-43 was provided for the annexed land.

July 17, 2019

- The Town Council approved Ordinance No. 703-19, annexing approximately 10 acres of land, which is the central portion of the project site. The equivalent Town Zoning District of R1-43 was provided for the annexed land.

May 11, 2022

- The Planning and Zoning Commission approved Mayberry on Rittenhouse PAD Rezone (P21-0169) and Site Plan (P21-0171).

June 1, 2022

- The Town Council approved Ordinance No. 788-22, annexing the easternmost 1.42 acres of the project site. At the same meeting, the Town Council approved Ordinance No. 789-22, rezoning the entire site from R1-43 to MDR PAD.

June 8, 2022

- The Planning and Zoning Commission approved Mayberry on Rittenhouse Preliminary Plat (P21-0170).

Background:

The applicant is requesting approval of a Final Plat to accommodate a 186-unit detached and attached gated residential rental community located on Rittenhouse Road east of Sossaman Road. The Plat area consists of 15.99 gross acres and combines the existing two parcels into one parcel.

The parcel provides the necessary access off Rittenhouse Road. The remaining offsite roadway improvements for the portion of Rittenhouse Road adjacent to this parcel will be constructed with the project. These improvements include but are not limited to landscaping, driveways, and deceleration lanes.

Fiscal Impact:

The Town will receive building permit fees for the 186 units within the gated residential rental community. The Owner (LDR Pacific-Lone Mt, LLC) will complete the remaining offsite improvements that will require future maintenance costs by the Town.

Alternatives:

Not to accept the Final Plat of Mayberry on Rittenhouse. If the Town does not accept the Final Plat, the community will not be developed at this time and the Town will not collect building permit fees.

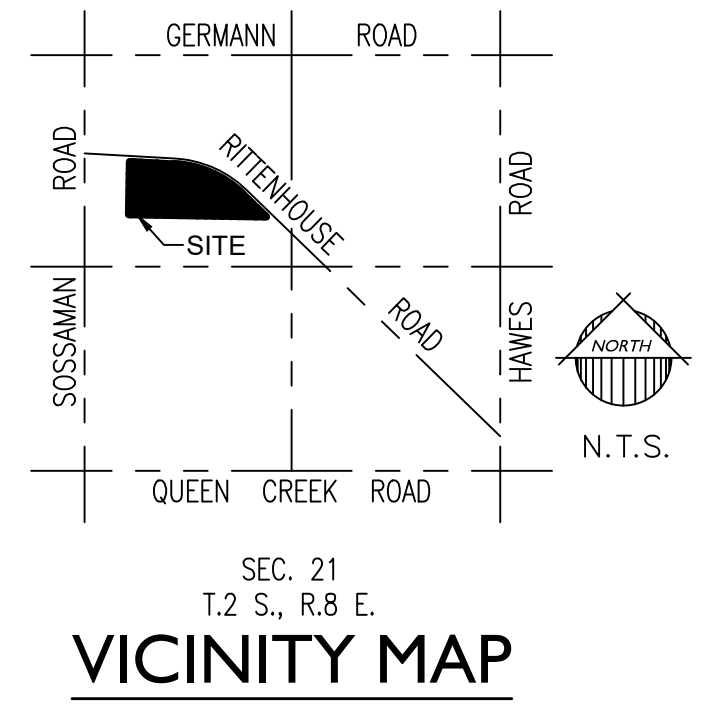
Attachment(s):

1. [Aerial Exhibit - Mayberry on Rittenhouse.pdf](#)
2. [Final Plat - Mayberry on Rittenhouse.pdf](#)



FINAL PLAT FOR MAYBERRY ON RITTENHOUSE

A PORTION OF NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH,
RANGE 7 EAST OF THE GILA AND SALT RIVER MERIDIAN
QUEEN CREEK, MARICOPA COUNTY, ARIZONA



DEDICATION

KNOW ALL MEN BY THESE PRESENTS: LDR PACIFIC-LONE MT., LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS SUBDIVIDED UNDER THE NAME OF "MAYBERRY ON RITTENHOUSE", BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 7 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN PLATTED HEREON AND HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF SAID "MAYBERRY ON RITTENHOUSE" AND HEREBY DECLARE THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, EASEMENTS AND STREETS CONSTITUTING SAME AND THAT EACH LOT, TRACT, AND STREET SHALL BE KNOWN BY THE NUMBER, LETTER OR NAME GIVEN TO EACH RESPECTIVELY ON SAID PLAT.

EASEMENTS ARE DEDICATED FOR PURPOSES SHOWN ON SAID PLAT.

IN WITNESS WHEREOF: LDR PACIFIC-LONE MT., LLC, AN ARIZONA LIMITED LIABILITY COMPANY HAS HEREUNTO CAUSED ITS NAME TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF THE OFFICER LISTED BELOW, THEREUNTO DULY AUTHORIZED.

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
 } S.S.
COUNTY OF MARICOPA }

ON THIS _____ DAY OF _____, 2023, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____ WHO ACKNOWLEDGED THAT HE/SHE IS THE _____ FOR LDR PACIFIC-LONE MT., LLC, AN ARIZONA LIMITED LIABILITY COMPANY, DULY AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING AS MANAGER.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

BY: _____ NOTARY PUBLIC _____ DATE _____

MY COMMISSION EXPIRES: _____

BASIS OF BEARINGS

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 7 EAST, G&SRM, AS MEASURED BETWEEN FOUND MONUMENTS.
THE BEARING OF WHICH IS:

SOUTH 00 DEGREES 50 MINUTES 48 SECONDS EAST

BENCHMARK

3" MCDOT BQHH, 0.6" DOWN STAMPED "10 11 15 14" AT THE NORTHWEST CORNER OF SECTION 14, T2S, R7E, AT THE INTERSECTION OF CRISMON ROAD AND QUEEN CREEK ROAD. ELEV.= 1413.97 NAVD 88

FLOOD PLAIN

ACCORDING TO THE FLOOD INSURANCE RATE MAP #04013C2790L, DATED OCTOBER 16, 2013 THIS PROPERTY IS LOCATED IN FLOOD ZONE "X".

NOTES

1. THE IMPROVEMENTS SHOWN ON THIS PLAT WILL NOT BE FULLY APPROVED BY THE TOWN AND THE CERTIFICATE OF OCCUPANCY OR ACCEPTANCE WILL NOT BE ISSUED UNTIL THE UTILITY LINE UNDERGROUND REQUIREMENTS HAVE BEEN SATISFIED.
2. DEVELOPMENT AND USE OF THIS SITE WILL CONFORM TO ALL APPLICABLE TOWN OF QUEEN CREEK CODES AND ORDINANCES.
3. ALL RETENTION BASINS MUST BE MAINTAINED TO DRAIN WITHIN THIRTY-SIX (36) HOURS AFTER A STORM. THE OWNERS OF ANY SUCH BASINS FAILING TO MEET THIS REQUIREMENT MUST TAKE CORRECTIVE ACTION TO BRING THE BASINS INTO COMPLIANCE.
4. SEE THE SITE UTILITY AND GRADING PLAN FOR RETENTION AND UTILITIES.
5. THE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL LANDSCAPING, OPEN SPACE, COMMON AREAS, RECREATIONAL AMENITIES AND ALL RIGHT-OF-WAY LANDSCAPING ON ALL LOCAL, ARTERIAL AND COLLECTOR ROADWAYS
6. CONSTRUCTION WITHIN UTILITY EASEMENTS SHALL BE LIMITED TO UTILITIES, SIDEWALKS AND DRIVEWAYS.
7. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED ON, OVER, OR PLACED WITHIN THE PUBLIC UTILITY EASEMENTS EXCEPT; UTILITY INSTALLATIONS, WOODEN, WIRE OR REMOVABLE SECTION TYPE FENCING, OR PAVING. NO VEGETATION SHALL BE PLANTED WITHIN THE EASEMENT EXCEPT GRASS AND/OR LANDSCAPING AS APPROVED BY THE TOWN OF QUEEN CREEK. IT SHALL BE FURTHER UNDERSTOOD THAT THE TOWN OF QUEEN CREEK SHALL NOT BE REQUIRED TO REPAIR OR REPLACE ANY OBSTRUCTIONS, PAVING OR VEGETATION THAT BECOMES DAMAGED OR MUST BE REMOVED DURING THE COURSE OF REQUIRED CONSTRUCTION, RECONSTRUCTION, MAINTENANCE OR REPAIR.
8. THIS PROPERTY, DUE TO ITS PROXIMITY TO PHOENIX-MESA GATEWAY AIRPORT, IS LIKELY TO EXPERIENCE AIRCRAFT OVERFLIGHTS, WHICH COULD GENERATE NOISE LEVELS WHICH MAY BE OF CONCERN TO SOME INDIVIDUALS. THE MIX OF AIRCRAFT CONSISTS OF CARGO, COMMERCIAL, CHARTER, CORPORATE, GENERAL AVIATION AND MILITARY AIRCRAFT.
9. PUBLIC REPORTS FILED WITH THE ARIZONA DEPARTMENT OF REAL ESTATE SHALL DISCLOSE THE LOCATION OF THE AIRPORT AND POTENTIAL AIRCRAFT OVERFLIGHTS. THE FOLLOWING STATEMENT SHALL BE INCLUDED IN THE PUBLIC REPORT: "THIS PROPERTY, DUE TO ITS PROXIMITY TO PHOENIX-MESA GATEWAY AIRPORT, IS LIKELY TO EXPERIENCE AIRCRAFT OVERFLIGHTS, WHICH COULD GENERATE NOISE LEVELS WHICH MAY BE OF CONCERN TO SOME INDIVIDUALS."
10. THE OWNERS OF THE NEW PROJECT, INCLUDING MORTGAGEES, OTHER LIEN HOLDERS AND EASEMENT HOLDERS, SHALL EXECUTE AN AVIGATION EASEMENT PRIOR TO OR CONCURRENTLY WITH THE RECORDATION OF ANY FINAL PLAT OR APPROVAL OF A FINAL SITE PLAN FOR THE NEW PROJECT.

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA AND IS DESCRIBED AS FOLLOWS:

A PORTION THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A BRASS CAP FLUSH, MARKING THE NORTHWEST CORNER OF SAID SECTION 8, FROM WHICH A BRASS CAP FLUSH, MARKING THE WEST QUARTER CORNER OF SAID SECTION 8, BEARS SOUTH 00 DEGREES 50 MINUTES 48 SECONDS EAST, A DISTANCE OF 2662.75 FEET;

THENCE SOUTH 00 DEGREES 50 MINUTES 48 SECONDS EAST, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1331.37 FEET;
THENCE DEPARTING SAID WEST LINE, SOUTH 89 DEGREES 50 MINUTES 32 SECONDS EAST, A DISTANCE OF 569.26 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 50 MINUTES 32 SECONDS EAST, A DISTANCE OF 391.16 FEET;

THENCE SOUTH 87 DEGREES 39 MINUTES 04 SECONDS EAST, A DISTANCE OF 177.83 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWEST, FROM WHICH THE RADIUS POINT BEARS SOUTH 02 DEGREES 21 MINUTES 01 SECONDS WEST A DISTANCE OF 1344.99 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 07 DEGREES 34 MINUTES 46 SECONDS, A DISTANCE OF 177.92 FEET;

THENCE NORTH 00 DEGREES 49 MINUTES 04 SECONDS WEST, A DISTANCE OF 7.63 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWEST, FROM WHICH THE RADIUS POINT BEARS SOUTH 09 DEGREES 52 MINUTES 10 SECONDS WEST, A DISTANCE OF 1352.50 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 14 DEGREES 36 MINUTES 38 SECONDS, A DISTANCE OF 344.89 FEET;

THENCE SOUTH 00 DEGREES 48 MINUTES 13 SECONDS EAST, A DISTANCE OF 546.98 FEET;

THENCE NORTH 89 DEGREES 54 MINUTES 30 SECONDS WEST, A DISTANCE OF 327.04 FEET;

THENCE NORTH 89 DEGREES 50 MINUTES 17 SECONDS WEST, A DISTANCE OF 754.76 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 665.58 FEET TO THE POINT OF BEGINNING.

OWNER

LDR PACIFIC-LONE MT., LLC
2801 E. CAMELBACK RD, STE. 450
PHOENIX, AZ 85016
TEL: (602)-725-1351
CONTACT: ANDREW COHN

SITE DATA

ZONING	RU-43
NUMBER OF LOTS	1
NUMBER OF TRACTS	0
MIN LOT AREA	43,560 SF
MIN LOT WIDTH	145
MIN LOT DEPTH	N/A
LOT AREA	15.9336 ACRES
RIGHT OF WAY AREA	0.0594 ACRES
TOTAL AREA:	15.9930 ACRES

ENGINEER

EPS GROUP, INC.
1130 N. ALMA SCHOOL ROAD, SUITE 120
MESA, AZ 85201
TEL: (480)-503-2250
CONTACT: JAMES ROGERS, P.E.

SHEET INDEX

- 1 COVER, NOTES, DEDICATION, SITE DATA, BASIS OF BEARING, CERTIFICATIONS
- 2 FINAL PLAT

ASSURANCE STATEMENT

ASSURANCE IN THE FORM OF A CASH, PERFORMANCE OR SUBDIVISION BOND, IRREVOCABLE LETTER OF CREDIT, OR SIGNED CERTIFICATE OF OCCUPANCY HOLD AGREEMENT HAS BEEN DEPOSITED WITH THE TOWN ENGINEER TO GUARANTEE CONSTRUCTION OF THE REQUIRED SUBDIVISION IMPROVEMENTS

SURVEYOR'S CERTIFICATION:

THIS IS TO CERTIFY THAT THIS PLAT IS CORRECT AND ACCURATE AND THE MONUMENTS DESCRIBED HEREIN HAVE EITHER BEEN SET OR LOCATED AS DESCRIBED TO THE BEST OF MY KNOWLEDGE AND BELIEF.


ROBERT A. JOHNSTON R.L.S.# 37495 08/01/2023
DATE

DEPARTMENT APPROVALS

BY: _____ DATE _____
TOWN ENGINEER

BY: _____ DATE _____
TOWN PLANNING ADMINISTRATOR

TOWN APPROVAL

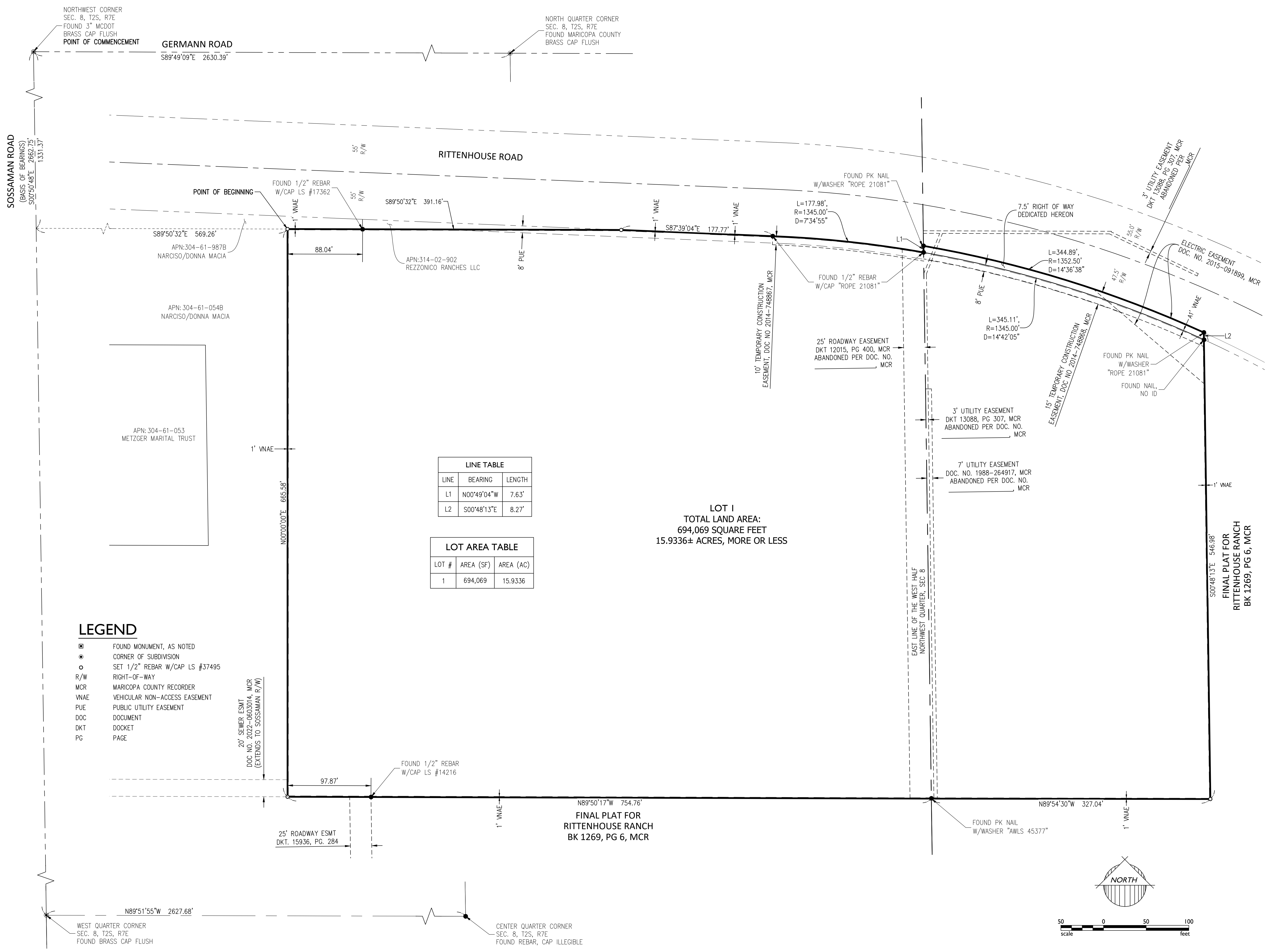
APPROVED BY THE TOWN COUNCIL OF QUEEN CREEK, ARIZONA, ON THIS _____ DAY OF _____, 2023.

BY: _____
MAYOR

BY: _____
TOWN CLERK

Aug 01, 2023 1:46pm S:\Projects\2021\21-0069\Land Survey\Drawings\Final Plat\21-0069 Final Plat.dwg

dhunt



NORTHWEST CORNER
SEC. 8, T2S, R7E
FOUND 3" MCDOT
BRASS CAP FLUSH
POINT OF COMMENCEMENT

GERMANN ROAD
S89°49'09"E 2630.39'

NORTH QUARTER CORNER
SEC. 8, T2S, R7E
FOUND MARICOPA COUNTY
BRASS CAP FLUSH

SOSSAMAN ROAD
(BASIS OF BEARINGS)
S00°50'48"E 2662.75'
1331.37'

APN: 304-61-987B
NARCISO/DONNA MACIA

APN: 304-61-054B
NARCISO/DONNA MACIA

APN: 304-61-053
METZGER MARITAL TRUST

RITTENHOUSE ROAD

POINT OF BEGINNING

FOUND 1/2" REBAR
W/CAP LS #17362

S89°50'32"E 391.16'

88.04'

APN: 314-02-902
REZZONICO RANCHES LLC

8' PUE

FOUND PK NAIL
W/WASHER "ROPE 21081"

L=177.98',
R=1345.00',
D=7°34'55"

FOUND 1/2" REBAR
W/CAP "ROPE 21081"

10' TEMPORARY CONSTRUCTION
EASEMENT, DOC. NO. 2014-748667, MCR

25' ROADWAY EASEMENT
DKT 12015, PG 400, MCR
ABANDONED PER DOC. NO. _____, MCR

7.5' RIGHT OF WAY
DEDICATED HEREON

L=344.89',
R=1352.50',
D=14°36'38"

L=345.11',
R=1345.00',
D=14°42'05"

8' PUE

3' UTILITY EASEMENT
DKT 13088, PG 307, MCR
ABANDONED PER DOC. NO. _____, MCR

7' UTILITY EASEMENT
DOC. NO. 1988-264917, MCR
ABANDONED PER DOC. NO. _____, MCR

3' UTILITY EASEMENT
DKT 13088, PG 307, MCR
ABANDONED PER _____, MCR

ELECTRIC EASEMENT
DOC. NO. 2015-091899, MCR

FOUND PK NAIL
W/WASHER
"ROPE 21081"

FOUND NAIL
NO ID

15' TEMPORARY CONSTRUCTION
EASEMENT, DOC. NO. 2014-748668, MCR

20' SEWER ESMT
DOC. NO. 2022-0603014, MCR
(EXTENDS TO SOSSAMAN R/W)

97.87'

FOUND 1/2" REBAR
W/CAP LS #14216

25' ROADWAY ESMT
DKT. 15936, PG. 284

N89°50'17"W 754.76'

FINAL PLAT FOR
RITTENHOUSE RANCH
BK 1269, PG 6, MCR

N89°54'30"W 327.04'

FOUND PK NAIL
W/WASHER "AWLS 45377"

- LEGEND**
- ▣ FOUND MONUMENT, AS NOTED
 - CORNER OF SUBDIVISION
 - SET 1/2" REBAR W/CAP LS #37495
 - R/W RIGHT-OF-WAY
 - MCR MARICOPA COUNTY RECORDER
 - VNAE VEHICULAR NON-ACCESS EASEMENT
 - PUE PUBLIC UTILITY EASEMENT
 - DOC DOCUMENT
 - DKT DOCKET
 - PG PAGE

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°49'04"W	7.63'
L2	S00°48'13"E	8.27'

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
1	694,069	15.9336

LOT 1
TOTAL LAND AREA:
694,069 SQUARE FEET
15.9336± ACRES, MORE OR LESS

EAST LINE OF THE WEST HALF
NORTHWEST QUARTER, SEC 8

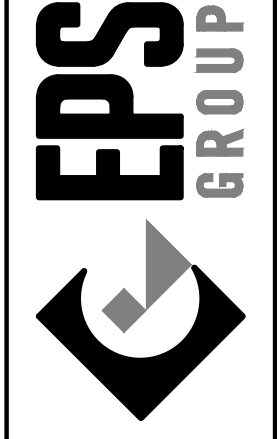
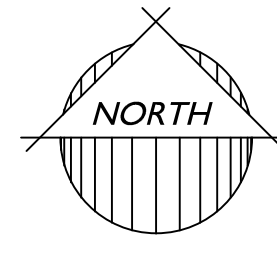
S00°48'13"E 546.98'

FINAL PLAT FOR
RITTENHOUSE RANCH
BK 1269, PG 6, MCR

N89°51'55"W 2627.68'

WEST QUARTER CORNER
SEC. 8, T2S, R7E
FOUND BRASS CAP FLUSH

CENTER QUARTER CORNER
SEC. 8, T2S, R7E
FOUND REBAR, CAP ILLEGIBLE



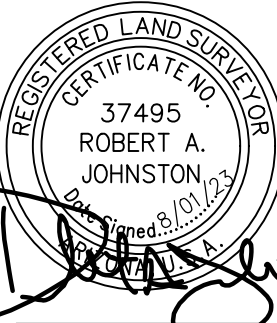
Project:

Revisions:

No.	Description



Drawn by: DH
Reviewed by: RAJ



Job No.
21-0069

FPOI

Sheet No.
2
of 2



TOWN OF
QUEEN CREEK
 ARIZONA

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: BRUCE GARDNER, TOWN MANAGER

FROM: DAVE LIPINSKI, PE, CIP DEPARTMENT DIRECTOR

RE: CONSIDERATION AND POSSIBLE APPROVAL OF A PROJECT ORDER #5 TOWN CONTRACT 2022-023, WITH LEE ENGINEERING, LLC FOR TRAFFIC SIGNAL DESIGN ENGINEERING SERVICES AT QUEEN CREEK ROAD AND 220TH STREET (CIP PROJECT I0052) IN AN AMOUNT NOT TO EXCEED \$27,390 AND NECESSARY BUDGET ADJUSTMENTS.

DATE: August 16, 2023

Suggested Action:

To approve a Project Order #5 Town Contract 2022-023, with Lee Engineering, LLC for traffic signal design engineering services at Queen Creek Road and 220th Street (CIP Project I0052) in an amount not to exceed \$27,390 and necessary budget adjustments.

Relevant Council Goal(s):

Superior Infrastructure – Capital Improvement Program

Discussion:

The proposed project is needed due to three main factors:

1. New development occurring in the vicinity that is completing the Queen Creek Road southern half street between Crismon Road and Signal Butte Road and extending 220th Street northward to Queen Creek Road from its current end one-half mile north of Ocotillo.
2. A request from the Benjamin Franklin School to Public Works for a pedestrian crossing location near the school's campus east of 220th Street along Queen Creek Road.
3. The pending Frontier Family Park opening, which is forecast to increase vehicular, bicycle and pedestrian traffic passing through and using this intersection.

This action is for approval of a project order for professional design services for the traffic signal only and excludes any design of utility, street or sidewalk improvements. The \$27,390 requested includes a ten percent (10%) contingency for unforeseen and unclear design issues.

Fiscal Impact:

The Traffic Signal at Queen Creek Road and 220th Street project is part of the Town's five-year CIP, and will require a budget adjustment totaling \$27,390 from the FY 2023/24 CIP Contingency. This project will be included in the Town's impact fee update that is currently underway and therefore is expected to be funded by a combination of growth funding through Impact Fees and Construction Sales Tax, and non-growth funding from the Operating Budget.

Alternatives:

The Town Council may decide not to approve the contract with Lee Engineering and request staff use another on-call firm. The impact of this decision would be a month delay as we contact the other

firm, go through the project scoping process and await receipt of a proposal. This will jeopardize the completion of the signal before the proposed Family Frontier Park opening.

Attachment(s):

1. [10052 Project Site Exhibit](#)
2. [Project Order #5 - Lee Engineering, LLC](#)

Queen Creek Rd & 220th Street CIP Project I0052





PROJECT TASK ORDER FORM
TOWN OF QUEEN CREEK,
an Arizona municipal corporation ("TOWN")

PROFESSIONAL PROJECT TASK ORDER
Traffic Signal Design

220th Street at Queen Creek Rd

Project Task Order No. 05

Contract No. 2022-023

Project No. CIP I0052

THIS PROJECT ORDER is made and entered into on the _____ day of August, 2023 by and between the Town of Queen Creek, Arizona, an Arizona municipal corporation, hereinafter called ("TOWN") and the "CONSULTANT" designated below. This Project Task Order is entered in to pursuant to and incorporates herein the terms and provisions of the **CONSULTANT Contract No. 2022-024**, dated **February 16, 2022** between TOWN and CONSULTANT ("Contract"). Upon full execution of this Project Task Order, the Project Task Order, together with the Project Task Order Contract (including all of the Contract Documents as defined therein), shall be the Contract between the Parties for the professional services specified herein ("Services").

TOWN and CONSULTANT agree as follows:

TOWN: **Town of Queen Creek**
Project Manager: Brad Novacek
Telephone: 480-358-3139
E-mail: brad.novack@queencreekaz.gov

CONSULTANT: **Lee Engineering**
3610 N. 44th Street, Suite 100
Phoenix, Arizona 85018
Arizona Registration No.
Design Professional Representative: Dave Bruggeman
Telephone: 602-618-0406
E-mail: dbruggeman@lee-eng.com

PROJECT DESCRIPTION: This Project Task Order #05 is for the traffic signal design at the intersection of 220th Street at Queen Creek Rd as outlined in the Scope of Work dated May 8, 2023.

The Project is scheduled to commence upon Notice to Proceed and be completed no later than the agreed upon schedule to be submitted by the Consultant.

PROJECT SITE ADDRESS/LOCATION: The Project for this Project Task Order # 05 is located at intersection of 220th Street at Queen Creek Rd.



PROJECT TASK ORDER PRICE (Not to Exceed): \$24,900 as outlined in the Scope of Work dated May 8, 2023.

SCOPE OF SERVICES, DELIVERABLES, AND PROJECT SCHEDULE: Attached Exhibit A

UNIQUE INSURANCE AND/OR BOND REQUIREMENTS (IF ANY) (Article 11): Attached Exhibit B.

PROJECT SPECIFIC CONDITIONS (IF ANY): Attached Exhibit C.

IN WITNESS, WHEREOF, the parties hereto have executed this Project Task Order through their duly authorized representatives and bind their respective entities as of the effective date.

Town of Queen Creek, an Arizona municipal corporation

Approval of Town Council,

Approval of Contract Administrator,

By: _____
Mayor Julia Wheatley

By: _____
Bruce Gardner, Town Manager

Attest:

Town Clerk, Maria Gonzalez

Lee Engineering:

By:  _____

Its: 8/3/2023



PROJECT TASK ORDER # 05

EXHIBIT A

SCOPE OF WORK AND PROJECT SCHEDULE DATED MAY 08, 2023



PROJECT TASK ORDER # 05

EXHIBIT B

UNIQUE INSURANCE AND/OR BOND REQUIREMENTS (IF ANY)

N/A



PROJECT TASK ORDER # 03

EXHIBIT C

PROJECT SPECIFIC CONDITIONS (IF ANY)

N/A

4820-2637-7466 v1 [53749-1]

SCOPE OF WORK

Traffic Signal Design
220th Street at Queen Creek Road
May 8, 2023

This Scope of Work is for design plans, estimate, special provisions, left turn arrow analysis, development of initial signal timings, equipment submittal review and compilation of record drawings for the construction of permanent traffic signals at the intersection of 220th Street at Queen Creek Road.

This project is assumed to utilize Town funds, and no federal funds, or associated "federal-funded project" requirements apply.

The design schedule is anticipated to produce 60% level plans within 15 working days of receipt of the scaled aerial from a professional aerial photography firm, and requested background information from the Town. Subsequent design stages will be completed within 10 working days of receipt and resolution of all comments and/or additional requested direction from the Town, where applicable.

This Scope of Work assumes no civil improvements and that the signal is to be designed to work around existing roadway edges, curbs, ramps and gutters, where they exist.

This Scope of Work shall include coordination of point of service and method of connection with the local utility provider as part of the design process, or with a designated Town utility coordinator - as directed by the Town of Queen Creek at project initiation.

This Scope of Work shall include coordination of point of service and method of connection with the local utility provider as part of the design process, or with a designated Town utility coordinator - as directed by Town of Queen Creek at project initiation.

This Scope of Work shall include soliciting utility mapping from all utilities identified by AZ811, and will show any corresponding utility facilities to the accuracy level of the source data provided by the utility. This Scope of Work does not include designating of utilities or potholing, unless the Town opts to add these tasks at additional negotiated fee.

Design shall conform to the Town of Queen Creek, "Traffic Signal Design Criteria", July 2016, and as directed by the Town Traffic Engineering or their designated representative.

Task 1 – Gathering Background Data

Lee Engineering shall coordinate this project with, and as directed by Town Traffic Engineering or their designated representative. Anticipated coordination meetings include virtual Comment

Review Meetings after each interim plan submittal (2 estimated – 60% and 95%). Interim communications will be maintained via telephone or e-mail transmission.

It is anticipated that Lee Engineering may attend one (1) utility coordination meeting, if deemed necessary pursuant to determining amount, location and difficulty of conflicts with existing utility locations. (The design intent is to work around existing and proposed utilities, and not cause relocations.)

Field Investigation

Lee Engineering shall conduct a thorough field site visit to identify, measure, record, photograph and document existing field conditions inclusive of existing pavement markings, traffic signs, speed limits, curbs, gutters, sidewalks, ramps, utility surface features (pedestals, boxes, poles), lighting, ITS infrastructure and any pre-existing items affecting the design. Measurements shall be to roller wheel or tape measure accuracy. No vertical or horizontal survey is included.

Aerial Photography

Lee Engineering, as an alternate to the cost and time consumed for ground survey, will acquire a high-resolution scaled aerial photo obtained from a professional aerial photography firm, to be used as a backdrop for development of base mapping.

Base Mapping Development

Lee Engineering shall create base mapping for use throughout the project which will include existing and proposed features from the Town furnished as-built plans and the scaled aerial, results of the field investigation, proposed pavement markings and signing, and existing visible utility features, such as manholes, poles, valves, drainage grates, etc.

Right-Of-Way

Right-of-way and easements portrayed on the project plans will be as provided by the Town. Right-of-way and/or easement acquisition, survey or legal descriptions are not included in this Scope of Work. In the event these services are required as a consequence of subsequent project development or conditions, Lee Engineering has competent available subconsultants who can be negotiated with as an additional task at additional negotiated cost.

Potholing

Potholing is not included in this Scope of Work or fee. In the event utility information suggests a potential conflict, Lee Engineering will consult with Town Traffic Engineering or their designated representative, for direction on whether to make potholing and pole adjustment a construction event, or if potholing during design is required, Lee Engineering has competent available subconsultants who can be negotiated with as an additional task at additional negotiated cost.

Initial Design Meeting

Lee Engineering will conduct a virtual initial site meeting with the Town Traffic Engineering or their designated representative, to identify specific design elements and concerns:

- Desired Pedestrian Amenities
- ADA Compliance Issues
- Potential for Arrows/Overlaps
- Means of Interconnection
- Obvious Utility Obstructions/Conflicts & Issues
- Potential Power Source
- Desired Controller location & Service Address
- Evaluation of any Existing Pull Boxes/Conduit for Use
- Site Specific Issues as Identified on Site

Task 2 - Traffic Signal Design (5 SHEETS, MINIMUM, ANTICIPATED)

Traffic Signal plans shall be prepared in accordance with The Town of Queen Creek, "Traffic Signal Design Criteria" guidelines.

Traffic signal plans shall be developed at 20-scale and include any necessary details. Coordination shall be provided, as necessary, with the applicable local power utility to determine electrical service location for the traffic signal. Standard ADOT symbols will be used on the design drawings. The drawings will include the following:

- Face Sheet
- Signing & Striping Plan Sheet
- Signal Plan View
- Pole & Conductor Schedule Sheet
- Details Sheets, as applicable

Work under this item shall also include quantity calculations, estimated costs and responses to review comments on interim submittals.

Landscape And Irrigation Plans

Landscape and irrigation plans are not a part of the Scope of Work.

Maintenance of Traffic

Development of specific maintenance of traffic strategies or construction traffic control plans are not a part of the Scope of Work, and are addressed by reference, in the Town's standard notes.

Construction Documents And Submittals

A. Plans & Specifications

Lee Engineering shall prepare plans and Special Provisions (only if project is to be bid, and not constructed by JOC) to address items or situations that are not covered by

referenced Standard Specifications, Town Supplements, Town Standard Details, Town APL, or Town boilerplate or standard specifications. The Special Provisions will be prepared in Microsoft Word format. Lee Engineering shall submit the Special Provisions, in PDF format, for Town review at the 60% and 95% submittals. Work under this item includes modifications due to review comments on interim submittals. Final Special Provisions shall be submitted in electronic format to the Town for inclusion into the bid documents.

B. Quantities Schedule

Lee Engineering shall prepare the quantities schedule in PDF format, for submittal at the 60% and 95% submittals.

C. Engineer's Estimate

Lee Engineering shall prepare an Engineer's Estimate, broken down to reflect the cost for each bid item, based on ADOT bid item number nomenclature. Estimates shall be submitted to the civil designer at 60%, 95% and sealed submittals, in PDF format.

D. Submittal Requirements

60%, & 95% Submittals:	PDF set of 11" x 17" plans PDF Draft Special Provisions PDF Draft Quantities Schedule PDF Draft Engineer's Estimate
Bid Submittal:	PDF set sealed 11" x 17" plans PDF Sealed Special Provisions PDF Quantities Schedule PDF Sealed Engineer's Estimate

Task 3 - Post-Design Services

A. Pre-Construction Phase

Lee Engineering shall assist the Town during the bidding process by making key design team personnel available to answer questions of prospective bidders. The Town will approve all answers provided in order to not compromise the fair bid process. If necessary, Lee Engineering shall prepare Addenda for clarification. Lee Engineering shall attend the pre-construction conference, if requested.

B. Equipment Submittal Review

Lee Engineering shall assist the Town in the review of the equipment submittals provided by the successful bidder. Lee Engineering shall prepare a response to each item as Approved, Rejected or Conditional Approval subject to Town approval, with supporting commentary as appropriate. The Town will evaluate the validity of Lee review comments and determine which will be transmitted or enforced.

C. *Signal Timing*

Lee Engineering shall assist the Town by developing initial signal timing, in a non-coordinated mode, for Town review and potential use or modification for use. Lee Engineering shall attend the signal turn-on, if requested.

D. *Record Drawings*

Lee Engineering shall make modifications to the final construction drawings, based on field changes provided by the Town, based on contractor field notes. It is anticipated that these field changes will be communicated on red line field sets of the construction drawings. A Record Drawing PDF plan set will be provided to the Town upon completion.

Traffic Signal Design

220th St at Queen Creek Rd

May 8, 2023

TASK:	Proj Mgr	Sr ITS Design	Eng Designr	TOTAL	Notes
	\$300.44	\$212.50	\$126.05		
1. Gathering Background Data	2	4	4	10	
2. Traffic Signal Design	33	20		53	
3. Post Design Services	4	8		12	
4. Project Management & Meetings	10	4			Comment Resolution Mtgs, Site Visits

Subtotal Hours = 49 36 4 12
 Subtotal Hourly Labor Charges = \$ 14,721.68 \$ 7,649.94 \$ 504.19 \$ 22,875.81

Reimbursable Costs:

Mileage \$ 480.00
 Aerial Photo \$ 1,500.00
 Subtotal Direct Expenses = \$ 1,980.00

PROJECT TOTAL (Rounded) = \$ 24,900.00

SCOPE OF WORK

Traffic Signal Design
220th Street at Queen Creek Road
May 8, 2023

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Lee Engineering shall create base mapping for use throughout the project which will include existing and proposed features from the Town furnished as-built plans and the scaled aerial, results of the field investigation, proposed pavement markings and signing, and existing visible utility features, such as manholes, poles, valves, drainage grates, etc.

Right-Of-Way

Right-of-way and easements portrayed on the project plans will be as provided by the Town. Right-of-way and/or easement acquisition, survey or legal descriptions are not included in this Scope of Work. In the event these services are required as a consequence of subsequent project development or conditions, Lee Engineering has competent available subconsultants who can be negotiated with as an additional task at additional negotiated cost.

Potholing

Potholing is not included in this Scope of Work or fee. In the event utility information suggests a potential conflict, Lee Engineering will consult with Town Traffic Engineering or their designated representative, for direction on whether to make potholing and pole adjustment a construction event, or if potholing during design is required, Lee Engineering has competent available subconsultants who can be negotiated with as an additional task at additional negotiated cost.

Initial Design Meeting

Lee Engineering will conduct a virtual initial site meeting with the Town Traffic Engineering or their designated representative, to identify specific design elements and concerns:

- Desired Pedestrian Amenities
- ADA Compliance Issues
- Potential for Arrows/Overlaps
- Means of Interconnection
- Obvious Utility Obstructions/Conflicts & Issues
- Potential Power Source
- Desired Controller location & Service Address
- Evaluation of any Existing Pull Boxes/Conduit for Use
- Site Specific Issues as Identified on Site

Task 2 - Traffic Signal Design (5 SHEETS, MINIMUM, ANTICIPATED)

Traffic Signal plans shall be prepared in accordance with The Town of Queen Creek, "Traffic Signal Design Criteria" guidelines.

Traffic signal plans shall be developed at 20-scale and include any necessary details. Coordination shall be provided, as necessary, with the applicable local power utility to determine electrical service location for the traffic signal. Standard ADOT symbols will be used on the design drawings. The drawings will include the following:

- Face Sheet
- Signing & Striping Plan Sheet
- Signal Plan View
- Pole & Conductor Schedule Sheet
- Details Sheets, as applicable

Work under this item shall also include quantity calculations, estimated costs and responses to review comments on interim submittals.

Landscape And Irrigation Plans

Landscape and irrigation plans are not a part of the Scope of Work.

Maintenance of Traffic

Development of specific maintenance of traffic strategies or construction traffic control plans are not a part of the Scope of Work, and are addressed by reference, in the Town's standard notes.

Construction Documents And Submittals

A. Plans & Specifications

Lee Engineering shall prepare plans and Special Provisions (only if project is to be bid, and not constructed by JOC) to address items or situations that are not covered by

referenced Standard Specifications, Town Supplements, Town Standard Details, Town APL, or Town boilerplate or standard specifications. The Special Provisions will be prepared in Microsoft Word format. Lee Engineering shall submit the Special Provisions, in PDF format, for Town review at the 60% and 95% submittals. Work under this item includes modifications due to review comments on interim submittals. Final Special Provisions shall be submitted in electronic format to the Town for inclusion into the bid documents.

B. Quantities Schedule

Lee Engineering shall prepare the quantities schedule in PDF format, for submittal at the 60% and 95% submittals.

C. Engineer's Estimate

Lee Engineering shall prepare an Engineer's Estimate, broken down to reflect the cost for each bid item, based on ADOT bid item number nomenclature. Estimates shall be submitted to the civil designer at 60%, 95% and sealed submittals, in PDF format.

D. Submittal Requirements

60%, & 95% Submittals:	PDF set of 11" x 17" plans PDF Draft Special Provisions PDF Draft Quantities Schedule PDF Draft Engineer's Estimate
Bid Submittal:	PDF set sealed 11" x 17" plans PDF Sealed Special Provisions PDF Quantities Schedule PDF Sealed Engineer's Estimate

Task 3 - Post-Design Services

A. Pre-Construction Phase

Lee Engineering shall assist the Town during the bidding process by making key design team personnel available to answer questions of prospective bidders. The Town will approve all answers provided in order to not compromise the fair bid process. If necessary, Lee Engineering shall prepare Addenda for clarification. Lee Engineering shall attend the pre-construction conference, if requested.

B. Equipment Submittal Review

Lee Engineering shall assist the Town in the review of the equipment submittals provided by the successful bidder. Lee Engineering shall prepare a response to each item as Approved, Rejected or Conditional Approval subject to Town approval, with supporting commentary as appropriate. The Town will evaluate the validity of Lee review comments and determine which will be transmitted or enforced.

C. *Signal Timing*

Lee Engineering shall assist the Town by developing initial signal timing, in a non-coordinated mode, for Town review and potential use or modification for use. Lee Engineering shall attend the signal turn-on, if requested.

D. *Record Drawings*

Lee Engineering shall make modifications to the final construction drawings, based on field changes provided by the Town, based on contractor field notes. It is anticipated that these field changes will be communicated on red line field sets of the construction drawings. A Record Drawing PDF plan set will be provided to the Town upon completion.

Traffic Signal Design

220th St at Queen Creek Rd

May 8, 2023

TASK:	Hourly Rates >>	Proj Mgr	Sr ITS Desgn	Eng Desgnr	TOTAL	Notes
		\$300.44	\$212.50	\$126.05		
1. Gathering Background Data		2	4	4	10	
2. Traffic Signal Design		33	20		53	
3. Post Design Services		4	8		12	
4. Project Management & Meetings		10	4			Comment Resolution Mtgs, Site Visits
Subtotal Hours =		49	36	4	12	
Subtotal Hourly Labor Charges =		\$ 14,721.68	\$ 7,649.94	\$ 504.19	\$ 22,875.81	

Reimbursable Costs:

Mileage	\$ 480.00
Aerial Photo	\$ 1,500.00
Subtotal Direct Expenses =	\$ 1,980.00

PROJECT TOTAL (Rounded) = \$ 24,900.00



TOWN OF
QUEEN CREEK
ARIZONA

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: BRUCE GARDNER, TOWN MANAGER

FROM: MARC SKOCYPEC , UTILITIES DIRECTOR

RE: CONSIDERATION AND POSSIBLE APPROVAL OF AN ON-CALL PROJECT ORDER WITH SUNRISE ENGINEERING, CONTRACT 2023-003 IN AN AMOUNT NOT TO EXCEED \$40,026 FOR ENGINEERING SERVICES FOR THE BARNEY FARMS WELL SITE BLENDING PLAN. (FY 24 BUDGETED ITEM)

DATE: August 16, 2023

Suggested Action:

Move to approve an On-Call Project Order with Sunrise Engineering, Contract 2023-003 in an amount not to exceed \$40,026 for engineering services for the Barney Farms Well Site Blending Plan. (FY 24 Budgeted Item)

Relevant Council Goal(s):

Secure Future: KRA Environment

Discussion:

Sunrise Engineering provides a number of minor services to the Utility Service Department in the capacity of an On-Call engineering services consultant. A few examples of this work include providing assistance to Town staff in analyzing new water and sewer system modeling scenarios. As the originator of our most up to date models, Sunrise is the best suited to provide this service. Additionally, Sunrise provides the Utility Services Department with a number of survey related services that are not directly tied to a specific project.

The Town's Utility Services Department would like to procure a new project order through the on-call contract previously approved by Council for Sunrise Engineering to complete a comprehensive blending strategy for the Barney Tank Well, Barney Lake Well, and the existing distribution system, to mix water containing different levels of nitrates. This blending plan will mix water from these three distinct sources: 1. Barney Tank Well, 2. Barney Lake Well and 3. Existing Distribution System. The water will be mixed in the Barney Farm Tank to ensure that the blended water meets acceptable nitrate levels, thereby ensuring safety and compliance with regulatory standards. This blending plan will require enhancements to the piping and control valve systems at the Barney Tank and Well Site. To facilitate these improvements, construction plans will be prepared. These plans, along with the blending strategy memo, will be subsequently submitted to the Maricopa County Environmental Services Department (MCESD) for review and approval. The existing Barney Lake Well is currently non-potable. The Town will convert it to potable. Separate applications for New Source Approval (NSA) and Approval to Construct (ATC) will be filed for the Barney Lake Well site.

Fiscal Impact:

The total not to exceed amount of \$40,026 includes the project order amount of \$36,388 plus an additional \$3,638 (10%) for possible unanticipated services. Sufficient funding for this work is included in the FY 2023/24 Water Operating Budget for these services.

Alternatives:

Council may choose to not approve the contract. If not approved, Town staff will work with Council to identify and remedy any concerns.

Attachment(s):

1. [Sunrise Project Order 05 - Barney Farms Blending Plan](#)
2. [Exhibit - Barney Farms Blending Plan](#)

PROJECT SPECIFIC CONDITIONS (IF ANY):

Attached Exhibit C.

IN WITNESS, WHEREOF, the parties hereto have executed this Project Order through their duly authorized representatives and bind their respective entities as of the effective date.

“TOWN”

Signature _____

Name Julia Wheatley

Title Mayor

ATTEST:

Signature _____

Name Maria Gonzalez

Title Town Clerk

“DESIGN PROFESSIONAL”

Signature _____

Name _____

Title _____

PROJECT TASK ORDER # 05

EXHIBIT A

GENERAL SCOPE OF WORK AND PROPOSAL DATED JULY 28, 2023

July 28, 2023

Mike Huber
Town of Queen Creek Utilities Division
19715 S 220th Street
Queen Creek, AZ 85142

Subject: Barney Farm Blending Plan

Mr. Huber,

Designer will perform the work and services set forth herein, in accordance with the terms and conditions of the Contract for On-Call Professional Design Services Wells, Tanks & Boosters, RFQ No. 23-003, 2023-006, effective date January 5, 2023, between the Designer and Town.

SCOPE OF SERVICES

The Town Utility Department needs a comprehensive blending strategy for the Barney Tank Well, Barney Lake Well, and the Existing Distribution System, to mix water containing different levels of nitrates. This blending plan will mix water from these three distinct sources: 1. Barney Tank Well, 2. Barney Lake Well and 3. Existing Distribution System. The water will be mixed in the Barney Farm Tank to ensure that the blended water meets acceptable nitrate levels, thereby ensuring safety and compliance with regulatory standards. This blending plan will require enhancements to the piping and control valve systems at the Barney tank and well site. To facilitate these improvements, construction plans will be prepared. These plans, along with the blending strategy memo, will be subsequently submitted to the Maricopa County Environmental Services Department (MCESD) for review and approval. The existing Barney Lake Well is currently non-potable. The Town will convert it to potable. Separate applications for New Source Approval (NSA) and Approval to Construct (ATC) will be filed for the Barney Lake Well site. See [Exhibit A](#) below for the well site location.

PHASE 0001 – Barney Farm Blending Plan

TASK 001 Meetings & Project Management: This task includes overall project management, meetings and coordination of the project by SEI for the project. SEI will attend up to two (2) meetings as required for the project.

TASK 002 Construction Plans: SEI will prepare construction drawings with plans and details. SEI's design will be submitted to the Town and reviewed at two (2) stages: 90% and 100% (Final). The plans will be 24x36 inches and are anticipated to include:

- a. Cover Sheet (Town of Queen Creek standard format)
- b. Legend, Index, Control & Notes

- c. Plan @ 1 inch=20 feet horizontal scale – Site plan of existing and proposed improvements
- d. Detail Sheets – Cross sections/profiles of proposed piping and appurtenances

This task also includes transferring the original design CAD files from Sunrise archives, reviewing them for consistency and relevancy and making necessary revisions for the project.

TASK 003 Blending Plan Memo: SEI will prepare a blending plan memorandum. The memo will provide engineering analysis of the proposed plan to blend different concentrations of nitrate water to ensure the blended water meets acceptable nitrate levels. The plan memo will include a schematic/process flow diagram of the blending plan with existing and proposed piping and controls, nitrate monitoring locations, SCADA controls and operational limits. This blending plan memo will not include detailed SCADA operations, SCADA programming, sensors or plans for the pipelines (see Construction Plans task for the pipe and valve plans). The blending plan memo will be submitted to MCESD for approval. Review fees are shown below in the allowance tasks.

TASK 004 QA/QC: This task will be for quality control. At SEI we have a company-wide Quality Control Plan for all deliverables. Our QC Plan requires the checking and reviewing of all documents and supporting data in their final format before they are submitted to the Client. The construction documents will be reviewed by a qualified individual other than the originator to check that the plans meet the standard of care and convey the intent to the contractor(s).

TASK 005 Barney Lake Well NSA/ATC: SEI will apply for an NSA for the Barney Lake Well Site and will prepare a memo highlighting the work done. The memo will be used for ATC plan package to MCESD.

TASK 006 Blending Plan ATC: This task includes preparation of the ATC plan package to MCESD for the proposed water blending. The package includes application, blending plan memo and expedited review fees (see Review Fee Allowance below for fees).

ALLOWANCES: The following tasks are the allowances for the project. The initiation of work for these allowances is at the discretion of the Town. Allowances not authorized by the Town as a part of this contract are assumed to be completed by the Town or others and will be provided to SEI as applicable for the design of this project.

TASK 007 Surveying: This allowance will be used for surveying tasks that may be required for the project. This may include collecting additional topographic data, construction staking, preparing easement legals descriptions/exhibits, etc.

TASK 008 Bidding & Post Design Services: SEI will perform Post Design services outlined below for the project:

- a. Prepare an engineer's opinion of probable cost (cost estimate) and bid tabs.
- b. Attend contractor pre-bid meeting.
- c. Answer contractor pre-bid RFI's and prepare one (1) bid addenda as necessary.
- d. SEI will respond in writing to the contractor's Requests for Information (RFI's) during the course of construction and issue necessary clarifications and interpretations of the contract

documents as appropriate to the orderly completion of Contractor's work. Such clarifications and interpretations will be consistent with the intent of and reasonably inferable from the contract documents. A total of six (6) RFI responses have been budgeted for this project.

- e. SEI will provide review materials submittals related to the civil plans for the project. Submittals must be submitted from the Contractor per MAG (Maricopa Association of Governments) Specification Section 105.2 - Plans and Shop Drawings. Budget includes a maximum of two (2) reviews per submittal.

TASK 009 Engineer of Record/Record Drawings & Approval of Construction / Engineer's Certification of Completion (AOC/ECC): SEI will provide contract record drawings for the project at the conclusion of the construction. Services will include:

- a) The Town will perform construction observation with the Town's inspector. The inspector shall coordinate and provide documentation (inspection reports, photos, etc.) to SEI.
- b) At a minimum SEI will visit the project site one (1) time during construction. SEI will note obvious discrepancies of which they have actual knowledge or have detected by exercising usual and customary professional skill and care. Obvious discrepancies will be verified by site visit(s) of an SEI Engineer or someone under his or her direct supervision. This information will be shown with handwritten changes on a clean set of plans.
- c) Preparation of Record Drawings based on changes/redlines provided by the Contractor and/or Town. The record drawings will show revisions/modifications occurring during the course of construction on the design/bid/approved plans and surveyed as-built locations of improvements that are not buried.
- d) Contract record drawing will be delivered to the Town in hard copy, pdf, and CAD file formats.
- e) Town will provide test data including pressure tests, chlorination, and bac-T.
- f) SEI will draft the AOC and ECC for the project and forward them to the Town for signature.
- g) SEI will prepare and deliver the AOC submittal to MCESD for approval. The AOC package consists of the AOC application, test results, and complete record drawing set.

TASK 0010 Reimbursable Expenses: An allowance has been allocated for reimbursable expenses such as reproduction, courier, and review fees. The allocated reimbursables and expected expedited review fees:

	Review Fee	Expedited Fee (Double Regular Fee)	Total
Reimbursables			
MCESD NSA - Lake Well	\$425	\$425	\$850
MCESD ATC- Lake Well	\$675	\$675	\$1,300
MCESD ATC – Water Line	\$600	\$600	\$1,200
MCESD ATC – Chlorination	\$150	\$150	\$300

Total Review Fees \$3,650

PROJECT TENTATIVE SCHEDULE

Services to begin at NTP

BASIS FOR PAYMENT

Phase	Task	Work Task Description	Engineer V	Engineer III	Engineer (E.I.T.) II	CAD Technician IV	Registered Surveyor	Survey Manager	Survey Crew Chief	Survey Tech I	Administrative III	Direct Costs	Mileage	(hours)	(\$)	Fee Type*
0001		Civil Engineering														NTE
	001	Meetings & Project Management	10	10										20	\$3,740	
	002	Construction Plans	4	4	16	16					4			44	\$5,700	
	003	Blending Plan Memo	4	4	16	16								40	\$5,432	
	004	QA/QC	2	2		8								12	\$1,700	
	005	Barney Lake Well NSA/ATC	2	4	8									14	\$2,098	
	006	Blending Plan ATC	2	4	8									14	\$2,098	
														Subtotal	\$20,768	NTE
		Allowances														NTE
	007	Surveying						2	16					18	\$2,990	
	008	Bidding & Post Design Services	4	4	12	4								24	\$3,496	
	009	Engineer of Record														
		Site Visits - 1 each site	4	4										8	\$1,496	
		Record Drawings	2	2	4	6								14	\$1,970	
		Lake Well AOC	1	1	5									7	\$1,009	
		Blending AOC	1	1	5									7	\$1,009	
	010	Reimbursable Expenses										\$3,650		0	\$3,650	
														Subtotal	\$15,620	NTE
		Sub-total Hours/Miles/Days	36	40	74	50	0	2	16	0	4	3650	0	222		
		Hourly Billing Rate	\$207	\$167	\$127	\$119	\$189	\$175	\$165	\$89	\$67			\$1.87		
		Total Dollars	\$7,452	\$6,680	\$9,398	\$5,950	\$0	\$350	\$2,640	\$0	\$268	\$3,650	\$0			
		*Lump Sum = Fixed Fee; T&M = Time & Materials; NTE = T&M Not to Exceed, is a budgeted amount that will not be exceeded without Client approval and does not guarantee the tasks will be completed within this amount.														
															Total Design	\$ 20,768
															Total Allowances	\$ 15,620
															Total NTE Contract	\$ 36,388

SCOPE OF WORK CONDITIONS

- A. Deliverables shall be pdf copy of plans 24 x 36-inch sheets (plan and profile 1 inch = 40 feet horizontal and 1-inch = 2-feet vertical), specifications, and cost estimates (as applicable) per submittal. At final submittal, CD with pdf of plans, specifications, cost estimates, and AutoCAD DWG files. AutoCAD files shall be in 2018 format.
- B. Any item not specifically included is assumed to be excluded. A reasonable effort has been made to identify the necessary tasks required to complete the project. However, additional tasks may be required and/or requested by the client or reviewing agency(s). Such items will be brought to the client's attention and a contract amendment may be required.
- C. The Town of Queen Creek shall be responsible for providing the following:
 - a. Record drawings/as-builts within the project area
 - b. Town quarter section utility maps and electronic GIS map files
- D. Time and Materials tasks will be performed in accordance with rates & fees shown in Exhibit B.
- E. Plans shall be prepared in accordance with the Maricopa Association of Governments (MAG) Standards and Specifications supplemented by the local jurisdiction having authority.
- F. Reproduction costs for plans, exhibits, reports, deliveries, etc. will be billed as a reimbursable expense or on a Time and Materials basis depending on method of execution.
- G. The contractor or owner shall be responsible for obtaining all necessary permits prior to beginning construction. The contractor or owner is responsible for verification of existing permits, renewal of lapsed permits, and obtaining any new permits.

If you are interested in having us complete the services outlined in this proposal, please execute the agreement below and return one copy to our office. Client will be billed monthly based on the amount of work completed for each task. We will invoice you at the beginning of each month for services performed during the previous month. Payment is due 30 days from the date of the invoice. If you have any questions regarding this proposal, please contact me at (480) 768-8600. We look forward to continuing to work with you on this project.

Sincerely,
SUNRISE ENGINEERING, INC.



Geoffrey S. Child, P.E.
Principal/Engineering Manager

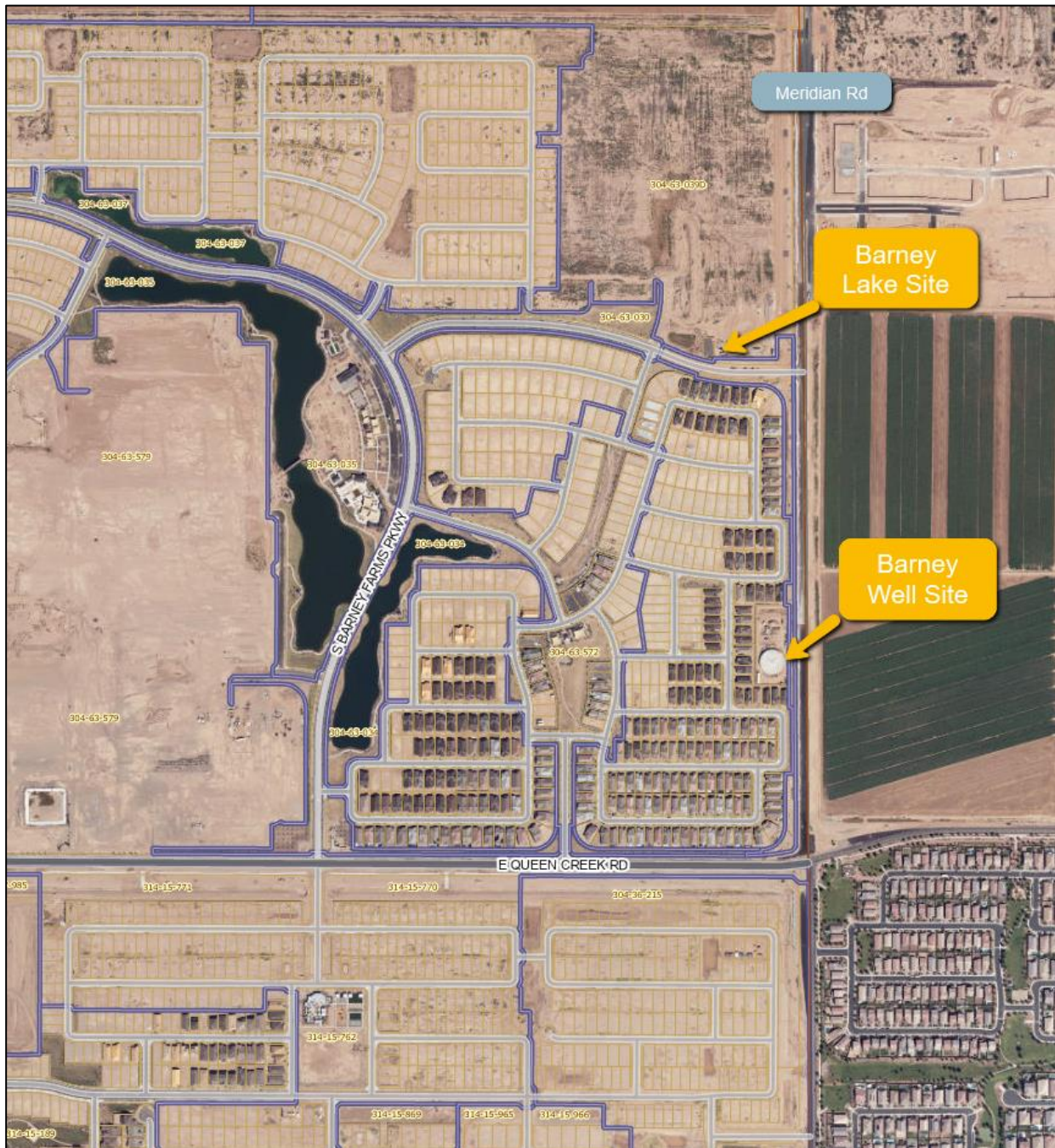
Accepted and Agreed:
Town of Queen Creek

By: _____
Signature

Printed Name

Title: _____
Print Title

Date: _____





RFQ 23-003 Contract Exhibit C
Pricing

On-Call Wells, Tanks & Boosters

Firm Name: Sunrise Engineering, Inc.

Submit fee schedule in accordance with the sample below. Respondent may provide a table of costs based on expertise of employee i.e. classification / title

Item	Classification / Title	Average Hourly Rate	Overhead	Net Fee	Total Hourly Rate
1	Principal Engineer	\$72.11	187%	10%	\$228
2	Engineer V	\$65.47	187%	10%	\$207
3	Engineer IV	\$59.14	187%	10%	\$187
4	Engineer III	\$52.82	187%	10%	\$167
5	Engineer (E.I.T.) III	\$43.33	187%	10%	\$137
6	Engineer (E.I.T.) II	\$40.17	187%	10%	\$127
7	Engineer (E.I.T.) I	\$37.01	187%	10%	\$117
8	Engineering Tech IV	\$43.96	187%	10%	\$139
9	Engineering Tech III	\$40.80	187%	10%	\$129
10	Engineering Tech II	\$36.37	187%	10%	\$115
11	Engineering Tech I	\$30.05	187%	10%	\$95
12	Project Manager II	\$56.61	187%	10%	\$179
13	Project Manager I	\$50.29	187%	10%	\$159
14	CAD Technician IV	\$37.64	187%	10%	\$119
15	CAD Technician III	\$34.47	187%	10%	\$109
16	CAD Technician II	\$31.31	187%	10%	\$99
17	CAD Technician I	\$28.15	187%	10%	\$89
18	Civil Plan Reviewer	\$52.19	187%	10%	\$150
19	Principal Surveyor	\$66.10	187%	10%	\$209
20	Registered Surveyor	\$59.78	187%	10%	\$189
21	Survey Manager	\$55.35	187%	10%	\$175
22	Survey Crew Chief	\$52.19	187%	10%	\$165
23	Survey CAD Tech	\$43.96	187%	10%	\$139
24	Survey Tech II	\$31.31	187%	10%	\$99
25	Survey Tech I	\$28.15	187%	10%	\$89
26	Administrative III	\$21.19	187%	10%	\$67
27	Administrative II	\$18.03	187%	10%	\$57
28	Administrative I	\$14.87	187%	10%	\$47
29	Construction Observer IV	\$36.37	187%	10%	\$115
30	Construction Observer III	\$33.21	187%	10%	\$105
31	Construction Observer II	\$30.05	187%	10%	\$95
32	Construction Observer I	\$26.88	187%	10%	\$85
33	Construction Manager II	\$45.86	187%	10%	\$145
34	Construction Manager I	\$39.54	187%		\$125

REIMBURSABLE EXPENSES/TRAVEL EXPENSES

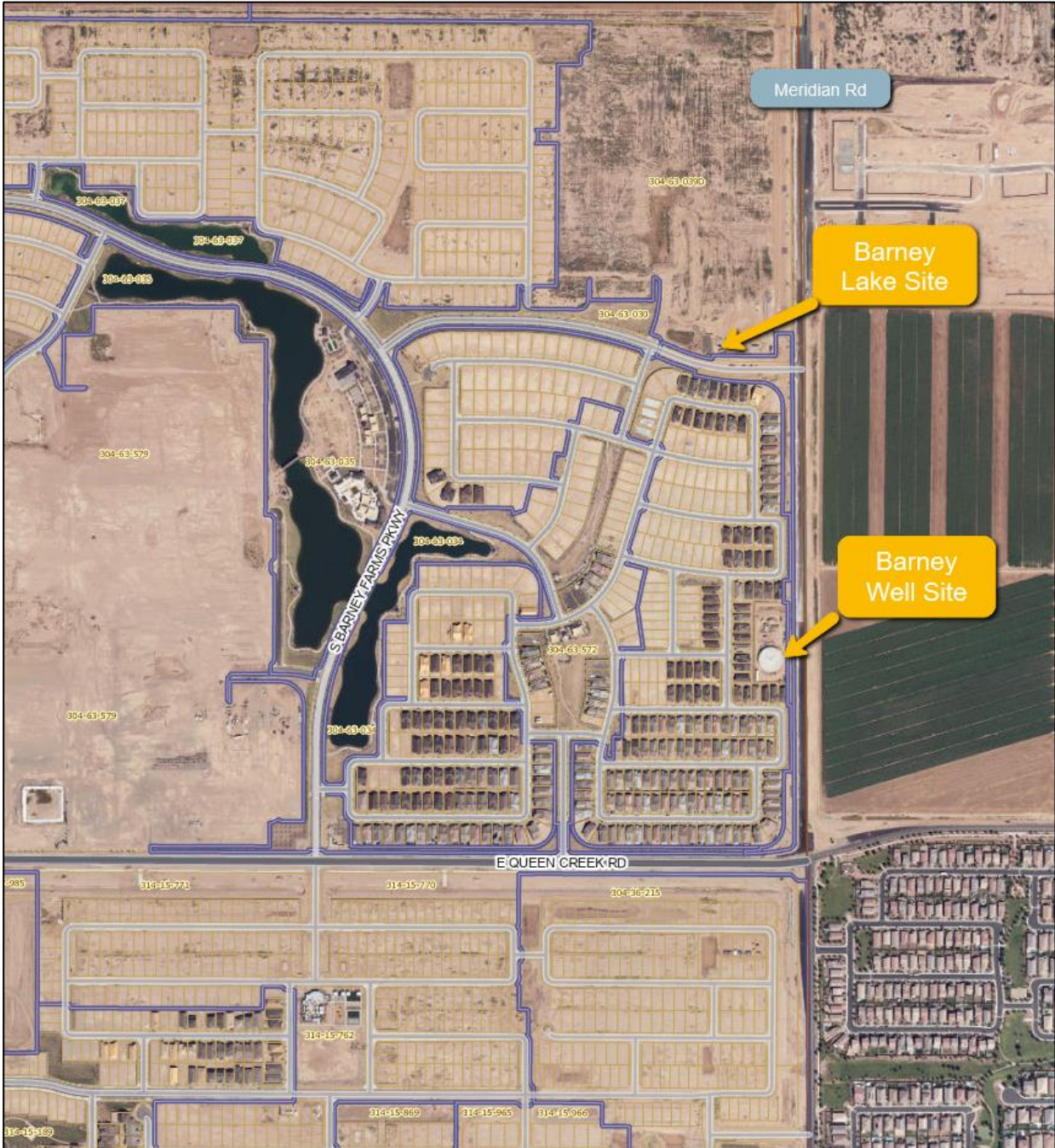
* Requires prior written authorization and shall be paid at actual cost.

Photo Copies \$ per outsourced invoice

Color Copies \$ per outsourced invoice

Mileage \$ 0.625/mile

EXHIBIT - Barney Farms Blending Plan





TOWN OF
QUEEN CREEK
ARIZONA

8.F

TO: HONORABLE MAYOR AND TOWN COUNCIL
THROUGH: BRUCE GARDNER, TOWN MANAGER
FROM: MARC SKOCYPEC , UTILITIES DIRECTOR
RE: CONSIDERATION AND POSSIBLE APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$4,180,000 WITH PUMPMAN WATERWORKS UTILIZING TOWN CONTRACT 2020-046 FOR WELL DRILLING AND HYDROGEOLOGICAL SERVICES FOR WARE FARMS WELL 1 - COYOTE WELL SITE PROJECT WA014 AND WARE FARMS WELL 2 - STAGECOACH WELL SITE PROJECT WA025, AND RELATED BUDGET ADJUSTMENTS.
DATE: August 16, 2023

Suggested Action:

Move to approve a purchase order in the amount of \$4,180,000 with Pumpman Waterworks utilizing Town Contract 2020-046 for well drilling and hydrogeological services for Ware Farms Well 1 - Coyote Well Site Project WA014 and Ware Farms Well 2 - Stagecoach Well Site Project WA025.

Relevant Council Goal(s):

Secure Future: KRA Environment

Discussion:

On January 18, 2023 Council approved the Water Services Agreement and Recovered Reclaimed Water Agreement with BHEG Ware Farms LLC and Pantano Ware LLC (“January Agreement”). Part of those agreements included the purchase of two associated well sites for the development commonly known as Ware Farms.

Utilities staff completed the purchase of Lot 309 for a replacement well for ADWR Well No. 55-608534 currently located within the development. The developers conveyed to the Town well number 55-608534 to be replaced by a new Town well. As part of the January Agreement, the Town will design and construct the replacement well within Lot 309, including installing electrical service that will connect to the electrical facilities developers have planned for the project, pump equipment, and related appurtenances.

Utilities staff is also finalizing the purchase from developers the well site at Stagecoach Pass Avenue that includes ADWR well registration number 55-608535 located within the Development. As part of the January Agreement, it was identified that after the purchase of the well site is finalized, the Town will design and construct the replacement well, including installing electrical service, pump equipment, and related appurtenances.

Staff received the proposal from Pumpman Waterworks to complete the drilling and hydrogeological services for both well sites. The contractor’s proposal price is \$3,800,000 for both well sites and an additional \$380,000 (10%) contingency.

Upon completion of the drilling and hydrogeological services, Utilities staff will bring forward to the Town Council additional construction contracts to complete the construction and installation of each well site’s pump and equipment, sound enclosures, electrical installation and Supervisory Control

Data Acquisition (SCADA) software and equipment, which is the system that monitors the production of each well site and allows staff to monitor the site remotely.

Fiscal Impact:

Projects WA025 and WA014 are included in the Town’s Water Master Plan and current 5-year CIP project list; however, budget authority for the projects was not included in the FY 2023/24 adopted budget and therefore will require an allocation from CIP contingency of \$4,180,000. Project WA014 was included in WIFA financing that the Town secured last year for water infrastructure projects. Project WA025 will be financed through the interim financing that the Town secured from U.S. Bank in December 2021. These projects will be included in the capacity fee update that is currently under way and therefore the funding sources for repayment of the loans for the projects will be 100% growth funding from capacity fees.

As identified above, the work requested on these projects includes only the well drilling component of the projects. Future contracts will be required for the electrical, sound enclosures and related work to bring the wells into service. Additional future costs necessary to bring the wells into service is an additional \$1.5M to 2.0M.

Alternatives:

Council could choose not to approve this purchase order request. However, this is not recommended. If the two projects are not funded, staff will not be able to start the drilling at these well sites and this will further delay the completion of the sites. These well sites are needed to serve surrounding development. Construction of these sites needs to occur before construction of the surrounding development in order to reduce costs and minimize disturbance to the area. Additionally, Pumpman Waterworks currently has availability on their schedule to begin drilling this month. If drilling is delayed, their availability will be pushed out until next year as drilling contractors for well sites are in high demand due to surrounding municipalities losing surface water allocations and having to construct additional well sites to pump groundwater.

Attachment(s):

1. [Pumpman Waterworks Estimate](#)



Estimate

2205 West Grant Street, Phoenix, AZ 85009
 P.O. Box 6339 Phoenix, AZ 85005
 Phone: 602-442-1110
 Cell 480-369-0456

DATE August 4, 2023

TO Town of Queen Creek

WELL	JOB
	Drill 2 Replacement Wells

QTY	ITEM #	DESCRIPTION	UNIT PRICE	LINE TOTAL
2.00	1	Drill well 1,200' -18 5/8" HSLA 700' of Blank, 500' of Louvered Screen	\$ 1,667,370.00	\$ 3,334,740.00
2.00	2	Hydrogeologic Services- by Clear Creek- Geologic.	\$ 105,991.00	\$ 211,982.00

	SUBTOTAL	\$ 3,546,722.00
Estimated Contracting Tax 5.56%	EST. TAX	197,197.74
	TOTAL	\$ 3,743,919.74



TOWN OF
QUEEN CREEK
 ARIZONA

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: BRUCE GARDNER, TOWN MANAGER

FROM: DAVE LIPINSKI, PE, CIP DEPARTMENT DIRECTOR

RE: CONSIDERATION AND POSSIBLE APPROVAL OF DELEGATION RESOLUTION #1531-23 AUTHORIZING AND DIRECTING THE TOWN MANAGER AND/OR CAPITAL IMPROVEMENT PROJECTS DEPARTMENT DIRECTOR TO TAKE ANY AND ALL ACTION NECESSARY; AND TO SIGN ANY AND ALL DOCUMENTS, CONTRACTS, AND/OR AGREEMENTS RELATED TO CONSTRUCTION AND COMPLETION OF RYAN ROAD AND 220TH STREET IMPROVEMENTS (CIP PROJECTS NO. A2001 & A1702), IN AN AMOUNT NOT TO EXCEED \$5,800,000 AND RELATED BUDGET ADJUSTMENTS.

DATE: August 16, 2023

Suggested Action:

To approve Delegation Resolution #1531-23 authorizing and directing the Town Manager and/or Capital Improvement Projects Department Director to take any and all action necessary; and to sign any and all documents, contracts, and/or agreements related to construction and completion of Ryan Road and 220th Street Improvements, (CIP Projects No. A2001 & A1702) in an amount not to exceed \$5,800,000 and related budget adjustments.

Relevant Council Goal(s):

Superior Infrastructure – Capital Improvement Program

Discussion:

As a part of the design for Frontier Family Park, the design team included the design of Ryan Road adjacent to the park property from the east side of the Field operations Facility to Signal Butte Road and the western edge of Signal Butte Road adjacent to the park.

On June 1, 2022, the Town Council approved a Project Order with Atwell, LLC for the engineering design of 220th Street from the north line of the Barney Family Sports Complex to Ryan Road and Ryan Road from 220th Street east along the north line of the Field Operations Facility.

As the projects are moving into construction, the Town is working to deliver the entirety of 220th Street, Ryan Road and Signal Butte Road concurrently with the construction of Frontier Family Park. These roadway improvements will provide for enhanced access into and around Frontier Family Park, the Aquatic and Recreation facility and the Field Operations Facility.

The Roadway improvements will include the following:

- Ryan Road from 220th Street to Signal Butte Road will consist of the construction of the south half of the roadway and include a three lane pavement section with curb and gutter, retention basins, bike lane, sidewalk, traffic signal, street lights, and landscaping.
- 220th Street from the north property line of the Barney Family Sports Complex to Ryan Road will consist of a three lane pavement section with curb and gutter on both lanes, retention

- basins, storm drain, bike lane, street lights, and landscaping on the west side of 220th Street.
- Signal Butte Road adjacent to the park site will include the construction of the curb and gutter, drainage improvements, additional pavement north of the Ryan Road to allow for turn lanes and the construction of a traffic signal at the intersection of Signal Butte and Ryan Roads.

The project expenditure authority under this delegation resolution is \$5,800,000. A summary of items included in the proposed project budget are included in the attached Delegation Resolution #1531-23 as Exhibit 1. The costs for Signal Butte Road are minimal and thus have been combined with the funding requested for Ryan Road.

If Delegation Resolution #1531-23 is approved, construction is anticipated to start December 2023, and the project is expected to be completed in March 2024.

Fiscal Impact:

The Ryan Road and 220th Street Improvements, (CIP Project Nos. (A2001 & A1702), budget was not included in the FY 2023/24 CIP Adopted Budget. The requested Delegation Resolution #1531-23 totaling \$5,800,000 will require a budget adjustment from the FY 2023/24 CIP Contingency.

There will be a combination of funding for this project as follows:

A1702 - 220th: Ryan to QC Road - a combination of non-growth funds from the Operating Budget and cash-in-lieu funds from Siete Solar Development received in 2012.

A2001 - Ryan: Crismon to 220th - 16.74% Transportation Impact Fees, 12.4% Construction Sales Tax, and 70.86% non-growth funding from the Operating Budget.

Alternatives:

The Town Council may decide not to approve Delegation Resolution #1531-23 in order to re-prioritize capital projects. If the resolution is not approved, the project construction schedules will be delayed and result in a lack of adequate access to and from the adjacent Frontier Family Park, the Aquatic and Recreation Center and the Field Operations Facility.

Attachment(s):

1. [A2001 and A1702 Project Site Exhibit](#)
2. [Delegation Resolution #1531.23 Exhibit 1](#)

A2001 and A1702 – Ryan Road and 220th Street Site Location Exhibit



RESOLUTION NO. 1531-23

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AUTHORIZING AND DIRECTING THE TOWN MANAGER, AND/OR CAPITAL IMPROVEMENT PROJECTS DEPARTMENT DIRECTOR TO TAKE ANY AND ALL ACTION NECESSARY; AND TO SIGN ANY AND ALL DOCUMENTS, CONTRACTS AND AGREEMENTS RELATED TO THE RYAN ROAD AND 220TH STREET IMPROVEMENTS, CIP PROJECT NO. A2001 AND A1702.

WHEREAS, the Town Council finds that it is in the interest of the Town to enter into Contracts and/or Agreements to complete the Ryan Road and 220th Street Improvements, CIP Projects A2001 & A1702 (the “Project”), as more specifically described in the Staff Report presented to the Council in support of this Resolution, and the summary of items included in the Project set forth in Exhibit 1 attached hereto, both of which are incorporated herein by this reference; and

WHEREAS, Article 5 of the Town’s Procurement Policy authorizes that Town Council to delegate signature authority to the Town Manager and/or Department Director for certain contracts related to the Project; and

WHEREAS, funding for the Project is included in the Town’s Capital Improvement Plan (CIP) Budget;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Queen Creek, Arizona, as follows:

- Section 1:** That the total Resolution amount is affirmed to be \$5,800,000 and the total authorized budget amount for the Project is hereby affirmed to be \$5,800,000
- Section 2:** That the Town Manager has the authority to sign and enter into, on the Town’s behalf, individual contracts, up to an aggregate limit of the total authorized budget amount, for the completion of the Project.
- Section 3:** That the Capital Improvement Projects Director has the authority to sign and enter into, on the Town’s behalf, individual contracts and/or agreements valued at less than \$100,000, up to an aggregate limit of the total authorized budget amount, for the completion of the Project.
- Section 4:** That the Town Manager, Capital Improvements Projects Director and Town Attorney are authorized to sign such documents in such form as is finally approved and take such actions as are reasonably necessary to effectuate the terms of the contracts, services, and/or agreements.
- Section 5:** This delegation of signature authority shall remain in force until the Project is delivered, completed, and placed into service, or until revoked by a subsequent, validly passed resolution of the Town Council.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Queen Creek, Arizona, this 16th day of August, 2023.

FOR THE TOWN OF QUEEN CREEK:

ATTESTED TO:

Julia Wheatley, Mayor

Maria Gonzalez, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:

Bruce Gardner, Town Manager

Dickinson Wright, PLLC
Town Attorneys

RESOLUTION NO. 1531-23

**Resolution # 1531-23
Exhibit 1**

Ryan Road and 220th Street Improvements, CIP Projects A2001 & A1702		Estimated Cost	10% Contingency	Extended Cost
UTILITIES	Street Light Design/Const - SRP	\$22,727.27	\$2,272.73	\$25,000.00
	Proposed Utilities Subtotal:			\$25,000.00
REAL ESTATE	Right of Way - Dedication	0.00	0.00	0.00
	Proposed Real Estate Subtotal:			0.00
CONSTRUCTION	Roadway Construction - Ryan Road	\$2,572,551.09	\$257,255.11	\$2,829,806.00
	Roadway Construction - 220th Street	\$1,721,085.45	\$172,108.55	\$1,893,194.00
	Traffic Signal Equipmnet	\$909,090.91	\$90,909.09	\$1,000,000.00
	Qualtiy Assurance Testing	\$40,909.09	\$4,090.91	\$45,000.00
	Post Design Services	\$27,272.73	\$2,727.27	\$30,000.00
	Proposed Construction Subtotal			\$5,798,000.00
MISC. EXPENSES	Public Outreach	\$1,818.18	\$181.82	\$2,000.00
	Proposed Misc. Expense Subtotal:			\$2,000.00
	Total Project Budget Requested			\$5,800,000
	Delegation Resolution Net Request			\$5,800,000



TOWN OF
QUEEN CREEK
 ARIZONA

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: BRUCE GARDNER, TOWN MANAGER

FROM: DAVE LIPINSKI, PE, CIP DEPARTMENT DIRECTOR

RE: CONSIDERATION AND POSSIBLE APPROVAL OF DELEGATION RESOLUTION #1532-23 AUTHORIZING AND DIRECTING THE TOWN MANAGER AND/OR CAPITAL IMPROVEMENT PROJECTS DEPARTMENT DIRECTOR TO TAKE ANY AND ALL ACTION NECESSARY; AND TO SIGN ANY AND ALL DOCUMENTS, CONTRACTS, AND/OR AGREEMENTS RELATED TO CONSTRUCTION AND COMPLETION OF CLOUD ROAD AND ELLSWORTH ROAD IMPROVEMENTS (CIP PROJECT NO. A1006) IN AN AMOUNT NOT TO EXCEED \$2,500,000; AND NECESSARY BUDGET ADJUSTMENTS.

DATE: August 16, 2023

Suggested Action:

To approve Delegation Resolution #1532-23 authorizing and directing the Town Manager and/or Capital Improvement Projects Department Director to take any and all action necessary; and to sign any and all documents, contracts, and/or agreements related to construction and completion of Cloud Road and Ellsworth Road Improvements (CIP Project No. A1006) in an amount not to exceed \$2,500,000; and necessary budget adjustments.

Relevant Council Goal(s):

Superior Infrastructure – Capital Improvement Program

Discussion:

On December 1, 2021 the Town Council approved Pre-Annexation and Development Agreement P21-0071 with Earnhardt Automotive. As a part of that agreement, The Town has the responsibility to:

- Design and construct a new traffic signal and intersection improvements on Ellsworth Road south of Cloud Road.
- Design and construct the remaining half street improvements for Ellsworth Road adjacent to their parcel.
- Design and construct the half street improvements for Cloud Road adjacent to their parcel.

On November 16, 2022 the Town Council approved a design services contract with Westwood Professional Services to provide the design phase services for these projects.

The Town will be delivering this project in two phases, phase 1 will include the Ellsworth Road improvements and phase 2 will include the southern half of Cloud Road and intersection modifications to the Ellsworth Road and Cloud Road intersection. Project phasing is required due to the permitting and construction requirements for existing Queen Creek Irrigation District utilities located along Cloud Road.

The requested Delegation Resolution #1532-23 totaling \$2,500,000 is to cover the construction costs under phase 1 along Ellsworth Road outlined in the cost breakdown below:

- Long lead items (Traffic Signal Equipment) - \$500,000
- Roadwork Along Ellsworth - \$750,000
- Concrete Work (Sidewalks, driveways, etc.) - \$500,000
- Underground Utilities - \$500,000
- Misc. Utility Work - \$250,000

A summary of these items is included in the attached Delegation Resolution #1532-23 Exhibit 1.

Phase 2 construction cost will be available at a later date, and at that time will be brought forward to Council as an amendment to the Delegation Resolution.

If Delegation Resolution #1532-23 is approved, phase 1 construction is anticipated to start late August, 2023, and is expected to be completed in December, 2023.

Fiscal Impact:

The Cloud Road and Ellsworth Road Improvements project budget was not included in the FY 2023/24 CIP Adopted Budget. The requested Delegation Resolution #1532-23 totaling \$2,500,000 will require a budget adjustment from the FY 2023/24 CIP Contingency. The following table summarizes the project cost through phase 1 and the required budget adjustment.

Project	Previously Approved Contracts	Requested DR #1532-23	Total Project Cost through Phase 1	FY 2023/24 Budget Adjustment from Contingency
Cloud Road & Ellsworth Road (A1006)	158,000	2,500,000	2,658,000	2,500,000

The funding source for the project is the Town’s dedicated 2% construction sales tax.

Alternatives:

The Town Council may decide not to approve Delegation Resolution #1532-23 in order to re-prioritize capital projects. If the resolution is not approved, the project construction schedules will be delayed and the Town will not be able to fulfill its commitments under agreement P21-0071.

Attachment(s):

1. [A1006 Project Site Exhibit](#)
2. [Delegation Resolution #1532-23 Exhibit 1](#)

CIP A1006 Ellsworth and Cloud Road Improvements



Project Site Exhibit



Maricopa County Assessor's Office

10/18/2022 5:49:18 PM

RESOLUTION NO. 1532-23

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AUTHORIZING AND DIRECTING THE TOWN MANAGER, AND/OR CAPITAL IMPROVEMENT PROJECTS DEPARTMENT DIRECTOR TO TAKE ANY AND ALL ACTION NECESSARY; AND TO SIGN ANY AND ALL DOCUMENTS, CONTRACTS AND AGREEMENTS RELATED TO THE ELLSWORTH ROAD AND CLOUD ROAD IMPROVEMENTS, PROJECT A1006.

WHEREAS, the Town Council finds that it is in the interest of the Town to enter into Contracts and/or Agreements to complete the Ellsworth Road and Cloud Road Improvements, CIP Project No. A1006 (the “Project”), as more specifically described in the Staff Report presented to the Council in support of this Resolution, and the summary of items included in the Project set forth in Exhibit 1 attached hereto, both of which are incorporated herein by this reference; and

WHEREAS, Article 5 of the Town’s Procurement Policy authorizes that Town Council to delegate signature authority to the Town Manager and/or Department Director for certain contracts related to the Project; and

WHEREAS, funding for the Project is included in the Town’s Capital Improvement Plan (CIP) Budget;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Queen Creek, Arizona, as follows:

- Section 1:** That the total Resolution amount is affirmed to be \$2,500,000 and the total authorized budget amount for the Project is hereby affirmed to be \$2,658,000
- Section 2:** That the Town Manager has the authority to sign and enter into, on the Town’s behalf, individual contracts, up to an aggregate limit of the total authorized budget amount, for the completion of the Project.
- Section 3:** That the Capital Improvement Projects Director has the authority to sign and enter into, on the Town’s behalf, individual contracts and/or agreements valued at less than \$100,000, up to an aggregate limit of the total authorized budget amount, for the completion of the Project.
- Section 4:** That the Town Manager, Capital Improvements Projects Director and Town Attorney are authorized to sign such documents in such form as is finally approved and take such actions as are reasonably necessary to effectuate the terms of the contracts, services, and/or agreements.
- Section 5:** This delegation of signature authority shall remain in force until the Project is delivered, completed, and placed into service, or until revoked by a subsequent, validly passed resolution of the Town Council.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Queen Creek, Arizona, this 16th day of August, 2023.

FOR THE TOWN OF QUEEN CREEK:

ATTESTED TO:

Julia Wheatley, Mayor

Maria Gonzalez, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:

Bruce Gardner, Town Manager

Dickinson Wright, PLLC
Town Attorneys

Resolution #1532-23
Exhibit 1

A1006 Ellsworth Rd and Cloud Rd Improvements		Estimated Cost	10% Contingency	Extended Cost
UTILITIES	[LIST BUDGET ITEMS IN THIS COLUMN UNDER EACH CATEGORY]			
	Misc Utility Work	\$250,000.00		\$250,000.00
	Proposed Utilities Subtotal:			
REAL ESTATE				
	Proposed Real Estate Subtotal:			
CONSTRUCTION	Road Work	\$750,000.00		\$750,000.00
	Concrete Work	\$500,000.00		\$500,000.00
	Underground Utilites	\$500,000.00		\$500,000.00
	Long Lead Items	\$500,000.00		\$500,000.00
	Proposed Construction Subtotal			
	Total Project Budget Requested Under Delegation Resolution # 1532-23			\$2,500,000
	<i>Previously Approved Design Contract</i>			<i>\$158,000</i>
	Total Project Cost through Phase 1			\$2,658,000



TOWN OF
QUEEN CREEK
 ARIZONA

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: BRUCE GARDNER, TOWN MANAGER

FROM: MARIA GONZALEZ MMC, TOWN CLERK

RE: CONSIDERATION AND POSSIBLE RECOMMENDATION OF APPROVAL ON A NEW SERIES 012 RESTAURANT LIQUOR LICENSE APPLICATION SUBMITTED BY NAVAYOGASINGAM THURAISSINGAM ON BEHALF OF MACAYO'S MEXICAN FOOD LOCATED AT 24460 E OCOTILLO ROAD, QUEEN CREEK.

DATE: August 16, 2023

Suggested Action:

To forward a recommendation of approval to the Arizona Department of Liquor Licenses and Control on a new Series 012 Restaurant Liquor License application submitted by Navayogasingam Thuraisingam on behalf of Macayo's Mexican Food located at 24460 E Ocotillo Road, Queen Creek.

Discussion:

The Town Clerk's Office received a liquor license application for a new Series 012 Restaurant Liquor License application submitted by Navayogasingam Thuraisingam on behalf of Macayo's Mexican Food located at 24460 E Ocotillo Road, Queen Creek.

A Series 012 Restaurant Liquor License is a non-transferable, on-sale retail privileges liquor license that allows the holder of a restaurant license to sell and serve all types of spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food. Failure to meet the 40% food requirement may result in revocation of the license.

Public notice was posted for the required 20-day period (July 13, 2023 - August 3, 2023) in accordance with the Arizona Department of Liquor License and Control posting requirement. No comments or protests from the public were received thus far. The Queen Creek Police Department was provided with a copy of the application for interview / investigation and there is no information which would prevent or disqualify Macayo's Mexican Food from approval to move forward with licensing.

Fiscal Impact:

Businesses that hold a state issued liquor license and are located within the Town boundaries are required to obtain a Supplemental Liquor License from the Town. The annual fee for a Supplemental Liquor License is \$200, and is prorated on a monthly basis for the first year per [Section 8-1-10](#) of the Town Code.

Alternatives:

Council's recommendation will be forwarded to the Arizona Department of Liquor License & Control. If Council recommends denial of an application, the minutes must reflect specific reasons, testimony, and other evidence that supports the motion to deny the license applications as required by [A.R.S. § 4-201\(E\)](#) further defined by Rule R19-1-702 (attached).

Attachment(s):

1. [Rule R19-1-702 \(9-24-22\).pdf](#)
2. [LGB Public Report.pdf](#)
3. [QCPD Report.pdf](#)

R19-1-702. Determining Whether to Grant a License for a Certain Location¹

- A. To determine whether public convenience requires and the best interest of the community will be substantially served by issuing or transferring a license at a particular unlicensed location, local governing authorities and the Board may consider the following criteria:
1. Petitions and testimony from individuals who favor or oppose issuance of a license and who reside in, own, or lease property within one mile of the proposed premises;
 2. Number and types of licenses within one mile of the proposed premises;
 3. Evidence that all necessary licenses and permits for which the applicant is eligible at the time of application have been obtained from the state and all other governing bodies;
 4. Residential and commercial population of the community and its likelihood of increasing, decreasing, or remaining static;
 5. Residential and commercial population density within one mile of the proposed premises;
 6. Evidence concerning the nature of the proposed business, its potential market, and its likely customers;
 7. Effect on vehicular traffic within one mile of the proposed premises;
 8. Compatibility of the proposed business with other activity within one mile of the proposed premises;
 9. Effect or impact on the activities of businesses or the residential neighborhood that might be affected by granting a license at the proposed premises;
 10. History for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant received a detailed report of the violations and criminal activity at least 20 days before the hearing by the Board;
 11. Comparison of the hours of operation at the proposed premises to the hours of operation of existing businesses within one mile of the proposed premises; and
 12. Proximity of the proposed premises to licensed childcare facilities as defined by A.R.S. § 36-881.
- B. This Section is authorized by A.R.S. § 4-201(I).

¹ Title 4 Arizona Liquor Law Book (9/24/22)

State of Arizona
Department of Liquor Licenses and Control

Created 07/10/2023 @ 09:59:36 AM

Local Governing Body Report

LICENSE

Number: _____ Type: 012 RESTAURANT
Name: MACAYO'S MEXICAN FOOD
State: Pending
Issue Date: _____ Expiration Date: _____
Original Issue Date: _____
Location: 24460 E OCOTILLO ROAD
QUEEN CREEK, AZ 85142
USA
Mailing Address: 219 S SIESTA LANE
TEMPE, AZ 85288
USA
Phone: (480)696-3079
Alt. Phone: (480)329-0149
Email: NAVASINGAM@MSN.COM

AGENT

Name: NAVAYOGASINGAM THURASINGAM
Gender: Male
Correspondence Address: 1225 N GILBERT ROAD
MESA, AZ 85203
USA
Phone: (480)329-0149
Alt. Phone: _____
Email: NAVASINGAM@MSN.COM

OWNER

Name: KIND MACAYO LLC
Contact Name: NAVAYOGASINGAM THURASINGAM
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: 1912344 State of Incorporation: AZ
Incorporation Date: 10/23/2018
Correspondence Address: 1225 N GILBERT ROAD
MESA, AZ 85203
USA
Phone: (480)329-0149
Alt. Phone: _____
Email: NAVASINGAM@MSN.COM

Officers / Stockholders

Name:	Title:	% Interest:
LETIVA SINGAM TRUST	Member	100.00
KIND HOSPITALITY II LLC	Manager-LLC	0.00

KIND MACAYO LLC - Manager-LLC

Name: KIND HOSPITALITY II LLC
 Contact Name: NAVAYOGASINGAM THURASINGAM
 Type: LIMITED LIABILITY COMPANY
 AZ CC File Number: 23312727 State of Incorporation: AZ
 Incorporation Date: 12/27/2021
 Correspondence Address: 1225 N GILBERT ROAD
 MESA, AZ 85203
 USA
 Phone: (480)329-0149
 Alt. Phone:
 Email: NAVASINGAM@MSN.COM

KIND HOSPITALITY II LLC - Manager-LLC

Name: KIND HOSPITALITY INC
 Contact Name: NAVAYOGASINGAM THURASINGAM
 Type: CORPORATION
 AZ CC File Number: F07765323 State of Incorporation: DE
 Incorporation Date: 05/07/1996
 Correspondence Address: 1225 N GILBERT ROAD
 MESA, AZ 85203
 USA
 Phone: (480)329-0149
 Alt. Phone:
 Email: NAVASINGAM@MSN.COM

KIND HOSPITALITY II LLC - Member

KIND MACAYO LLC - Member

Name: LETIVA SINGAM TRUST
 Contact Name: NAVAYOGASINGAM THURASINGAM
 Type: TRUST
 AZ CC File Number: State of Incorporation:
 Incorporation Date:
 Correspondence Address: 1225 N GILBERT ROAD
 MESA, AZ 85203
 USA
 Phone: (480)329-0149
 Alt. Phone:
 Email: NAVASINGAM@MSN.COM

KIND HOSPITALITY INC - President

Name: NAVAYOGASINGAM THURAIHINGAM
Gender: Male
Correspondence Address: 1225 N GILBERT ROAD
MESA, AZ 85203
USA
Phone: (480)329-0149
Alt. Phone:
Email: NAVA@KINDHOSPITALITY.COM

**LETIVA SINGAM TRUST - TRUSTEE
LETIVA SINGAM TRUST - TRUSTEE**

Name: ARYANNA DEVI THURAIHINGAM
Gender: Female
Correspondence Address: 1225 N GILBERT ROAD
MESA, AZ 85203
USA
Phone: (480)696-3079
Alt. Phone:
Email: ARYSIGAM@MSN.COM

MANAGERS

Name: DEREK TODD BOETTCHER
Gender: Male
Correspondence Address: 5737 E HILLERY DRIVE
SCOTTSDALE, AZ 85254
USA
Phone: (602)377-5665
Alt. Phone:
Email: DEREK@KINDHOSPITALITY.COM

Name: KIND HOSPITALITY II LLC
Contact Name: NAVAYOGASINGAM THURAIHINGAM
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: 23312727 State of Incorporation: AZ
Incorporation Date: 12/27/2021
Correspondence Address: 1225 N GILBERT ROAD
MESA, AZ 85203
USA
Phone: (480)329-0149
Alt. Phone:
Email: NAVASINGAM@MSN.COM

APPLICATION INFORMATION

Application Number: 251335
Application Type: New Application
Created Date: 07/07/2023



QUESTIONS & ANSWERS

012 Restaurant

- 1) Are you applying for an Interim Permit (INP)?
No
- 2) Are you one of the following? Please indicate below.
Property Tenant
Subtenant
Property Owner
Property Purchaser
Property Management Company
TENANT
- 3) Is there a penalty if lease is not fulfilled?
Yes
What is the penalty?
LEASE PAID IN FULL
- 4) Is the Business located within the incorporated limits of the city or town of which it is located?
Yes
- 5) What is the total money borrowed for the business not including the lease?
Please list each amount owed to lenders/individuals.
0
- 6) Are there walk-up or drive-through windows on the premises?
No
- 7) Does the establishment have a patio?
Yes
Is the patio contiguous or non-contiguous (within 30 feet)?
CONTIGUOUS
- 8) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
Yes
If yes, what is your estimated completion date?
9/1/2023
- 9) What type of business will this license be used for?
FULL SERVICE RESTAURANT



QUEEN CREEK POLICE DEPARTMENT BACKGROUND INVESTIGATION REPORT LIQUOR LICENSING/NEW APPLICANT

APPLICANT: Macayo's Mexican Food

APPLICATION #: 251335

INVESTIGATOR: Ofc. R. de la Torre #1189

July 26, 2023

PARTIES/ENTITIES INVOLVED

Navayogasingam Thuraisingam, Agent/Owner

Aryanna Devi Thuraisingam, Owner/Trustee

Derek Todd Boettcher, Manager

Kind Macayo LLC

Kind Hospitality II LLC

Kind Hospitality Inc.

Letiva Singam Trust

INVESTIGATION

A complete Arizona Department of Liquor Licenses and Control Questionnaire packet was received for Macayo's Mexican Food. The planned location is 24460 E. Ocotillo Rd., Queen Creek AZ 85142. The agent for the application is Navayogasingam Thuraisingam. This premise is new construction and is currently being built.

A review of the application materials was conducted in addition to history of controlling parties and entities named in the application. No concerning information was disclosed in the questionnaire packet and in its background questions. There is no negative history or data associated with the entities and parties of Macayo's Mexican Food. In the application it was disclosed that Kind Macayo LLC, Kind Hospitality II LLC, Kind Hospitality Inc., and Letiva Singam Trust serve as officers of Macayo's Mexican Food.

A review of the Arizona Department of Liquor website showed all Macayo's Mexican Food liquor licenses are currently active and there are no open liquor violations.

A site plan was included with a schematic of where on the premise liquor would be stored. No concerns were noted for the layout and site plan. The establishment includes traditional tables, booth seating, and bar seating. The establishment will have a contiguous outdoor patio with a fence around the patio. This premise is currently under construction; therefore, no site visit was

conducted.

CONCLUSION

The background investigation did not reveal any derogatory information on the entities and parties involved. There is no information which would prevent or disqualify Macayo's Mexican Food from approval to move forward with licensing.



TOWN OF
QUEEN CREEK
ARIZONA

11.A

TO: HONORABLE MAYOR AND TOWN COUNCIL
THROUGH: BRUCE GARDNER, TOWN MANAGER
FROM: RANDY BRICE, CHIEF OF POLICE, MARNIE SCHUBERT, COMMUNITY SERVICES DIRECTOR
RE: PRESENTATION AND DISCUSSION REGARDING DEVICES IDENTIFIED AS MICROMOBILITY AND THE USE OF MOTOR-DRIVEN CYCLES, GOLF CARTS, MOPEDS, ALL-TERRAIN VEHICLES, NEIGHBORHOOD ELECTRIC VEHICLES, QUADRICYCLES, MOTORCYCLES, AND OTHER MOTOR VEHICLES ON TOWN-OWNED SIDEWALKS, STREETS, AND OTHER DESIGNATED PUBLIC AREAS.
DATE: August 16, 2023

Suggested Action:

None - Discussion Only

Relevant Council Goal(s):

- Safe Community (Public Safety)
- Superior Infrastructure
- Quality Lifestyle

Project Information:

None

Discussion:

Background

During the Town Council's 2023 Strategic Planning Session in February, there was a presentation provided by staff regarding the emergence of micromobility, the current shifts in preferences for alternative modes of transportation, and wholesale monumental changes impacting transportation over the last few decades.

With a surge of new personal transportation devices coming to market, some integrated into shared ride systems (such as bikeshare or e-scooter programs), there is a need to establish a common vocabulary for these options and provide basic information about how these devices are classified and regulated.

Micromobility

According to the Society of Automotive Engineers (SAE), a standards-developing organization and professional association, a "powered micromobility vehicle," sometimes referred to as a personal e-mobility device, share three common characteristics:

- Motorized: They can either be fully motorized (capable of movement without human power) or motor-assisted, in which the rider provides some human-powered propulsion (such as pedaling

or kicking). They usually involve a battery-powered electric motor but may also be capable of using another energy source, such as gasoline.

- Slow speed: Most micromobility devices are designed to travel at or below 20 miles per hour (MPH), and some devices may operate at or be regulated to even lower speeds, such as 8 MPH or less, to be compatible with sidewalk use. According to SAE definitions, the top travel speed for micromobility devices is 30 MPH or less.
- Small size: The weight, width, height, and length of a device all contribute to defining size. Foremost micromobility devices, a standard width is three feet or less, fitting within the standard bike lane or sidewalk width, and the weight is typically less than 100 pounds. By SAE's definition, all micromobility devices weigh less than 500 pounds and fall within one of four weight categories. However, the Town can define the weight and width limitations for different types of travel ways or facilities.

SAE also provides a classification system with descriptors of curb weight, vehicle width, top speed, and power source.

Curb weight

- Ultra lightweight: < 50 lb (23 kg)
- Lightweight: >51 lb (23 kg), < 100 lb (45 kg)
- Midweight: >100 lb (45 kg), <200 lb (91 kg)
- Midweight Plus: >200 lb (91 kg), <500 lb (227 kg)

Based on current State law and anticipated changes to the Town code, micromobility devices are defined as devices less than 75 pounds.

Vehicle width

- Standard-width: <3 ft (0.9 m)
- Wide: >3 ft (0.9 m), < 4 ft (1.2 m)
- Extra-Wide: >4 ft (1.2 m), < 5 ft (1.5 m)

Based on anticipated changes to the Town code, micromobility devices are defined as devices with a "standard width" (≤ 3 ft).

Top speed

- Ultra low-speed: Top Speed < 8 mph (13 km/h)
- Low-speed: >8 mph (13 km/h), top speed < 20 mph (32 km/h)
- Medium-speed: >20 mph (32 km/h), top speed < 30 mph

Based on anticipated changes to the Town code, micromobility devices are defined as devices with a "top speed" of ≤ 20 mph.

Power source

- Powered by an electric motor.
- Powered by an internal combustion engine.

Examples of micromobility devices:

- Electric bicycles (class 1 & 2)
- Electric personal assistive mobility devices
- Electric standing or sitting scooters

State law specifically describes these devices in ARS 28-101:

- "Electric bicycle" means a bicycle or tricycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts and that meets the requirements of one of the following classes:
 - "Class 1 electric bicycle" means a bicycle or tricycle that is equipped with an electric motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle or tricycle reaches the speed of twenty miles per hour.
 - "Class 2 electric bicycle" means a bicycle or tricycle that is equipped with an electric motor that may be used exclusively to propel the bicycle or tricycle and that is not capable of providing assistance when the bicycle or tricycle reaches the speed of twenty miles per hour.
- "Electric miniature scooter" means a device that (1) weighs less than thirty pounds; (2) has two or three wheels; (3) has handlebars; (4) has a floorboard on which a person may stand while riding; (5) is powered by an electric motor or human power, or both; and (6) has a maximum speed that does not exceed ten miles per hour, with or without human propulsion, on a paved level surface.
- "Electric personal assistive mobility device" means a self-balancing device with one wheel or two non-tandem wheels and an electric propulsion system that limits the maximum speed of the device to fifteen miles per hour or less and that is designed to transport only one person.
- "Electric standup scooter" means a device that: (1) Weighs less than seventy-five pounds; (2) has two or three wheels; (3) has handlebars; (4) has a floorboard on which a person may stand while riding; (5) Is powered by an electric motor or human power, or both; and (6) has a maximum speed that does not exceed twenty miles per hour, with or without human propulsion, on a paved level surface. Does not include an electric miniature scooter.

For the purposes of this discussion and potential changes/additions to the Town Code, the following are not considered micromobility devices:

- Devices used for vocational purposes and commercial goods/services delivery
- Devices use for offroad (all-terrain vehicles) or air-based travel
- Class 3 electric (or gas-powered) motorized bicycle
- Motorized play vehicles
- Motorized skateboards
- Motor Vehicles
 - Motorcycle
 - Motor-driven cycle
 - Moped
 - Motorized quadricycle
 - Neighborhood electric vehicles
 - Golf carts
 - All-terrain vehicles

The following are not considered to be micromobility devices but are currently allowed to be operated in the Town as outlined in state law:

- Non-powered bicycle or tricycle
- Motorized wheelchairs and personal mobility scooters

Motor Vehicles

For the purposes of our discussion, it is important to understand the current laws regarding specific vehicle types as outlined in State law (definitions provided in ARS 28-101):

- "All-terrain vehicle" means either of the following:
 - A motor vehicle that satisfies all of the following: (1) Is designed primarily for recreational

nonhighway all-terrain travel; (2) Is fifty or fewer inches in width; (3) Has an unladen weight of one thousand two hundred pounds or less; (4) Travels on three or more nonhighway tires; and (5) is operated on a public highway.

- A recreational off-highway vehicle that satisfies all of the following: (1) Is designed primarily for recreational nonhighway all-terrain travel; (2) is eighty or fewer inches in width; (3) has an unladen weight of two thousand five hundred pounds or less; (4) travels on four or more nonhighway tires; (5) has a steering wheel for steering control; (6) has a rollover protective structure; and (7) has an occupant retention system.
- "Moped" means a bicycle, not including an electric bicycle, an electric miniature scooter or an electric standup scooter, that is equipped with a helper motor if the vehicle has a maximum piston displacement of fifty cubic centimeters or less, a brake horsepower of one and one-half or less and a maximum speed of twenty-five miles per hour or less on a flat surface with less than a one percent grade.
- "Motorcycle" means a motor vehicle that has a seat or saddle for the use of the rider and that is designed to travel on not more than three wheels in contact with the ground but excludes a tractor, an electric bicycle, an electric miniature scooter, an electric standup scooter and a moped.
- "Motor driven cycle" means a motorcycle, including every motor scooter, with a motor that produces not more than five horsepower but does not include an electric bicycle, an electric miniature scooter or an electric standup scooter.
- "Motorized quadricycle" means a self-propelled motor vehicle to which all of the following apply: (1) The vehicle is self-propelled by an emission-free electric motor and may include pedals operated by the passengers; (2) the vehicle has at least four wheels in contact with the ground, (3) the vehicle seats at least eight passengers, including the driver; (4) the vehicle is operable on a flat surface using solely the electric motor without assistance from the pedals or passengers; (5) the vehicle is a commercial motor vehicle as defined in section 28-5201; (6) the vehicle is a limousine operating under a vehicle for hire company permit issued pursuant to section 28-9503; (7) the vehicle is manufactured by a motor vehicle manufacturer that is licensed pursuant to chapter 10 of title 28; and (8) The vehicle complies with the definition and standards for low-speed vehicles set forth in 49 Code of Federal Regulations sections 571.3(b) and 571.500, respectively.
- "Motor vehicle" means either a self-propelled vehicle, or for the purposes of the laws relating to the imposition of a tax on motor vehicle fuel, a vehicle that is operated on the highways of this state and that is propelled by the use of motor vehicle fuel. It does not include a scrap vehicle, a personal delivery device, a personal mobile cargo-carrying device, a motorized wheelchair, an electric personal assistive mobility device, an electric bicycle, an electric miniature scooter, an electric standup scooter, or a motorized skateboard. For the purposes of this subdivision:
- "Neighborhood electric shuttle" means a self-propelled electrically powered motor vehicle to which all of the following apply: (1) The vehicle is emission-free; (2) the vehicle has at least four wheels in contact with the ground;; (3) the vehicle is capable of transporting at least eight passengers, including the driver; (4) the vehicle is a commercial motor vehicle as defined in section 28-5201; (5) the vehicle is a vehicle for hire as defined in section 28-9501 and operates under a vehicle for hire company permit issued pursuant to section 28-9503; and (6) the vehicle complies with the definition and standards for low-speed vehicles set forth in 49 Code of Federal Regulations sections 571.3(b) and 571.500, respectively. NOTE: Includes a vehicle that is emission-free and that has been modified after-market and not by the manufacturer to transport up to fifteen passengers, including the driver.
- "Neighborhood electric vehicle" means a self-propelled electrically powered motor vehicle to which all of the following apply: (1) The vehicle is emission-free; (2) The vehicle has at least four wheels in contact with the ground; (3) The vehicle complies with the definition and standards for low-speed vehicles unless excepted or exempted under federal law, set forth in 49 Code of Federal Regulations sections 571.3(b) and 571.500, respectively.
- "Off-road recreational motor vehicle" means a motor vehicle that is designed primarily for recreational nonhighway all-terrain travel and that is not operated on a public highway. Off-road recreational motor vehicle does not mean a motor vehicle used for construction, building trade, mining, or agricultural purposes.

- "Vehicle" means a device in, on or by which a person or property is or may be transported or drawn on a public highway. Does not include: (1) Electric bicycles, electric miniature scooters, electric standup scooters, and devices moved by human power; (2) devices used exclusively on stationary rails or tracks; (3) personal delivery devices; (4) scrap vehicles; or (5) Personal mobile cargo carrying devices.

State law clearly outlines that these devices are regulated as "motor vehicles." Generally, this means that a driver/operator is required to have the following when the vehicle is utilized on the public roadway:

- A driver's license
- Registration
- Insurance

Other requirements, prohibitions, or applicable laws:

- A motorcycle endorsement is required for motorcycles and motor-driven cycles.
- Eye protection is required for any motor vehicle without a windshield/windscreen.
- Helmets are required for an operator or passenger of a motorcycle, all-terrain vehicle, or motor-driven cycle who is under eighteen years of age.
- All traffic laws must be obeyed.
- These vehicles may not be operated on any sidewalks except on a permanent or duly authorized temporary driveway.
- A motorcycle, all-terrain vehicle and motor-driven cycle shall be equipped with a rearview mirror, seat and footrests.
- Operators are subject to DUI and reckless driving laws.

Removal and immobilization or impoundment:

As stated in ARS 28-3511, peace officers are compelled by law to take certain actions if someone is found to be operating a motor vehicle under specific conditions. The law states, "A peace officer shall cause the removal and either immobilization or impoundment of a vehicle if the peace officer determines that a person is driving the vehicle while any of the following applies..."

Although there are a number of circumstances outlined in this section, we will highlight three specific conditions that have been prevalent in the Town over the past year (multiple complaints):

- The person has not ever been issued a valid driver license or permit by this state, and the person does not produce evidence of ever having a valid driver license or permit issued by another jurisdiction.
- A person is driving a vehicle in violation of section 28-693 (Reckless Driving), and the peace officer reasonably believes that allowing the person to continue driving the vehicle would expose other persons to the risk of serious bodily injury or death.
- A person is obstructing a highway or other public thoroughfare in violation of section 13-2906, and the peace officer reasonably believes that allowing the person to continue driving the vehicle would expose other persons to the risk of serious bodily injury or death.

Next Steps

At its Strategic Planning Session, the Council expressed interest in exploring options for micromobility devices. However, it was important to provide some additional context prior to the next discussion.

In a future meeting, staff will be presenting specific information and seeking additional guidance on micromobility and other self-propelled devices. To provide for this additional use, there are several areas that may be considered, including updates to Town Codes, updates to the Town Zoning and Subdivision Ordinance, and potential investment in infrastructure upgrades.

Fiscal Impact:

This item is for discussion only and does not have any fiscal impact without further action.

Alternatives:

This item is for discussion only and does not have any specific action item listed.