



AGENDA

Queen Creek Town Council Regular Session

Community Chambers, 20727 E Civic Parkway

December 6, 2023 | 6:30 PM

(Doors open at 5:30 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:** Brian Pacheco, Pastor, Flatiron Church
- 5. Ceremonial Matters (Presentations, Proclamations, Awards, Guest Introductions and Announcements):**
 - A. Recognition of State Representative David Cook for his efforts in support of legislation for referring to the ballot the extension of Proposition 400.
- 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. None.

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 November 15, 2023 Regular Session minutes.
 - B. Consideration and possible approval of the Town of Queen Creek's 2024 Legislative Guiding Principles.
 - C. Consideration and possible approval of Expenditures \$25,000 and over, pursuant to Town Purchasing Policy. (FY 23/24 Budget Items)
 1. Freightliner of Arizona - 15 Yard Dump Truck for Streets and Medium Duty Truck for Utilities: \$410,000 (Fleet)
 2. Norwood Equipment - Repairs to Gooseneck Trailer: \$120,000 (Fleet/Utilities)
 3. Safeware - Police Equipment: Infrared Weapon Laser/Optics: \$50,000 (Police)
 - D. Consideration and possible approval of a budget adjustment of \$360,000 from the Town's Operating Budget to fund the Police-Sworn mid-year adjustments.
 - E. Consideration and possible approval of a budget adjustment of \$29,700 from grant contingency for equipment/services related to a grant from the Arizona Department of Emergency and Military Affairs that has been previously approved.
 - F. Consideration and possible approval to authorize and direct 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 right-of-way acquisition for the Chandler Heights Road: Sossaman Road to Hawes Road Improvement Project (CIP Project No. A0602) in an amount not to exceed \$125,000 and a budget adjustment from CIP Contingency totaling \$125,000.
 - G. Consideration and possible approval of a Wired Telecommunications License and Right-of-Way Use Agreement with Crown Castle, LLC and authorizing and directing the Town Manager, Town Clerk and Town Attorney to negotiate, finalize and execute all documents and take all actions necessary to effectuate the transaction.
 - H. Consideration of and potential approval and authorization for the Town Manager and the Town Attorney to negotiate and sign either the standard or a revised intergovernmental agreement with the Arizona Department of Transportation to take receipt of the \$87.5 million state legislative appropriation for the extension of State Route 24.

- I. Consideration and possible approval of the First Amendment to the Agreement for the Purchase and Sale of a Lot with Groundwater Rights and Escrow Instructions, located within Harquahala Acres, Maricopa County, Arizona and to authorize the Town Manager and Town Attorney to modify, negotiate, finalize and sign all documents necessary to effectuate the transaction.
 - J. Consideration and possible approval of Resolution 1546-23 modifying Assessment No. 20.01.01.01.03.02 for Improvement District No. 001 of the Town of Queen Creek, Arizona.
 - K. Consideration and possible adoption of Resolution #1548-23 amending the Town of Queen Creek Administrative Policies and Procedures Manual for an effective date of January 5, 2024.
 - L. Consideration and possible approval of Delegation Resolution #1549-23 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 the construction of new 24" and 30" water transmission lines within portions of Germann Road, Kenworthy Road and a former irrigation easement within the Home Place Development approximately one-half mile south of Chandler Heights Road (CIP Projects WA263 (Kenworthy Road), WA294 (Home Place Irrigation Easement), and WA031 (Germann Road)) in the amount of \$13,489,476 and a budget adjustment from CIP Contingency totaling \$2,390,041 to be reimbursed by Pinal County American Rescue Plan Act of 2021 (ARPA) funds.
 - M. Consideration and possible approval of an FY 23-24 expenditure budget adjustment of \$1.1 million from the Contingency Fund and a budget adjustment of the same amount for fund-to-fund transfer budgets to accommodate a June 2024 interest payment on a new loan for interim financing of construction of infrastructure required by the Town's development agreement with LG Energy Solution; and approval of Resolution 1551-23 authorizing the payoff of existing interfund loans.
 - N. Consideration and possible approval of Resolution 1553-23, a Resolution of the common Council of the Town of Queen Creek, Arizona, authorizing the Town Manager and Town Attorney to file a motion to intervene in the Arizona Corporation Commission Dockets W-02425A-19-0186 and W-02425A-19-0189, and any necessary related dockets or proceedings, and take all necessary actions to represent the Town's interest in relation to Sun Valley Farms Unit VI Water Company; and Declaring an Emergency.
 - O. Consideration and possible adoption of Ordinance 826-23 approving The December 2023 Amendments to the 2019 Water and Sewer Capacity Fee Report, and consideration and possible adoption of Resolution 1550-23 authorizing the prepayment of certain utility interfund loans related to capacity fees created by Resolution 1504-22.
- 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 Series 007 Beer and Wine Bar Liquor License application submitted by Gary Lee McCartney on behalf of The Sacred Pint located at 22020 S Ellsworth Road, Queen Creek.
- B. Consideration and possible recommendation of approval on a Series 005 Government Liquor License application submitted by David R. Solum on behalf of the Town of Queen Creek's Horseshoe Park and Equestrian Centre located at 20464 E Riggs Road, Queen Creek.
- C. Consideration and possible approval of Ordinance No. 827-23 adopting the updated fee schedule associated with public records requests for the Queen Creek Police Department.

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. Capital Improvement Projects Update
- B. Engineering Wireless Services Coverage Report
- C. Discussion of Proposed Changes to the Town's Procurement Policy

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. Consideration and possible approval of a Wired Telecommunications License and Right-of-Way Use Agreement with Google Fiber Arizona, LLC and authorizing and directing the Town Manager, Town Clerk and Town Attorney to negotiate, finalize and execute all documents and take all actions necessary to effectuate the transaction.
- B. Consideration and possible approval of Resolution 1552-23 approving the Downtown Queen Creek Art & Placemaking Plan.

13. Adjournment:

I, Maria Gonzalez, do hereby certify that I caused to be posted this 27th day of November, the Agenda for the December 6, 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 requiring reasonable accommodations in order to participate should contact the Town Clerk's office at (480) 358-3000.