



COUNCIL MEETING AGENDA

April 20, 2017

Members may attend in person or by telephone.

Jenn Daniels, *Mayor*
Victor Petersen, *Vice Mayor*

Scott Anderson
Eddie Cook
Brigette Peterson

Jordan Ray
Jared Taylor

**Municipal Center, Council Chambers
50 E Civic Center Drive
Gilbert, Arizona**

**Regular Meeting
6:30 PM**

**AGENDA ITEMS MAY BE DISCUSSED IN A DIFFERENT SEQUENCE.
ITEMS WILL NOT BE DISCUSSED PRIOR TO POSTED MEETING TIME.**

AGENDA ITEM

CALL TO ORDER

PRESENTATION OF STUDENT CITIZEN OF THE MONTH AWARD

PRESENTATIONS; PROCLAMATIONS

- 1 Proclamation declaring April 28, 2017 as Gilbert Arbor Day.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation may be offered by a person of any religion, faith, belief or non-belief, as well as Councilmembers. A list of volunteers is maintained by the Town Clerk and interested persons should contact the Clerk for further information.

Mayor invites all scouts present to the front of the Council Chambers.

Pledge of Allegiance and introduction and recognition of scouts.

Invocation by Pastor Mike Henry, Royal View Baptist Church.

ROLL CALL

COMMUNICATIONS FROM CITIZENS

At this time, members of the public may comment on matters within the jurisdiction of the Town but not on the agenda. The Council's response is limited to responding to criticism, asking staff to review a matter commented upon, or asking that a matter be put on a future agenda.

CONSENT CALENDAR

All items listed below are considered consent calendar items and may be approved by a single motion unless removed at the request of Council for further discussion/action. Other items on the agenda may be added to the consent calendar and approved under a single motion.

- 2 INTERGOVERNMENTAL AGREEMENT – consider approval of Intergovernmental Agreement No. 2017-1304-0611 with City of Phoenix in an amount of a one-time cost-sharing fee of \$10,000 and an annual cost-sharing operational fee of \$1,800 for sharing the Privilege Tax Software System and authorize the Mayor to execute the required documents.
- 3 INTERGOVERNMENTAL AGREEMENT– consider approval of and authorize the Mayor to execute the required documents:
 - a) Amendment No. 1 to the Intergovernmental Agreement No. 2012-3002-0284 with the Chandler Unified School District for use of facilities for disaster services to extend the term for five (5) additional years (until July 21, 2022) and thereafter renew automatically for three (3) renewal periods of five (5) years;
 - b) Amendment No. 1 to the Intergovernmental Agreement No. 2012-3002-0285 with the Gilbert Public Schools, School District No. 41, for use of facilities for disaster services to extend the term for five (5) additional years (until July 21, 2022) and thereafter renew automatically for three (3) renewal periods of five (5) years; and
 - c) Amendment No. 1 to the Intergovernmental Agreement No. 2012-3002-0286 with the Higley Unified School District for use of facilities for disaster services to extend the term for five (5) additional years (until July 21, 2022) and thereafter renew automatically for three (3) renewal periods of five (5) years.
- 4 AGREEMENT – consider approval of License Agreement No. 2017-1105-0466 with ExteNet Systems, Inc. for a revocable, nonexclusive license to operate a private line point-to-point fiber transport service for wireless communications within certain public rights-of-way of the Town of Gilbert and to pay the Town certain fees and costs, including an annual fee of \$2.10 per linear foot of trench, for a five year term with the option of renewing one additional five year term, and authorize the Mayor to execute the required documents.
- 5 AGREEMENT – consider approval of Operating Assistance Agreement, Contract No. 2017-5006-0588, with the Gilbert Historical Society in an amount not to exceed \$50,000 annually to provide operation assistance each year from July 1, 2017 to June

- 30, 2020 and authorize the Mayor to execute the required documents.
- 6 CONTRACT – consider approval of Architectural/Engineering (A/E) Services Contract No. 2017-2106-0540 with GHD, Inc. in an amount not to exceed \$99,005 for the Waterline Tankersley Replacement, Project No. WA118, and authorize the Mayor to execute the required documents.
 - 7 CONTRACT – consider approval of Architectural/Engineering (A/E) Services Contract No. 2017-2106-0485 with Kimley-Horn and Associates in an amount not to exceed \$1,356,594 for the Germann Road – Gilbert to Val Vista, Project No. ST145, and authorize the Mayor to execute the required documents.
 - 8 CONTRACT – consider approval of Architectural/Engineering (A/E) Services Contract No. 2017-2106-0561 with Nfra Inc. in an amount not to exceed \$322,879 for the Val Vista Drive Reconstruction, Project No. ST169, and authorize the Mayor to execute the required documents.
 - 9 CONTRACT – consider approval of Architectural/Engineering (A/E) Services Contract No. 2017-2106-0522 with EPS Group in an amount not to exceed \$850,216 for the Lindsay Road – Pecos to State Route 202, Project No. ST117, and authorize the Mayor to execute the required documents.
 - 10 CONTRACT – consider approval of Architectural/Engineering (A/E) Services Contract No. 2017-2106-0589 with Sunrise Engineering, Inc. in an amount not to exceed \$168,902 for the Baseline Road – Fiesta Tech to McQueen Waterline Project, Project No. WA114, and authorize the Mayor to execute the required documents.
 - 11 CONTRACT – consider:
 - a) acceptance of the Master/Concept Plan for Heritage District Parking Garage II, Project No. RD120;
 - b) approval of Architectural/Engineering (A/E) Services Contract No. 2017-2106-0608 with BWS Architects in an amount not to exceed \$1,351,807 for the Heritage District Parking Garage II, Project No. RD120, and authorize the Mayor to execute the required documents; and
 - c) a Contingency Transfer from the General Fund in the amount of \$992,810.
 - 12 CONTRACT – consider approval of:
 - a) Task Order No. 76 to Job Order Contract (JOC) Contract No. 2014-4106-0291 with Talis Corporation in an amount not to exceed \$134,000 for the American Hero’s Way Improvements Project, Project No. ST165, and authorize the Mayor to execute the required documents; and

- b) a Contingency Transfer from the General Fund in the amount of \$60,000.
- 13 CONTRACT – consider approval of:
- a) Task No. 10 to Job Order Contract (JOC) Contract No. 2016-4107-0019 with B&F Contracting Inc. in an amount not to exceed \$496,691.86 for the replacement of the Commerce and Nelly sewage force mains, Project No. WW104, and authorize the Mayor to execute the required documents;
 - b) a Contingency Transfer from the Wastewater Replacement Fund in the amount of \$125,000; and
 - c) a Contingency Transfer from the Water Replacement Fund in the amount of \$50,000.
- 14 GRANT – consider:
- a) application and acceptance of a grant, Contract No. 2017-3002-0622, from Maricopa County Department of Emergency Management Grant Training Funds to attend the 2017 National Homeland Security Conference in the amount of \$6,000; and
 - b) a Contingency Transfer from the General Fund using Outside Sources as the designated revenue source in the amount of \$6,000.
- 15 FINAL PLAT S13-13-A - consider approval of a Final Plat for Fincher Fields Multi-Family and Re-plat of Tract A of Fincher Fields located at Cooley Station Amended, located at the northeast corner of Recker Road and Cooley Loop North.
- 16 FINAL PLAT SP1578 - consider approval of the final plat for American Leadership Academy Gilbert, located at the northwest corner of State Route 202 and Higley Road.
- 17 SPECIAL EVENT LIQUOR LICENSE – consider approval of a Special Event Liquor License for American Student Dental Association for May 5, 2017 at 7:00 pm to May 6, 2017 at 1:30 am located at 4635 East Baseline Road.
- 18 PERMANENT EXTENSION OF PREMISES – consider approval of a permanent extension of premises for 12 West Brewing Company located at 3000 East Ray Road, Suite 110.
- 19 TEMPORARY EXTENSION OF PREMISES – consider approval of a temporary extension of premises for Cantina Laredo located at 2150 East Williams Field Road, Suite 123 for an event to be held on May 5, 2017.
- 20 TEMPORARY EXTENSION OF PREMISES – consider approval of a temporary extension of premises for La Ristra located at 638 East Warner Road, Suite 101 for an event to be held on May 5, 2017.

- 21 MINUTES – consider approval of the minutes of Special Meetings of April 1, 2017 and April 6, 2017; and Regular Meeting of April 6, 2017.

PUBLIC HEARING

Items will be heard at one Public Hearing; at which time anyone wishing to comment on a Public Hearing Item may do so. Comments will be heard from those in support of or in opposition to an item. Hearings are noticed for 7:00 p.m.

In order to comment on a Public Hearing Item, you must fill out a public comment form, indicating the Item Number on which you wish to be heard. Once the hearing is closed, there will be no further public comment unless requested by a member of the Council. After the Public Hearing, the Council may act on all items not requiring additional staff, public, or Councilmember comment with a single vote.

- 22 LIQUOR LICENSE – conduct hearing and consider approval of a Series 7 Beer and Wine Bar Liquor License for Pinot's Palette located at 2743 South Market Street, Suite 110.
- 23 LIQUOR LICENSE – conduct hearing and consider approval of a Series 9 Liquor Store Liquor License for Albertson's #929 located at 8454 South Power Road.
- 24 LIQUOR LICENSE – conduct hearing and consider approval of a Series 12 Restaurant Liquor License for Ginger Garden located at 3310 South Higley Road, Suite 104.
- 25 ZONING Z17-1000 - conduct hearing and consider adoption of an Ordinance amending the Town of Gilbert Land Development Code, Medical Marijuana - Chapter 1 Zoning Regulations, Division 4 General Regulations, Article 4.5 Supplemental Use Regulations, Section 4.5014 Medical Marijuana Dispensaries, Offsite Cultivation Sites and Designated Caregiver Cultivation Locations related to the hours of operation, sale retail related goods, and an emergency exit door. The effect of this amendment will be to increase the hours of operation, permit the sale of retail goods related to medical marijuana at Medical Marijuana Dispensary and Offsite Cultivation Sites located in the Town of Gilbert, and permit an emergency exit door.

ADMINISTRATIVE ITEMS

Administrative Items are for Council discussion and action. It is to the discretion of the majority of the Council regarding public input requests on any Administrative Item. Persons wishing to speak on an Administrative Item should complete a Request to Speak Form and indicate the Item they wish to address. Council may or may not accept public comment.

- 26 FEES – consider a motion to:
- a) direct staff to publish a Notice of Intention to Increase System Development Fees for Water and Wastewater; and

b) set the public hearing date for June 15, 2017.

27 BOARDS, COMMISSIONS, AND COMMITTEES - reports from Council Liaisons for the:

- a) Subcommittee on Board and Commission Application Screening, Interview, and Selection
- b) Other Council Subcommittees
- c) Regional Meetings
- d) Industrial Development Authority
- e) Mayor's Youth Advisory Committee
- f) Parks and Recreation Board
- g) Planning Commission
- h) Redevelopment Commission
- i) Town of Gilbert, AZ Public Facilities MPC
- j) Town of Gilbert, AZ Water Resources MPC
- k) Town of Gilbert, AZ Self-Insured Trust Fund for Health Benefits
- l) Utility Board

POLICY ITEMS

FUTURE MEETINGS

There may be a discussion of whether to place an item on a future agenda and the date, but not the merits of the item.

Requested Agenda Items and Projected Meeting Dates

May 4, 2017 - Policy to use Uber/Lyft instead of Town vehicles

June 1, 2017 - Analysis of allowing residents to opt out of Town trash services

TBD - Review of the number of service calls to group homes to trigger Town engagement with group home management

TBD - Review noise and disturbing the peace ordinances related to group and sober homes

TBD - Ordinance to prohibit taxpayer money from going to organizations involved in political activities

TBD - Policy on undergrounding 12 kV power lines

TBD - Strategy on Tourism

COMMUNICATIONS

Report from the TOWN MANAGER on current events.

Report from the COUNCIL on current events.

Report from the MAYOR on current events.

ADJOURN

NOTICE TO PARENTS: Parents and legal guardians have the right to consent before the Town of Gilbert makes a video or voice recording of a minor child. A.R.S. 1-602.A.9. Gilbert Council Meetings are recorded and maybe viewed on Channel 11 and the Gilbert website. If you permit your child to participate in the Council Meeting, a recording will be made. If your child is seated in the audience your child may be recorded, but you may request that your child be seated in a designated area to avoid recording. Please submit your request to the Town Clerk.