



COUNCIL MEETING AGENDA

June 29, 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
7:00 PM**

**Modifications were made to Agenda Item 3 – Agreement added
and to Agenda Item 15 – Agenda Language changed and Contract added**

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

AGENDA ITEM

CALL TO ORDER

PRESENTATIONS; PROCLAMATIONS

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 Dr. Thor Strandholt, Valor Christian Center.

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.

- 1 INTERGOVERNMENTAL AGREEMENT – consider approval of the renewal of Intergovernmental Agreement No. 2014-3002-0304 with the Town of Queen Creek for fire support services for a term of one year beginning July 1, 2017, and authorize the Mayor to execute the required documents.
- 2 INTERGOVERNMENTAL AGREEMENT – consider approval of Intergovernmental Agreement No. 2018-2106-0007 with Maricopa County for Improvements to Germann Road from Gilbert Road to Val Vista Drive (ST145) and Lindsay Road from Pecos to Germann Road (ST117), and authorize the Mayor to execute the required documents.
- 3 INTERGOVERNMENTAL AGREEMENT – consider approval of an amendment to Agreement No. 2017-4501-0684 with Regional Public Transportation Authority for FY18 Transit, to provide Local Fixed Route Bus Service, Paratransit Services (formally known as Dial-A-Ride) and RideChoice Program and authorize the Mayor to execute the required documents.
- 4 CONTRACT – consider approval to enter into cooperative purchase agreements for water and wastewater treatment chemicals in a combined amount not to exceed \$550,000 annually, effective upon award and terminating June 30, 2018 with option to renew, and authorize the Mayor to execute the required documents:
 - a) Cooperative Purchase Agreement No. 2018-4108-0003 with Hill Brothers Chemical Company pursuant to City of Mesa Cooperative Purchasing Contract No. 2017128; and
 - b) Cooperative Purchase Agreement No. 2018-4108-0002 with Thatcher Company of Arizona pursuant to City of Mesa Cooperative Purchasing Contract No. 2017128.
- 5 CONTRACT – consider approval of entering into cooperative purchase contracts #2015-1103-0426 with Rush Truck Center and #2017-1103-0683 with AMREP INC to allow staff to complete the purchase of the six (6) Environmental Services Automated Side Loader (ASL) replacement vehicles that were approved at the June

- 15, 2017 Council Meeting in an amount not to exceed \$1,848,000 including taxes and authorize the Mayor to execute the required documents.
- 6 CONTRACT – consider approval of Contract No. 2017-1105-0610 with Hexagon in an amount not to exceed \$209,534 for annual support and maintenance for a suite of software products used by the Police department and authorize the Mayor to execute the required documents.
- 7 CONTRACT – consider approval and authorize the Mayor to execute the required documents:
- a) Architectural/Engineering (A/E) Service Contract No.2018-2106-0005 with Hubbard Engineering in an amount not to exceed \$484,215 for the Heritage District Waterline Project, Project No. WA125; and
 - b) a Contingency Transfer from the Water Replacement Fund in the amount of \$100,000.
- 8 CONTRACT – consider approval of expenditures under Contract No. 2017-1105-0612 with CenturyLink Communications LLC in fiscal year 2018 in an amount not to exceed \$263,630 for telecommunication carrier services and authorize the Mayor to execute the required documents.
- 9 CONTRACT – consider approval of expenditures under Contract No. 2017-1105-0454 with Sentinel Technologies, Inc. in an amount not to exceed \$360,000 for the network infrastructure products and services in FY2018 and authorize the Mayor to execute the required documents.
- 10 CONTRACT – consider approval of Project Manager/Construction Manager Services Contract No. 2017-2106-0616 with Stanley Consultants, Inc. in an amount not to exceed \$301,403 for the Ray – Recker Direct Well System Project, Project No. WA071, and authorize the Mayor to execute the required documents.
- 11 CONTRACT – consider approval of Architectural/Engineering (A/E) Services Contract No. 2018-2106-0004 with Dibble Engineering in an amount not to exceed \$354,660 for the Higley and Baseline Road Improvement Project, Project No. ST174, and authorize the Mayor to execute the required documents.
- 12 PARKWAY IMPROVEMENT DISTRICT – consider publicly declaring bids for Parkway Improvement District for FY2018; reject all bids but the bid of the lowest and best responsible bidder; waive clerical errors; and award contracts for the work and authorize the Mayor to execute the required documents as follows:
- a) Contract No. 2017-8003-0646 with ELS Construction, Inc. in the amount of \$23,320.00 for work in PK No. 07-01;

b) Contract No. 2017-8003-0640 with Somerset Landscape LLC, dba Landscape United in the amount of \$39,959.27 for work in PK No. 07-02;

c) Contract No. 2017-8003-0647 with Somerset Landscape LLC, dba Landscape United in the amount of \$17,353.00 for work in PK No. 07-04;

d) Contract No. 2017-8003-0648 with Mariposa Landscape Arizona Inc. in the amount of \$44,283.12 for work in PK No. 07-05;

e) Contract No. 2017-8003-0645 with Somerset Landscape LLC, dba Landscape United in the amount of \$37,035.55 for work in PK No. 07-06;

f) Contract No. 2017-8003-0641 with East Valley Golf Ltd., dba Revegetation Services in the amount of \$35,491.50 for work in PK No. 07-08; and

g) Contract No. 2017-8003-0643 with Somerset Landscape LLC, dba Landscape United in the amount of \$25,619.32 for work in PK No. 07-11.

13 CONTRACT – consider approval and authorize the Mayor to execute the required documents:

a) Construction Services Contract Phase No. 2, Contract No. 2016-7010-0074 with Achen Gardner Construction, LLC guaranteed maximum price in the amount not to exceed \$4,752,780.92 for the Fiesta Tech Sewer Service and Lift Station, Project No. WW099; and

b) Contingency Transfer from the Wastewater Fund in the amount of \$786,800.

14 GRANT – consider application and acceptance of a 2017 12% Gaming Contribution Grant No. 2017-1002-0682 from the Salt River Pima – Maricopa Indian Community (SRP-MIC) in the amount of \$25,000 for the Native American Management Internship.

15 CONTRACT – consider:

a) approval of entering into cooperative purchase contract #2017-1103-0617, utilizing State of Arizona contract number ADSPO17-166124, with San Tan Ford Gilbert and authorize expenditures to purchase twenty-two (22) police vehicles, this total includes fifteen (15) replacement vehicles and seven (7) new vehicles, in an amount not to exceed \$1,083,975 including taxes and authorize the Mayor to execute the required documents; and

b) a Contingency Transfer from the Capital Improvement Plan (CIP) Contingency Fund to Police System Development Fee Fund in the amount of \$341,560.

16 AGREEMENT – consider approval of Severance Agreement and Release of All

Claims in Contract No. 2013-1004-0302 with Michael Hamblin consistent with the previously approved terms in an amount not to exceed \$100,380 and authorize the Mayor to execute the required documents.

- 17 FEES – consider adoption of a Resolution establishing a service fee of up to 2.75% to cover the costs of third party fees from on-line transactions in Development Services.
- 18 HUMAN RESOURCES - consider approval of the draft candidate profile for the recruitment and selection of a Town Attorney.
- 19 HUMAN RESOURCES - consider approval of the purchase of Workers' Compensation Insurance Policy from CopperPoint Western Insurance Company for FY2017-18 and authorize staff to execute the required documents.
- 20 HUMAN RESOURCES - consider approval of the purchase of Public Entity Insurance from Travelers Insurance Company and ACE American Insurance Company for FY2017-18 and authorize staff to execute the required documents.
- 21 ABANDONMENT - consider adoption of a Resolution of abandonment for a portion of a Public Utility Easement located along the South Clubhouse Drive alignment, between the Seville Golf Course and the Seville Clubhouse (S15-02).
- 22 ABANDONMENT - consider adoption of a Resolution of abandonment for Public Utility Easements along the west side of Lots 33 and 34 in the Circle G Unit 5 subdivision, located at the southwest corner of Lindsay Road and Houston Avenue (S637).
- 23 FINAL PLAT S16-09 and S16-09-A - consider approval of the final plat for Arcadia Commons located at west of the southwest corner of Power Road and Guadalupe Road.
- 24 FINAL PLAT SP1583 - consider approval of the final plat for The Aspens at Mariposa Point, a re-plat of Lot 2 of Mariposa Point of Gilbert located at the southwest corner of Val Vista Drive and Willis Road.
- 25 FINAL PLAT SP1606 - consider approval of the final plat for Ray Road and 154th Place located north and west of the northwest corner of Ray Road and San Tan Village Parkway.
- 26 FINAL PLAT SP1605 - consider approval of the final plat for San Tan Village Parkway and Ray Road located at north of Ray Road, east and west of San Tan Village Parkway.
- 27 SPECIAL EVENT LIQUOR LICENSE – consider approval of a Series 15 Special Event Liquor License for The Exodus Road Fundraiser for September 21, 2017 from 5:00 pm to 10:00 pm located at 4635 East Baseline Road, Gilbert.

- 28 MINUTES – consider approval of the minutes of the Regular Meeting of June 1, 2017, Special Meeting of June 2, 2017 and Joint Meeting with Service Club of June 14, 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.

- 29 LIQUOR LICENSE – conduct hearing and consider approval of a Series 3 In-State Microbrewery Liquor License for Flying Basset Brewing located at 720 West Ray Road.
- 30 LIQUOR LICENSE – conduct hearing and consider approval of a Series 12 Restaurant Liquor License for Waldo's BBQ located at 1524 East Williams Field Road, Suite 101.
- 31 ZONING Z16-11 - conduct hearing and consider adoption of an Ordinance amending the Town of Gilbert Land Development Code, Revised Sign Code, Chapter I Zoning Regulations, Division 4 General Regulations, by repealing and replacing in its entirety Article 4.4 Sign Regulations, related to the reorganization and replacement of the sign ordinance to provide consistency with recent case law; by amending the Glossary of General Terms related to sign definitions; the Appendix 1 Graphics related to graphic illustrations; and by amending in part Article 4.5 Supplemental Use Regulations, Section 4.5013 Temporary Structures, Article 4.6 Non-Conforming Uses, Lots, Parcels, Structures and Signs related to updating cross references to the sign code, and by amending in part Article 5.2 Common Procedures, Section 5.204 Neighborhood Meeting and Section 5.205 Notice of Public Hearing related to removal of requirements for an attached information tube on the posted sign and for certain words to be visible from 100 feet. The effect of the amendment will be to update the sign ordinance in its entirety and any related definitions, and to codify the product of a comprehensive legal review to clarify terms, resolve discrepancies, add cross references and improve procedures related to sign regulation; to amend graphic illustrations to clarify the meaning and intent of certain provisions; and to remove outdated public notice requirements.
- 32 GENERAL PLAN GP17-01/ ZONING Z17-01 – conduct hearing and consider:

a) adoption of a Resolution approving a Minor General Plan amendment to change the land use classification of approximately 1.61 acres of real property located at 6317 South 154th Street from Residential > 0-1 DU/acre land use classification to Residential > 1-2 DU/acre land use classification. The effect of this amendment will be to change the plan of development for the property to allow increased density of residential development; and

b) approval of the findings and adoption of an Ordinance rezoning approximately 1.61 acres of real property located at 6317 South 154th Street, from Town of Gilbert Single Family – 43 (SF-43) zoning district to Single Family – 35 (SF-35) zoning district. The effect of the rezoning will be to increase residential density.

33 GENERAL PLAN GP17-1001/ ZONING Z17-1004 – conduct hearing and consider:

a) adoption of a Resolution approving a Minor General Plan GP17-1001 amendment for Warner Greenfield Square to change the land use classification of approximately 8.5 acres located at southwest corner of Greenfield Road and Warner Road from Neighborhood Commercial (NC) land use classification to Community Commercial (CC) land use classification. The effect of this amendment will be to change the plan of development for the property to allow additional commercial development and to increase the hours of operation; and

b) approval of the findings and adoption of an Ordinance for Z17-1004 Warner Greenfield Square rezoning approximately 7.8 acres located at the southwest corner of Greenfield Road and Warner Road from Town of Gilbert Neighborhood Commercial (NC) zoning district to Community Commercial (CC) zoning district. The effect of the rezoning will be to allow additional commercial uses and to provide for increased hours of operation.

34 ZONING AP17-1001 (DR17-1001) - conduct hearing and consider appeal to the Gilbert Town Council from the Town of Gilbert Planning Commission's approval of a Design Review site plan, landscaping, grading and drainage, building elevations, floor plans, colors and materials, and lighting for approximately 13.33 acres of real property located at 623 North Cooper Road. The property is zoned General Industrial (GI). A public hearing will be conducted in accordance with the procedures set forth in Section 5.2011 of the Town of Gilbert Land Development Code. Following the public hearing, the Town Council shall have the authority to uphold, modify, or reverse the decision of the Planning Commission.

35 ZONING AP17-1000 (UP17-1001) - conduct hearing and consider appeal to the Gilbert Town Council from the Town of Gilbert Planning Commission's approval of a Conditional Use Permit to allow an auto salvage yard on approximately 13.33 acres of real property located at 623 North Cooper Road. The property is zoned General Industrial (GI). A public hearing will be conducted in accordance with the procedures set forth in Section 5.2011 of the Town of Gilbert Land Development Code. Following the public hearing, the Town Council shall have the authority to uphold,

modify, or reverse the decision of the Planning Commission.

- 36 CODE OF GILBERT - conduct hearing and consider a petition from Jim Desmarchais, Superintendent of Gilbert Christian Schools, to waive the requirements of the Code of Gilbert, Chapter 10 Building and Construction Regulations, Article 8 Utility Lines, Section 10-254 Waiver of Requirements – related to requirements for underground installation of existing utility lines along Greenfield Road adjacent to their K-8 campus.
- 37 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS – conduct hearing and consider authorizing the Mayor or her designee to execute and submit the Town of Gilbert FY 2017-2018 Annual Action Plan for Community Development Block Grant Activities to the US Department of Housing and Urban Development.

RECESS REGULAR MEETING AND CONVENE SPECIAL MEETING

- 38 BUDGET — conduct hearing and consider adoption of an Ordinance setting the Secondary Property Tax Levy for FY2017-2018 at \$22,300,000 or less.

ADJOURN SPECIAL MEETING AND RECONVENE REGULAR MEETING

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.

- 39 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

June 15, 2017 - Policy to use Uber/Lyft instead of Town vehicles. Contact Hakon Johanson (E. Cook, V. Petersen, J. Taylor, S. Anderson)

August 3, 2017 - Ordinance to prohibit taxpayer money from going to organizations involved in political activities. Contact Jacob Ellis (J. Taylor, E. Cook, V. Petersen)

August 3, 2017 - Discussion and potential action on repeal or adjustment of ordinance that adjusts Council pay based on staff pay. Contact Chris Payne (V. Petersen, J. Taylor, E. Cook)

September 21, 2017 - Review of the number of service calls to group homes to trigger Town engagement with group home management. Contact: Kyle Mieras (E. Cook, V. Petersen, J. Daniels)

September 21, 2017 - Review noise and disturbing the peace ordinances related to group and sober homes. Contact: Kyle Mieras (E. Cook, V. Petersen, J. Daniels)

September 21, 2017 - Policy on undergrounding 12 kV power lines. Contact: Kyle Mieras (J. Daniels, V. Petersen, J. Ray)

October 19, 2017 - Strategy on Tourism. Contract: Dan Henderson (J. Daniels, V. Petersen, J. Ray)

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.