



# **COUNCIL MEETING AGENDA**

## **October 19, 2017**

Members may attend in person or by telephone.

Jenn Daniels, *Mayor* • Victor Petersen, *Vice Mayor*  
Scott Anderson • Eddie Cook • Brigitte Peterson • Jordan Ray • Jared Taylor

**Regular Meeting**  
**6:30 PM**

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

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

***Executive Session will be held at the end of the Council Meeting***

### **ADDENDUM**

#### **RECESS REGULAR MEETING AND RECONVENE IN EXECUTIVE SESSION**

Pursuant to A.R.S. §38-431.03(A)(3) for legal advice from attorney Andrew McGuire regarding the compensation of public officers serving for fixed terms of office.

#### **ADJOURN EXECUTIVE SESSION AND RECONVENE REGULAR MEETING**

### **AGENDA ITEM**

#### **CALL TO ORDER**

#### **PRESENTATIONS; PROCLAMATIONS**

- 1 RECOGNITION - Recognition of Gilbert Service Clubs.

## **PRESENTATION OF STUDENT CITIZEN OF THE MONTH AWARD**

### **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 David Wright, LifeLink Church.

### **ROLL CALL**

### **PRESENTATIONS; PROCLAMATIONS**

- 2 PROCLAMATION - Proclamation declaring the month of October as Domestic Violence Awareness Month.
- 3 RECOGNITION - Recognition of Battalion Fire Chief Herb Ham for 24 years of service to the Town of Gilbert.
- 4 RECOGNITION - Recognition of Gilbert Feeding Families Committee and Partners for their time and hard work in bringing together the annual food drive held in September.

### **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.

- 5 INTERGOVERNMENTAL AGREEMENT – consider approval of Amendment No. 1 to Intergovernmental Agreement No. 2016-1105-0099 with the City of Mesa for Information Technology and related services by extending the term of the agreement to September 14, 2019 and authorize the Mayor to execute the required documents.
- 6 CONTRACT – consider approval of a Cooperative Purchasing Agreement No. 2018-3002-0099 with Bound Tree Medical LLC utilizing City of Phoenix Purchasing

Agreement Contract No. #137704-0 in an amount not to exceed \$250,000 annually for the purchase of emergency medical supply equipment and authorize the Mayor to execute the required documents.

- 7 CONTRACT – consider approval of a Cooperative Purchase Agreement No. 2018-1308-0092 with Paymentus Corporation in an amount not to exceed \$480,000 for a Utility Billing Customer Portal for Electronic Payments and Paperless Billing utilizing City of Flagstaff Cooperative Purchasing Contract No. 2015-45 and authorize the Mayor to execute the required documents.
- 8 AGREEMENT – consider approval of Amendment No. 2 to License Agreement No. 2009-1002-0161 with Zayo Fiber Solutions, LLC to allow for an expanded fiber route within certain Town rights-of-way for intrastate communications and authorize the Mayor to execute the required documents.
- 9 CONTRACT– consider approval of Construction Manager at Risk (CM@R) Construction Services Contract No. 2017-2106-0449 and Guaranteed Maximum Price (GMP) with Willmeng Construction, Inc., in an amount not to exceed \$4,998,603 for Fire Station No. 9, Project No. MF023, and authorize the Mayor to execute the required documents.
- 10 CONTRACT – consider approval of Construction Manager at Risk (CM@R) Pre-Construction Services Contract No. 2017-2106-0629 with Hunter Contracting Co. in an amount not to exceed \$124,872 for Rittenhouse District Park Phase 1, Project No. PR032, and authorize the Mayor to execute the required documents.
- 11 CONTRACT – consider approval of a Construction Services Contract No. 2018-2106-0081 with Low Mountain Construction Inc. in an amount not to exceed \$1,043,107.66 for Urban Lakes Renovation, Project No. PR057, and authorize the Mayor to execute the required documents.
- 12 CONTRACT – consider approval of Project Management/Construction Management (PM/CM) Services Contract No. 2017-2106-0636 with Rider Levett Bucknall Ltd. in an amount not to exceed \$898,663 for the Heritage District Parking Garage II, Project No. RD120, and authorize the Mayor to execute the required documents.
- 13 CONTRACT – consider approval of Task Order No. 83 to Job Order Contract (JOC) Contract No. 2014-4106-0291 with Talis Corporation in an amount not to exceed \$148,932.20 for ADA Transition Project located at Gilbert Road and Juniper Avenue, Project No. ST155, and authorize the Mayor to execute the required documents.
- 14 CONTRACT – consider approval of Project Management/Construction Management (PM/CM) Services Contract No.2018-2106-0100 with Tristar Engineering & Management, Inc. in an amount not to exceed \$413,200 for Gilbert Road - Baseline to Guadalupe Reconstruction, Project No. ST168, and authorize the Mayor to execute the required documents.

- 15 CONTRACT – consider approval of Construction Management Services Contract No. 2018-2106-0068 with Wood Patel in an amount not to exceed \$273,865 for Stonebridge Lakes Estates Reconstruction, Project No. ST170, and authorize the Mayor to execute the required documents.
- 16 CONTRACT – consider approval of Architectural/Engineering Services (A/E) Contract No. 2018-2106-0064 with NFra Inc. in an amount not to exceed \$497,214 for the Val Vista Drive Overlay and Improvements, Project No. ST172, and authorize the Mayor to execute the required documents.
- 17 CONTRACT – consider waiving the bidding requirements and approve Purchase Contract No. 2018-3002-0091 with FDC Rescue Products of Phoenix in an amount not to exceed \$135,351 for the purchase of twenty-seven (27) FLIR K55 Thermal Camera Kits and authorize the Mayor to execute the required documents.
- 18 CONTRACT – consider approval of:
  - a) purchase of one (1) Front End Loader (FEL) pursuant to Cooperative Purchase Agreement No. 2015-1103-0426 with Rush Truck Center of Phoenix in an amount not to exceed \$313,060 including taxes and authorize the Mayor to execute the required documents; and
  - b) Contingency Transfer from the Environmental Services - Commercial Replacement Fund in the amount of \$5,060.
- 19 CONTRACT – consider and authorize the Mayor to execute the required documents for:
  - a. approval of Cooperative Purchase Agreement No. 2018-1103-0089 with Freightliner of Arizona LLC utilizing State of Arizona Cooperative Purchasing Contract No. ADSPO15-093361;
  - b. purchase of three (3) vehicles pursuant to Cooperative Purchase Agreement No. 2018-1103-0089 with Freightliner of Arizona LLC in an amount not to exceed \$617,840 including taxes;
  - c. approval of Cooperative Purchase Agreement No. 2018-1103-0083 with Vac-Con, Inc. utilizing Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Contract No. SC01-15;
  - d. purchase of two (2) vehicles pursuant to Cooperative Purchase Agreement No. 2018-1103-0083 with Vac-Con, Inc. in an amount not to exceed \$795,485 including taxes;
  - e. purchase of nine (9) replacement vehicles and three (3) new vehicles pursuant to

Cooperative Purchase Agreement No. 2017-1103-0617 with San Tan Ford, Cooperative Purchase Agreement No. 2017-1103-0618 with Courtesy Chevrolet, Cooperative Purchase Agreement No. 2017-1103-0506 with Crafcro Inc., and Cooperative Purchase Agreement No. 2017-1103-0651 with Empire Southwest LLC in the amount not to exceed \$426,430 including taxes;

f. authorize a Contingency Transfer from the General Replacement Fund in the amount of \$23,460;

g. authorize a Contingency Transfer from the Streets Fund in the amount of \$4,530;

h. authorize a Contingency Transfer from the Streets Replacement Fund in the amount of \$119,170;

i. authorize a Contingency Transfer from the Water Replacement Fund in the amount of \$7,485;

j. authorize a Contingency Transfer from the Wastewater Replacement Fund in the amount of \$5,000; and

k. authorize a Contingency Transfer from the Environmental Services - Residential Replacement Fund in the amount of \$835.

- 20 CHANGE ORDER – consider approval of Change Order No. 1 to the Construction Manager at Risk (CMAR) Pre-Construction Services Contract No. 2017-2106-0620 with Felix Construction, Inc. increasing the contract amount by \$178,907.32 for the Ray - Recker Direct Well System, Project No. WA071, and authorize the Mayor to execute the required documents.
- 21 CHANGE ORDER – consider approval of Change Order No. 1 to Engineering Services Contract No. 2017-2106-0585 with Wilson Engineers, LLC increasing the contract amount by \$56,765 for the Ray - Recker Direct Well System, Project No. WA071, and authorize the Mayor to execute the required documents.
- 22 CHANGE ORDER – consider approval of Change Order No. 1 to Contract No. 2018-1102-0027 with Arizona Proclean Empire LLC. increasing the contract amount by \$57,753.76 for two (2) additional months of custodial services through December 31, 2017 and authorize the Mayor to execute the required documents.
- 23 CONTRACT – consider approval of Guaranteed Maximum Price (GMP) Change Order No. 1 to Construction Services Contract No. 2018-2106-0117 with Haydon Building Corp. in an amount not to exceed \$121,034 for early material procurement for the Heritage District Water Line Project, Project No. WA125, and authorize the Mayor to execute the required documents.
- 24 CONTRACT – consider approval of Task Order No. 30 to Job Order Contract (JOC)

Contract No. 2017-2106-0411 with CS Construction in an amount not to exceed \$104,080 for modifications to the existing traffic signal at the intersection of Gilbert Road and Vaughn Avenue, Project No. RD211, and authorize the Mayor to execute the required documents.

- 25 GRANT – consider acceptance of a 2017 12% Gaming Contribution Grant Contract No. 2017-1002-0682 from Salt River Pima-Maricopa Indian Community in the amount of \$35,000 for the Native American Management Internship.
- 26 HOME FUNDS – consider approval of and authorize the Mayor or designee to execute the required documents:
  - a. Amendment No. 1 to Intergovernmental Agreement No. 2016-5501-0369 with Maricopa County HOME Consortium to utilize FY2017-2018 HOME Investment Partnership Program Funds in the amount of \$201,990; and
  - b. Amendment No. 3 to Developer Agreement Contract 2015-2105-0699 with the Affordable Rental Movement of Save the Family Foundation of Arizona.
- 27 HUMAN RESOURCES – consider approval of a new Compensation Philosophy and alter relevant Personnel Rules to conform to the new Compensation Philosophy.
- 28 IMPROVEMENT DISTRICT – consider adoption of a Resolution modifying the assessment for Parcels No. 1, 3, 4.01, and 5 of Improvement District No. 20.
- 29 STREETLIGHT IMPROVEMENT DISTRICT 17-01 - consider adoption of a Resolution creating Streetlight Improvement District No. 17-01 McQueen Landing and ordering the improvements.
- 30 STREETLIGHT IMPROVEMENT DISTRICT 17-02 - consider adoption of a Resolution creating Streetlight Improvement District No. 17-02 Cobblestone Villas and ordering the improvements.
- 31 STREETLIGHT IMPROVEMENT DISTRICT 17-03 - consider adoption of a Resolution creating Streetlight Improvement District No. 17-03 Ray & Recker Phase 1 and ordering the improvements.
- 32 SPECIAL EVENT LIQUOR LICENSE – consider approval of a Series 15 Special Event Liquor License for The Arizona Pet Project on December 9, 2017 from 7:30 am to 12:30 pm located at Freestone Park, 1045 East Juniper.
- 33 SPECIAL EVENT LIQUOR LICENSE – consider approval of a Series 15 Special Event Liquor License for Spirit of Joy Lutheran Church on October 28, 2017 from 4:30 pm to 8:00 pm located at 1159 North Greenfield Road.
- 34 SPECIAL EVENT LIQUOR LICENSE – consider approval of a Special Event Liquor

License for Young Artists Society for November 2, 2017 from 6:30 pm to 9:30 pm located at Harkins Theater Santan Village, 2298 East Williams Field Road.

- 35 TEMPORARY EXTENSION OF PREMISES – consider approval of a temporary extension of premises for Isabel’s Amor located at 1490 East Williams Field Road, Suite 101 for an event to be held on November 4, 2017.
- 36 TEMPORARY EXTENSION OF PREMISES – consider approval of a temporary extension of premises for Copper Still Moonshine Grill located at 2531 South Gilbert Road, Suite 101 for an event to be held on November 11, 2017 to November 12, 2017.
- 37 MINUTES – consider approval of the minutes of Regular Meetings of September 7, 2017, September 21, 2017 and Special Meetings September 12, 2017 at 11am, September 12, 2017 at 5pm, September 14, 2017, September 15, 2017 and September 18, 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.

- 38 LIQUOR LICENSE – conduct hearing and consider approval of a Series 10 Beer and Wine Store Liquor License for Fast Market 8126 located at 2367 South Val Vista Drive.
- 39 LIQUOR LICENSE – conduct hearing and consider approval of a Series 10 Beer and Wine Store Liquor License for Fast Market 8127 located at 3171 East Pecos Road.
- 40 LIQUOR LICENSE – conduct hearing and consider approval of a Series 10 Beer and Wine Store Liquor License for Fast Market 8128 located at 1636 South Higley Road.
- 41 LIQUOR LICENSE – conduct hearing and consider approval of a Series 12 Restaurant Liquor License for Pescado Borracho Tacos and Tequila located at 2540 South Val Vista Drive, Suite 104.
- 42 GENERAL PLAN GP17-1003/ ZONING Z17-1006 – conduct hearing and consider:
  - a) adoption of a Resolution approving a Minor General Plan amendment to change the land use classification of approximately 10.97 acres of real property generally located southwest of the southwest corner of Higley and Warner Roads from Shopping

Center (SC) land use classification to General Commercial (GC) land use classification. The effect of this amendment will be to change the plan of development for the property to allow more intensive commercial development; and

b) approval of the findings and adoption of an Ordinance to amend Ordinance Nos. 1212 and 1302 pertaining to the Keswick Village Planned Area Development (PAD) by removing from the Keswick Village PAD approximately 10.97 acres of real property consisting of approximately 10.97 acres of Shopping Center (SC), all with a Planned Area Development overlay zoning district, generally located southwest of the southwest corner of Higley and Warner Roads; approving the Development Plan for the San Savino Planned Area Development (PAD); changing the zoning classification of said real property from 10.97 acres of Shopping Center (SC) all with a Planned Area Development overlay zoning district to 10.97 acres of General Commercial (GC), all with a Planned Area Development overlay zoning district, as shown on the map which is available for viewing in the Planning and Development Services Office; and by modifying the development regulations related to said property as follows: To allow outdoor recreational vehicle storage within 50' of residential land uses, to maintain the existing 6' solid separation fence along the side and rear property lines adjacent to single family residential districts. The effect of the rezoning and modification to the development regulations related to said property will be for greater intensity of commercial development.

43 GENERAL PLAN GP17-1005/ ZONING Z17-1010 – conduct hearing and consider:

a) adoption of a Resolution approving a Minor General Plan amendment for Ray Road Storage to change the land use classification of approximately 3 acres of real property generally located at southwest corner of Ray Road and Coronado Road from Neighborhood Commercial (NC) land use classification to General Commercial (GC) land use classification; and

b) approval of the findings and adoption of an Ordinance request to amend Ordinances No. 1159, and 1325 pertaining to the Fincher Farms Planned Area Development (PAD) by removing from the Fincher Farms PAD approximately 3 acres of real property consisting of approximately 3 acres of Neighborhood Commercial(NC) zoning district, all with a Planned Area Development overlay zoning district, generally located at southwest corner of Ray and Coronado Road and changing the zoning classification of said real property from approximately 3 acres to approximately 3 acres of General Commercial (GC), all with a Planned Area Development overlay zoning district, as shown on the map which is available for viewing in the Planning and Development Services Office; and to modify the development regulations as follows: The effect of the rezoning and modification to the development regulations related to said property will be allow increased building heights and increase required perimeter landscape area.

44 CODE OF GILBERT - conduct hearing and consider adoption of an Ordinance amending the Code of Gilbert, Arizona, by amending Chapter 10 Buildings and



Construction Regulations, Article VI Public Works Section 10-202 Adoption of Town of Gilbert Public Works and Engineering Standards related to minor revisions to the Supplement to Maricopa Area Government (MAG) Uniform Standard Details for Public Works Construction, and the Supplement to MAG Uniform Standard Specifications for Public Works Construction.

### **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.

- 45      **BOARDS AND COMMISSIONS** – consider appointment to the AZ Self- Insured Trust Fund for Health Insurance Benefits one regular member with a term beginning October 20, 2017 and ending September 30, 2020.
  
- 46      **BOARDS AND COMMISSIONS** – consider appointment to the Redevelopment Commission two regular members with terms beginning November 1, 2017 and ending October 31, 2021.
  
- 47      **PRESENTATION** - Presentation, discussion and possible direction on Tourism Strategic Plan.
  
- 48      **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

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

TBD - Code of Civility. Contact: \_\_\_\_ (E. Cook, J. Ray, J. Daniels)

TBD - Policy regarding staff acceptance of gifts. Contact \_\_\_\_ (J. Taylor, S. Anderson, B. Peterson)

TBD - Discuss the possibility of an RFP to look at different designs for the Ocotillo Bridge; and activate the Arts Commission to assist with the Parks and Recreation Board. Contact: \_\_\_\_ (E. Cook, V. Petersen, B. Peterson)

## **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.