

**MINUTES OF THE GILBERT TOWN COUNCIL IN REGULAR MEETING,
TUESDAY, JUNE 19, 2007 AT 7:00 P.M., 50 EAST CIVIC CENTER DRIVE, GILBERT,
ARIZONA**

COUNCIL PRESENT: Mayor Berman, Vice Mayor Urie, Councilmembers Abbott, Crozier, Krueger, Presmyk, and Skousen

COUNCIL ABSENT: None

STAFF PRESENT: Manager Pettit, Assistant Manager Skocypec, Clerk Templeton, Attorney Goodwin, Acting Planning and Development Manager Edwards

CALL TO ORDER OF REGULAR MEETING

Mayor Berman called the meeting to order at 7:01 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Thompson, Fountain of Life Church, gave the invocation. Vice Mayor Crozier led the Pledge of Allegiance.

ROLL CALL

Clerk Templeton called roll and declared a quorum present.

PRESENTATIONS; PROCLAMATIONS

1. Nomination and selection of Vice Mayor.

Mayor Berman called for nominations for Vice Mayor.

Councilmember Presmyk nominated Councilmember Urie for Vice Mayor and Councilmember Krueger seconded the nomination. Mayor Berman called for a vote and the nomination passed unanimously.

2. Recognition of Dave Crozier for service as Vice Mayor.

Mayor Berman thanked Dave Crozier for service as Vice Mayor and presented him with a gift.

3. Proclamation declaring June 19, 2007 as *Jonathon Horton Day in Gilbert.*

Mayor Berman read a proclamation declaring June 19, 2007 as *Jonathon Horton Day in Gilbert*, and presented the proclamation to Jonathan. Jonathan thanked the Mayor and Council and said it was an honor to be here. He thanked several organizations for their support and his mother for helping him study. Jonathan explained how he prepared.

4. Presentation by Southwest Ambulance to the Aquatic Program.

Southwest Ambulance presented a check for \$5,000 for free or reduced swimming lessons for children. Southwest Ambulance representatives stressed the need to educate people on water safety and promotes teaching kids to swim.

5. Administer Oaths of Office to Maria Hesse and Keith Vaughan for the Economic Development Advisory Board; Kenneth Merritt for the Arts Advisory Board; and Sherry Fowler, Saroja Ayyor and Lea Ann Modzelewski for the Arts Advisory Board.

Mayor Berman administered the Oath of Office to Maria Hesse for the Economic Development Advisory Board; and Sherry Fowler, Saroja Ayyor and Lea Ann Modzelewski for the Arts Advisory Board. Keith Vaughn and Kenneth Merritt were not present.

6. COMMUNICATIONS FROM CITIZENS

None.

CONSENT CALENDAR

Vice Mayor Urie noted that there were several requests to speak on Item 88 and the item was withdrawn at the request of the applicant. The consensus of Council was since the item was withdrawn, no public comments would be heard.

A MOTION was made by Vice Mayor Urie, seconded by Councilmember Presmyk, to approve Consent Items 7, 8, 9, 10, 11, 12, 12A, 12B, 12C, 12D, 13, 14, 15, 16, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 49, 50, 52, 53, 54, 55, 56, 57, 58, 59, 63, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, and 77; remove Items 18, 24, 60, 61, 62, and 64 from the Consent Calendar; and remove Items 17, 46, 47, 48, and 51 for discussion. *Motion carried 7-0.*

Councilmember Presmyk declared a conflict of interest on Items 18, 24, 60, 61, 62, and 64.

A MOTION was made by Councilmember Crozier, seconded by Vice Mayor Urie, to approve Items 18, 24, 60, 61, 62, and 64. *Motion carried 6-0-1 with Councilmember Presmyk abstaining.*

7. ANNEXATION A05-8 – consider adoption of an Ordinance approving the annexation of approximately 10.6 acres generally located south and east of Williams Field and Higley Roads.

This item was approved with the Consent Calendar. Ordinance No. 1968 was adopted.

8. ANNEXATION A07-9 – consider adoption of an Ordinance approving the annexation of approximately 1.38 acres located north and west of the northwest corner of Ray Road and Santan Village Parkway.

This item was approved with the Consent Calendar. Ordinance No. 1969 was adopted.

9. ANNEXATION A07-14 – consider adoption of an Ordinance approving the annexation of approximately 5.42 acres located south of the southeast corner of Baseline Road and 172nd Street.

This item was approved with the Consent Calendar. Ordinance No. 1970 was adopted.

10. ANNEXATION A07-19 – consider adoption of an Ordinance approving the annexation of approximately .61 acres located south and west of the southwest corner of Guadalupe and Greenfield Roads.

This item was approved with the Consent Calendar. Ordinance No. 1971 was adopted.

11. ANNEXATION A07-27 – consider adoption of an Ordinance approving the annexation of approximately 1.02 acres generally located south and east of the southeast corner of Lindsay Road and Mesquite Street.

This item was approved with the Consent Calendar. Ordinance No. 1972 was adopted.

12. ANNEXATION A07-29 – consider adoption of an Ordinance approving the annexation of approximately 6.49 acres generally located south and east of the southeast corner of Lindsay Road.

This item was approved with the Consent Calendar. Ordinance No. 1973 was adopted.

12A. ANNEXATION A07-28 – consider adoption of an Ordinance approving the annexation of approximately 9.13 acres located east of Knox Road and Val Vista Drive.

This item was approved with the Consent Calendar. Ordinance No. 1974 was adopted.

12B. ANNEXATION A07-34 – consider adoption of an Ordinance approving the annexation of approximately 20.11 acres located north and east of the northeast corner of Galveston Street and Cooper Road.

This item was approved with the Consent Calendar. Ordinance No. 1975 was adopted.

12C. ANNEXATION A07-36 – consider adoption of an Ordinance approving the annexation of approximately 30.35 acres located north and west of the northwest corner of Warner Road and Val Vista Drive.

This item was approved with the Consent Calendar. Ordinance No. 1976 was adopted.

12D. ANNEXATION A07-11 – consider adoption of an Ordinance approving the annexation of approximately 7.33 acres located north and west of the northwest corner of Ray and Recker Roads. *A public hearing was held on April 17, 2007*

This item was approved with the Consent Calendar. Ordinance No. 1977 was adopted.

13. ANNEXATION A07-33 – consider adoption of an Ordinance approving the annexation of approximately 1.49 acres generally located north and east of the northeast corner of Warner and Lindsay Roads.

This item was approved with the Consent Calendar. Ordinance No. 1978 was adopted.

13A. ANNEXATION A07-37 – consider adoption of an Ordinance approving the annexation of approximately 1.03 acres generally located north and west of the northwest corner of Warner Road and Val Vista Drive.

This item was approved with the Consent Calendar. Ordinance No. 1979 was adopted.

14. AGREEMENT – consider approval of a Cooperative Purchase Agreement with Mohave Educational Services Cooperative, Inc. for purchase of materials, services and construction under Mohave contracts and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

15. AGREEMENT – consider approval of a Cooperative Purchase Agreement with Bobcat Company in an amount not to exceed \$34,943.13 for the purchase of a Bobcat loader for the Fire Department and authorize the Mayor to execute the required Documents.

This item was approved with the Consent Calendar.

16. AGREEMENT – consider approval of an amendment to the Polar Ice Lease Agreement, approve the Acceptance and Assumptions of Lease Agreement with Spiral, Inc., and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

17. AGREEMENT – consider approval of a Software Support and Maintenance Agreement with Kronos, Inc. in an amount not to exceed \$66,659.39 for FY2007-08 and authorize the Mayor to execute the required documents.

Councilmember Abbott noted that the Kronos system is one of the items she would like discussed at the Annual Retreat and requested a delay until there is a full discussion on the.

A MOTION was made by Councilmember Abbott, seconded by Councilmember Skousen, to continue the item until after staff can look at interim support and have a discussion at the Retreat.

Manager Pettit noted that the payroll system would be unsupported. Council discussion followed on whether an alternate agreement or support based upon time and materials was available. Manager Pettit explained that the time clocks generate the time for payroll. He expressed concern if there is no agreement in place as changes in pay rates and the Personnel Rules are implemented. There were various views on whether to approve the agreement or delay action. Attorney Goodwin responded to a question on the contract being governed by Massachusetts law. She said the preference is to be governed by Arizona law but based on the contract the contract would be governed by Massachusetts law.

Discussion continued on the amount of support needed for the system in the past. Manager Pettit responded that there was support as Gilbert implemented Personnel Rule changes and stressed it would be best to change after or when a replacement system selected. Discussion continued that there may be problems with the system, or how the system has been implemented. Manager Pettit asked if the concern is on how Gilbert is applying the system or how the system is performing. Discussion followed on software agreements and the Kronos system. Manager Pettit said some concerns of Council appear to relate to how Gilbert implemented the system. He explained it took over one year to find and implement the system and said if Council desires staff can pursue a time and materials agreement.

Councilmember Abbott repeated the motion and clarified that the intent is to continue the agreement to July 10, 2007 and further to allow for a full discussion of the Kronos system at the Annual Retreat.

Motion carried 5-2 with Vice Mayor Urie and Councilmember Krueger casting the dissenting votes

18. AGREEMENT – consider approval of a Consent of Use Agreement with Salt River Project for construction, operation, and maintenance of the Powerline Trail at Elliot District Park and authorize the Mayor to execute the required documents.

Councilmember Presmyk declared a conflict of interest on Items 18, 24, 60, 61, 62, and 64.

A MOTION was made by Councilmember Crozier, seconded by Vice Mayor Urie, to approve Items 18, 24, 60, 61, 62, and 64. *Motion carried 6-0-1 with Councilmember Presmyk abstaining.*

19. AGREEMENT – consider approval of an agreement with the Child Crisis Center – East Valley in an amount not to exceed \$75,000 for construction of the Family Resource Center and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

20. AGREEMENT – consider approval of an agreement with Community Services of Arizona in an amount not to exceed \$40,650 for a Homeless Prevention Program and operation of the

Gilbert Community Action Program office and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

21. AGREEMENT – consider approval of an agreement with Community Services of Arizona in an amount not to exceed \$54,874 for Congregate and Home Delivered Meals and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

22. AGREEMENT – consider approval of an agreement with Community Services of Arizona in an amount not to exceed \$110,000 for operation of the Gilbert Emergency and Minor Home Repair Program and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

23. AGREEMENT – consider approval of Maintenance Agreement with Intergraph in an amount not to exceed \$139,812.39 for FY2007-08.

This item was approved with the Consent Calendar.

24. AGREEMENT – consider approval of a Deactivation Agreement with Salt River Project to eliminate an irrigation feed to the Gilbert Esplanade Project located at the southeast corner of Gilbert and Willis Roads and authorize the Mayor to execute the required documents.

Councilmember Presmyk declared a conflict of interest on Items 18, 24, 60, 61, 62, and 64.

A MOTION was made by Councilmember Crozier, seconded by Vice Mayor Urie, to approve Items 18, 24, 60, 61, 62, and 64. *Motion carried 6-0-1 with Councilmember Presmyk abstaining.*

25. AGREEMENT – consider approval of a Cooperative Purchase Agreement with Wayne Engineering Corporation in an amount not to exceed \$1,484,823.62 for the purchase of seven Sideloader Solid Waste Trucks and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

26. AGREEMENT – consider approval of a Cooperative Purchase Agreement with G & K Services off the State Bid List for FY2007-08 Uniform Services and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

27. PURCHASE – consider approval of a Purchase Order to Williams Scotsman in an amount not to exceed \$96,600 for continued rental of portable office and storage buildings.

This item was approved with the Consent Calendar.

27A. AGREEMENT – consider approval of an Operating Agreement with Community Services of Arizona in an amount not to exceed \$52,080 in General Operating Funds for the Gilbert Senior Center for FY2007-08 and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

27B. INTERGOVERNMENTAL AGREEMENT – consider approval of an Intergovernmental Agreement with Maricopa County Human Services in an amount not to exceed \$15,000 for the Special Services Transportation Van Program for FY2007-08 and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

28. DEVELOPMENT AGREEMENT – consider adoption of a Resolution approving a Development Agreement with Standard Pacific of Arizona, Inc. in an amount not to exceed \$150,000 for roadway improvements at Williams Field Road east of the Santan Freeway and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar. Resolution No. 2785 was adopted.

29. DEVELOPMENT AGREEMENT – consider adoption of a Resolution approving a Development Agreement with Standard Pacific of Arizona, Inc. in an amount not to exceed \$150,000 for roadway improvements adjacent to Fire Station #1, Project MF018, and authorize the required documents.

This item was approved with the Consent Calendar. Resolution No. 2786 was adopted.

30. DEVELOPMENT AGREEMENT – consider adoption of a Resolution approving Amendment No. 3 to the Development Agreement with Miller Holdings, Inc. related to the development of the Bridges at Gilbert.

This item was approved with the Consent Calendar. Resolution No. 2787 was adopted.

31. CONTRACT – consider approval of a contract renewal with Truly Nolen of America, Inc. in an amount not to exceed \$138,949.54 for Mosquito and Midge Fly Pest Control Services for FY2007-08 and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

32. CONTRACT – consider approval of a contract renewal with Envirosolve, Inc. in an amount not to exceed \$100,000 for Non-Emergency Hazardous Waste and Ammunition Disposal for FY2007-08 and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

33. CONTRACT – consider approval of a contract renewal with The Groundskeeper in an amount not to exceed \$691,592.76 for Rights-of-Way Landscape Maintenance for FY2007-08 and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

34. CONTRACT – consider approval of a contract renewal with The Groundskeeper in an amount not to exceed \$77,176.08 for the Heritage District Landscape Maintenance for FY2007-08 and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

35. CONTRACT – consider approval of a contract renewal with The Groundskeeper in an amount not to exceed \$53,543.64 for Municipal Facilities Landscape Maintenance for FY2007-08 and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

36. CONTRACT – consider approval of a contract renewal with Southwest Slurry Seal, Inc. in an amount not to exceed \$1,200,000 for street renovation – slurry seal for FY2007-08 and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

37. CONTRACT – consider approval of a contract renewal with Creative Paving Solutions in an amount not to exceed \$100,000 for decorative asphalt pavement imprinting for FY2007-08 and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

38. CONTRACT – consider approval of a contract renewal with Sunland Asphalt in an amount not to exceed \$1,700,000 for ultra-thin bonded wearing course for FY2007-08 and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

39. CONTRACT – consider approval of a Construction Contract with Pierson Construction in an amount not to exceed \$1,195,686 for the Williams Field Road 16 inch Reclaimed Waterline Project, Project WW059, and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

40. CONTRACT – consider approval of an Accountability Contract with Central Arizona Shelter Services in an amount not to exceed \$5,000 for support of the homeless shelter and programs for FY2007-08 and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

41. CONTRACT – consider approval of a revised Accountability Contract with Community Services of Arizona in an amount not to exceed \$59,660 for operation of the Gilbert Community Action Program Office for FY2007-08 and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

42. CONTRACT – consider approval of an Accountability Contract with United Food Bank in an amount not to exceed \$5,000 for FY2007-08 and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

43. CONTRACT – consider approval of an Accountability Contract with the Boys and Girls Club of the East Valley in an amount not to exceed \$125,000 for operation of the Gilbert Boys and Girls Club and Teen Center for FY2007-08 and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

43A. CONTRACT – consider approval of an Accountability Contract with Junior Achievement of Arizona in an amount not to exceed \$20,000 for operating assistance for the Youth Business and Education Facilities and Services for FY2007-08.

This item was approved with the Consent Calendar.

44. CONTRACT – consider approval of a Pre-Design Project Management Services Contract with Consultant Engineering, Inc. in an amount not to exceed \$110,802 for Project Management of the Higley, Recker, and Williams Field Roads Improvement Project, Projects ST062, ST095, and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

45. CONTRACT – consider approval of a Pre-Design Phase Engineering Services Contract with Aztec Engineering Arizona, LLC in an amount not to exceed \$814,745 for Engineering Services for the Higley, Recker, and Williams Field Roads Improvement Project, Projects ST062, ST095, and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

46. CONTRACT – consider approval of an Engineering Design Services Contract with J2 Engineering in an amount not to exceed \$218,550 for the Water Tower Park, Project RD105, and authorize the Mayor to execute the required documents.

Councilmember Skousen commented on several public meetings that were held and said the decided upon the style for the Water Tower lettering and the design for the park is outstanding. The park will be a marvelous place for families and individuals and benefits the downtown.

A MOTION was made by Councilmember Skousen, seconded by Councilmember Presmyk, to approve Item 46. *Motion carried 7-0.*

47. CONTRACT – consider approval of a Construction Manager at Risk Pre-Construction Contract with Valley Rain Construction in an amount not to exceed \$92,048.61 for the Water Tower Park, Project RD105, and authorize the Mayor to execute the required documents.

48. CONTRACT – consider approval of a Project Management Services Construction Manager at Risk Contract with Parsons Brinkerhoff in an amount not to exceed \$120,201 for the Water Tower Project, Project RD105, and authorize the Mayor to execute the required documents.

A MOTION was made by Councilmember Presmyk, seconded by Councilmember Urie, to approve Items 47 and 48. *Motion carried 7-0.*

49. CONTRACT – consider approval of a Professional Services Contract renewal with Doctor Gary Smith in an amount not to exceed \$20,000 for Medical Director Services and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

50. GRANT – consider authorizing the application and acceptance of a 2007 Justice Assistance Grant from the Bureau of Justice Assistance in the amount of \$18,948 for the COPLINK Program and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar.

51. CHANGE ORDER – consider approval of Amendment No. 1 to the Design-Build Services Contract with Haydon Building Corporation in the amount of \$10,278,908.99 for 36, 24, 20, and 12 inch Water Mains in Ocotillo Road from Higley Road to Recker Road and 15 inch Sanitary Sewer in Ocotillo Road, Projects STR061, WA051, WW038, and authorize the Mayor to execute the required documents.

Councilmember Krueger commented on discussions at the Quarterly Council Retreat on the design-build process and pointed out the project has been designed and the development is within the \$10 million budget. Ron Nadzieja, PinnacleOne, commented on the amendment to the

construction project and said there are about seven different agencies the project is being charged to.

A MOTION was made by Councilmember Krueger, seconded by Councilmember Urie, to approve Item 51. *Motion carried 7-0.*

52. CHANGE ORDER – consider approval of Change Order No. 1 to the Pre-Construction Phase Contract for Construction Manager at Risk with Hunter Contracting decreasing the contract in the amount of \$11,770.31 for the Higley Road Water Mains Project, Project WA035.

This item was approved with the Consent Calendar.

53. CHANGE ORDER – consider approval of Amendment No. 2 to the Design-Build Services Agreement with Garney Construction decreasing the contract in the amount of \$93,031.76 for Well 21 Arsenic Mitigation, Project WA065.

This item was approved with the Consent Calendar.

54. CHANGE ORDER – consider approval of Change Order No. 2 to the Construction Manager At Risk Construction Services Contract with Hunter Contracting Co. decreasing the contract in the amount of \$13,335.16 for the Gilbert Commons Lift Station Upgrade, Project WW008.

This item was approved with the Consent Calendar.

55. CHANGE ORDER – consider approval of Change Order No. 2 with Wilson Engineers in the amount of \$2,120 for Architect/Engineering and Construction Management Services for the Crossroads Lift Station Expansion, Project WW009.

This item was approved with the Consent Calendar.

56. CHANGE ORDER – consider approval of Change Order No. 1 to the Engineering Design Services Contract with Parsons Brinckerhoff Quade Douglas in the amount of \$25,000 for the Santan Freeway Interface and the Santan Basin Parks Improvement Projects, Projects ST043, PR050.

This item was approved with the Consent Calendar.

57. CHANGE ORDER – consider approval of Change Order No. 1 to the Project/Construction Management Agreement with Consultant Engineering in the amount of \$58,780 for the Freeway Interface-Lindsay and Recker Roads Improvement Projects, Projects ST043 and WA031.

This item was approved with the Consent Calendar.

58. REQUEST FOR BIDS – consider authorizing advertisement and acceptance of bids for the Scalloped Streets East Project and the Baseline and Recker Roads 16 inch Water Line Projects, Projects ST042, WA029.

This item was approved with the Consent Calendar.

59. ENVIRONMENTAL – consider adoption of a Resolution approving the adoption of the 2007 Maricopa Association of Governments Five Percent Plan to reduce PM-10 particulate matter.

This item was approved with the Consent Calendar. Resolution No. 2788 was adopted.

60. EASEMENT – consider approval to grant an easement to Salt River Project for installation, operation, and maintenance of electrical facilities at Elliot District Park, Project PR020.

61. EASEMENT – consider approval to grant an easement for installation of underground electric facilities for a 2MG Reservoir and Pump Station, Project WA058.

62. EASEMENT – consider approval to grant an easement to Salt River Project to relocate, operate, and maintain electric facilities adjacent to Lakeview Trails at Morrison Ranch.

Councilmember Presmyk declared a conflict of interest on Items 18, 24, 60, 61, 62, and 64.

A MOTION was made by Councilmember Crozier, seconded by Vice Mayor Urie, to approve Items 18, 24, 60, 61, 62, and 64. *Motion carried 6-0-1 with Councilmember Presmyk abstaining.*

63. PROPERTY ACQUISITION – consider adoption of a Resolution approving the acquisition of utility easements for the Central Arizona Project Pipeline to the South Water Treatment Plant, Project WA023.

This item was approved with the Consent Calendar. Resolution No. 2789 was adopted.

64. LAND MANAGEMENT – consider approving a Warranty Deed to the United States Department of the Interior Bureau of Land Management for relocation of Salt River Project facilities along Willis Road.

Councilmember Presmyk declared a conflict of interest on Items 18, 24, 60, 61, 62, and 64.

A MOTION was made by Councilmember Crozier, seconded by Vice Mayor Urie, to approve Items 18, 24, 60, 61, 62, and 64. *Motion carried 6-0-1 with Councilmember Presmyk abstaining.*

65. PERSONNEL – consider authorizing the reallocation of a Recreation Supervisor (grade 19 \$51,972 to \$72,761) to Recreation Coordinator (grade 12 \$38,427 to \$53,798); approve a revised classification for Fire Investigator (grade 17 \$48,101 to \$67,341); approve a new classification and position of Claims Examiner (grade 17 \$48,101 to \$67,341); approve a new classification

and position of Records Administrator (grade 17 \$48,101 to \$67,341) in the clerk's department; approve a new classification of Radio Systems Administrator (grade 19 \$51,972 to \$72,261) and reallocation of an existing Communications Specialist (grade 14 \$42,296 to \$59,214) to that classification; authorize a revised classification and placement of Capital Projects Administrator (grade 25 \$63,581 to \$89,014); approve a revised classification and title for Police Property and Evidence Technician (grade 8 \$30,687 to \$42,962); and authorize a revised classification and placement of Volunteer Coordinator to grade 14 (\$42,296 to \$59,412).

This item was approved with the Consent Calendar.

66. COMMUNITY DEVELOPMENT BLOCK GRANTS – consider adoption of a Resolution approving funding allocations to specific activities for FY2007-08 and authorize the Manager to execute the required documents.

This item was approved with the Consent Calendar. Resolution No. 2790 was adopted.

67. FEES – consider adoption of a Resolution amending the Sign Permit fee schedule in Resolution No. 2774 and establishing, amending, and increasing sign permit fees.

This item was approved with the Consent Calendar. Resolution No. 2791 was adopted.

68. FINAL PLAT S05-22 – consider approval of the final plat for Layton Lakes Phase 2 located at the southeast corner of Queen Creek and Lindsay Roads.

This item was approved with the Consent Calendar.

69. CONDOMINIUM PLAT SP1033 – consider approval of the condominium plat for Woodcrest Village at Power Ranch Condominium located south of Germann Road at Ranch House Parkway.

This item was approved with the Consent Calendar.

70. FINAL PLAT SP1078 – consider approval of the final plat for Via Sorento located north of Juniper Avenue and west of Gilbert Road.

This item was approved with the Consent Calendar.

71. CONDOMINIUM PLAT SP1078 – consider approval of the condominium plat for Via Sorento located north of Juniper Avenue and west of Gilbert Road.

This item was approved with the Consent Calendar.

72. FINAL PLAT SP1102 – consider approval of the final plat for Broadstone at Twin Fields located at the southeast corner of the Santan Freeway and Williams Field Road.

This item was approved with the Consent Calendar.

73. FINAL PLAT SP1103 – consider approval of the final plat for Vista Quinta Professional Village located at the southeast corner of Baseline and Greenfield Roads.

This item was approved with the Consent Calendar.

74. FINAL PLAT SP1104 – consider approval of the final plat of Lot 5 Amended, a replat of Lots 5, 6, 7, and 8 of the Fuller Commerce Center located at the southeast corner of Farrel and Gary Streets.

This item was approved with the Consent Calendar.

75. FINAL PLAT SP1105 - consider approval of the final plat for Coronado Village Plaza located at the northeast corner of Germann Road and Val Vista Drive.

This item was approved with the Consent Calendar.

76. SPECIAL EVENT – consider authorizing sponsorship and financial participation in an amount not to exceed \$25,000 toward fireworks and related event expenses to the Gilbert Promotional Corporation for a 4th of July celebration at Hetchler Park and authorize additional staff services and fireworks liability after the first \$5 million in coverage.

This item was approved with the Consent Calendar.

77. MINUTES – consider approval of the minutes of the Regular Meeting of June 5, 2007.

This item was approved with the Consent Calendar.

PUBLIC HEARINGS

Vice Mayor Urie reported that Item 85 would be removed for discussion. Manager Pettit advised that Council would also need to discuss Items 93 and 93A. An additional request to speak was submitted for Item 91. Mayor Berman reported that Item 88 was withdrawn from the agenda.

Mayor Berman opened the public hearing for items 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 92, 94, and 95. No one wished to speak and Mayor Berman closed the public hearing.

A MOTION was made by Councilmember Crozier, seconded by Councilmember Presmyk, to approve public hearing items 78, 79, 80, 89, 90, 92, 94, and 95. *Motion carried 7-0.*

78. LIQUOR LICENSE – conduct hearing and consider approval of a Series 12 Restaurant Liquor License for N.Y.C. Mobsters Inc Sports Bar and Italian Grill located at 1431 East Williams Field Road.

This item was approved with the Public Hearing vote.

79. LIQUOR LICENSE – conduct hearing and consider approval of a Series 09 Liquor Store License for Wal-Mart Supercenter #3861 a located at 5290 South Power Road.

This item was approved with the Public Hearing vote.

80. LIQUOR LICENSE – conduct hearing and consider approval of a Series 07 Beer and Wine Bar Liquor License for Stogie Cutter located at 833 North Cooper Road #106.

This item was approved with the Public Hearing vote.

81. ANNEXATION A07-18 – conduct hearing on the annexation of approximately 26.10 acres located east of Pecos and Greenfield Roads.

This item was a public hearing only. No action was taken.

82. ANNEXATION A07-38 – conduct hearing on the annexation of approximately 1 acre located north and west of Warner Road and Val Vista Drive.

This item was a public hearing only. No action was taken.

83. ANNEXATION A07-40 – conduct hearing on the annexation of approximately 1.34 acres located north and west of the northwest corner of Warner Road and Val Vista Drive.

This item was a public hearing only. No action was taken.

84. ANNEXATION A07-41 – conduct hearing on the annexation of approximately 8.78 acres located east of Knox Road and Val Vista Drive.

This item was a public hearing only. No action was taken.

85. ANNEXATION A07-42 – conduct hearing on the annexation of approximately 10.49 acres located south and east of the southeast corner of Pecos and Lindsay Roads.

Acting Planning and Development Manager Edwards briefly reviewed the proposed annexation of approximately 10 acres at Lindsay and Pecos Roads.

Mayor Berman opened the public hearing. Carl Perez, 14436 East Willis Road, said he spoke on another issue in March. Council was very clear there would be no changes unless residents requested changes. Mr. Perez said the property owner plans to annex and request a change to commercial. He asked about changes to commercial and asked that Council consider turning this down. Mr. Perez said this is a residential area and when the property owner came to the area it was known as a residential area and the owner installed businesses. Mr. Perez said others tried to

put in businesses and the County enforced the code not to allow a business in a residential area. He said that he is speaking against the annexation.

Councilmember Presmyk commented on changes and legal and illegal uses. He said all Council can discuss is the annexation. Mr. Perez asked about process if they wished to change the zoning and Councilmember Presmyk explained it would be a separate hearing in the future. Mayor Berman commented on Gilbert's code compliance efforts. Mr. Perez said that the plan of the owner is to be commercial. Mayor Berman commented on County processes, enforcement, and Gilbert standards.

Acting Planning and Development Manager Edwards reviewed the General Plan map and noted that the area on the General Plan is shown as Business Park. Once a property is annexed Gilbert is required to adopt a zoning district classification that complies with the General Plan. She explained there are two different scenarios and reported that staff is having some discussions on the issue. Discussion followed on processes for development in Maricopa County, lot splits, planning processes, and property owner rights.

Requests to speak in opposition of the annexation were submitted by: Bill Lindsay, 17415 South 144th Street; Charles Dayton, 17845 South 144th Street; and Duane and Evelyn Ekren, 17439 South 144th Street.

Brad Preston, 17823 South 144th Street, addressed Council and said businesses have been operating and the County shut them down. Mr. Preston said he has lived there and people thought they could take a short cut and open a business. Now they are trying to annex to get around the County. He expressed concern with his children and traffic on the road, debris, and loitering. Mr. Preston said there is a RV storage business and asked if he should just move now. Mr. Preston said he is considering putting in a pool next month and questioned if he should stop. He has owned the property for years and just recently moved in. Mr. Preston responded to questions on the businesses, discussed the businesses in the area, and pointed out the locations of the businesses on a map. Mr. Preston reported on the County actions and said that all the businesses got letters. The U Haul was shut down but the others are still operating. Mr. Preston said he called County Code Enforcement and is getting no calls back so he will have to go fill out more forms like he had done previously. Attorney Goodwin advised that the discussions on County Code Compliance are off the annexation subject.

A brief discussion followed on legal and illegal uses of property, Gilbert Code Compliance, enforcement of codes, the General Plan land use designation, and the type of uses permitted in Business Park. Mr. Preston commented on the environment he has to deal with. Mr. Preston said he is trying to find what Gilbert will do. Mayor Berman commented tonight is on annexation. Manager Pettit clarified that this is a hearing only and there is no Council action tonight.

Evelyn Ekren, 17439 South 144th Street, asked if at one time Council said join them or let them burn. Mayor Berman responded to the comments of annex or burn and he said Gilbert provides services to members of the community. Ms. Ekren said she feels Gilbert helps Chandler. Mayor Berman said that is inaccurate. Vice Mayor Urie noted that the subject is annexation. Ms. Ekren

said she has the only legal business in the area and it cost a lot to get the required permits. The businesses in the area are not clean businesses and if it is annexed and then the property is rezoned, it tears down the neighborhood. Ms. Ekren asked whether the property was residential when they bought and then it became Business Park. Mayor Berman commented Gilbert cannot turn down annexation or zoning because of what someone might do at a later date and discussed code compliance.

Duane Ekren, 17439 South 13th Street, said he has lived there for 12 years. He has seen the traffic, hauling trash, and he does not believe they are licensed. There are also parts trucks going up and down the street delivering parts. Mr. Eckren asked if he can't have fire protection why cannot he be billed for time if Gilbert comes in and then charge by the hour. Mayor Berman said Council cannot discuss fire service tonight because the Town is required to post items to be discussed in advance. Mayor Berman said Gilbert cannot enforce County Code violations and when property comes into the Town it would have to follow the law. Mr. Eckren said the residents wish for a better quality of life. Mayor Berman said Gilbert does not allow industrial uses in residential neighborhoods. Mr. Eckren asked about Business Park uses and Councilmember Crozier reviewed the uses not allowed in Business Park. Councilmember Abbott pointed out Gilbert has noise ordinances and consistently enforces codes. Attorney Goodwin said Council needed to get back to the annexation hearing as this agenda item is not about code enforcement.

This item was a public hearing; no action was taken.

86. ANNEXATION A07-43 – conduct hearing on the annexation of approximately 1.11 acres located south and west of the southwest corner of Guadalupe and Greenfield Roads.

This item was a public hearing only. No action was taken.

87. ANNEXATION A07-44 – conduct hearing on the annexation of approximately 5 acres located south and east of the southeast corner of Pecos and Lindsay Roads.

This item was a public hearing only. No action was taken.

88. GENERAL PLAN GP06-09/ZONING Z06-86 – conduct hearing and consider:

- a) adoption of a Resolution approving a Minor General Plan amendment for approximately 18 acres for Seville Tract T located at the southwest corner of Chandler Heights & Recker Roads from General Commercial (GC) to Residential greater than 8-14 dwelling units per acre.
- b) approval of the findings and adoption of an Ordinance rezoning approximately 18 acres for Seville Tract T located south of the southwest corner of Chandler Heights & Recker Roads from General Commercial (GC) to Single Family Attached (SF-A) Districts with modified Planned Area Development (PAD).

This item was withdrawn by the applicant; no action was taken.

89. ZONING Z06-112 – conduct hearing and consider adoption of an Ordinance approving an amendment to the Zoning Code of Gilbert, Arizona, (Land Development Code): a) Chapter I: Zoning Regulations, Division 1: General Purposes, Article 1.1, to establish the Gateway Zoning Districts; b) Chapter I: Zoning Regulations, Division 2: Land Use Designations, adding Article 2.8: Gateway Zoning Districts, to establish the regulations for the Gateway Village Center (GVC) and Gateway Business Center (GBC); c) Division 4: General Regulations, Article 4.203.I.: Off-Street Parking and Loading Regulations; d) Division 4: General Regulations, Article 4.204: Number of Parking Spaces Required; and e) the Glossary of General Terms by adding related terms.

This item was approved with the Public Hearing vote. Ordinance No. 1980 was adopted.

90. ZONING Z06-117 – conduct hearing and consider approval of the findings and adoption of an Ordinance rezoning approximately 1.32 acres located south and east of the southeast corner of Mesquite Street and Lindsay Road from Maricopa County Rural-43 to Town of Gilbert Single Family-43 (SF-43).

This item was approved with the Public Hearing vote. Ordinance No. 1981 was adopted.

91. PARKWAY IMPROVEMENT DISTRICTS – conduct hearing and consider adoption of an Ordinance approving the tax levy for Parkway Improvement Districts 88-01 through 88-10 and 92-01 for FY2007-08.

Manager Pettit advised that this item is the annual hearing to adopt the property tax levies for the PKIDs to perform the work in the PKIDs.

Mayor Berman opened the public hearing. Ellen Overholt, 817 East Juanita Avenue, said the first meeting was the day after Memorial Day and she was out of town. Ms. Overholt explained she looked at the plans and is not opposed to the improvements but questions how extensive the plans are. She asked if the plans could be modified or scaled back as it is expensive, almost \$100,000. Ms. Overholt said she is in Circle G VI.

A brief discussion followed on replacements Gilbert paid for in the PKIDs. Manager Pettit said Gilbert paid for some replacements. Expenditures in Circle G Ranches VI included funds for a landscape architect to meet with residents. Mayor Berman commented that the Town made a contribution to bring the areas to where they should be. Manager Pettit advised the Circle G VI contribution by Gilbert was \$2,020 and the amount varied by subdivision. Manager Pettit said he \$100,000 is what has been discussed for improvements including replacing a 25 year old irrigation system and granite. Next year there are \$33,000 of improvements planned. Ms. Overholt said she received a breakdown. She is concerned about the extensive landscaping replacement and asked if Council could ask the group to look to see if it needs to be as extensive. Manager Pettit said Council can halt the work if they choose. The subdivision has 35 lots to spread the assessment against. Vice Mayor Urie said that the residents requested to do it at once and another is saying over time. There is a meeting next week at 7:30 p.m. Councilmember

Skousen said that staff does not make the decision and it goes to the neighbors. Manager Pettit said a challenge is that meetings do not get 100 percent participation. Ms. Overholt said she appreciates the comments and it was difficult to attend the meeting because it was the day after a holiday. Manager Pettit said that the agenda item tonight is to set the levy. Manager Pettit said the cost of improvements exceeds \$100,000 and the residents are not being asked to pay all costs next year. If the improvements are not reduced it would not change the levy unless the cost is under \$33,000. Councilmember Krueger commented on participation and said the people who attended requested to go forward with the plan and it is good for the community. She commented on the effort Gilbert made because of comments last year.

Ms. Overholt said she is not against the improvements but it is an extensive amount of money as the cost is \$100,000 over three years and she does not feel it is necessary. Manager Pettit reviewed the \$114,000 in costs. Councilmember Skousen commented that the group has procrastinated and not spent money in past years. Councilmember Presmyk commented that is why the Town took some of the responsibility and the subdivision is now moving forward with additional improvements. Manager Pettit briefly reviewed the costs approved by the homeowners totaling just over \$114,000 and explained that is the budget staff is using. Council could remove the number and allow the neighborhood to spend another year determining what to do but that would delay improvements for one year. A brief discussion followed on the process that has taken place over the past year, including the Town's responsibility to help bring the properties up to where they should have been. Manager Pettit said that it is Council's discretion and they could remove costs and have more discussions with the neighborhood. Manager Pettit said staff has been working with the neighborhoods on the priorities and scope of the work. Mayor Berman commented on the process. Ms. Overholt said she felt it was important to ask the question. Manager Pettit said the improvements in the first year are along Lindsay Road, then San Pedro and finally Houston.

Wayne Overholt, 817 East Juanita Avenue, said the only thing the Town is responsible for is the irrigation system and he questioned the \$34,000 cost for replacement of the irrigation system. He questioned why such an expensive replacement is needed if the system has been maintained over the years. Councilmember Presmyk commented that at some point the entire system needs to be replaced. Mr. Overholt said they are for the improvements but he was concerned about how extensive the cost is with only 35 lots.

Richard White, 933 East Juanita, Circle G Ranch VI, said he is in support and the neighbors met on a number of occasions. The neighbors looked at the cost and decided to do the improvements over three years so it was not a \$3,000 assessment but rather \$1,000. Everyone who attended wanted to see it taken care of. Mr. White commented on what has occurred and said the residents need to pay for the area and the Town takes care of it. He commented he thought there was \$100,000 to bring neighborhoods back to where they should be and they got \$2,000 out of the total. The assessment was given based upon the plant count in the landscape area. Mayor Berman briefly commented on the costs paid by the Town. Mr. White said the neighbors appreciate the help and are grateful. He said they are working as a community to try to take care of this over a three year period and do not want to delay and wish to go forward. Mayor Berman closed the public hearing.

A MOTION was made by Councilmember Krueger, seconded by Councilmember Presmyk, to approve Ordinance No. 1982. *Motion carried 7-0.*

92. STREETLIGHT IMPROVEMENT DISTRICTS – conduct hearing and consider adoption of an Ordinance approving the tax levy for Streetlight Improvement Districts 85-01 through 85-10, 85-15 through 85-17, 85-20 through 85-24, 86-01 through 86-11, 86-26, 87-01 through 87-22, 87-24, 87-25, 87-27, 88-01 through 88-08, 89-01, 90-01 through 90-05, 91-01 through 91-07, 92-01 through 92-03, 92-05 through 92-09, 93-01 through 93-08, 93-10 through 93-16, 93-18 , 93-20, 94-01 through 94-24, 94-26, 94-28 through 94-38, 95-01 through 95-26, 95-28 through 95-42, 96-01 through 96-17, 96-19, 96-21 through 96-32, 97-01 through 97-06, 97-08, 97-10 through 97-21, 98-01, 98-03 through 98-09, 98-11 through 98-13, 98-15 through 98-18, 99-01 through 99-08, 00-01 through 00-14, 01-01 through 01-05, 02-01 through 02-06, 03-01 through 03-10, 04-01, 04-02, 04-04 through 04-06, 04-08, 05-01 through 05-12, 06-01 through 06-09, and 06-11 through 06-15 for FY2007-08.

This item was approved with the Public Hearing vote. Ordinance No. 1983 was adopted.

93. BUDGET – conduct hearing and consider adoption of an Ordinance establishing the Secondary Property Tax Rate for FY2007-08.

Manager Pettit explained this is the annual time to set property tax rate for FY2007-08. There have been ongoing discussions about decisions facing the Council regarding the property tax rate. Manager Pettit reviewed a chart showing the change in assessed valuation. There has been a significant increase in assessed value over the last five years. The increase in FY2007-08 is going from \$1.4 billion to \$2.3 billion. Manager Pettit explained that the assessed value is used in determining what can be issued and repaid in voter approved bonds. The first part of the equation is the assessed value as determined by the Maricopa County Assessor. Councilmember Presmyk asked if anything other than the run up in residential prices accounts for the jump in assessed valuation, such as shopping malls or other commercial. Manager Pettit said the Council Communication includes a table that shows the increase by property classification and explained the changes. Manager Pettit reported he had asked the Assessor's Office how much of the valuation is new versus increased value for existing facilities and they had nothing to provide but suggested about 40 percent is existing property increases.

Manager Pettit reviewed a chart showing the tax rates. The schools are the largest part of the tax rate. The Gilbert share has been consistent across the five year period. He reviewed other tax rates and explained that each taxing entity gets a different dollar amount because the rate is applied against what is in their taxing area. Historically the tax rate in Gilbert has been between nine and eleven percent of the total tax bill. Manager Pettit reviewed a chart showing the impact on monthly tax bills for his residential property and explained changes in the residential. The decision for Council is what to do with the tax rate. The \$1.15 tax rate has been the limiting factor in being able to issue additional bonds.

Mayor Berman opened the public hearing. Courtland Hilton, 120 East Ivanhoe Street, addressed Council and said on behalf of owner-occupied residential, he is thrilled with the property value increase. He discussed how a gain doesn't help pay bills or earn more money to raise a family. Mr. Hilton said the increase doubles or triples revenue from the tax base and that the windfall is also a headache for those whose income does not increase. He said he noticed in the Council Communication if revenue stayed the same as last year given the increase in value, the tax rate would be \$.72. He said knows there are other commitments, but on the other hand, \$.72 to \$1.15 is a 53 to 59 percent increase. Even if Gilbert taxes are only 10 percent he asked that Council do what is fair and right and consider \$1.10 and maybe less. He said there are strategies that could be implemented and to take advantage of an increase is almost immoral. Mr. Hilton asked that Council consider on the low side. Mr. Hilton responded to questions on the Gilbert portion of his tax bill and the County portion. Councilmember Urie commented Gilbert is only a five percent increase in the total bill. Mr. Hilton said he has issue with other taxing bodies. There was a brief dialogue on the use of numbers and what they can say or mean. Councilmember Urie commented that last year people spoke clearly and loudly about traffic. Discussion continued on economic indicators and trends, possible downward adjustments, and the difference in tax on a home with a tax rate of \$1.10 and \$1.15.

Vicky Savory, 1156 East Gail, said she has lived there for 10 years. It has been startling to see the property taxes double. She is most concerned about retirees and young married people. Ms. Savory said even though it is only a few dollars she feels it is important to reduce taxes. Although property values have jumped, homeowners still have repairs and cannot sell without making significant improvements. Ms. Savory said she is concerned about being taxed to death. Families pay 30 to 40 percent in taxes and any break is reasonable. She said she feels five percent is modest and urged Council to vote in that respect. Mayor Berman closed the public hearing.

Councilmember Crozier said he agrees with those who spoke. There was concern among Council that there could be a downturn and voters want traffic issues dealt with. Councilmember Crozier said that even with \$1.10 the Town will still get a windfall. He said that he feels a lot was read into the survey about traffic and Gilbert could do a lot with \$1.10. Councilmember Crozier said it is important to remember that people are struggling and this may have an impact on some. Manager Pettit responded to a question on State law and said that he believes the value is frozen not the amount paid. Councilmember Krueger said this is a difficult position and there is a need to be conservative. She briefly discussed changes in property and said she fears if they make a major change it there could be an impact. Councilmember Krueger said she does not want to increase taxes but is willing to revisit the rate next year if the values stay the same. Mayor Berman said he feels all agree about the rapid escalation of property values and asked if property values had gone down if the group would raise taxes to meet the obligations. He said he feels Council would have raised the rate if needed. Mayor Berman said there are serious transportation needs in South Gilbert but suggested a small decrease in the rate to \$1.10.

A MOTION was made by Councilmember Krueger, seconded by Vice Mayor Urie, to adopt Ordinance No. 1984 establishing the Secondary Property Tax Rate for FY2007-08 at \$1.15.

Motion carried 4-3 with Mayor Berman, Councilmember Crozier, and Councilmember Skousen casting dissenting votes.

Mayor Berman commented Gilbert has the thirteenth lowest tax rate in Maricopa County.

93A. BONDS – conduct hearing, discussion, and direction regarding possible ballot question for November 6, 2007 seeking additional voter authorized debt for street purposes.

Manager Pettit said there are 13 road projects totaling over \$13 million next year, in the next five years there are 7 projects, and 17 after five years. Manager Pettit reviewed the Constitutional bonding capacity. Manager Pettit explained there is a new law that any question involving property taxes is required to be voted on at a November election. Gilbert is having an election in November and the question became whether to include a question for street improvements. Manager Pettit explained right now there is only \$75 million in voter authorized debt for streets and one of the projects could consume \$70 million. The question before Council is how quickly Council would like to proceed with street improvements. There will likely be no more authorized debt after this year. Staff is asking Council if they wish to have a bond election in November. Manager Pettit explained it is possible to take advantage of a November election as the next opportunity would be in November 2008. Manager Pettit said Council will need to make a decision so staff can prepare the documents to all an election on July 10. Manager Pettit said staff is recommending \$150 million. Discussion followed that there is a need for \$174 million in voter authorized debt to complete projects based upon the CIP. Manager Pettit explained that even with voter authorization Council needs to decide when to issue the bonds and the interest rates could impact the total cost. Councilmember Abbott clarified that since there is already an election this could be included and Manager Pettit confirmed that was correct. Councilmember Abbott asked about the possibility of Gilbert Schools being included on the ballot. Manager Pettit briefly summarized discussions with Boardmember Dunham who said there are decisions to be made on whether it would be operating or an override, but they need to be made soon.

A MOTION was made by Councilmember Presmyk, seconded by Councilmember Abbott, to direct staff to include a ballot issue on November 6, 2007 in the amount of \$174 million. *Motion carried 7-0.*

94. BUDGET – conduct hearing and consider adoption of a Preliminary Budget in the amount of \$885,330,850, direct staff to publish the Preliminary Budget, and establish July 10, 2007 for the public hearing and adoption of the final budget for FY2007-08.

This item was approved with the Public Hearing Vote.

95. PARKWAY IMPROVEMENT DISTRICTS – conduct hearing and consider adoption of

- a) a Resolution declaring its intention to create an improvement district to install and maintain landscaping, irrigation systems, common area walls and other improvements included within, near, and adjacent to a parkway as shown on the plans, within an area in the Town of Gilbert as described herein; adopting plans for town of Gilbert Parkway Improvement District No. PK

07-1 more particularly described herein, and declaring the work or improvement to be of more than local or ordinary public benefit, and that the cost of said work or improvement shall be assessed upon a certain district, and providing that the proposed work or improvement shall be performed under Arizona Revised Statutes Title 48, Chapter 4, Article 2, and amendments thereto, and directing staff to publish the notice of intention;

- b) a Resolution declaring its intention to create an improvement district to install and maintain landscaping, irrigation systems, common area walls and other improvements included within, near, and adjacent to a parkway as shown on the plans, within an area in the town of Gilbert as described herein; adopting plans for Town of Gilbert Parkway Improvement District No. PK 07-2 more particularly described herein, and declaring the work or improvement to be of more than local or ordinary public benefit, and that the cost of said work or improvement shall be assessed upon a certain district, and providing that the proposed work or improvement shall be performed under Arizona Revised Statutes Title 48, Chapter 4, Article 2, and amendments thereto, and directing staff to publish the notice of intention
- c) a Resolution declaring its intention to create an improvement district to install and maintain landscaping, irrigation systems, common area walls and other improvements included within, near, and adjacent to a parkway as shown on the plans, within an area in the Town of Gilbert as described herein; adopting plans for Town of Gilbert Parkway Improvement District No. PK 07-7 more particularly described herein, and declaring the work or improvement to be of more than local or ordinary public benefit, and that the cost of said work or improvement shall be assessed upon a certain district, and providing that the proposed work or improvement shall be performed under Arizona Revised Statutes Title 48, Chapter 4, Article 2, and amendments thereto, and directing staff to publish the notice of intention; and
- d) a Resolution declaring its intention to create an improvement district to install and maintain landscaping, irrigation systems, common area walls and other improvements included within, near, and adjacent to a parkway as shown on the plans, within an area in the Town of Gilbert as described herein; adopting plans for Town of Gilbert Parkway Improvement District No. PK 07-10 more particularly described herein, and declaring the work or improvement to be of more than local or ordinary public benefit, and that the cost of said work or improvement shall be assessed upon a certain district, and providing that the proposed work or improvement shall be performed under Arizona Revised Statutes Title 48, Chapter 4, Article 2, and amendments thereto, and directing staff to publish the notice of intention.

This item was approved with the Public Hearing vote. Resolutions No. 2792, 2793, 2794 and 2795 were adopted.

ADMINISTRATIVE ITEMS

96. CONTRACT – consider approval of a contract with El-Elyon extending funding to December 30, 2007.

Manager Pettit advised the House of El-Elyon had a grant reservation in the current year. El-Elyon has sought extending funding to December 30, 2007. Manager Pettit clarified the amount of the contract is \$20,000.

A MOTION was made by Councilmember Krueger, seconded by Councilmember Presmyk, to approve an extension of a contract with El-Elyon extending funding to December 30, 2007.

Motion carried 7-0.

97. BOARDS, COMMISSIONS, AND COMMITTEES reports from Council Liaisons for the:

- a) Council Subcommittee on Board and Commission Application Screening, Interview, and Selection
- b) Other Council Subcommittees
- c) Arts Advisory Board
- d) Building and Construction Regulations Code Board of Appeals
- e) Community Activities Board
- f) Congress of Neighborhoods Committee
- g) Design Review Board
- h) Economic Development Advisory Board
- i) Gilbert Educational Cable Access Governing Board.
- j) Human Relations Commission
- k) Mayor's Youth Advisory Committee
- l) Parks and Recreation Advisory Board
- m) Planning Commission
- n) Redevelopment Commission
- o) Gilbert Public Facilities MPC
- p) Gilbert Water Resources MPC
- q) Gilbert Self-Insured Trust Fund
- r) Regional Meetings
- s) Utility Board

Vice Mayor Urie reported that this Thursday the Parks and Recreation Advisory Board will be reviewing three applications for membership in the Sports Coalition.

POLICY ITEMS

None.

FUTURE MEETINGS

None.

COMMUNICATIONS

98. Report from the MAYOR on current events.

Mayor Berman reported the Gilbert Promotional Corporation and the Community Activities Board will be hosting the Old Fashioned 4th of July at the Hetchler Soccer Complex. He said it will be great and is a free event. Henry Brown Pontiac Buick GMC will be the presenting sponsor and the Town will pay for Police and Public Works. The event will begin at 5.

The Mayor's Office and Gilbert Republic are sponsoring a Patriotic House Contest. People will decorate homes with a patriotic theme and they will run pictures and pick a grand prize winner. The prize winner will be announce at the 4th of July event and receive a prize.

99. Report from members of the COUNCIL on current events.

None.

100. Report from the TOWN MANAGER on current events.

Manager Pettit reminded Council of the Executive Session on Wednesday at 7:00 p.m. The 4th of July event will begin at 5:00 p.m. Manager Pettit said there are problems catching up on uncontained refuse and service is still eight days behind. Council received an outline of the Retreat topics for August 18 and 19, a Retreat Action List, and a Liaison Assignment list.

Manager Pettit reported that annually the Arizona City Management Association offers scholarships to the program at Harvard University. This year Tami Ryall, Assistant Town Manager, was selected. Catherine Templeton, Town Clerk, was recognized by the Maricopa County Elections Department as Clerk of the Year.

ADJOURN

A MOTION was made by Councilmember Presmyk, seconded by Councilmember Krueger, to adjourn the meeting. *Motion carried 7-0.* Mayor Berman adjourned the meeting at 10:13 p.m.



Steven M. Berman, Mayor

ATTEST:



Catherine A. Templeton, CMC, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Gilbert held on the 19th day of June 2007. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 11th day of July 2007.


Catherine A. Templeton, CMC, Town Clerk