



Agenda

Agenda Packet 

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## COUNCIL MEETING AGENDA

**June 21, 2018**

Members may attend in person or by telephone.

Jenn Daniels, *Mayor* • Brigitte Peterson, *Vice Mayor*

Scott Anderson • Eddie Cook • Victor Petersen • Jordan Ray • Jared Taylor

**Regular Meeting**

**6/21/2018 6:30:00 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.**

**AGENDA ITEM**

**CALL TO ORDER**

## **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 Rev. Judy Cato of the Victory AME Church.

## **ROLL CALL**

## **PRESENTATIONS; PROCLAMATIONS**

- 1 RECOGNITION - Recognition of Linda Edwards, Planning Services Manager, for 17 years of service to the Town of Gilbert.

## **COMMUNICATIONS FROM CITIZENS**

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

## **CONSENT CALENDAR**

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

- 2 ANNEXATION A17-1000 – consider adoption of an Ordinance approving the annexation of approximately 11.86 acres located south of East Lexington Street and west of South Lindsay Road. A public hearing was held on April 19, 2018.
- 3 AGREEMENT – consider approval of Environmental Access Agreement No. 2018-9000-0317 with the Arizona Department of Environmental Quality (ADEQ) to drill a monitoring well and sample groundwater on the north side of the Sunrise Boulevard alignment, approximately 70 feet west of the intersection with Pasadena Street and authorize the Mayor to execute the required documents.
- 4 AGREEMENT – consider approval of Environmental Access Agreement No. 2018-9000-0316 with the Arizona Department of Environmental Quality (ADEQ) to drill a monitoring well and sample groundwater on the north side of Melody Avenue, approximately 800 feet east of the intersection with McQueen Road and authorize the Mayor to execute the required documents.

- 5 AGREEMENT – consider ratifying License Agreement No. 2018-2105-0322 with CNS Ventures, LLC for the use of five (5) parking spaces located behind Heritage Court, north of Cullumber Avenue, as a location for a temporary refuse container for the period of June 12 through September 14, 2018 in exchange for payment of \$140.40 to the Town and authorize the Mayor to execute the required documents.
- 6 INTERGOVERNMENTAL AGREEMENT – consider approval of:
  - a) amendment to Intergovernmental Agreement No. 2018-3001-0290 with Regional Public Transportation Authority in the amount of \$923,598 to provide bus services and Paratransit services for eligible residents and authorize the Mayor to execute the required documents; and
  - b) a Contingency Transfer from the Local Transportation Assistance Funding (LTAF) in the amount of \$83,598.
- 7 CONTRACT – consider approval of Contract No. 2018-1105-0305 with Hexagon in an amount not to exceed \$218,874 for the support and maintenance for a suite of applications including computer aided dispatch (CAD), mobile for public safety (MPS) used in patrol cars, records management system (RMS) and related integrations and enhancements and authorize the Mayor to execute the required documents.
- 8 CONTRACT – consider approval of expenditures under Contract No. 2015-1105-0643 with Tyler Technologies in an amount not to exceed \$246,961.82 for annual support and maintenance of MUNIS software and authorize the Mayor to execute the required documents.
- 9 CONTRACT – consider approval of Agreement for Services Contract No. 2018-1302-0228 with PFM Asset Management LLC for Investment Management Services for a term of two (2) years with an option of two (2) additional two (2) year renewals and authorize the Mayor to execute the required documents.
- 10 CONTRACT – consider approval of:
  - a) Cooperative Purchasing Job Order Contract (JOC) Contract No. 2018-2106-0297 with Felix Construction, Inc. utilizing City of Peoria Contract No. P18-0044A in an amount not to exceed \$1,800,000 for a period of one year with the option to renew for four (4) additional one (1) year periods for the North Water Plant Chlorine Conversion, Project No. WA055, and authorize the Mayor to execute the required documents; and
  - b) Job Order No. 1 to Job Order Contract No. 2018-2106-0297 with Felix Construction, Inc. in an amount not to exceed \$190,250.64 for the chlorine conversion chemical storage tank procurement and related construction services and authorize the Mayor to execute the required documents.
- 11 CONTRACT – consider approval of Purchase Contract No. 2018-3002-0208 (MUNIS No. 319000208) with United Fire Equipment Company in an amount not to exceed \$144,200 for the purchase of duty uniforms for FY2019 and authorize the Mayor to execute the required documents.

12 CONTRACT – consider:

a) approval of Services Agreement Contract No. 2018-1304-0321 with BOMT Systems, LLC in an amount not to exceed \$122,460 for the Tax Integration and Licensing Application (TILA) and authorize the Mayor to execute the required documents; and

b) a Contingency Transfer from the General Fund Contingency fund in the amount of \$70,000.

13 CONTRACT – consider approval of a Cooperative Purchase Agreement No. 2018-2106-0295 with Valley Rain Construction Corporation utilizing City of Peoria Contract No. P13-0063A in an amount not to exceed \$361,866.26 including taxes for installation of a reclaimed water line to Welcome Home Veterans Park, Project No. MF237, and authorize the Mayor to execute the required documents.

14 CONTRACT – consider approval of:

a) Service Agreement Contract No. 2018-2106-0294 with e-Builder, Inc. in an amount not to exceed \$301,972.02 for Project Management Software and Implementation, Project No. MF243, and authorize the Mayor to execute the required documents; and

b) a Contingency Transfer from the Capital Improvement Projects (CIP) Contingency Fund in the amount of \$99,760.

15 CONTRACT – consider approval of:

a) Construction Services Contract No. 2018-2106-0253 with M.R. Tanner Development & Construction Inc. in an amount not to exceed \$950,000 for the Higley Road Reconstruction, Project No. ST176, and authorize the Mayor to execute the required documents; and

b) a Contingency Transfer from the Roadway and Maintenance Fund to in the amount of \$90,000.

16 CONTRACT – consider approval of expenditures under Contract No. 2017-1105-0454 with Sentinel Technologies, Inc. in an amount not to exceed \$435,000 to provide network infrastructure products and services in FY2019 and authorize the Mayor to execute the required documents.

17 CONTRACT – consider approval of Task Order No. 51 to Job Order Contract (JOC) Contract No. 2017-2106-0411 with CS Construction, Inc. in an amount not to exceed \$362,965 to install streetlights in the Stonebridge Lakes subdivision, Project No. ST170, and authorize the Mayor to execute the required documents.

18 CONTRACT – consider approval of Task Order No. 91 to Job Order Contract (JOC) Contract No. 2014-4106-0291 with Talis Corporation in an amount not to exceed \$365,404.75 for the Welcome Home Veterans Park Parking Lot Phase II, Project No. MF237, and authorize the Mayor to execute the required documents.

19 CONTRACT – consider approval of:

a) Task Order No. 5 to Job Order Contract (JOC) Contract No. 2017-2106-0666 with MGC Contractors, Inc. in an amount not to exceed \$127,119.21 for construction and site restoration at McQueen Park, Project No. WW100, and authorize the Mayor to execute the required documents; and

b) a Contingency Transfer from the Wastewater Fund in the amount of \$140,000.

20 CHANGE ORDER – consider approval of Change Order No. 1 to Architectural Engineering (A/E) Services Contract No. 2017-2106-0621 with HDA Architects, LLC increasing the contract amount by \$719,938 for the design and engineering services for the Gilbert Public Safety Training Facility, Project No. MF040, and authorize the Mayor to execute the required documents.

21 CHANGE ORDER – consider approval of Change Order No. 1 to Professional Consulting Services Contract No. 2018-2106-0122 with Overland, Pacific & Cutler, LLC. increasing the contract amount by \$11,993.71 for services in the acquisition of Right of Way and Temporary Construction Easements for the Heritage District Transportation Improvement Project, Project No. RD211, and authorize the Mayor to execute the required documents.

22 CHANGE ORDER – consider approval of Change Order No. 2 to Contract No. 2017-5002-0578 with Sierra Signs increasing the contract amount by \$75,202.80 for the manufacturing of Parks and Trails Signage, Project No. PR056, and authorize the Mayor to execute the required documents.

23 GRANT/CONTRACT– consider:

a) acceptance of a grant, Contract No. 2018-1103-0089, from Congestion Mitigation and Air Quality (CMAQ) improvement grant funding in the amount of \$744,827 with the Town's matching funds of \$244,335 coming from the Environmental Services – Residential Replacement Fund; and

b) utilizing Cooperative Purchase Agreement Contract No. 2018-1103-0089 with Freightliner of Arizona in an amount not to exceed \$798,474 for the purchase of three (3) PM-10 Certified Street Sweepers.

24 BUDGET– consider approval of a Contingency Transfer from General Fund Contingency in the amount of \$2,000,000 to complete the final payments and close out the development agreement with Santan Motorplex.

25 BUDGET/CHANGE ORDER – consider:

- a) approval of an additional \$2,656,560 to fund maintenance and repairs at Elliot District Park, Project No. PR125;
- b) approval of Change Order No. 2 to Contract No. 2016-2018-0197 with Haydon Building Corp. increasing the contract amount by \$301,268 for modifications to dugout drainage system, Project No. PR125, and authorize the Mayor to execute the required documents;
- c) a Contingency Transfer of \$918,400 of Census reimbursements from the Streets fund;
- d) a Contingency Transfer of \$818,160 from the General Fund Contingency fund;
- e) use of \$570,000 in Insurance savings; and
- f) use of \$350,000 from additional State Shared Revenue from population growth.

26 BUDGET/ HUMAN RESOURCES – consider authorization of an additional 22.75 Full Time Equivalent (FTE) positions for Gilbert Parks and Recreation for operations of Elliot District Park.

27 PROPERTY SALE - consider authorizing town staff:

- a) to conduct an auction on August 14, 2018, for Gilbert surplus land of approximately 58 acres of real property generally located at the southwest corner of Germann and Greenfield roads, for the purpose of identifying the highest bidder for cash, pursuant to A.R.S. 9-403; and
- b) to conduct an auction on September 11, 2018 for Gilbert surplus land of approximately 80 acres of real property generally located at the southwest corner of Chandler Heights and Greenfield roads, for the purpose of identifying the highest bidder for cash, pursuant to A.R.S. 9-403.

28 ELECTIONS - consider adoption of a Resolution for a Call of Election for a Special Bond Election on November 6, 2018.

**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 sampling privileges for an existing Series Series 9 Liquor Store Liquor License for Trader Joe's #285 located at 1795 East Williams Field Road.

- 30 LIQUOR LICENSE – conduct hearing and consider approval of a Series 3 In-State Microbrewery Liquor License for Uncle Bear's Brewery located at 612 East Germann Road.
- 31 ANNEXATION A18-02 – conduct hearing on the proposed annexation of approximately 26.2 acres located at the southwest corner of Recker and Ocotillo Roads.
- 32 GENERAL PLAN GP18-01/ ZONING Z18-02 – conduct hearing and consider:
- a) adoption of a Resolution approving a Minor General Plan amendment to change the land use classification of approximately 36.60 located at Spectrum Way and Pecos Road from Business Park (BP) land use classification to General Commercial (GC) land use classification; and
- b) approval of the findings and adoption of an Ordinance for BWZ Auto Holding rezoning approximately 9.92 acres of real property generally located at 1101 East Pecos Road from Business Park (BP) zoning district to General Commercial (GC) zoning district.
- 33 ZONING Z17-1014 - conduct hearing and consider approval of the findings and adoption of an Ordinance for Rivulon amending the zoning classification of approximately 50.86 acres of real property generally located south of Lexington Street between 140th Street and Lindsay Road from Maricopa County Rural - 43(RU-43) zoning district and an undesignated zoning district to Town of Gilbert Business Park (BP) zoning district and to include the subject property into the existing Rivulon Planned Area Development overlay zoning district (PAD). The effect of the rezoning will be to permit office development that serves high technology, research and development, office, service and light industrial uses, as modified by an overlay district.
- 34 ZONING Z18-10 - conduct hearing and consider approval of the findings and adoption of an Ordinance for Greenfield Ranch to amend Ordinance No. 2642 to amend the conditions of development within the Greenfield Ranch Planned Area Development (PAD) for approximately 33.5 acres of real property generally located at the northeast corner of Greenfield and Queen Creek Roads, consisting of approximately 7.11 acres of Single Family-15 (SF-15) and 26.35 acres of Single Family-10 (SF-10) zoning districts, all with a Planned Area Development overlay zoning district as shown on the exhibit (map), which is available for viewing in the Planning and Development Services Office as follows: Amend the minimum front building setback for a side entry garage from 20' to 15' in the Single Family-10 zoning district. The effect of amendment will be to decrease required setbacks for side entry garages.
- 35 ZONING Z18-16 - conduct hearing and consider approval of the findings and adoption of an Ordinance for HHB Heights amending the zoning classification of approximately 13.11 acres of real property located north of the northeast corner of Chandler Heights Road and Val Vista Drive from Single Family-15 (SF-15) zoning district with Planned Area Development zoning district to Single Family-15 (SF-15) zoning district with a Planned Area Development Overlay.

- 36 ZONING Z18-12 - conduct hearing and consider approval of the findings and adoption of an Ordinance for Hale Theater Expansion amending the zoning classification of approximately 1.18 acres of real property located at 50 West Page Avenue, from Town of Gilbert Heritage Village Center (HVC) Planned Area Development (PAD) zoning district to Town of Gilbert Heritage Village Center (HVC) zoning district.
- 37 DEVELOPMENT AGREEMENT – consider adoption of a Resolution approving Amendment No. 2 to the Development Agreement with Dave Deitlein, DBA Hale Center Theatre, for expansion of the Hale Theatre and authorize the Mayor to execute the required documents.
- 38 PROPERTY ACQUISITION – conduct hearing and consider adoption of a Resolution approving the acquisition of right of way and temporary construction easement of Parcel No. 304-11-134A for the Heritage District Transportation Improvements, Project No. RD211.
- 39 PROPERTY ACQUISITION – conduct hearing and consider adoption of a Resolution approving the acquisition of right-of-way and temporary construction easement of Parcel No. 304-11-145A for the Heritage District Transportation Improvements, Project No. RD211.
- 40 PROPERTY ACQUISITION – conduct hearing and consider approving the acquisition of right-of-way and easements and additional compensation for Parcel Nos. 304-08-835 and 140-69-009 for the improvements to the Higley Road and Baseline Road Intersection, Project No. ST174.
- 41 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 VIII Utility Lines, Sections 10-252 Underground Installation Generally and 10-254 Same - Waiver of Requirements related to the undergrounding of utilities.
- 42 FEES – request continuation of the public hearing on Proposed Development Services fees until end of FY2019.

#### **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.

- 43 PRESENTATION - Presentation on an alternative for Southeast Regional Library Water Feature and Parking Lot Rehabilitation, Project No. PR 111.



- 44 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) Ad Hoc
  - d) Regional Meetings
  - e) Industrial Development Authority
  - f) Mayor's Youth Advisory Committee
  - g) Parks and Recreation Board
  - h) Planning Commission
  - i) Redevelopment Commission
  - j) Town of Gilbert, AZ Public Facilities MPC
  - k) Town of Gilbert, AZ Water Resources MPC
  - l) Town of Gilbert, AZ Self-Insured Trust Fund for Health Benefits
  - m) 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:

TBD - Research removal of CUP process for multi-family in Regional Commercial and additional multi-family zoning category with higher densities. Contact: K. Mieras(J. Daniels, S. Anderson, B. Peterson)

TBD - Policy for street improvements of older annexations of County Islands. Contact: \_\_\_\_ (E. Cook, V. Petersen, S. Anderson)

## **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.



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Meetings will be held in the Council Chambers located at 50 E Civic Center Drive, Municipal

Building 1, Gilbert, Arizona 85296 unless otherwise noted on the Agenda.

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