

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, March 24, 2011, at 7:00 p.m.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY.

The following members answered roll call:

Jay Tibshraeny	Mayor
Trinity Donovan	Vice-Mayor
Kevin Hartke	Councilmember
Rick Heumann	Councilmember
Matt Orlando	Councilmember
Jack Sellers	Councilmember
Jeff Weninger	Councilmember

Also in attendance:

Rich Dlugas	Acting City Manager
Pat McDermott	Assistant City Manager
Mary Wade	City Attorney
Marla Paddock	City Clerk

INVOCATION: John MacKinney, Chandler Bible Church

PLEDGE OF ALLEGIANCE: Councilmember Sellers

UNSCHEDULED PUBLIC APPEARANCES:

None.

CONSENT:

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY COUNCILMEMBER ORLANDO, TO APPROVE THE CONSENT AGENDA AS PRESENTED WITH THE ADDITION OF ITEM 15.

MOTION CARRIED UNANIMOUSLY 7-0.

1. MINUTES:

APPROVED, as presented, Minutes of the City Council Special Meeting of March 7, 2011, Regular Meeting of March 10, 2011, and the Special Meeting of March 9, 2011.

2. REZONING: Pecos & Gilbert Ord. #4287

ADOPTED Ordinance No. 4287, DVR10-0021 Pecos & Gilbert, rezoning from AG-1 to PAD for commercial uses, with conceptual development plan, for a future commercial development on approximately 3.7 acres located at the NWC of Pecos and Gilbert roads.

3. RIGHT-OF-WAY VACATION: Queen Creek Road / Arizona Avenue Ord. #4289

ADOPTED Ordinance No. 4289 vacating a portion of the south right-of-way of Queen Creek Road west of Arizona Avenue at its purchase cost basis of \$4.53 per square foot and declaring an emergency.

The City of Chandler entered into an Intergovernmental Agreement (IGA) with Maricopa County in September of 2000 to improve Queen Creek Road from just west of Arizona Avenue to just east of McQueen Road. Pursuant to the terms of the IGA, the County acquired an eighty (80) foot wide strip on both the north and south sides of the Queen Creek Road center line for right-of-way for the project. Under the IGA, the City reimbursed the County for the right-of-way acquisitions.

On May 11, 2005, the Final Plat for Dobson Crossing, located at the southwest corner of Arizona Avenue and Queen Creek Road, was recorded dedicating a seventy-one (71) foot wide portion of right-of-way and an eight (8) foot wide Public Utility Easement. This dedication was in error as it was within existing right-of-way acquired under the IGA.

The developer wants to clear up this error and has requested that the City vacate the portion of the right-of-way necessary to match the dedication of the Final Plat for Dobson Crossing. The right-of-way in question is approximately nine (9) feet wide by three hundred ninety-one and forty-seven one-hundredths (391.47) feet long and contains approximately 3,523 square feet.

The developer will reimburse the City for this portion of right-of-way at the City's purchase cost basis of \$4.53 per square foot for a total consideration of \$15,960.00.

Staff recommends that this ordinance be approved on an emergency basis in order to accommodate the timing for the proposed development of the southwest corner of the Arizona Avenue and Queen Creek Road intersection.

4. ZONING EXTENSION: Chandler Center

APPROVED a three-year zoning extension for DVR10-0025 Chandler Center, for the existing PAD zoning for commercial and residential development located at the SWC of Arizona Avenue and Queen Creek Road. (Applicant: Jason Morris, Withey Morris PLC.)

In 2008, the site was rezoned to PAD with Preliminary Development Plan approval for the construction of a commercial corner, condominium development and apartment complex. The PAD zoning was conditioned to start construction above foundation walls within three (3) years of the ordinance effective date. This is the first zoning time extension requested for the property. The current application requests a three-year time extension. The timing condition is set to expire on June 7, 2011; the proposed three-year time extension would be in effect until June 7, 2014, as the time limit is calculated from the previous zoning approval's expiration.

The subject site received an Area Plan Amendment and Rezoning along with Preliminary Development Plan approval in 2008 for a 50-acre development that included 20 acres of multi-family residential development in the form of apartments, 20-acre multi-family residential development in the form of condominiums and 20 acres of commercial development located at the intersection corner. Arizona Avenue and Queen Creek Road abut the site on the east and northern boundary; surrounding the site to the west, southwest and south is the Village at Dobson Crossing single-family residential subdivision.

The General Plan designates the site as being in a commercial node and as low-density residential. The Section 16 Area Plan, of which this piece is a portion, was amended in the previous zoning case from commercial to allow for multi-family residential. Staff finds the site and proposed uses to maintain consistency with the General Plan.

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on February 8, 2011. There were no neighbors in attendance. Staff has not received any correspondence in opposition to the request.

Upon finding consistency with the General Plan, the Planning Commission and Staff recommend approval of extending the timing condition for an additional three (3) years with all of the conditions in the original approval remaining in effect.

5. AGREEMENT: Water Works Supplies

APPROVED Agreement #WH1-890-2946 with Arizona Water Works Supply, Dana Kepner Company, Empire West, Inc. and HD Supply Waterworks for water works supplies in a combined total amount not to exceed \$525,000.00, with the option of four additional one-year extensions.

6. AGREEMENT: SDB, Inc.

APPROVED Agreement #WW1019-401 with SDB, Inc., for construction services for Surface Water Treatment Plant HVAC improvements, pursuant to JOC07-04, in an amount not to exceed \$52,083.00.

During the recent expansion project at the Pecos Surface Water Treatment Plant, an air balance study of the air conditioning system was completed for the Water Quality laboratory and Staff offices. The study supported upgrading the ventilation system to three offices and modifying the laboratory venting hood. The HVAC improvements will balance the air in identified areas and improve ventilation fans in the laboratory to ensure compliance with new regulations.

7. AGREEMENT: Prominent Systems, Inc.

APPROVED Agreement #MU1-885-2962 with Prominent Systems, Inc., for filter media removal and installation services in an amount not to exceed \$138,687.00.

The Surface Water Treatment Plant filter media system is outfitted with granular activated carbon (GAC). GAC costs are prohibitively expensive and, over time, require replacement. An assessment compared different filter media and the results support installing anthracite coal with a sand base. Anthracite coal is a permanent filter media used in plants to enhance the treatment process. It is cost effective and does not require regular replacement.

8. AGREEMENT: Ensynch

APPROVED an Agreement with Ensynch for Enterprise Service Bus (ESB) Solution implementation and consulting services for a total amount not to exceed \$317,526.00.

The City has over 150 packaged and custom developed software applications that support its core business functions and operations. These systems all run on multiple architectures and technology platforms. In order to integrate these applications to support growing business needs,

a number of point-to-point interfaces have been built over the last several years. These integration programs are very system specific and are not built on an architectural standard, making them inflexible and expensive to manage, modify and maintain. These interfaces also require modifications if any new systems are added or if existing systems are upgraded.

The City sought technology solutions, such as those utilized within a Service Oriented Architecture (SOA) that can help alleviate these current integration challenges. This effort in particular seeks professional services to help the City establish an Enterprise Service Bus (ESB) as a core application integration tool with a key set of identified initial business cases that begin the migration towards a comprehensive architecture for the City's application set. The resulting solution will serve as a base for faster integration development as well as ease of ongoing maintenance of these integrated systems.

9. CONTRACT: Visus, Inc.

APPROVED Contract #AI0806-401 with Visus, Inc., acceptance of Staff-approved Change Order No. 1 and authorized Change Order No. 3 in the amount of \$10,996.03 for construction of the Chandler Airport Storm Drain project, for a revised contract price of \$452,492.07.

The Airport Storm Drain project was initiated to install a new underground storm drain system to replace the existing surface drainage channel offering new opportunities for business expansion across the current airport boundary and to accommodate runoff/collection areas in the vicinity of the wash rack and fuel pump to prevent contamination of the storm drain and retention basin. The project is primarily ADOT grant funded.

Change Order No. 1 was approved on October 28, 2010, and included the removal and replacement of a concrete encasement surrounding an existing 24-inch sewer and 6-inch waterline in conflict with the designed storm drain alignment. The 6-inch waterline needed to be constructed in a new alignment outside of the existing storm drain alignment.

Staff approved Change Order No. 2 was to compensate the contractor for the installation of additional decomposed granite and concrete curbing along the east and west sides of Airport Boulevard along the storm drain trench alignment to improve dust and erosion control. The contractor also installed a concrete apron and manhole frame and cover at the wash rack oil separator to address a field identified condition for potential cross contamination.

Work to be done under Change Order No. 3 includes additional asphalt paving in Airport Boulevard, installation of a sewer trap, installation of the trash rack on the storm drain headwalls and modifications of two Airport gates.

The project is otherwise complete. ADOT has approved this work and will reimburse the City for this additional work.

10. PURCHASE: US Bank/Voyager Fleet Card Services

APPROVED the Purchase of fleet fuel cards from US Bank/Voyager Fleet Card Services, utilizing the State of Arizona contract, in an amount not to exceed \$220,000.00.

The primary use of the Voyager Fleet Fuel Card is to fuel Police Department motorcycles and Police Detective and Motor Pool vehicles. Police motorcycles require premium grade fuel which is not provided by other contracted vendors. The Voyager Card allows City motorcycles to be

fueled at most retail fuel vendors who accept credit cards. Police Detective and Motor Pool vehicle operators utilize the Voyager Card Program as these vehicle operators frequently require fueling outside the City of Chandler city limits. Voyager forwards a consolidated monthly invoice which identifies the City Staff who authorized the respective fuel purchase along with the purchase date, time, location, gallons and purchase amount. Voyager Fuel Cards are fully integrated within the City's fleet fuel management software and financial reporting system. The primary advantage of the Voyager Fleet Fuel Card is that the respective purchase amounts are forwarded net of the Federal Excise Tax, from which the City is exempt, thereby eliminating the requirement to file a quarterly tax return to recover Federal Excise Tax paid at a retail fuel vendor. The Voyager contract is valid through December 31, 2012.

11. PURCHASE: Dell Corporation

APPROVED the Purchase of Biztalk software licenses from Dell Corporation, utilizing the State of Arizona contract, in an amount not to exceed \$89,160.00.

The City has over 150 packaged and custom developed software applications that support its core business functions and operations. These systems all run on multiple architectures and technology platforms. In order to integrate these applications to support growing business needs, a number of point-to-point interfaces have been built over the last several years. These integration programs are very system specific and are not built on an architectural standard, making them inflexible and expensive to manage, modify and maintain. These interfaces also require modifications if any new systems are added or if existing systems are upgraded.

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12. WITHDREW LIQUOR LICENSE: Royal Buffet

WITHDREW, as requested by the Applicant, a Series 12 Liquor License for Yin Ying Lu, Agent, Royal Seafood Buffet, Inc., dba Royal Buffet, located at 2530 W. Chandler Boulevard.

13. CONTINUED LIQUOR LICENSE: Sandbar Mexican Grill

CONTINUED TO MAY 12, 2011, a Series 6 Liquor License for Randy D. Nations Agent, South Sand LLC, dba Sandbar Mexican Grill located at 7200 W. Ray Road to allow the applicant time to complete the requirements for a new Use Permit through Transportation and Development.

14. SPECIAL EVENT LIQUOR LICENSE: Chandler Lions Club

APPROVED a Special Event Liquor License for the Chandler Lions Club for the Train Revival Music Festival on April 23, 2011, at Tumbleweed Park, 2250 S. McQueen Road. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. Since this applicant is a non-profit

organization, no sales tax license is required; however, the special event liquor fee has been paid.

15. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation Chandler Jazz Festival Beer and Wine Garden on April 1-2, 2011, at A.J. Chandler Park, 3 S. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. Since this applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid.

PUBLIC HEARING:

PH #1. ANNEXATION: Cooper and Ocotillo Roads

A Public Hearing for the annexation of approximately 1.62 acres south of the SEC of Cooper and Ocotillo roads. (Applicant: Lowell Huggins, Owner.)

Background:

The subject site is currently zoned R-43 in the County. The Chandler Land Use Element of the General Plan designates the area for Low Density (single-family) Residential. Furthermore, the subject site is located within the Southeast Chandler Area Plan and is designated as Rural/Agrarian allowing for the rural lifestyle to be maintained in the area. Directly north and east of the site are vacant single-family home lots within the Vina Solana custom single-family residential subdivision. South are single-family homes in the Cooper Country Estates single-family residential subdivision. West is a landscaping business operating out of a single-family home; the home is located in the County and is not included in the annexation request.

Staff circulated this request among City Departments and received no negative comments relative to the property's annexation. Per Arizona Revised States, the City Council must hold a public hearing to gather input regarding a proposed annexation prior to taking action on the request.

MAYOR TIBSHRAENY opened the Public Hearing at 7:07 p.m.

City Planner ERIK SWANSON gave the Council an overview of the .62 acre annexation. He noted that the home at the site was occupied and was a single family home with associated structures. He added that there was an additional piece of property located directly west that was part of the County and was not part of the annexation. He stated that the site was consistent with the General Plan and that the site was currently served with water due to the sewer line being on Cooper Road.

There were no public comments.

MAYOR TIBSHRAENY closed the Public Hearing at 7:09 p.m.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor Tibshraeny announced that the 12th Annual Chandler Jazz Festival would take place April 2, 2011.

Mayor Tibshraeny announced that the Chandler Job Fair would take place Tuesday, March 29 at the Chandler Center for the Arts. He stated that there were close to 60 employers who would be on hand for the event, in addition to business and motivational speakers.

Mayor Tibshraeny stated that the City of Chandler would turn 100 next year. He stated that there was a committee who would be helping in producing Centennial events but noted that there were volunteers that were needed. He asked those interested to visit the City's website.

Mayor Tibshraeny announced the Chandler Family Bike Ride and Paseo Dedication taking place on April 2. He stated that the event would incorporate the dedication of the Paseo Trail's final phase. The 8 mile ride begins and ends at Chandler's Park and Ride lot at the southwest corner of Germann and Hamilton streets. He asked all riders to wear helmets and stated that an adult would have to accompany any riders under the age of 18.

Mayor Tibshraeny noted that the Council had attended a farewell reception for Eileen Brill Wagner who headed up the Downtown Chandler Community Partnership (DCCP) for 3 ½ years. He stated he looked forward to an appropriate replacement to take her place.

Mayor Tibshraeny announced the passing of Dale Hancock who was a well-loved Teacher, Basketball Coach and Principal in the Chandler Unified School District. He stated that Mr. Hancock was his first P.E. Teacher and served as a School Board Member. He noted that Mr. Hancock had been involved with boards and commissions and had been a fixture in the community.

B. Councilmembers' Announcements

COUNCILMEMBER HEUMANN announced that the Fire Drowning Prevention Walk would take place on Saturday, March 26, 2011. He stated that the walk would begin at the Chandler Fire Training Center. Councilmember Heumann also reminded everyone that the Desert Cancer Foundation would hold their annual wine tasting event on April 10, 2011.

COUNCILMEMBER ORLANDO thanked Mayor Tibshraeny and other members of the Council for working with the legislature. He believed that there were a lot of bills at the legislature including the impact fee bills that were punitive to the Cities and Towns in the State. He asked those interested to call Representatives and let them know how they felt about the bills. He stated had it not been for impact fees, growth would have not paid for itself in Chandler. He added that the City had probably saved millions of dollars not just floating bonds.

C. City Manager's Announcements

None.

