

REVISED



CITY OF CHANDLER COUNCIL MEETING

The City Council of the City of Chandler welcomes you to its **Regular Meeting of Thursday, April 28, 2011, at 7:00 p.m.**, at the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

NOTE: Consent items have either been discussed in the Study Session or previously reviewed by the City Council. Individual items may be pulled off by the Councilmembers or citizens prior to the time the final vote is taken. Individuals who want an item pulled for further discussion should so state when the Mayor addresses the public concerning the CONSENT agenda.

CALL TO ORDER:



ROLL CALL:

INVOCATION:

Chandler Christian Church – Pastor Warren Phelps

PLEDGE OF ALLEGIANCE:

UNSCHEDULED PUBLIC APPEARANCES:

Members of the audience may address any item not on the agenda. State Statute prohibits the City Council from discussing an item that is not on the agenda, but the City Council does listen to your concerns and has staff follow up on any questions you raise.



Indicates New Item

CONSENT:

- 1a. **MINUTES** of the Chandler City Council Special Meeting of April 11, 2011.
- 1b. **MINUTES** of the Chandler City Council Special Meeting of April 14, 2011.
- 1c. **MINUTES** of the Chandler City Council Regular Meeting of April 14, 2011.

2. **FINAL ADOPTION OF ORDINANCE NO. 4281** granting a no-cost six-foot-wide easement for a gas line to Southwest Gas Corporation (SGC) to relocate one of its gas lines located near the NEC of Alma School and Ray roads.

3. **FINAL ADOPTION OF ORDINANCE NO. 4282** granting seven no-cost power distribution easements to Salt River Project (SRP) to accommodate construction of the McQueen Road Improvement Project from Queen Creek Road to Ocotillo Road.

4. **FINAL ADOPTION OF ORDINANCE NO. 4290, DVR11-0001 RDR SOLAR FARM**, rezoning from AG-1 to AG-1/PAD for the installation of a 150 KW solar photovoltaic system on approximately 0.5 acres located at the SWC of Pecos Road and Norman Way.

5. **FINAL ADOPTION OF ORDINANCE NO. 4291, DVR10-0026 1800 NAZA, LLC**, rezoning from AG-1 to PAD for sales, display, warehouse and service uses, for site improvements on approximately 2.7 acres located south of the SWC of Arizona Avenue and Warner Road.

6. **FINAL ADOPTION OF ORDINANCE NO. 4292** granting a no-cost power distribution easement and aerial easement to Salt River Project (SRP) at the Gilbert Road and Queen Creek Road intersection to accommodate construction of the Gilbert Road Improvement project from Germann Road to Queen Creek Road.

7. **FINAL ADOPTION OF ORDINANCE NO. 4294, DVR10-0028 WESTECH CORPORATE CENTER (EPICENTER)**, rezoning from PAD to PAD amended to allow a place of worship/church within Westech Corporate Center located at the SEC of Arizona Avenue and Palomino Drive, north of Warner Road.

8. **INTRODUCTION OF ORDINANCE NO. 4238** amending the Chandler City Code by adopting the 2011 Wastewater Pretreatment Program and amending Chapter 51, Section 51-24, relating to the Wastewater Pretreatment Program.

9. **INTRODUCTION OF ORDINANCE NO. 4295** authorizing an amendment to the agreement with Zayo Group, LLC for the use of facilities in the City's Rights-of-Way and Public Places to authorize Zayo Group, LLC to be the successor to AGL Networks, LLC in this agreement, to establish a Class 5 Communications System as applicable and to establish new fees.

10. **INTRODUCTION OF ORDINANCE NO. 4296**, annexation of approximately 1.62 acres located south of the SEC of Cooper and Ocotillo roads.

11. **INTRODUCTION OF ORDINANCE NO. 4298, DVR11-0003 ICAN YOUTH FACILITY**, rezoning from PAD to PAD Amended to expand the list of permitted uses, with PDP for the construction of a youth facility that includes recreational, educational, social programs, and other youth services on approximately 2.77 acres located at the NEC of Hamilton and Morelos streets (approximately one-quarter mile north of the NEC of Pecos Road and Hamilton Street).

12. **INTRODUCTION OF ORDINANCE NO. 4299, DVR11-0002 SITE 8 PARKING**, City initiated PAD zoning overlay concerning parking requirements for land bounded by Chicago Street, Arizona Avenue, Frye Road and Oregon Street.
13. **INTRODUCTION OF ORDINANCE NO. 4300**, amending the Chandler City Code, by deleting in its entirety Chapter 31 and Adopting a new Chapter 31 relating to Community Services, the Parks and Recreation Board, the Arts Commission and the Municipal Art Fund, the Museums Advisory Board, the Mayor's Committee for People with Disabilities, the Mayor's the Mayor's Committee for the Aging, and the Mayor's Youth Commission.
14. **RESOLUTION NO. 4496** authorizing the submission of projects for consideration in Arizona's 2012 Highway Safety Plan for conducting Child Car Seat Safety Clinics and authorizing the Fire Chief to conduct all negotiations and execute and submit all documents in connection with such grant.
15. **RESOLUTION NO. 4499** authorizing modification of the assessment diagram; making a statement and estimate of expenses for the Downtown Chandler Enhanced Municipal Services District; completing the assessment; setting the date for the hearing on the assessment; and ordering the giving of notice of such hearing.
16. **RESOLUTION NO. 4504** amending the City Fee Schedule reflecting the addition of Class 9 Valet Parking encroachment permit application fee to Subsection 8.1 of Section 8 of the City Fee Schedule.
- *17. **SPECIAL EVENT LIQUOR LICENSE**, for the American Legion Post 35 for the Kickstands Up for K9 Charity Event on Saturday, May 7, 2011, at the American Legion Post 35 located at 2240 W. Chandler Blvd.
18. **PRELIMINARY DEVELOPMENT PLAN, PDP10-0018/PPT10-0007 LAYTON LAKES PARCEL 16**, for housing product and amendment to the subdivision layout with Preliminary Plat (PPT) on approximately 26 acres located at the NWC of Lindsay Road and Layton Lakes Boulevard.
19. **ZONING, DVR11-0006 LAYTON LAKES PARCEL 18**, Request action on the existing PAD zoning to extend the conditional schedule for development, remove, or determine compliance with the three-year schedule for development or to cause the property to revert to the former PAD zoning for attached town homes. The existing PAD zoning is for a medium-density detached single-family residential subdivision located on approximately 12 acres within the Layton Lakes Master Plan at the SWC of Lindsay and Queen Creek roads. **(STAFF RECOMMENDS A THREE-YEAR TIMING EXTENSION.)**
20. **AGREEMENT #CM1-285-2979** with Voss Lighting and Wesco Distribution dba Brown Wholesale Electric for Building Lighting Retrofitting in an amount not to exceed \$390,777.42.
21. **AGREEMENT** with Frontier Mechanical Inc. dba FMI Heating & Cooling, Inc., Trane, Inc. and Chandler Air, Inc. for HVAC repairs, maintenance and service in a total amount not to exceed \$300,000.00.
22. **AGREEMENT #H06-946-2323**, Amendment No. 4, with AmeriNational Community Services, Inc., for Lender for Housing Rehabilitation Loan Program.

23. **AGREEMENT #TD1-988-2957** with Desierto Verde Inc. for revegetation of City owned areas for one year in an amount not to exceed \$563,530.00, with options to renew for four additional one-year periods.
24. **RENEW AND RATIFY CONTRACT** for Legal Services between the City of Chandler and the law firm of Mariscal, Weeks, McIntyre, Friedlander, P.A. to provide legal services related to development agreements, construction litigation, and advice on related issues for the period of February 12, 2011, through February 11, 2013.
25. **RENEW AND RATIFY CONTRACT** for Legal Services between the City of Chandler and the law firm of Gust Rosenfeld to provide legal services related to bond issues, litigation, and advice on related issues for the period of August 1, 2010, through August 1, 2012.
26. **RENEW AND RATIFY CONTRACT** for Legal Services between the City of Chandler and the law firm of Jones, Skelton & Hochuli, P.L.C. to provide legal services related to litigation matters and advice on related issues for the period of April 25, 2010, through April 24, 2012.
27. **RATIFY** the Contract for Legal Services between the City of Chandler and the Cohen Law Firm, to provide legal services related to litigation matters and advice on related issues for the period of April 17, 2010, through April 16, 2012.
28. **RATIFY** the Contract for Legal Services between the City of Chandler and the Grasso Law Firm, P.C. to provide legal services related to litigation matters and advice on related issues for the period of March 31, 2010, through March 30, 2012.
29. **RATIFY** the First Amendment to Contract for Legal Services between the City of Chandler and the Kutak Rock, LLP Law Firm to provide legal services related to self-funded health care insurance and benefits and advice on related issues for the period of July 3, 2009, through December 31, 2011.
30. **CONTRACT #WW0509-401** to City Wide Contracting for Reclaimed Water Transmission Main In-Fill in an amount not to exceed \$1,370,481.00.
31. **CONTRACT #WW1004-201** to Carollo Engineers for the Pecos SWTP Flocculator System Rehabilitation Design in an amount not to exceed \$324,150.00.
32. **PURCHASE** of portable chemical analyzers from Smiths Detection, sole source, in an amount not to exceed \$78,404.00.
33. **PURCHASE** of tires from various vendors, utilizing the State of Arizona contract, in an amount not to exceed \$280,000.00.
34. **USE PERMIT, LUP11-0002 SIDELINES GRILL AND TAVERN**, Series 12, to allow the addition of live music on an outdoor patio at an existing restaurant located at 2980 S. Alma School Road, Suite 2, NWC of Queen Creek and Alma School roads.

35. **USE PERMIT, MUP11-0001 ARIZONA ORGANIX (NEVADA STREET)**, to allow a medical marijuana cultivation site within Planned Industrial District (I-1) with a PAD overlay, I-1/PAD zoning located at 3265 N. Nevada Street, Suite 1, east of Arizona Avenue and north of Elliot Road. **(APPLICANT REQUESTS WITHDRAWAL.)**
36. **USE PERMIT, MUP11-0003 ARIZONA ORGANIX (CHICAGO STREET)**, to allow a medical marijuana cultivation site within I-2 (General Industrial District) zoning located at 6730 W. Chicago Street, Suites 2 and 3, south of Chandler Boulevard and east of 56th Street. **(APPLICANT REQUESTS WITHDRAWAL.)**
37. **SPECIAL EVENT LIQUOR LICENSE**, for the Valley Unitarian Universalist Congregation's Heart and Hand Auction on Saturday, May 21, 2011, at 6400 W. Del Rio Street.
38. **BINGO LICENSES**, Class A, for the Solera Ladies Club, one with Marsha Downs as Manager, and another with Linda Peiffer as Manager, located at 6360 S. Mountain Boulevard.
39. **BOARD AND COMMISSION APPOINTMENTS.**
40. **CLAIMS REPORT** for quarter ending Mach 31, 2011.

ACTION:

41. **USE PERMIT, MUP11-0002 DOBSON CENTER (MED-ASSIST)**, to allow a medical marijuana facility within PAD zoning allowing C-2 commercial retail and office uses located at 2095 W. Frye Road, Suite 1, SWC of Dobson and Frye roads.

PUBLIC HEARING:

PH1. Community Development Block Grant (CDBG) 2011-2012 Annual Action Plan

1. Open Public Hearing
2. Staff Presentation
3. Council Discussion
4. Discussion from Audience
5. Close Public Hearing

PH2. Fiscal Year 2011-2012 HOME Allocations

1. Open Public Hearing
2. Staff Presentation
3. Council Discussion
4. Discussion from Audience
5. Close Public Hearing

INFORMATIONAL:

1. Minutes of the April 6, 2011, Planning and Zoning Commission Meeting.

CURRENT EVENTS:

- A. Mayor's Announcements
- B. Councilmembers' Announcements
- C. City Manager's Announcements

ADJOURN