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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, September 8, 2011, at 7:07 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	City Manager
	Pat McDermott	Assistant City Manager
	Mary Wade	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Tom Rakoczy – Chandler First Assembly of God

PLEDGE OF ALLEGIANCE: Councilmember Jack Sellers

*MAYOR TIBSHRAENY asked for a moment of silence to reflect on the 10-year anniversary of 9/11.

UNSCHEDULED PUBLIC APPEARANCES:

CONSENT:

MOVED BY VICE-MAYOR DONOVAN, seconded by councilmember SELLERS, to APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY WITH THE EXCEPTIONS NOTED.

1. MINUTES

APPROVED, as presented, Minutes of the City Council Regular Meetings of August 15, 2011 and August 18, 2011.

2. REZONING: AUTUMN PARK Ord. #4318

ADOPTED Ordinance No. 4318, DVR11-0010 Autumn Park, rezoning from PAD to PAD amended, along with PDP and Preliminary Plat for a 99 lot, single-family residential subdivision located at the SWC of 116th Street and Riggs Road.

3. REZONING: Villas at Ocotillo Ord. #4319

ADOPTED Ordinance No. 4319, DVR11-0015, Villas at Ocotillo, to amend the PAD zoning to eliminate a zoning condition requiring copper supply plumbing for undeveloped lots within a residential single-family subdivision located east of the SEC of Dobson Road and Ocotillo Road.

4. CITY CODE AMENDMENT:

Ord. #4309

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4309, amending Chapter 62 of the Chandler City Code, Sections 62-100, 62-415, 62-416, 62-445, 62-417 and 62-660, relating to conforming changes to the Chandler Tax Code.

Arizona allows incorporated cities and towns to have a separate tax base for their transaction privilege and use taxes, more commonly referred to as the City's sales and use tax. Arizona's Model City Tax Code ("MCTC") is the document that standardizes the taxes a municipality can choose to levy, however the State does preempt cities and towns from taxing certain activities and transactions.

The MCTC was created in response to concerns about differences in local transaction privilege tax codes and the resulting compliance difficulties. The MCTC provides uniformity while at the same time retaining the right of each municipality to choose the activities that are taxed and the exemptions that are granted, thereby leaving the determination of the local sales tax base up to the individual city or town council. Municipalities also determine their own tax rates for the various taxable activities. Whereas some city charters require a vote of the people to establish the tax rates for the city, Chandler's transaction privilege and use tax rates are set by a simple majority vote of the Mayor and Council for all classifications except Real Property Rental.

Each city can choose which activities are taxable under the MCTC; however, if they choose to tax a particular activity, then it must be done in accordance with the MCTC. The code itself consists of standard language, often referred to as "model" language, along with two groups of options, Local Options and Model Options. The options provide alternative language for a particular code section that any city or town can choose to incorporate in place of model language. Generally, Local Options add or substitute language in a given section, while Model Options remove model language from a section. These options are the principle means by which each city can fine-tune their tax code to match their unique economic environment.

The final piece of the MCTC is a collection of city-based exceptions that are commonly referred to as "green page" items. A green page item replaces the standard model or option code language with alternative language that applies only to that specific city. Although common when the MCTC was first created, there has been considerable pressure by taxpayer advocates and the Legislature to eliminate these differences whenever possible, and to discourage the creation of new exceptions.

All changes to the MCTC require the prior approval of the Municipal Tax Code Commission ("Commission"), and all municipalities that have adopted the code must adopt all changes approved by the Commission. The Commission is comprised of nine mayors or city council members appointed by the Governor, Senate President, and Speaker of the House, along with the Director of the Department of Revenue, as an ex-officio member.

Following each legislative session, Arizona cities and towns acting collectively through the Unified Audit Committee ("UAC"), review new laws to determine those areas of the MCTC that require adjustment to maintain or achieve conformity with State law. The UAC meets with taxpayer

advocates and business representatives to draft tax code changes, which are then forwarded to the Commission for approval. Any changes to the MCTC that are approved by the Commission must be adopted by the City Council, unless the change is a Local Option or Model Option, which the Council may choose to select or reject as they see fit.

In addition to several miscellaneous technical corrections throughout, there are four substantive tax code changes in this action: 1) new definitions related to medical marijuana; 2) extension of solar energy device sunset dates in the Contracting categories; 3) new exemption for leases between affiliated corporations; and 4) new exemption from Use tax for schools.

62-100 – Medical Marijuana

Section I of the ordinance adds language to the existing definitions of "Food" and "Prosthetic", and creates a new definition for the phrase "Medical marijuana". These changes were made for the purpose of specifically excluding medical marijuana and edible products infused with medical marijuana from those definitions, and thus excluding sales of medical marijuana from the related exemptions available under the Retail classification.

Sales of drugs or medicine based on the prescription or recommendation of a doctor are defined in the tax code as "prosthetics" and are exempt from tax under the Retail classification. With the passage of Proposition 203 and the recognition of "medical marijuana," it was deemed necessary to make these definition changes to clarify that medical marijuana would not qualify for exemption as a "prosthetic", and that such sales remain taxable. This section of the ordinance has an effective date of June 1, 2011.

62-415, 416, & 417 – Solar Energy Devices in Construction Contracting

Sections II through IV of the ordinance bring the MCTC into compliance with a legislative change that extended the sunset date under Contracting in the State tax statutes for installed solar energy devices from 2011 to 2017. The three affected sections of the MCTC have the same language and these changes align the sunset date in the MCTC with the State statute. A technical correction adding reference to the Arizona Revised Statutes is also being added to the exemption for development fees in each section. These sections are effective from and after July 29, 2010.

62-445 – Leases Between Affiliated Corporations

Section V of the ordinance adds new subsection 445(s) to incorporate a legislative preemption that prohibits cities from taxing commercial rentals between two corporations when either the landlord or lessor corporation owns at least 80% of the voting stock of the other corporation. Also allows exemption if a third corporation owns 80% of both the landlord and the lessor corporations, and treats a "reciprocal insurer" as if it were a "corporation" for purposes of the exemption. This section shall be effective from and after July 29, 2010.

62-660 – Exempting Schools from Use Tax

Section VI of the ordinance incorporates a legislative preemption against imposing Use tax on district or charter schools from 2009 that was overlooked in previous MCTC amendments. This section shall be effective from and after September 30, 2009

The potential financial impact related to the medical marijuana code change is dependent on several factors, including whether or not the medical marijuana dispensary program continues, and finding a vendor that can acquire a suitable location within the City.

Assuming all other challenges are overcome, we can calculate the potential tax revenue based on the likely number of patients (estimated at 300), the volume of medical marijuana allowed under the law (2.5 ounces every two weeks), and the predicted price per ounce expected at a

dispensary (believed to be \$300-\$400). Using those figures, the City could expect between \$87,750 and \$117,000 in new revenues per year from sales of medical marijuana alone. There would also likely be additional revenues from sales of related paraphernalia at a dispensary as well.

Extension of the solar energy device exemption and the Use tax exemption for schools are not expected to have any impact on revenues, as neither of these items had been producing any revenue previously. Impacts related to the new exemption for commercial leases between related corporations are deemed minimal because the number of qualifying entities is relatively limited.

5. NOTICE OF EXTENSION OF LEASE Res. #4517

APPROVED the Notice of Extension of Lease No. B-GR-150 to the Gila River Indian Community.

The City of Chandler leases approximately 90 acres of land near the junction of Maricopa Road and Interstate 10 for the Lone Butte Wastewater Treatment facility. The City of Chandler is providing a Notice of Extension to the Gila River Indian Community and is exercising its option to extend Lease No. B-GR-150 for an additional 10 years beginning July 19, 2017.

6. RELEASE OF TEMPORARY DRAINAGE EASEMENT Res. #4532

ADOPTED Resolution No. 4532 authorizing the release of a temporary drainage easement that is no longer needed for Lot 4 of the Cooper Market Place located at the northeast corner of Lakeview Boulevard and Chandler Boulevard.

In May of 2000, the City acquired right-of-way, a Temporary Construction Easement, and a Temporary Drainage Easement ("TDE") at the northeast corner of Lakeview Boulevard and Chandler Boulevard through condemnation. The developer of Lot 4 of Cooper Market Place is processing a Minor Land Division through the City's Transportation & Development Department. As part of this process, the developer wants to move the TDE to a different location on the property to accommodate their future design. The replacement TDE will accommodate the same retention requirements and will be dedicated to the City by a Minor Land Division Plat now being reviewed by staff. The release of the existing TDE will not be done until the recording of the Minor Land Division Plat.

7. COUNCIL MEETING DATES: Res. #4533

ADOPTED Resolution No. 4533 setting the City Council regular meeting schedule for the 2012 calendar year.

8. BOARD AND COMMISSION APPOINTMENTS:

APPROVED the appointment of Joseph Kampley to the Neighborhood Advisory Committee.

9. REPORT TO COUNCIL: Chandler Boulevard and Lakeshore Drive Repairs

Report to Council for the emergency City Manager approval in the not to exceed amount of \$367,000.00 to Achen-Gardner Construction (AGC) for repairs at Chandler Boulevard and Lake Shore Drive.

During the evening of August 3, 2011, City staff were notified by Chandler residents that the pavement on Chandler Boulevard in the vicinity of Lakeshore Drive was rising and buckling and that water was flowing in the streets. Staff investigated and discovered a 12" potable water main break causing rising floodwaters to nearby neighbors. City staff isolated the area and stopped the flooding by closing valves. The location and nature of the break required heavy construction assets to mobilize to the area.

In an emergency, City staff will utilize the most expedient available contract to do the work based on open purchase orders, availability of needed resources and equipment, and the reputation of contractors available. In this case City staff utilized the South Arizona Avenue Corridor Improvement contract because the project was physically close to the emergency and the needed equipment was available. However, funding for this change order comes exclusively from bond funds and not from the encumbrance previously committed to the South Arizona Avenue Corridor Improvement

City staff does not have the equipment to excavate and repair the damage caused by the water or the equipment to replace the potentially extensive amount of pavement compromised. With the roadway rapid failure, City staff negotiated a change order with Achen-Gardner Construction (AGC), the contractor for the nearby Arizona Avenue Corridor Improvement. AGC has the resources to perform the work and was already mobilized in the vicinity so they could begin work immediately.

Under Arizona Revised Statute 34-604, the City has the ability to procure emergency services if a situation exists that is a threat to the public health or safety. Under City Code Section 3-1 3.3, the City Manager may authorize emergency procurement of services if a situation exists that makes it contrary to the public interest to utilize the normal procurement procedures and approval of the City Council. The leak represented a potential threat to the homeowners and businesses in the area as well as a public safety issue for the traveling public.

Due to the nature of the leak's location, it is difficult to estimate a total cost until after the leak is uncovered and the total extent of the repairs identified. In discussions with the contractor, staff estimated up to ten days repair time at \$36,700.00 per day. The change order will be tracked for time and materials in the field to establish the final cost to the City.

10. AGREEMENT AMENDMENT: UniFirst Corporation

APPROVED Agreement #MS0-983-2732 Amendment No. 1, for uniform/clothing rental and laundry service for one-year in an amount not to exceed \$100,000.00.

The agreement provides for rental and laundering of uniforms as well as entrance and hall mats, shop/print towels and lab coats. The Departments with employees utilizing the uniform rental and laundry service are: Municipal Utilities, Transportation & Development, Community Services, Airport, Housing, Police, Fire and Management Services.

In August 2009, Council awarded a two-year agreement for uniform/clothing, rental and laundry services. Unifirst has agreed to extend the agreement for the first of three additional one-year periods with no price increase.

11. AGREEMENT: ELS Construction Inc.

APPROVED Agreement #CS2-988-3028 with ELS Construction Inc., for the purchase and installation of engineered wood fiber at various City park playground locations in an amount not to exceed \$140,000.00.

The surfacing in a playground area is one of the most important factors in reducing all related injuries. Engineered wood fiber is made from biodegradable virgin wood and must be certified by the International Play Equipment Manufacturers Association that it meets American Society of Testing and Materials standards for impact attenuation and wheelchair access. Through this agreement 43 playgrounds will receive the appropriate amount of certified engineered wood fiber to meet impact attenuation and wheelchair accessibility guidelines.

12. AGREEMENT: Agave Environmental Contracting Inc.

APPROVED Agreement #ST2-988-2996 with Agave Environmental Contracting Inc., for landscape maintenance-AREA 4, in an amount not to exceed \$214,000.00, per year for a two-year period with the option to renew for one additional two-year period.

The landscaped areas to be maintained under the agreement include the Price Freeway frontage roads, downtown City-owned areas; Transit Center, Airport Terminal Area, City yards at Chicago Street and McQueen Road, and the Police impound facility. The agreement includes an additional 9 ½ acres over the previous contract, which consists of lots in the downtown area the City recently purchased. The agreement includes weekly trash pickup, weed control, irrigation repair, mowing and pruning/trimming as required, as well as, additional funds in anticipation of possible storm damage.

In June 2011, staff issued an RFP for Landscaping Maintenance of Area 4. The RFP was advertised and all registered vendors were notified. Ten responses were received. After review by an evaluation committee, staff recommends an award be given to Agave Environmental Contracting for having the most advantageous offer to the City based on the evaluation criteria.

13. AGREEMENT: Traffic Signal Poles & Misc. Hardware

APPROVED Agreement #TE2-550-2975 with Valmont Industries, Inc., Southwest Fabrication, LLC, Leotek Electronics USA Corp and Phoenix Highway Products, Inc., for traffic signal poles and miscellaneous hardware; for a total amount not to exceed \$100,000.00, with options to renew for up to three additional one-year periods.

Traffic Engineering requires traffic signal poles, support equipment and street lighting poles for replacements, new installations and upgrades to existing intersections. Typically three new signals and four upgrades to intersections are constructed each year. In addition, Traffic Engineering supplies the traffic signal poles and mast arms on various intersection improvement projects on both Capital Improvement Projects and development projects. The purchase of the equipment through the agreement will reduce the cost of construction and accelerate the completion of the improvements. The use of the agreement will be on an as needed basis throughout the year.

On July 13, 2011 staff issued a bid for Traffic Signal Poles & Misc. Hardware at various locations within the City. The bid was issued as a cooperative contract with the City of Avondale, City of Peoria, City of Apache Junction, Town of Gilbert, Town of Queen Creek, and Maricopa County Department of Transportation. The bid was advertised and all registered vendors were notified and eight responses were received and evaluated. The award of the contract does not lock the

City into purchases or specific dollar amounts with any one vendor. The term of the agreement will be September 1, 2011 through August 31, 2012.

14. CONTRACT: Salt River Project

APPROVED (6-1) Contract #ST0704 with Salt River Project (SRP) for design and construction to accommodate the Alma School Road and Ray Road Intersection Improvements for a joint trench that includes Arizona Public Service (APS), in an amount not to exceed \$135,064.03.

COUNCILMEMBER HEUMANN VOTED NAY ON THIS ITEM citing his concern with the timing of the project.

15. CONTRACT CHANGE ORDER: SDB, Inc.

APPROVED Contract #WW1014-401, Change Order No. 1, with SDB, Inc. for construction services for flow meter installation, pursuant to Job Order Contract #JOC07-04, in an amount not to exceed \$13,794.00, for a revised agreement amount of \$60,066.00.

Staff identified the need to install controls and flow meters in two locations on gravity sewer lines to Intel. The original contract provided remote terminal unit (RTU) drawings, programmable logic controller (PLC) programming, installation of City supplied controls, flow meters and antenna poles at each location. Change Order No. 1 will install integrated radio telemetry equipment to facilitate better communication with City treatment facilities and Intel. Included in the change order is the cost for divers to install the flow meters into the pipeline. Intel was unable to reduce flows to ensure a safe installation of the meters.

16. CONTRACT: Hunter Contracting Company

APPROVED Contract #WA1004-251 with Hunter Contracting Company for pre-construction services Construction Manager at Risk contract for the Pecos Surface Water Treatment Plant (SWTP) Flocculator System Assessment and Rehabilitation, in an amount not to exceed \$150,000.00.

The Pecos SWTP was built in 1989 with production capacity of 30 million gallons per day (mgd). The plant expanded production to 45 mgd in 1997 and again in 2008 with capacity to produce 60 mgd. Prior to 2008's expansion, an evaluation of the plant identified the aging paddle wheel flocculation and chemical feed system, built as part of the original plant, as potential weak links in the treatment process. It was recommended the flocculation system be updated. This system is critical to the water treatment process because flocculation allows solids in raw water to coagulate and drop out of the water prior to reaching the plant's finishing filters. Rehabilitation of this sub-system will improve water quality. In addition, it will reduce chemical costs and sludge volume generated during the treatment process.

17. CONTRACT: Aztec Engineering Group, Inc.

APPROVED Contract #WW1012-201 with Aztec Engineering Group, Inc., for engineering design of the West Chandler/Santan Wastewater Force main in an amount not to exceed \$1,364,114.00.

Currently, the Cymene Lift Station connects to a 24-inch force main crossing under the Santan 202 freeway at Kyrene Road. It feeds a gravity sewer line flowing to the Lone Butte Wastewater

Treatment Plan (WWTP) located on Gila River Indian Community land. The 2008 Wastewater Master Plan recommended installing a force main and pumping system to pump wastewater from west Chandler to the Ocotillo Water Reclamation Facility (OWRF). This pumping alternative adds flexibility to divert wastewater flows back to City treatment facilities for reuse and recharge. This pumping system will also be required when the Lone Butte WWTP lease expires. The preferred project option will modify the Kyrene Lift Station and construct a force main. This project provides professional services for design of the new pipeline and acquisition of ADOT's encroachment permit for construction and long-term operation of the 24-inch diameter wastewater force main. The force main will be installed within an existing utility corridor in ADOT's right-of-way along the south side of the Santan 202 freeway from Kyrene Road east to the Santan 202/Price 101 interchange.

18. PURCHASE: Ancon Service Company

APPROVED the purchase of sewer and lift station cleaning, potholing and soft dig operation services with Ancon Service Company, utilizing the City of Scottsdale contract, in an amount not to exceed \$155,000.00.

19. PURCHASE: SunGard Public Sector, Inc.

APPROVED the purchase of maintenance and support for Police Works field report writing software from SunGard Public Sector, Inc., sole source, in an amount not to exceed \$137,567.00.

The Police Works field report writing software is currently installed on Police Department patrol vehicle Mobile Data Computers (MDC) and LAN computers, which total 397 licenses. In addition, SunGard Public Sector, Inc. also provides database administrator (DBA) assistance for the database that stores the data from police reports. Department personnel, who write reports for accidents, field interviews and all offense incident reports, use Police Works field report writing software. This purchase will ensure the on-going maintenance, services and support. This service also includes upgrades to the Police Works field report writing software, services on the server and DBA services for the MS-SQL Server database that is currently used to store the data.

The maintenance and support for this report writing software and database server is available only through SunGard Public Sector, Inc. They are the sole developer and distributor of the Police Works field report writing software as well as the sole support for the software and database server.

20. WITHDRAWN USE PERMIT: McDuffy's Grille

WITHDRAWAL of Use Permit LUP11-0009 McDuffy's Grille, to allow the addition of live music and games at an existing restaurant in conjunction with the sale of liquor for on-premise consumption only indoors and within an outdoor patio located at 980 E. Pecos Road.

Due to residents' concerns about live music and noise, as well as limitations to mitigate noise with the existing floor plan design, the applicant no longer requests to add live entertainment, karaoke, or games as represented in this application.

21. USE PERMIT: All J's Detail

APPROVED Use Permit ZUP11-0007 All J's Detail, a time extension to allow an automotive detailing business within Planned Industrial District (I-1) zoning located at 6532 W. Flint Street, Suite 2, north of Chandler Boulevard and west of Kyrene Road. (Applicant: Javier Olivas, business owner.)

This application requests Use Permit approval of a time extension to allow an automotive detailing business within a Planned Industrial District (I-1) zoning district. The subject site was developed with one industrial warehouse building with ancillary office space. The approximately 16,182 square foot building is divided into two tenant spaces. The property is located within the Southpark Business Center industrial business park. All J's Detail received Use Permit approval in June 2010 with a one-year time limit which expired in June 2011. Currently, the business has a lease through January 2012; however, the tenant is looking to move to a new, larger location. In the meantime, the request is to maintain a Use Permit for the automotive detailing business for a one-year period. This would allow time for All J's Detail to relocate and/or the property owner to lease to another automotive detailing business.

West of the site is a vehicle storage lot for the ADESA Auto Auction and the auction site's northeast entrance/exit off of Flint Street. East of the site is another industrial warehouse building occupied by Sound Packaging, which is a manufacturer and distributor of various kinds of packaging such as corrugated packaging, folding cartons, air mailers and flexible packaging. North of the site is ATCi, which is an uplink system provider for television channels and has several satellite dishes abutting the subject site. South of the site is an industrial building occupied by Glynlyon, which is a computer programming company that is a leading provider of online-based curriculum and e-learning solutions for charter, public and virtual schools.

The auto detailing business occupies Suite 2, the east half of the building, which is approximately 7,400 square feet. There is a light industrial tenant in Suite 1, Arizona Wire and Tool. All J's Detail specializes in complete auto detailing including exterior vehicle buffing, waxing, detailing wheels and tires, and interior shampooing and detailing. All J's Detail's clients are primarily related to corporate accounts such as Enterprise Rental Car, DRC Leasing, International Leasing and businesses that utilize the adjacent auto auction as well as independent vehicle wholesalers who bring vehicles to the site for detailing. The business is not open to the general public for personal auto detailing; only corporate accounts. There are approximately 8 to 15 vehicles per day. All washing or detailing of vehicles occurs within the warehouse or in the rear yard of the property behind the chain link fence security gates. When vehicles are complete, they are parked in front of the building awaiting pickup. If there is a need for overnight parking of vehicles, this will occur behind the building in the gated area only.

The application does not represent any use of this property for vehicle maintenance and repair, auto body or mechanical engine work, tire and/or wheel shop, vehicle customization and accessories, sales, leasing, vehicle related retail sales, or the like. The property owner does not permit automotive repair or like uses and the repair shop vacated the property. The property owner only has a lease for the auto detailing business to operate on this site in Suite 2 only specifically for an automotive detailing business.

The business operates Monday through Friday from 8 a.m. to 5 p.m. There are approximately 4 to 6 employees. There are 30 existing parking spaces on the property for use by both suites. There are 10 parking spaces in front and 20 in the back of the building. Staff is of the opinion there is enough parking for both suites occupancy.

The I-1 zoning district does not permit automotive related uses such as sales, leasing, repair, customization, detailing and the like without approval of a Use Permit since these are considered commercial not industrial uses. It is not unusual to have automotive uses granted a Use Permit in the I-1 zoning. There are several auto businesses west of the subject site off of 54th Street and some south of Chandler Boulevard that have been successful and compatible at their location within an industrial business park.

The Planning Commission and Planning Staff are of the opinion that the proposed automotive detailing business is compatible with the other businesses in the immediate area and the mix of uses in the industrial park area. The location provides adequate parking for the business too. The applicant understands and agrees to conditions limiting the business to what is represented as an automotive detailing use only.

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on July 21, 2011. There were no neighbors in attendance. Staff has received no correspondence in opposition to this request.

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions;

1. The Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
2. Expansion or modification beyond the approved exhibits (Floor Plan, Site Plan, and Narrative) shall require reapplication and approval of a Use Permit.
3. The Use Permit is non-transferable to other store locations.
4. There shall be no vehicle maintenance and repair, auto body or mechanical engine work, tire and/or wheel shop, vehicle customization and accessories, sales, leasing, vehicle related retail sales, or the like.
5. The site shall be maintained in a clean and orderly manner.
6. Any proposed business name signage, temporary banners, or the like shall require City permits in conformance with adopted City codes.
7. There shall be no vehicle parking, storing, detailing or the like on City streets. All vehicles shall be maintained on-site.
8. There shall be no working on vehicles in front of the building; all detailing shall occur in the rear of the property.
9. As represented by the applicant, clients are restricted to corporate accounts only; no individual, general public clients are permitted.

22. USE PERMIT: The Living Room

APPROVED Use Permit LUP11-0015 The Living Room, Series 6, for the sale of liquor as permitted for an existing restaurant and outdoor patio located at 2475 W. Queen Creek Road, Suite 1. (Applicant: Mike Perry, Whitneybell Perry, Architect.)

The subject site is located west of the southwest corner of Queen Creek and Dobson roads, within the Downtown Ocotillo commercial shopping center. The site is located in a suite within an inline shops space. Queen Creek Road is directly north of the site. Parking fields are located east and south of the site. West, adjacent to the restaurant, are shop spaces.

The subject site received Use Permit approval to sell alcohol in conjunction with a Series 12 (Restaurant) liquor license for the restaurant and an extended outdoor patio in May 2011. Following Council approval, the restaurant owners were audited by the State and were just short of the ratio for a Series 12. The restaurant primarily serves appetizers, soups, salads and sandwiches, and does not offer a typical lunch and dinner menu making the requirement to derive 40% of sales from food and non-alcoholic drinks difficult.

The subject site is an approximately 2,180 square foot suite occupying the eastern half of an approximately 7,000 square foot inline shops building. The dining and bar areas total approximately 1,430 square feet and can accommodate 104 patrons. The kitchen area is approximately 307 square feet. Two separate outdoor patios are provided; one patio is located west of the main entrance on the south side of the building and the second patio is located east of the main entrance on the south side of the building and wraps around the eastern face of the building. The patios total approximately 889 square feet.

The site, when initially designed, required 27 parking stalls; 71 were provided. With the expanded patio area, an additional four parking spaces are required. The site has an abundance of 40 parking spaces.

In addition to serving alcohol in conjunction with a Series 6 liquor license, the restaurant is requesting the ability to provide live entertainment on a limited basis. The request for the live entertainment is relatively recent as live entertainment was not being provided during the last Use Permit process in May. As proposed, the entertainment will consist of local individual artists playing acoustic music Sunday through Tuesday. Sunday, the hours are from 3-7 p.m. and on Mondays and Tuesdays from 6-10 p.m. Wednesday through Saturday, a local DJ plays from 6-10 p.m. during the week and on the weekends until 11 p.m. The entertainment is located at the western end of the restaurant. Staff believes that the live entertainment component does not present a concern to the surrounding area as the restaurant is roughly a quarter-mile from the nearest single-family home (northeast corner of Queen Creek and Dobson roads) and 900-feet from the nearest multi-family development (southeast corner of Queen Creek and Dobson roads).

The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 16, 2011. There were no neighbors in attendance. Staff has received no correspondence in opposition to this request.

Upon finding consistency with the General Plan and PAD zoning, the Planning Commission and Staff recommend approval subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The Use Permit is non-transferable to other store locations.
3. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
4. The site shall be maintained in a clean and orderly manner.
5. The Use Permit is granted for a Series 6 license only and any change of license shall require reapplication and new Use Permit approval.
6. No noise shall be emitted from outdoor speakers or acoustical musicians on the patios so that it exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential area.

23. LIQUOR LICENSE: Living Room Wine Café #1

APPROVED a Series 6 Bar Liquor License (Chandler #129060 L06) for Thomas Robert Aguilera, Agent, Living Room Wine Café #1 LLC, dba The Living Room Wine Café and Lounge located at 2475 W. Queen Creek Road, Suite 1. A recommendation for approval of State Liquor License #06070581 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

24. USE PERMIT: Hob Nob Sports Grill

APPROVED Use Permit LUP11-0010 Hob Nob Sports Grill to allow the addition of live entertainment at an existing restaurant/bar in conjunction with the request to sell liquor as permitted under a Series 6 for on-premise consumption only indoors and within an outdoor patio located at 7200 W. Chandler Boulevard, Suite 14. (Applicant: Ioannis Spentzos, Business owner.)

The restaurant currently has a Series 12 Restaurant License and is requesting a Series 6. A Use Permit for liquor as permitted under a Series 12 was first issued in 1989 for First Round Draft and renewed in 1991 with no time limit. Restaurants that took over this location include Even Par and Johnny Gee's Sports Bar & Grill. The business has obtained a Series 6 Bar License and would like to operate under this license versus a Series 12.

In addition to the request to operate under a Series 6 Bar License, the business wants to provide live entertainment. The prior Use Permits did not permit live entertainment. Live entertainment is represented as live bands only for special events such as charity events and special occasions. Karaoke and a disc jockey would occur on a regular basis each week. The establishment currently has a pool table, two dart boards, a jukebox and a shuffle board table as well as televisions and speakers inside.

The business is approximately 3,900 square feet in size with an outdoor patio approximately 530 square feet in size. The interior seats approximately 125 people and the patio seats approximately 15 people. The patio is located on the east side of the building directly across from Just Brakes auto service. The bay doors for Just Brakes directly face the patio.

North of the property are covered parking spaces associated with light industrial businesses. The tenant west and adjacent to Hob Nob is Kaotic Kustom Audio and vacant tenant space. South of the business is the main parking area for the retail center and a Jiffy Lube auto service. The far east end of the center is a daycare business, Triple R Child Care. Triple R is licensed with the Arizona Department of Health Services as a child care center. The location of Hob Nob with a Series 6 License meets the State's requirements. Hob Nob does not have to meet separation requirements from the daycare facility as daycare is an exempted use. A 300-foot separation is required from schools that are public and private with kindergarten programs or any grades one through twelve and any fenced outdoor recreational area adjacent to the school building. The daycare is not defined as a school under State statute. There is no residential zoning surrounding this retail center as it is located adjacent to an industrial business park.

Hob Nob's hours of business are 11 a.m. to 2 a.m. Monday through Sunday and opens early at 9 a.m. Saturday and Sunday for footballs season. There are currently 10 employees.

The Planning Commission and Planning Staff are of the opinion that the sale of alcohol as a retail commodity ancillary or incidental to the sale of other retail products occurring in a commercially zoned area does not establish a land use conflict. The sale of alcohol from a land use compatibility analysis is a typical retail transaction in commercial district throughout the City.

The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held July 26, 2011. There were no neighbors in attendance. Staff has received no correspondence in opposition to this request. The Police Department has been informed of the application and responded with no concerns.

Upon finding consistency with the General Plan and PAD zoning, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
2. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new liquor Use Permit re-application and approval.
3. The liquor Use Permit is granted for a Series 6 license only and any change of licenses shall require re-application and new liquor Use Permit approval.
4. The liquor Use Permit is non-transferable to other restaurant locations.
5. The site shall be maintained in a clean and orderly manner.
6. The patio shall be maintained in a clean and orderly manner.
7. Live entertainment is permitted indoors only.
8. No noise shall be emitted from amplified instruments, speakers, microphones or the musician(s) from the business so that it exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
9. The rear door to this business shall remain closed and not propped open during business hours and shall not be used as a customer entrance or exit.

25. LIQUOR LICENSE: Hob Nob Sports Grill

APPROVED a Series 6 Bar Liquor License (Chandler #117070 L06) for Peter Ioannis Spentzos, Agent, Soztneps LLC, dba Hob Nob Sports Grill located at 7200 W. Chandler Boulevard, Suite 14. A recommendation for approval of State liquor license #06070350 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

26. USE PERMIT: EZ Smoke Shop

APPROVED Use Permit LUP11-0013 EZ Smoke Shop, Series 10, for the sale of wine and beer for off-premise consumption only at 777 N. Arizona Avenue, Suite 8, within the DeLeon Plaza at the SEC of Arizona Avenue and Ivanhoe Street. (Applicant: Burch & Cracchiolo; Owner: Brokalakis Investments, LLC.)

The 600-square foot subject business is currently open from 9 a.m. to 9 p.m. and would like to expand hours to 11 p.m. daily. A former bar in the suite to the south is currently vacant. A former

convenience store south of that is also currently vacant. A variety of retail tenants occupy the other suites. Commercial uses line both sides of Arizona Avenue in this area including several involving alcohol sales. There is a single-family neighborhood east of the subject site separated by an alley.

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held August 9, 2011. There were no neighbors in attendance. One neighbor to the east called in opposition believing that there are already more than enough places nearby to purchase alcohol. The Police Department has been informed of the application and has not responded with any issues or concerns.

Upon finding consistency with the General Plan, the Planning Commission and Staff recommend approval subject to the following conditions:

1. The Use Permit granted is for a Series 10 License only and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. Expansion beyond the approved Floor Plan and Narrative shall void the Use Permit and require new Use Permit application and approval.
4. The area adjacent to the store shall be maintained in a clean and orderly manner.
5. The Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.

27. LIQUOR LICENSE: EZ Smoke Shop

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #135445 L10) for Majeda Jamil Abdallah, Agent, EZ Smokeshop LLC, dba EZ Smokeshop, 777 N. Arizona Avenue, Suite 8. A recommendation for approval of State Liquor License #10076173 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

28. USE PERMIT: Coal Burger

APPROVED Use Permit LUP11-0012 Coal Burger, Series 12 for the sale of liquor for on-premise consumption only within a restaurant at 7131 W. Ray Road, Suite 25, within the Casa Paloma Shopping Center. (Applicant: Coal Burger.)

The subject suite is located within the Casa Paloma shopping center at the southwest corner of 56th Street and Ray Road. The subject suite and the one to the west, now occupied by Grimaldi's Pizzeria, together formerly contained Tomaso's restaurant. The larger Tomaso's was split into two via tenant improvement building permits in mid-2011. Casa Paloma contains a variety of retailers and restaurants.

Coal Burger is a fast-casual restaurant, opening soon, that has seating for approximately 50 in a 2,800 square foot suite space. Food and drink, including alcoholic beverages, will be distributed from a service counter. Hours of operation are 11 a.m. to 9 p.m. daily. There is no live entertainment or outdoor seating.

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held August 10, 2011. There were no neighbors in attendance.

Upon finding consistency with the General Plan, the Planning Commission and Staff recommend approval subject to the following conditions:

1. The Use Permit granted is for a Series 12 license only and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.

29. LIQUOR LICENSE: Coal Burger

APPROVED a Series 12 Restaurant Liquor License (Chandler #133600 L12) for Eric Jason Greenwald, Agent, Casa Paloma Burger, Inc., dba Coal Burger, 7131 W. Ray Road, Suite 25. A recommendation for approval of State Liquor License #12078822 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

30. LIQUOR LICENSE: India Gate Indo Pak Cuisine

APPROVED a Series 12 Restaurant Liquor License (Chandler #136468 L12) for Athar Hussain Naqvi, Agent, Chanda LLC, dba India Gate Indo Pak Cuisine, 6245 W. Chandler Boulevard, Suite 1. A recommendation for approval of State Liquor License #12078811 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. This application reflects a change in ownership. Transportation and Development advises that a new Use Permit is not required since this will be a continuation of the location's previous use as India Gate.

31. LIQUOR LICENSE: Wingstop

APPROVED a Series 12 Restaurant Liquor License (Chandler #136082 L12) for Thomas Robert Aguilera, Agent, Maricopa Wings II LLC, dba Wingstop, 5905 W. Chandler Boulevard, Suite 1. A recommendation for approval of State Liquor License #1207886 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. This application reflects a change in ownership. Transportation and Development advises that a new Use Permit is not required since this will be a continuation of the location's previous use as Wingstop.

32. LIQUOR LICENSE: Chipotle Mexican Grill #1718

APPROVED a Series 12 Restaurant Liquor License (Chandler #136925 L12) for H. J. Lewkowitz, Agent, Chipotle Mexican Grill, Inc., dba Chipotle Mexican Grill #1718 3395 W. Chandler Boulevard, Suite 1. A recommendation for approval of State Liquor License #12078820 will be forwarded to the State Department of Liquor Licenses and control. The Police Department reports no objections to the issuance of this license and no written protests have been received.

All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Meatballz.

33. CONTINUED LIQUOR LICENSE: The Sushi Room

CONTINUED TO SEPTEMBER 22, 2011, a Series 12 Restaurant Liquor License application for Robert Thomas Aguilera, Agent, The Sushi Room 1 LLC, dba The Sushi Room, 2475 W. Queen Creek Road, Suite 7, to allow the applicant time to complete the zoning requirements for their Use Permit.

34. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation for Downtown Chandler's 4th Annual Oktoberfest September 24, 2011, at Dr. 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. As this applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid.

35. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Sugar Thieves Fundraiser Concert on September 30, 2011, at the Chandler Center for the Arts, 250 N. 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. As this applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid.

36. SPECIAL EVENT LIQUOR LICENSE: American Legion Post 91

APPROVED a Special Event Liquor License for the American Legion Post 91 for an Oktoberfest Fundraiser for Operation Wounded Warrior on October 1, 2011, at the American Legion Post 91, 922 N. Alma School 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. As this applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid.

37. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation for "Taste" Chandler's Culinary Festival on October 15, 2011, at Dr. 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. As this applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid.

38. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Blues Brothers Revue Fundraiser Concert on October 22, 2011, at the Chandler Center for the Arts, 250 N. 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. As this applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid.

39. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Gaelic Storm Fundraiser Concert on October 29, 2011, at the Chandler Center for the Arts, 250 N. 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. As this applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid.

40. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Classic Albums Live Fundraiser Concert on November 12, 2011, at the Chandler Center for the Arts, 250 N. 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. As this applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid.

41. CONDOMINIUM PLAT: Ray Ranch Professional Plaza

APPROVED Condominium Plat, CPT11-0002 Ray Ranch Professional Plaza, a Condominium – Amendment to Building Q, to amend the Condominium Plat which creates three units within Building Q located on a 12-acre parcel at the NEC of Bullmoose Drive and Ray Road between Price and Dobson roads. (Applicant: SIG, Inc.)

42. FINAL PLAT: Chandler City Hall

APPROVED (6-1) Final Plat FPT10-0010 Chandler City Hall, for the City Hall campus located north and south of Chicago Street between Arizona Avenue and Washington Street. (Applicant: City of Chandler.)

This is a follow-up to the acquisition of various properties that were necessary for the development of the City Hall campus. The plat services to eliminate the previous individual property boundaries that were established with the original Townsite of Chandler plat and creates the lots, establishes the necessary easements and dedicates the required rights-of-way for the City Hall campus.

COUNCILMEMBER WENINGER VOTED NAY ON THIS ITEM.

PUBLIC HEARING:

PH1. HUD Consolidated Annual Performance and Evaluation Report (CAPER).

MAYOR TIBSHRAENY OPENED THE PUBLIC HEARING AT 7:12 p.m.

Background:

Each year the City of Chandler is required to publish the Chandler Consolidated Annual Performance Evaluation Report (CAPER) and submit the document to the U. S. Department of Housing and Urban Development (HUD). This performance report describes federally funded activities that took place during the most recent fiscal year. The purpose of this report is to measure Chandler's success in meeting the priority needs, goals and strategies described in the City's 2010-2015 Five-Year Consolidated Plan.

As part of the process of creating the CAPER, the City is required to provide a 15-day comment period and to conduct a public hearing at the City Council meeting. The public comment period for the fiscal year 2010-2011 CAPER runs from August 27 to September 15, 2011. Any comments received during this period will be incorporated into the final CAPER.

The fiscal year 2010-2011 CAPER has been prepared to meet HUD's requirements for an annual performance evaluation. This report summarizes the City's accomplishments of the Community Development Block Grant (CDBG), HOME Investment Partnership funds (HOME), American Dream Downpayment Initiative (ADDI), Neighborhood Stabilization Program (NSP), Homeless Prevention and Rapid Re-housing Program (HPRP) and Community Development Block Grant Recovery (CDBG-R) programs. The report also includes a summary of the progress the City has made to meet the goals identified in the Five-Year Consolidated Plan. In addition, the CAPER describes accomplishments of social service programs provided in the City utilizing non-federal funds including activities funded with Acts of Kindness, Social Services Funding and Youth Enhancement Program funds.

Housing programs were a main area of emphasis for fiscal year 2010-2011. Programs focused on creating first time homebuyers, assisting existing homeowners with housing rehabilitation and emergency repairs and providing programs for families facing foreclosure. Newtown's Community Land Trust Program created first time homeownership opportunities for new homeowners and provided a down payment assistance program as well. Ninety-six existing low and moderate income homeowners were assisted through the City's housing rehabilitation programs which range from emergency home repair to more substantial housing rehabilitation. Without this assistance, the homes of residents participating in these programs would not meet health and/or safety standards.

In terms of foreclosure prevention activities, Newtown has been providing housing and foreclosure prevention counseling in the Neighborhood Resources Office every Wednesday since the beginning of the year. The City also hosted a two-day foreclosure prevention workshop in November 2010 which attracted nearly 200 participants.

Chandler's continued commitment to assist residents in need has resulted in a significant increase in the number and type of services being provided in Chandler. Through facilitation by the City, a group of local homeless advocates, local nonprofits, and the faith community have come together to provide showers and meals on a weekly basis for local homeless individuals.

In many areas, the City far exceeded its Five-year Plan goals to meet the needs of Chandler's low and moderate-income residents. The investment of general fund resources leveraged CDBG funding to significantly address additional needs such as programs for foster children, domestic violence victims, daycare assistance and utility assistance.

Chandler funding, through a combination of local and federal sources, supported Chandler's homeless and near-homeless populations as well. Over 500 individuals and families were assisted to prevent their eviction and 400 were provided emergency shelter and transitional housing through programs funded by the City of Chandler. In addition, over 30,000 individuals and families were assisted with the provision of food to aid in the fight to prevent hunger in Chandler.

Chandler continues to be a leader in support for youth services and youth activities. Eighteen contracts funded through Chandler's Human Services allocation process provided \$630,500.00 in support for youth programs that assisted 24,365 youth throughout the City of Chandler in fiscal year 2010-2011.

The final 2010-2011 CAPER will be presented to the Housing and Human Services Commission (HHSC) at their September 14, 2011, meeting for approval and recommendation to the City Council. The final report will be brought to Council on September 22, 2011, for adoption. The report is due to HUD on September 30, 2011.

Chandler's Citizen Participation Plan requires the City Council to hold a Public Hearing to gather input regarding the City of Chandler's Community Development Block Grant fiscal year 2010-2011 Consolidated Annual Performance Evaluation Report.

NEIGHBORHOOD RESOURCES DIRECTOR JENNIFER MORRISON told the Council that the public hearing was part of the 15-day comment period for the City's Consolidated Annual Performance Evaluation Report (CAPER) for the City's Community Development Block Grant Program. The report summarizes the City's accomplishments of the Community Development Block Grant (CDBG), HOME Investment Partnership funds (HOME), Neighborhood Stabilization Program and three other community development programs operated by Neighborhood Resources. The CAPER also describes accomplishments of general funded social service programs such as AOK, Social Service Funding and Youth Enhancement funds.

She highlighted various other key accomplishments such as

- Assisting 5 first time homebuyers purchasing previously foreclosed property through the Newtown's first time buyer program
- Assisting almost 90 low-income homeowners under the emergency home repair program

- Assisting families with occupied home rehabilitation and modification of homes to meet ADA requirements
- Over 90,000 food boxes distributed to families in need through 17 local agencies
- General Funds provided 281 families with emergency financial assistance to prevent eviction and utility shutoff
- 850 seniors provided programs to meet basic needs including food, clothing and transportation
- Over 2400 people with disabilities received support through a variety of programs
- 24,500 children received after school services, recreational programs, tutoring, and medical care and prevention against drugs and gangs

Ms. Morrison told the Council that the final report will be brought to Council on September 22, 2011, for adoption, with the report being due back to HUD on September 30, 2011.

MAYOR TIBSHRAENY CLOSED THE PUBLIC HEARING AT 7:15 P.M.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor Tibshraeny announced September was Hispanic Heritage Month. He announced Garibaldi Night would take place at Chandler-Gilbert Community College on September 9, 2011 and that the Miss Mariachi Pageant would take place at the Boys & Girls Club on September 10, 2011.

Mayor announced that Chandler Students were invited to participate in a contest to create covers for Chandler's Centennial Birthday cards. The winning designs will be placed on large cards displayed throughout the community and signed by the public. He stated that finalists would be announced in Decembers with the winners being announced at the Chandler Multi-Cultural Festival on January 14, 2012.

Mayor noted that there had been high profile cases of child abuse recently reported in Chandler. He asked that everyone report suspicion of abuse to either the Police Department or Child Protective Services.

Mayor reflected on the September 11 events and the upcoming 10-year anniversary. He encouraged everyone to participate in any of the events taking place throughout the valley. Mayor announced he would be giving the keynote address at a 9/11 event at the American Legion Post 35.

B. Councilmembers' Announcements

Vice-Mayor Donovan invited residents to participate at a Community Town Hall to discuss, learn and share education and health development services available to children 0-5 on September 14 at the Chandler Center for the Arts.

Councilmember Orlando announced that on September 16th there would a Heroes Breakfast sponsored by Operation Freedom Bird serving those who support veterans. He encouraged everyone to celebrate veterans.

