

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 22, 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 Kimbrough

PLEDGE OF ALLEGIANCE: Councilmember Jeff Weninger

UNSCHEDULED PUBLIC APPEARANCES: None

CONSENT:

MAYOR TIBSHRAENY announced that Item No. 3 (Ord. #4322, DVR11-0026 Chandler Christian Community Center) and Item No. 9 (Reduction of Bus Services) would be moved to the Action agenda.

COUNCILMEMBER HEUMANN noted that he would be voting nay on Item No. 21 (Contract #ST0704-202 with Ritoch-Powell & Associates).

MOVED BY VICE-MAYOR DONOVAN, SECONDED BY COUNCILMEMBER ORLANDO, TO APPROVE THE CONSENT AGENDA WITH ITEM NO. 3 (ORD. #4322, DVR11-0026 CHANDLER CHRISTIAN COMMUNITY CENTER) AND ITEM NO. 9 (REDUCTION OF BUS SERVICES) MOVING TO ACTION.

MOTION CARRIED UNANIMOUSLY (7-0) WITH THE EXCEPTIONS NOTED.

1. MINUTES

APPROVED, as presented, Minutes of the City Council Special and Regular Meetings of September 8, 2011.

2. CITY CODE AMENDMENT:

Ord. #4309

ADOPTED 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.

3. REZONING: Chandler Christian Community Center Ord. #4322

MOVED to action.

4. REZONING: Paloma Kyrene Business Community Ord. #4323

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4323, DVR11-0025 Paloma Kyrene Business Community, to amend the PAD zoning to allow additional instructional sports and athletic training facility uses in Building M along with a PDP to address on-site parking requirements for the business park located south of Chandler Boulevard on the west side of Kyrene Road at Gila Springs Boulevard. (Applicant: Reese Anderson, Pew & Lake PLC)

The application requests to amend the Planned Area Development (PAD) zoning to allow additional instructional sports and athletic training facility uses in Building M along with a Preliminary Development Plan (PDP) to address on-site parking requirements for the business park development. The subject property is a developed 21-acre industrial business park. In November 2005, the property was rezoned from Agriculture (AG-1) to Planned Area Development (PAD) with Preliminary Development Plan for a mixed-use development to include light industrial, general and medical office, support retail, and a self-storage mini-warehouse. The project includes 14 buildings allocated with approximately 49,000 square feet of general office, 10,000 square feet of medical office, 4,000 square feet of support retail, 111,800 square feet of light industrial warehouse with ancillary office, and a conceptual self-storage mini-warehouse component. The storage site is a conceptual use that requires separate application and approval of a Preliminary Development Plan.

In August 2009 a separate PAD zoning amendment case allowed a maximum of approximately 14,500 square feet of instructional sports and athletic training facilities in Building M specifically accommodating a fencing school. Building M includes 14 individual units, which are platted as condos and include individual parceled and owned units. The request is to increase the allowed instructional sports and athletic training facilities square footage to 18,500 total square feet to accommodate a personal training business. Also, the request includes a parking analysis addressing the development's parking requirements which was required from the prior 2009 zoning case to come back as a separate PDP. The parking analysis includes two components; one is the request to use a different parking ratio for the instructional sports and athletic training facility uses, and second is a request to allow a shared parking model for the entire development to address a parking space shortage due to the two instructional sports and athletic training facility uses. The parking shortage is based on parking spaces required by Zoning Code; however, it's a perceived shortage, in reality not all uses operate at the same time and not all day either thus with a shared parking model it is understood there is plenty of parking for all uses and buildings.

Buildings M and N are zoned for light industrial (I-1) uses with ancillary office space; 85% light industrial warehouse use and 15% support office. Through the initial zoning case, Buildings M and N are conditioned to allow I-1 uses as permitted by right in the Zoning Code with the exclusion of any hazardous or "H" occupancies as described by the City of Chandler adopted

Building Codes. The two industrial buildings permit uses such as building contractors, distribution facilities, and research and development companies. These buildings back up to each other to allow loading and truck traffic to be separated from the less intense uses and further separate the office use from the proposed self-storage mini-warehouse property at the site's west end.

The definition of "instructional sports and athletic training facilities" for this particular development is facilities that focus on the instruction, training, and related activities of a particular sport or field of sports. Examples include, but are not limited to, baseball, softball, fencing, martial arts, swimming, gymnastics, cheerleading, and dance. Uses such as dog training, child-oriented party places such as inflatable bounce facilities, gaming, and the like are not permitted, as these are not deemed sports and athletic related uses. The facilities are anticipated to host competitive events, which are limited to weekday evenings after 5:30 p.m. and anytime during weekends and national holidays. Events will be planned so as not to interfere with other businesses in the business park. There will be no outdoor training permitted in conjunction with these uses.

The existing fencing school in Suite 13 occupies approximately 14,500 square feet of building area which includes an assembly area, practice floor, exercise gym, locker room, administrative offices, and an ancillary retail store for fencing-related merchandise. The fencing school hosts international competitions in addition to daily instruction and training classes. The fencing school's activities, functions, operations, etcetera sets the standard for all other instructional sports and athletic training facilities that may occupy this space in the future.

The proposed expansion of instructional sports and athletic training facilities is approximately 4,019 square feet totaling approximately 18,500 square feet only within Building M. The expansion extends into Suite 23 for Scott's Sport Systems, which is a personal training business. Most appointment hours with clients occur between 5 to 7 a.m. and 5 to 8 p.m. The fencing school does not operate in the morning hours, only this personal training use. The business anticipates needing 15 to 18 parking spaces. The fencing school uses approximately 30 parking spaces.

The addition of another instructional sports and athletic training facilities use generates parking not typical for a light industrial user. This would be the second non-industrial user in Building M. To ensure two of these uses can operate and park appropriately with light industrial and office uses in the overall development, a parking analysis has been reviewed by Planning Staff. The property owners feel the City's Zoning Code parking ratio required for instructional sports and athletic training facilities and the like is too high and does not reflect actual parking generation for instructional sports and athletic facilities.

As a part of the parking analysis review in 2009, Planning Staff determined that the 14,500 square foot space for an instructional sports and athletic training facilities use was short parking spaces based on parking ratio requirements at 1 space per 200 square feet (1/200) of total building area. In order for the fencing school to be compliant with parking space requirements, the property owners agreed to prohibit occupancy of at least two light industrial tenant spaces in Building M. By prohibiting the occupancy of two tenant spaces, parking spaces that would be needed for those tenants can then be used for the instructional sports and athletic training facilities use. The applicant and owners provided the City with a letter ensuring self-imposed restrictions would occur on at least two tenant spaces whereby the spaces will not be built-out and the City will not issue any Certificate of Occupancies until parking for the entire site is addressed through a separate PDP zoning case.

This request proposes a specific parking ratio to be applied to the instructional sports and athletic training facilities uses. As with many shopping center type developments, shared parking is a typical practice in which tenants are not designated specific parking spaces and have cross-access parking privileges in a main parking area. Considering the development with shared parking, an understanding of peak and off-peak parking demands is used to assess if the instructional sports and athletic training facilities will yield enough parking for all. A majority of the development is office use with two buildings for light industrial, and a small amount for support retail.

The request is to change the parking ratio for the instructional sports and athletic training facilities uses to 1 space per each 333 square feet of building area (1/333) versus 1/200. By reviewing the parking demand for the existing fencing school and the proposed new personal training business, using a parking ratio for 1/333 is more in sync with actual parking demands for these two uses versus over-parking these uses with a 1/200 ratio.

The site currently provides approximately 621 parking spaces based upon parking ratios of general office at 1/200, industrial at 1/500, medical office at 1/150, and retail at 1/250. While Chandler's parking requirements do not specifically identify instructional sports and athletic facilities as a use in the parking schedule, the Code does identify 'recreation centers' as requiring 1 space per 200 square feet (5 spaces per 1,000 square feet), which is typically used for parking calculations. However, after a parking study through a zoning amendment in 2010 for Allred Chandler Airport Center, Planning Staff determined these recreation type uses could park with a mix of other uses at a parking ratio of 1/300. The study considered numerous recreational uses in that development whereas only two users at a maximum of 18,500 square feet is proposed in one building of Paloma Kyrene Business Community, 'Paloma'.

Peak parking demand tends to be around 2 p.m. and Zoning Code based parking ratios for all uses in the development yields approximately 20 parking spaces available. At 5 p.m. approximately 145 parking spaces are available in the development, and at 6 p.m. approximately 365 parking spaces are available due to almost all businesses being closed after 5 p.m.

If the Paloma development was fully occupied with tenants open at the same time, the parking ratio of 1/333 would generate a parking shortage of 9 parking spaces. However, through the proposed shared parking analysis, it is understood that the whole development will not operate at the same time and the fencing school and personal training business operate mostly off hours from other businesses including the weekends thus parking is available when they operate with over 100 available parking spaces.

Planning Staff supports the proposed 1/333 parking ratio for the instructional sports and athletic training facilities uses with the representation of a shared parking system occurring throughout this development and a maximum of approximately 18,500 square feet of building area for instructional sports and athletic training facilities uses as represented in the Development Booklet. With this proposal, the two tenant spaces previously held from occupancy can be occupied with tenants.

This application does not request any changes to the overall site, building design, or signage. The property owners have been advised that the personal training business needs building permits and a Certificate of Occupancy to occupy the space.

Planning Staff supports the proposed PAD amendment with PDP finding the additional 4,019 square foot use of instructional sports and athletic training facilities to be compatible with the industrial business park. The addition of instructional sports and athletic training facilities within

Building M does not represent a conflict with any of the approved uses. The requested amendment would allow up to 18,500 square feet of total building area to be occupied with instructional sports and athletic training facilities with the remaining building area developing with light industrial warehouse and ancillary office. The 18,500 square feet can be located anywhere within Building M.

The request was noticed in accordance with requirements of the Chandler Zoning Code and a neighborhood meeting was held on March 1, 2011, which four property owners attended. Another meeting was held on July 13, 2011, which one property owner attended. A second meeting was held because the request changed in that the personal training use was being added, thus requiring re-notice and a new meeting. Staff is not aware of any neighborhood opposition.

Commissioners in opposition commented that there are too many instances with developers wanting to squeeze users in that were not originally approved and then ask for parking changes, which can create parking shortages. Further comment was made that the parking required in the Zoning Code now should be maintained until the City formally amends the parking regulations. By Zoning Code now, with the two sports uses, there is a parking shortage and that is not okay and sets precedence. There should be an option to still require the developer to hold suites from occupancy to provide there is enough parking available.

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend approval of the zoning amendment subject to the conditions listed in the ordinance.

5. INTERGOVERNMENTAL AGREEMENT: Chandler Park & Ride Res. #4531

ADOPTED Resolution No. 4531 authorizing an intergovernmental agreement with the City of Phoenix to accept Federal Transit Administration (FTA) Grant No. AZ-95-X006-01 in the amount of \$1,086,000.00 to complete Phase II of the Chandler Park and Ride, Hamilton Street, south of Germann Road.

The City of Chandler requested federal funds to complete construction of Hamilton Street for about one-quarter mile south of Germann Road. The east half of Hamilton Street is constructed and currently provides access to Tumbleweed Park and the Chandler Park and Ride that opened in December 2009. The west half of Hamilton Street has been designed and was originally planned to be constructed as part of the Park and Ride project, however there was not sufficient funding.

Completion of Hamilton Street is still needed to provide suitable access to the Park and Ride. The project is based on 100% federal funding for the cost of road improvements only. The City of Phoenix administers grant funds in the local area on behalf of the FTA. Local funds will be used for non-road project features such as water lines, sewer, and reclaimed water.

The Transportation Commission reviewed the item at their August 31, 2011 meeting and recommended the item for approval by a vote of 7-0.

6. PERSONNEL RULES AMENDMENTS: Rules: 4, 5, 15, 19 Res. #4536

ADOPTED Resolution No. 4536 amending Personnel Rule 4, Section 5, Pain and Suffering; and Personnel Rule 15, Section 5, Maximum Accrual of Vacation Credits; and Personnel Rule 5, Section 3, Disciplinary and Appeal Procedures; and Personnel Rule 19, Employee Council.

The City provides a pain and suffering payment to employees that incur \$40,000.00 or more in medical expenses as a result of a work-related injury. The threshold of \$40,000.00 has not been adjusted since 1999. The most recent negotiations with Police Officers and Sergeants resulted in an agreement to raise the threshold incrementally over the next two years and then adjust the threshold annually based on the increase to the City's lowest tier medical plan. The first increase in the threshold is effective on January 1, 2012. All employees whose injuries precede January 1, 2012 will be grandfathered under the current pain and suffering threshold.

Personnel Rule 15, Section 5: Maximum Accrual of Vacation Benefits:

The proposed change is a procedural change that will streamline the annual processing of use or lose vacation. This change allows for the automation of the vacation carryover and forfeiture process through Oracle which to date has been handled manually by Human Resources.

Personnel Rule 5, Section 3: Disciplinary and Appeal Procedures

The proposed change aligns the City's Personnel Rule with recent changes in the Fair Labor Standards Act (FLSA) concerning disciplinary actions affecting exempt personnel. More specifically, the FLSA expanded the circumstances that would allow for suspension of less than a full workweek. The City desires to maintain consistency with the FLSA.

Personnel Rule 19: Employee Council

The Employee Council recently reviewed the Personnel Rule and proposes clarifying changes that better align the Rule with the goals of the Employee Council and the City's organizational structure and procedures.

7. FISCAL YEAR 2010-2011 CHANDLER CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) SUBMISSION Res #4537

ADOPTED Resolution No. 4537 authorizing the City Manager or his designee to execute and submit the Fiscal Year 2010-2011 Chandler Consolidated Annual Performance and Evaluation Report (CAPER) to the United States Department of Housing and Urban Development.

Each year, the City of Chandler is required to evaluate its HUG funded programs and publish the results in the CAPER. The performance report described federally funded activities occurring during the most recent fiscal year. The purpose of this report is to measure Chandler's success meeting the priority needs, goals and strategies described in the City's 2010-14 Five-Year Consolidated Plan.

As part of the process of creating the CAPER, the City is required to conduct a 15-day public comment period and conduct a public hearing at a City of Chandler Council Meeting. The public hearing at Council was held on September 8, 2011, and an additional public hearing was held by the Housing and Human Services Commission during the September 14, 2011, meeting.

All costs associated with the federal Community Development Block Programs are paid by the federal government and do not require repayments on the part of the City of Chandler.

8. CONTINUED ZONING AMENDMENT: North East Cooper and Riggs

CONTINUED TO OCTOBER 27, 2011, Zoning, DVR10-0014/PPT10-0002 North East Cooper and Riggs, rezoning from AG-1 to PAD along with PDP and Preliminary Plat (PPT) for an 84 lot single-family residential subdivision on 32 acres and PAD zoning for commercial development on 7.5 acres located at the NEC of Cooper and Riggs roads. Continuance is requested to allow the

design team additional time to finalize and submit for review details pertaining to the amenity areas, and to be heard by the Planning Commission.

9. AUTHORIZED REDUCTION: Bus Services

MOVED to action

10. GRANT: New Horizons Traditional Neighborhood Grant

APPROVED a Traditional Neighborhood Grant to the New Horizons Neighborhood in an amount not to exceed \$5,000.00.

The New Horizons Neighborhood is located north of Elliot Road between Arizona Avenue and Summit Place. The 25-year-old community is comprised of approximately 400 homes. The Community is applying for grant funds to install a new neighborhood entry sign, four street sign toppers and weight Block Watch signs. The Primary focus of the grant is to create Neighborhood identity and increase resident interaction.

The New Horizons Neighborhood has been working with the City of Chandler to create positive chances in their neighborhood. One of the items that the neighbors addressed was the condition of their retention basin. Staff worked with the residents and assisted them with minor improvements along their community wall, which included a fresh coat of paint and the addition of trees that had been removed over time. During the course of these improvements, the community's neighborhood entry sign was vandalized and stolen. This sign had been part of their community for approximately 25 years.

Additionally, the residents want to increase public safety awareness by implementing Block Watch throughout their entire neighborhood and will participate in this year's Getting Arizona Involved in Neighborhoods (G.A.I.N.) Event on October 22, 2011. They see this as an opportunity to invigorate their social network and develop stronger ties within their neighborhood.

Applicants of the Traditional Neighborhood Grant must meet four required standard conditions in order to be considered for a grant award. The conditions include addressing neighborhood safety issues, completing neighborhood outreach, providing neighborhood education and a final presentation to the Neighborhood Advisory Committee upon completion of the projects. The New Horizons Neighborhood agreed to implement several community activities to address the conditions of the grant and to engage all members of the community.

1. Neighborhood Safety: The New Horizons Neighborhood will activate Block Watch throughout their community. They are currently working on developing neighborhood committees to strategize a plan and establish meeting times.
2. Neighborhood Outreach: The neighborhood organization is continuing the efforts to involve all property owners and residents in neighborhood activities. A "Retention Rally" is being planned to celebrate the new neighborhood sign, sign toppers, and the recent city improvements to the retention basin. All property owners and residents will be invited to this event as a way to provide the community with safety and crime prevention information and to build pride in their neighborhood. The Retention Rally will be held in conjunction with the citywide (G.A.I.N.) Event on Saturday, October 22, 2011.

Additionally, plans are underway for a fall New Horizons Neighborhood meeting, to provide an opportunity to continue the efforts to celebrate neighborhood successes and address neighborhood issues.

3. Neighborhood Education: The New Horizon Neighborhood leaders have been working with the City to establish a "Neighborhood Livability Elements" document. The resident leaders have requested that the City use their neighborhood as a pilot area to explore the question of "What makes a neighborhood livable?" Their goal is to perform this analysis to use as a basis by which other neighborhoods can develop their own livability standards. Additionally, the New Horizons Neighborhood is excited about being the first neighborhood to create a Neighborhood Livability Plan.
4. Final Presentation to the NAC: The New Horizons Neighborhood will provide a final presentation to the NAC upon completion of the Traditional Neighborhood Grant Standard Conditions.

The New Horizons Neighborhood does not have a neighborhood association fund and therefore are not required to submit two-year financial information. The funding request is based on cost estimates provided by Traffic Engineering, the Police Department, Neighborhood Programs and various local shops. Based on the estimates provided, City staff and the NAC recommended the grant be funded in an amount not to exceed \$5,000.00.

Funding for the Traditional Neighborhood Grants have been budgeted in the Neighborhood Resources 2011-2012 operating budget and are available to fund the grant request.

The Neighborhood Advisory Committee (NAC) discussed whether the grant amount should be less based on the estimates provided but because grant reimbursements are provided on actual project costs, which are not known until the project is complete, NAC decided to approve the request in an amount not to exceed \$5,000.00 to install a new neighborhood entry sign, four street sign toppers and eight Block Watch signs or as many as deemed necessary by the Crime Prevention Unit.

11. AGREEMENT: National Joint Powers Alliance

APPROVED an Agreement with the National Joint Powers Alliance to be a participating member of the cooperative organization.

National Joint Powers Alliance (NJPA) is a public purchasing cooperative governmental organization with over 35,000 member agencies. Members which include all government education and non-profit agencies nationwide, have access to national contract volume pricing over 110 nationally acclaimed vendors. These vendors represent thousands of competitively bid equipment, products and related services ranging from playground equipment and furniture to auto parts and office supplies. NJPA established and provides nationally leveraged and competitively solicited purchasing contracts which are solicited, awarded and monitored by a municipal agency and governed by a publicly elected board of directors. NJPA will save the City of Chandler considerable amount of time, money and the steps required of the bidding and contracting process. Becoming a member of the NJPA will allow the City to purchase through their contracts without duplicating our own competitive bidding process and requirements. The results of the cooperative effort is a variety of nationwide, high-volume, cost-effective, competitively bid contract solutions and services to help meet the ever challenging needs of the City. There is no cost, obligation or liability to join or participate in the NJPA.

Utilizing opportunities to purchase from vendors awarded contracts by NJPA will proved the City the advantage of discounts due to volume purchasing, save bidding costs and expedited the purchasing process. The cooperative membership agreement adds another large purchasing cooperative to the City's options when determining best value in its procurement decisions. The Law Department has reviewed and approved the agreement program and confirms the program satisfies the competitive purchasing requirements of the Chandler City Code.

12. No item.

13. AGREEMENT: Dibble and Associates Consulting Engineers, Inc.

APPROVED Agreement #WA0905-451 with Dibble and Associates Consulting Engineers, Inc., for Water Transmission Jumper Pipe Construction Management Services, pursuant to annual contract #EN1003-102, in an amount not to exceed \$35,970.00.

This project includes construction management, inspection and permitting for improvements to the City's water transmission main network. The improvements will extend the water transmission main system to the Lindsay Water Production Facility, located south of the Riggs Road and Lindsay Road intersection. This transmission mail system distributes water for the Pecos Surface Water Treatment Plant and Santan Vista Surface Treatment Plant to the City's Zone 2 storage reservoirs in southeast Chandler.

This project includes pipe modifications at four locations: the intersections of Riggs Road and Gilbert Road, Riggs Road and Mountain Boulevard, Riggs Road and Lindsay Road, and Gilbert Road at the Cooper Commons Reservoir and Booster Pump Station.

On May 26, 2011, Council approved Annual Contract #EN1003-102 to Dibble and Associates Consulting Engineers, Inc., for permitting assessment, and design of water and wastewater facilities. Staff reviewed the scope of work, billing rates, and total fee for this project, compared them to historical costs, and determined they are reasonable.

14. AGREEMENT: Southwest Ground-Water Consultants, Inc.

APPROVED Agreement #WW1203-101 with Southwest Ground-water Consultants, Inc., for Recharge Permit Capacity project, pursuant to annual contract #EN0709-101, in amount not to exceed \$92,750.00.

All recharge facilities in Arizona are required to operate under permits issued from the Arizona Department of Environmental Quality (ADEQ) and Arizona Department of Water Resources (ADWR). ADEQ and ADWR have permitted Chandler to recharge reclaimed water at the City's Tumbleweed Recharge, Ocotillo Water Reclamation, and Chandler Heights (Wetlands) Recharge Facilities. ADWR permits set the maximum recharge volumes, while ADEQ's permits establish water quality standards for the recharged water. Staff determined ADEQ'S and ADWR's permits need updating to increase allowable recharge volumes.

The Consultant will perform groundwater modeling, collect and prepare technical data, and complete the permit applications necessary to update and increase the recharge capacity. The Consultant will examine recharge capacity for other recharge methods and examine the operational recharge constraints of the City's existing recharge facilities.

On January 17, 2008, Council approved a one-year Annual Contract with the option of four one-year extensions to Southwest Ground-Water Consultants, Inc., for hydrogeological services. The costs proposed for this project have been reviewed by staff and compared to Annual Contract approved pricing.

15. AGREEMENT: Baker & Taylor

APPROVED Agreement #CS8-998-2596, Amendment No. 2 with Baker & Taylor for library materials and related services for a total amount not to exceed \$625,000.00.

The library contracts with book and media vendors to obtain the best discount for library materials. The extension of this agreement will enable the library to continue to receive the best prices for hardcover and paper cover books and board books, reference books, continuations, leased material, audio books, DVDs, CDs and electronic books. The items purchased from Baker & Taylor are discounted up to 45.6% depending on the type material, and arrive pre-processed so that can quickly be made available to library customers.

On April 17, 2008, the City issued a Bid No. CS8-998-2596 for library materials and related services and an award was made to Baker & Taylor for a two-year period beginning November 1, 2008, with provisions to extend for four additional one-year terms. In September 2008, Council approved the award in an amount not to exceed \$1,390,000. In September 2010, Council approved a one-year extension in an amount to exceed \$695,000. Term of this year's extension is for a one-year period, November 1, 2011, through October 31, 2012. Baker & Taylor have agreed to extend at current terms and discount rates even through the total amount of the contract will be reduced by \$70,000.00 from last year.

16. AGREEMENT: MidWest Tape LLC

APPROVED Agreement #CS8-998-2598, Amendment No. 2 with MidWest Tape LLC, for library non-print and related services in a total amount not to exceed \$75,000.00.

The library contracts with book and media vendors to obtain the best discount for library materials. The extension of this agreement will enable the library to contribute to receive the best prices for audio books, DVDs and music Cds. The items purchased from MidWest Tape, LLC, are discounted up to 35% and arrive pre-processed so that they can quickly be made available to library customers.

On April 17, 2008, the City issued a Bid No. CS8-998-2598 for library non-print related services and an award was made to MidWest Tape, LLC for a two-year period beginning November 1, 2008 with provisions to extend for four additional one year terms. In September 2008, Council approved the award in an amount not to exceed \$110,000.00. In September 2010, Council approved the extension in an amount not to exceed \$55,000.00. The term of this year's contract extension is for a one-year period, November 1, 2011, through October 31, 2012. MidWest Tape, LLC has agreed to extend at current terms and discount rates. During the past year staff has evaluated the materials available from all vendors and the prices charged for those material. This contract extension increases the total amount from \$55,000.00 to \$75,000.00 so that the City can take advantage of the better selection and pricing offered by MidWest Tape LLC. The funding for that increase will be generated by eliminating the use of more costly vendors. The result will be the ability to acquire more materials for the same amount of budgeted funds.

17. CONTRACT: Whiting-Turner Contracting Company

APPROVED Contract #LI1002-401 to Whiting-Turner Contracting Company for Sunset Library Renovations in an amount not to exceed \$544,000.00.

Sunset Library located at the northeast corner of Ray and Rural roads is over ten years old and averaged more than 1,000 visitors daily. The condition of the interior space of the building is reflective of the high intensity use by the community. This construction will update carpet, furnishings and equipment. Early Learning Centers will be incorporated into the space, providing parents and preschoolers with interactive educational modules that will increase their children's pre-literacy skills and enhance their school readiness. A dedicated space for teens and pre-teens has been provided to promote a positive experience to engage them in information and computer literacy activities. There is also a dedicated computer lab as well as a computer common space designed for citizens who need access to PCs and the internet. During a public meeting on Tuesday, August 16, 2011, interested patrons in attendance supported the concept of closing the library to allow for a shortened construction schedule. The architect's estimate was that closing the library would shorten construction time by five (5) weeks and save \$30,000.00 to \$50,000.00. Based on the patrons' support of the shorter construction schedule, an addendum was issued during the bid process that called for the bids to be based on the library being closed from December 17, 2011, through January 2, 2012. That time frame coincides with the Kyrene School District's winter break.

18. CONTRACT: Wilson Engineers, LLC

APPROVED Contract #WW1013-201 to Wilson Engineers, LLC for the Airport Water Reclamation Facility Expansion in an amount not to exceed \$5,981,340.00.

The Airport Water Reclamation Facility is located on Queen Creek Road, west of McQueen Road. Staff identified the need for design and construction of new wastewater treatment capacity to accommodate Intel's plan expansion on South Dobson Road. Public information meetings will be held with residents neighboring the facility to discuss expansion and odor control. Construction will begin in 2012 and is expected to be completed in spring 2014.

The design scope includes:

- Preliminary evaluation of plant operations
- Development of construction documents
- Permitting through various governmental agencies
- Construction Manager at Risk coordination

Treatment capacity of the facility will increase from 15 million gallons per day (MGD) to a minimum of 20 MGD.

19. CONTRACT: RK Sanders, Inc.

APPROVED Contract #WA0905-401 to RK Sanders, Inc., for Water Transmission Jumper Pipes in an amount not to exceed \$154,816.00.

This project is for construction improvements to the water transmission main network. These improvements will extend the water transmission main system to the Lindsay Water Production Facility, located south of the Riggs Road and Lindsay Road intersection. This transmission main

system distributes water from the City's Pecos Surface Water Treatment Plant and the San Tan Vista Surface Water Treatment Plant to the City's Zone 2 storage reservoirs in southeast Chandler.

The project includes pipe modifications at four locations: the intersections of Riggs Road and Gilbert Road, Riggs Road and Mountain Boulevard, Rigs Road and Lindsay Road, and Gilbert Road at the Cooper Commons Reservoir and Booster Pump Station.

20. CONTRACT: Ritoch-Powell & Associates

APPROVED Contract #ST0806-202 to Ritoch-Powell & Associates, acceptance of staff approved Amendment No. 1 in the amount of \$8,914.00, and approved Amendment No. 2 in the amount not to exceed \$39,690.25 for Chandler Boulevard and Price Loop 101 Bike Lane and Left Turn Lane Improvements for a revised contract amount not to exceed \$409,411.25.

The City has received federal Congestion Mitigation and Air Quality (CMAQ) funds for construction of bicycle lanes and an additional left turn lane under the Price Loop 101 Freeway at Chandler Boulevard. This project consists of design for bicycle lanes in both the eastbound and westbound directions to provide bicycle lane connectivity and a second left turn lane for westbound to southbound traffic movements under the Price Loop 101 Freeway underpass bridge retaining wall, landscaping, street lighting, traffic signals, traffic signal interconnects, and utility relocations.

The initial subsurface and geotechnical investigation, performed as part of the original design, determined that the existing bridge abutment fill material was not well compacted. Thus, the soil has potential to become unstable during construction operations associated with removal and relocation of the existing retaining wall. Scope of work for Amendment No. 1 consisted of a geotechnical structure soil nail analysis and additional construction plans and details necessary to ensure safety and constructability of the project improvements.

Requirements in accordance with the American with Disability Act (ADA) have changed recently for all construction performed after March 2012. Amendment No. 2 consists of modifications to the existing sidewalks and ramps to ensure compliance with ADA requirements. Scope of work also includes preparation of construction sequence and Maintenance of Traffic (MOT) plans necessary to comply with new permit requirements for construction in the Arizona Department of Transportation (ADOT) rights-of-way. A separate Construction Manager contract for professional services during construction will be advertised and brought forward to Council approval at a later date.

21. CONTRACT: Ritoch-Powell & Associates

COUNCILMEMBER HEUMANN voted nay on this item.

APPROVED (6-1) Contract #ST0704-202, Amendment No. 1 to Ritoch-Powell & Associates for Alma School Road and Ray Road Intersection Improvements, in an amount not to exceed \$15,281.00, for a revised contract amount of \$111,952.00.

The City has received federal Highway Safety Improvement Program (HSIP) funds for utility relocation and construction of the Alma School Road and Ray Road Intersection Improvements. The improvements include the addition of dual turn lanes, a third auxiliary through lane, right turn

lanes for all directions of travel, paved concrete medians, street lighting, storm drainage, and landscaping.

The existing contract scope includes review and modifications of existing plans in coordination of the proposed Museum of Tolerance at the Jewish Community Center and preparing new Standard Details to replace existing Standard Details to comply with new upcoming Americans with Disability Act (ADA) requirements as identified in the draft version of the Public Right of Way Accessibility Guidelines (PROWAG). This Amendment No. 1 includes scope to prepare several Special Ramp Details to ensure constructability.

Relocation of utilities has been phased to start prior to roadway construction. This anticipated to reduce the amount of time needed for roadway construction and to reduce potential conflicts with utilities. Amendment No. 1 includes surveying and staking to identify existing and final grade elevations to coordinate with Salt River Project relocation and joint trenching work. A separate Construction Manager contract for professional services will be advertised and brought forward for Council approval at a later date.

22. CONTRACT: Nesbitt Contracting Co. Inc.

APPROVED Contract #AI0805-401 to Nesbitt Contracting Co. Inc., for Airport Boulevard Realignment for a scope reduction and value engineering deductive amount of \$100,638.48, and a new contract amount of \$2,916,691.04.

The Airport Realignment Project was bid with construction phases. The original engineer's estimate for completion of all phases was \$4,084,168.23 and staff had anticipated that only Phase 1 of the project would be funded. However, the low bid for all phases was \$3,017,329.52 and it was decided to proceed with both Phase 1 and Phase 2 of this project. On April 4, 2011, Council approved the contract with Nesbitt Contracting Co., Inc., for the realignment of the Airport Boulevard in the amount of \$3,017,329.52.

The approval of both phases of the project necessitated some redesign work by Salt River Project (SRP) to accommodate electrical conduit needed for Phase 2. The additional costs for the SRP work increases the overall project budget above the available funding level. Staff worked to identify reductions in scope and value-engineering items that would reduce the construction contract award enough to facilitate the costs for the SRP work. The scope reductions and value engineering changes will reduce the contract award by \$100,638.48, and staff intends to use these savings to fund the additional SRP work valued at \$91,306.00.

23. CONTRACT: Salt River Project

APPROVED Contract #AI0805-301, Amendment to Salt River Project (SRP) for design and construction to accommodate the Airport Boulevard Improvements Phase 1 & 2 in the amount of \$91,305.97, for a revised total of \$201,085.97.

To accommodate the improvement project, SRP must install four switches, three transformers, remove four poles and relocate two poles for removal of overhead facilities along existing Airport Boulevard. SRP has prior rights; therefore, the City is requires to reimburse SRP for associated costs. Airport Boulevard, south of Germann Road and west of Cooper Road, is currently the main entrance to the Chandler Municipal Airport. Due to the ongoing expansion of the aircraft parking areas and future commercial development on the north side of the airport, the Airport Master Plan recommended a realignment of Airport Boulevard to coincide with the Cooper

Road/Germann Road intersection. The realignment will improve access into and out of the airport due to the existing traffic signal at Cooper Road and Germann Road and provide a more direct route between the Loop 2002 Santan Freeway and the Airport entrance. Future commercial and industrial developments along the new Airport Boulevard will benefit from easier future access to the terminal and aircraft parking. Curtis Way and Ryan Road will be extended and reconfigured as part of the alignment. The Project was originally to be done in phases, with a Phase 1 cost of \$109,780.00. Phasing has subsequently been eliminated. Instead of a Phase 2 cost, SRP submitted a revised total project cost of \$201,085.97. The City will receive credit for that portion of the cost already committed in the Phase 1 contract.

24. PURCHASE: Reconditioned/Certified Used Vehicles

APPROVED the Purchase of reconditioned/certified used vehicles from SanTan Honda Superstore of Chandler, Bill Luke Chrysler Jeep Dodge, and Chapman Chevrolet Isuzu, utilizing the City of Tempe contract, in an amount not to exceed \$87,500.00.

25. No item.

26. PURCHASE: Mobile communications services and equipment

APPROVED the Purchase of mobile communication services and equipment from Sprint/Nextel utilizing the State of Arizona and Western States Contracting Alliance (WSCA) contract (EPS070070) in an amount not to exceed \$192,000.00.

27. USE PERMIT: Allred Chandler Airport Center

APPROVED Use Permit ZUP11-0010 Allred Chandler Airport Center to allow a place of worship/church in a portion of Building B located at 2440 E. Germann Road, Suite 5, north of Germann Road and east of Cooper Road within the Allred Chandler Airport Center. (Applicant: Mike Curley – Earl, Curley, & Lagarde)

The request is for Use Permit approval to allow a place of worship/church, "church", within a portion of Building B located in Allred Chandler Airport Center, "Allred". The church would be the first public assembly use to locate within the Allred development. The church intends to occupy Suite 5 at approximately 4,503 square feet. Allred is located within the City's Airpark Area Plan along the north side of Germann Road. This area has developed with several light industrial office parks.

Allred, formerly known as Hewson Chandler Airport Center, was zoned Planned Area Development (PAD) in 2005 for Planned Industrial (I-1) light industrial uses. A Preliminary Development Plan (PDP) was approved for the site layout and building architecture in 2006. In 2009, a PAD zoning amendment was approved to add uses that would have required Use Permits. The uses added included manufacturing and assembly of products, repair or manufacturing of small-scale equipment or goods, a sign-making company, and motor vehicle customization with aftermarket products sales and installation. In 2010, another PAD zoning amendment was granted to add uses including athletic training facilities and/or family recreational/instructional uses in Buildings A and C only.

The subject site Building B is zoned for light industrial uses including the additional uses permitted through the PAD amendment in 2009. This building is approximately 61,770 square

feet in size. There is one existing tenant in Building B, Suite 1 Stanley Steemer. Tenants in the other two buildings include Building C - Suite 8 Lumber Liquidators, Suite 18 Option 1 Nutrition, Suite 12 MVP Zone, and Suite 2 Unisource Worldwide. Building A tenants include Suite 5 Duncan Systems, Suite 11 Body Envy Bootcamp, and Suite 17 Arizona Dynamics Gymnastics. Building B is located along the site's west side. The fronts of tenant spaces face undeveloped land to the west, the traffic circle intersection of Piper and Yeager Drives, and Redrock Business Plaza. Access to this church will more likely occur off of Piper and Yeager Drives directly from Germann Road and the Loop 202 Santan Freeway respectively.

The church space includes a worship service area, lobby, pastor's office, and an administrative area. There will be no childcare or Bible study programs. Church services occur on Sundays at approximately 9 a.m. and end at 1 p.m., and also occur two evenings a week starting at 6:45 p.m. The East Valley Hope Center has approximately 75 members and currently operates in a church off of Alma School and Galveston Street. The church estimates that only 20 vehicles will park on site for each service. Since the services are on Sunday and during the work week are held when other businesses are closed, it is assumed there will be no parking conflicts with other tenants in Allred. The tenant in Building B, Stanley Steemer, is not open on the weekends and closes at 7 p.m. during the week. Building A has two instructional sports related businesses that do operate in the evenings Monday through Friday and Saturdays. Building C has a flooring lumber company that operates in the evenings and all weekend.

Currently there is no assigned parking in the development. There are 200 parking spaces in the vicinity of Building B. The development's parking is provided to accommodate a maximum of 20% office and 80% industrial uses; however, more than required parking was provided with over 170 additional parking spaces. The excess parking spaces allowed for the zoning amendment to accommodate athletic training facilities and/or family recreational/instructional uses in Buildings A and C. The addition of this small church occupying 4,503 square feet with 75 members does not create an impact on parking at this site as it is estimated through family carpooling that 20 cars are generated for during worship services.

Pedestrian access is along the west side of the building adjacent to parking. There is parking on the east side of the building; however, this is intended for employee parking since there are no sidewalks and no access to the front of the building's main entrance. The parking space plan in the Development Booklet illustrates parking associated with each tenant.

The subject building and parking area fall within Airport Noise Overlay One (ANO-1) of the AIO district. ANO-1 corresponds to the area between the Chandler Municipal Airport's 55 DNL and 60 DNL noise contours. ANO-1 allows religious facilities, libraries, museums, galleries, clubs, and lodges as well as other uses so long as they provide indoor sound attenuation in accordance with Zoning Code requirements. It appears likely that the subject building can conform to these sound attenuation requirements with no more than minor modifications.

The Airpark Area Plan designates the property for Commercial/Office/Business Park. The 2006 rezoning to PAD that established the light industrial uses on this parcel met Airpark Area Plan's land use designation. The Airpark Area Plan also has several policies that could potentially pertain to the subject application and its relation to the nearby airport. Most significantly, Policy 5.2 states:

The City shall prohibit the development of noise-sensitive institutions, such as day-care facilities, schools and churches, within arrival and departure flight tracks, touch-and-go patterns and within the 55 DNL noise contour.

Planning Staff notes that area plans, like the Airpark Area Plan, are policy documents intended to guide land use decisions. However, unlike the Zoning Code, area plans are not intended to be legal documents that either prohibit or allow by-right any uses. In Planning Staff's opinion, Policy 5.2 highlights uses that require special attention with regard to their noise-sensitivity. The Zoning Code's AIO district provides this special attention through its insulation requirements and use regulations dependent on which noise contours overlay the site

Typically, Planning Staff conveys an opinion that a proposed church or place of worship use is not compatible with light industrial and business park uses. Light industrial, manufacturing, distribution, and warehouse users are generally limited to locating within existing industrial and business parks, whereas a church or place of worship is permitted by right in commercial zoning districts. An increase in non-industrial occupants, such as the proposed church, decreases the amount of space available for light industrial users. Inherent in many industrial uses is the potential for creating noise, odor, traffic, and some chemical use/storage, which are generally considered incompatible with uses such as churches, schools, clubs, recreational facilities, and child-related programs. For reasons stated above, including the displacement of industrial space and an incompatible mix of uses, Planning Staff typically does not support churches or places of worship within a zoning also allowing I-1 (Planned Industrial District) zoning district uses. However, in response to the Religious Land Use and Institutionalized Persons Act (RLUIPA) and an Arizona counterpart law, Planning Staff is recommending support of this request. The U.S. Congress enacted RLUIPA in 2000. In summary, RLUIPA prevents a local government entity from imposing or implementing a land use regulation that imposes a "substantial burden" on a person's exercise of religion. RLUIPA protects individuals, houses of worship, and other religious institutions from zoning and landmarking laws that substantially burden religious exercise without a compelling government justification.

A substantial burden often is found to be imposed where it shows that: (a) the use is denied for broadly stated and highly subjective or discretionary land use reasons; (b) the denial reflects an inconsistent, arbitrary or pretextual application of land use restrictions; and/or (c) the denial is likely to create a severe shortage of acceptable alternative properties for the church use.

The Use Permit application request to add a church use in a specific tenant space in Building B in addition to the PAD zoned land uses for Buildings A, B, and C must be supported by the City because this proposal does not create a substantial burden. The City cannot demonstrate that any of the three items above exist. The church has proven it can meet zoning standards including site development requirements for required parking to operate on this property. There are many alternative properties for the church to locate within including appropriately zoned commercial sites that allow churches by right without the need for a Use Permit or rezoning. However, the proposed location for the church appears to be compatible based upon the representations within the Development Booklet.

As indicated by the ANO-1 regulations in the Zoning Code, the use is appropriate at this distance from the airport if adequate sound attenuation is provided.

The request was noticed according to the provision of the Chandler Zoning Code. A neighborhood meeting was held on August 11, 2011. No one attended other than the applicant and Planning Staff is not aware of any opposition or concern with the request.

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

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Allred Chandler Airport Center" kept on file in the City of Chandler Current Planning Division, in file number ZUP11-0010, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 3673 in case DVR04-0037, except as modified by condition herein, and Preliminary Development Plan case PDP06-0001.
3. A church or place of worship use shall occur within Building B, Suite 5 of Westech Corporate Center Lot 34. Parking related to this church shall occur in accordance with the representations in the Development Booklet.
4. Childcare and Bible study programs are not approved with this request.

28. CONTINUED USE PERMIT: Generations Linked

CONTINUED TO OCTOBER 27, 2011, ZUP11-0015 Generations Linked, extension of existing Use Permit approval for the operation of residential childcare within a single-family residence located at 1192 N. Hudson Place, north and east of McQueen and Ray roads. The continuance is requested due to the applicant being unable to attend the September 22, 2011, City Council meeting.

29. CONTINUED USE PERMIT: Wee Blessings Preschool & Academy

CONTINUED TO OCTOBER 27, 2011, ZUP11-0021 Wee Blessings Preschool & Academy, to operate a preschool and tutoring business at 1751 E. Queen Creek Road, approximately one quarter-mile west of Cooper Road.

The applicant is pursuing more information related to the state's pesticide regulations near preschools that was not available at the time of the Planning Commission hearing. Given that much of the Commission discussion was about the topic and that the Commission voted to recommend denial, the applicant would like to have Planning Commission reconsider the topic with the new information presented.

30. CONTINUED USE PERMIT: United Methodist Church Wireless Facility

CONTINUED TO NOVEMBER 17, 2011, ZUP10-0037 United Methodist Church Wireless Facility, to install a wireless communication facility on the campus of United Methodist Church at 450 E. Chandler Heights Road, the NEC of Chandler Heights Road and the Union Pacific Railroad. The continuance is requested to allow the applicant to finalize contract details on the Bear Creek Golf Course site.

31. USE PERMIT: Ninja Sushi

APPROVED Use Permit LUP11-0014 Ninja Sushi, to sell liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within an outdoor patio area at a new restaurant at the 2040 S. Alma School Road, Suite 3, at the SWC of Germann and Alma School roads.

The request is for liquor Use Permit approval to allow liquor sales as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within an outdoor patio area. This restaurant is within the Fry's grocery shopping center. Planning Commission and Planning Staff,

finding consistency with the General Plan and Planned Area Development (PAD) zoning, recommend approval.

The request is for liquor Use Permit approval to sell liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within outdoor patio areas within the Chandler Pavilions commercial center. A Series 12 Restaurant License allows the on-site sale of beer, wine, and spirits for on-site consumption. Under a Series 12 license, the establishment must derive at least forty (40) percent of its gross revenue from the sale of food and nonalcoholic beverages.

This tenant space was formerly occupied by the Nothing But Noodles and Pepe's Mexican Grill restaurants. The new restaurant, Ninja Sushi, offers Japanese sushi. The business will occupy approximately 2,800 square feet with an existing patio on the building's north side which is approximately 240 square feet. The restaurant will be open from 11 a.m. to 10 p.m. seven days a week. The restaurant seats approximately 100 people. There are no entertainment uses or activities on site; only televisions indoors.

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 districts throughout the City.

The request was noticed according to the provision of the Chandler Zoning Code. A neighborhood meeting was held on August 16, 2011. No one attended other than the applicant. The Police Department has been informed of the application and has not responded with any concerns. Staff is not aware of any opposition to the request. Staff did receive a phone call from a nearby commercial property owner who supports the request.

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

1. 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.
2. The liquor Use Permit is granted for a Series 12 license only, and any change of licenses shall require re-application and new liquor Use Permit approval.
3. The liquor Use Permit is non-transferable to other restaurant locations.
4. The site shall be maintained in a clean and orderly manner. 5. The patio shall be maintained in a clean and orderly manner.

32. LIQUOR LICENSE: Ninja Sushi

APPROVED a Series 12 Restaurant Liquor License (Chandler #135664 L12) for Hong Sik Moon, Agent, Ninja Sushi Inc., dba Ninja Sushi located at 2040 S. Alma School Road. A recommendation for approval of State Liquor License #12078760 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.

33. USE PERMIT: The Sushi Room

APPROVED Use Permit LUP11-0016 The Sushi Room, Series 12 Restaurant Liquor License to sell alcohol as permitted for a new restaurant and outdoor patio located at 2475 W. Queen Creek Road, Suite 6, west of the SWC of Queen Creek and Dobson roads.

The request is for Use Permit approval to sell alcohol as permitted with a Series 12 (Restaurant) liquor license for a new restaurant and outdoor patio. Planning Commission and Staff, upon finding consistency with the General Plan and Planned Area Development zoning, recommend approval with conditions.

The subject site is located west of the southwest corner of Queen Creek and Dobson Roads, within the Downtown Ocotillo commercial shopping center. The subject site is located in a suite within an inline shops space with a healthcare related insurance company located directly east of the suite, and The Living Room wine bar at the east end of the shops space. Queen Creek Road is directly north of the site. A parking field is located south of the site. West, adjacent to the restaurant is a drive-thru lane that will not be used.

The suite is approximately 2,231 square feet that occupies the western portion of an approximate 7,000 square foot inline shops building. The dining portion is approximately 1,112 square feet and can accommodate 80 patrons. An 817 square foot outdoor patio is provided, and can accommodate 54 patrons. The outdoor patio is located south of the main entrance and flanks both sides of the entrance. The Sushi Room is open from 11 a.m. to 10 p.m. daily.

In order to accommodate the outdoor patios a pedestrian walkway will be enclosed. However, as part of the patio design the pedestrian walkway was shifted south of the patios and takes up a portion of seven parking stalls. The parking stalls will be eliminated and the concrete patio extended. With the extended walkway the restaurant has the ability to provide a valet parking drop-off area in front of the restaurant.

A Series 12 Restaurant License allows the sale of all liquor and requires a minimum of 40% of total sales to be in food and non-alcoholic beverages. The applicant plans to serve beer and wine only.

The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on Tuesday, August 30, 2011. There were no neighbors in attendance.

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

1. Expansion or modification beyond the approved exhibits (Site and Floor plans) 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 12 license only, and any change of license shall require reapplication and new Use Permit approval.

34. LIQUOR LICENSE: The Sushi Room

APPROVED a Series 12 Restaurant Liquor License (Chandler #136810 L12) for Robert Thomas Aguilera, Agent, The Sushi Room 1 LLC, dba The Sushi Room, 2475 W. Queen Creek Road, Suite 7. A recommendation for approval of State Liquor License #12078786 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.

35. USE PERMIT: Sibley's West Gift Shop

APPROVED Use Permit LUP11-0017 Sibley's West Gift Shop, Series 10 Wine and Beer License, to sell wine and beer for off-premise consumption only at 72 S. San Marcos Place within Historic Downtown Chandler.

The request is for Use Permit approval to sell alcohol for off-premise consumption from a gift shop in conjunction with a Series 10 Wine & Beer Store License. The shop, which opened in 2010, is located along the historic square surrounding A.J. Chandler Park in Downtown Chandler. The 2,500-square foot subject business is open Monday through Thursday, 9 a.m. to 9 p.m., Fridays and Saturdays 11 a.m. to 9 p.m., and Sunday noon to 4 p.m. They may occasionally (a few times per year), allow wine sampling on the premises. The business is surrounded by retail, restaurant, and bar uses, and is one block south of the San Marcos Hotel. The shop has a front entrance from the colonnade and a rear entrance to a small shared parking lot.

Planning Commission and staff recommend approval of the request with a time limit of one year to allow continued evaluation of compatibility with the nearby neighborhood. Planning Commission and staff also recommend the standard condition regarding maintaining the site in a "clean and orderly manner" to ensure that no littering occurs near the store.

This request was noticed in accordance with the requirements of the Chandler Zoning Code. The Police Department has been informed of the application and has not responded with any issues or concerns. A neighborhood meeting was held on August 29, 2011, at the Downtown Community Center. No citizens attended. At this time staff is not aware of any opposition.

Upon finding consistency with the General Plan, 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 year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication and approval by the City.

36. LIQUOR LICENSE: Sibley's West

APPROVED a Series 10 Wine and Beer Store License (Chandler #131946 L12), for John Sibley Wolf, Agent, The Chandler and Arizona Gift Shop LLC, dba Sibley's West located at 72 S. San Marcos Place. Recommendation for approval for State Liquor License #10076190 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.

37. LIQUOR LICENSE: Barro's Pizza

APPROVED a Series 12 Restaurant License (Chandler #137043 L12), for Kenneth James Barro, Agent, KJB Enterprises Inc., dba Barro's Pizza located at 950 E. Riggs Road, Suite 11. Recommendation for approval for State Liquor License #12078836 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.

38. LIQUOR LICENSE: Vintage 95

APPROVED a Series 12 Restaurant License (Chandler #136364 L12), for Perry Charles Huellmantel, Agent, Vintage 95 LLC, dba Vintage 95 located at 95 W. Boston Street. A recommendation for approval for State Liquor License #12078843 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.

39. WITHDRAWN LIQUOR LICENSE: Teakwoods Chop House

WITHDRAWAL of Liquor License Series 12 Restaurant License, for Cheri Lynn Magill, Agent, Do Dah Day LLC, dba Teakwoods Chop House located at 4060 S. Arizona Avenue.

40. LIQUOR LICENSE: Nate's Third Base

CONTINUED to October 27, 2011, a Series 6 Bar Liquor License for Destiny Yvonne Myres, Agent, Straight No Chaser LLC, dba Nate's Third Base located at 1949 W. Ray Road, Suite 11-13, to allow the applicant time to complete the requirements for their Use Permit.

41. TEMPORARY EXTENSION OF PREMISES: McDuffy's Grille

APPROVED a Temporary Extension of Premises for a Series 12 Restaurant Liquor License (Chandler #130729 L12) held by Gamma Brother's LLC, dba McDuffy's Grille located at 980 E. Pecos Road, Suite 5, to extend the alcohol serving area for a Save 2nd Base Fundraiser on Saturday, October 15, 2011. A recommendation for approval of a Temporary Extension of Premises for State Liquor License #12078438 will be forwarded to the State Department for Liquor Licenses and Control. The Police Department has no objection to this extension, and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Services.

42. SPECIAL EVENT LIQUOR LICENSE: Arizona Parks & Recreation Fellowship

APPROVED a Special Event Liquor License for the Arizona Parks & Recreation Fellowship for the Arizona Salsa Festival Fundraiser on Saturday, November 5, 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 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 the applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid.

43. SPECIAL EVENT LIQUOR LICENSE: Susan G. Komen Breast Cancer Foundation Inc.

APPROVED a Special Event Liquor License for the Susan G. Komen Breast Cancer Foundation Inc., for a Hoptoberfest & Chili Cook-Off Fundraiser on Saturday, October 22, 2011, and Sunday, October 23, 2011, at the Hungry Monk, 1760 W. Chandler Boulevard. 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 alcoholic beverages with the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. As the applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid.

44. WINE FESTIVAL/WINE FAIR LICENSE: Kokopelli Winery

APPROVED a Wine Festival / Wine Fair License for KWB Chandler LLC, dba Kokopelli Winery for the Kokopelli Krush on Friday, October 21, 2011, Saturday, October 22, 2011, and Sunday, October 23, 2011, at Kokopelli Winery, 35 W. Boston Street. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises. The Police Department reports no objections to the issuance of this license. As the applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid.

45. MEMORANDUM OF AGREEMENT: Blue Cross Blue Shield of Arizona, Inc. Res. #4539

ADOPTED Resolution No. 4539 authorizing the Calendar Year 2012 Amendment to the Memorandum of Agreement with Blue Cross Blue Shield of Arizona, Inc.

On May 28, 2010, the Mayor and Council approved Blue Cross Blue Shield of Arizona to provide medical and pharmacy benefit administration for the City of Chandler employees and dependents effective January 1, 2011, provided through an Administrative Services Only (ASO) program.

The Agreement is amended to modify the group medical insurance program for City employees to extend, as a Survivor benefit, eligibility for coverage to the spouse and eligible children of any employee killed in the line of duty or in the course and scope of City employment, as set forth in the City's "Employee's Survivors' Medical, Dental and Vision Care Insurance Coverage Policy". The Agreement is amended to include a Maximum Aggregate and Specific Liability Agreement and Administrative Services Agreement in the form approved by the City Attorney.

46. AGREEMENT AMENDMENTS: 2012 Employee Benefits Program

APPROVED Agreement Amendments with Anthem Life Insurance Company for long-term disability insurance to public safety personnel; APS Healthcare Bethesda, Inc., successor to APS Southwest, Inc., for employee services; Delta Dental Plan of Arizona, Inc, for dental services plan; Liberty Mutual Insurance Company for group savings plus hold harmless and marketing

agreement; PayFlex Systems USA, Inc., as successor to FlexAmerica, Inc., for flexible spending account administration; Vision Service Plan Insurance Company for group vision care services policy; for the 2012 Employee Benefits Program.

City staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. The City's 2012 Employee Benefits Program will consist of the following: healthcare, dental care, group life and accidental death & dismemberment insurance, voluntary term life insurance, group travel accident insurance, short and long term disability, cancer insurance for fire fighters and police officers, deferred compensation, retiree health savings plan, retirement, employee assistance plan, vision, flexible spending account, a legal plan, group auto and homeowners insurance, a pet insurance plan, and short term disability supplemental insurance. Each of the amendments involves extending the plan contract for an additional one year; however, the following list of amendments has significant changes and/or additional benefit enhancements.

- Blue Cross Blue Shield of Arizona: The City's group medical and pharmacy program, to include administration services, network contracts, clinical programs, pharmacy benefit management service, and stop-loss coverage be provided through self-funded insurance plan was awarded and approved by the Mayor and Council on May 28, 2010. After review and consideration of the financial attestation provided but the City's healthcare actuary and in the accordance with the City of Chandler Healthcare Benefits Trust Agreement, the City's Health Benefits Trust Board approved the premiums on August 11, 2011. As previously discussed during the City's budget proceedings and subsequently approved by the Mayor and Council the contribution strategy consisting of an 82/18 split of the subsidized premium provided by the City. The benefit plan has been reviewed in partnership with the benefit consultants and members of the City's Healthcare Task Force. After considerable review and analysis it was recommended that pharmacy co-pays for glucose meter, insulin, lancets and test strips would be waived with the employee's commitment to monthly participation with a Health Coach. Impact on the plan will be evaluated on a monthly basis in order to assess return on investment. In addition, an expanded maternity education, support and post-delivery follow-up and if enrolled by 16th week, mom receives a \$100 gift card to Babies "R" Us, all the while with continuing to provide national in-network coverage and no additional in co-pays.
- Delta Dental Plan: Provides dental coverage. A third cleaning benefit was negotiated for members diagnosed with specified medical conditions with no additional costs passed on to employees for a second year in a row while still providing employees with access to Delta Dental's Preferred Provider Network. Dentists participating in Delta Dental's Preferred Provider Network have agreed to lower contracted amount in which turn passes on savings to the employee for contracted services are typically 10% to 20% lower than a regular network Delta Dental Provider.
- VSP: Provides vision services. Two added benefits were negotiated and participants will receive an increase allowance for contact lenses from \$105.00 to \$130.00 and allowance for eye glass frames from \$120.00 to \$130.00 with no increase in premium and/or administrative fees.

Amendments to the Agreements with Anthem Life Insurance Company, APS Healthcare Southwest, Inc., Blue Cross Blue Shield of Arizona, Delta Dental, PayFlex Systems USA, Inc., VSP, and approval of the agreement with Liberty Mutual Insurance Company, and ING. Agreements with other providers do not require amendments for 2012.

Staff recommends the benefits carriers/administrators for calendar year 2012 as outlines in the following:

<u>COVERAGE</u>	<u>PROVIDER</u>	<u>PAID BY</u>
1. Business Travel & Commuter Accident Insurance	ACE American Insurance Company	City
2. Long Term Disability for Public Safety Personnel	Anthem Life Insurance Company	City
3. Employee Assistance Plan	APS Healthcare	City
4. Flexible Spending Accounts	PayFlex Systems USA, Inc.	City
5. Group Life Insurance and Accidental Death & Dismemberment	ING	City
6. Dental Care Claims Administration	Delta Dental Plan	City/Employee
7. Deferred Compensation	ICMA - RC	City/Employee
8. Retirement Health Saving Plan	ICMA – RC	City/Employee
9. Vision Care	Vision Service Plan	Employee
10. Pre-Paid Legal Services	Pre-Paid Legal Services, Inc.	Employee
11. Home and Auto Insurance	Liberty Mutual	Employee
12. Pet Insurance	VPI	Employee
13. Short Term Disability Supplemental Insurance	Colonial Life	Employee
14. Voluntary Term Life Insurance	ING	Employee

The following employee benefit programs are statutorily required or self-administered by the City.

<u>COVERAGE</u>	<u>PROVIDER</u>	<u>PAID BY</u>
• Short Term Disability	City of Chandler Human Resources	City
• Cancer Insurance – Fire Fighters and Police Officers	Public Safety Retirement System	City
• Retirement Plan – Civilian	Arizona State Retirement System	City/Employee

4,000 square foot main building that houses a number of the day-to-day operations, an approximate 2,500 square foot building that operates as bulk storage, and an approximate 2,000 square foot metal canopy that covers the primary drop-off/pick-up and staging areas. Within the past couple of years the CCCC acquired the property directly south of the existing campus with the intention for future development. The current request realizes that development goal.

The request is to rezone the existing campus and the property directly south from MF-1 to PAD, to allow for a multi-use community center. In addition, the request includes a PDP that modifies the southern portion of the existing main campus building by adding a new reception area and offices, and on the property directly south, by adding a large classroom and paved outdoor area. In addition to the expansion areas, a renovation of the interior will occur in order to better suit the needs of the community center as well as the larger community.

The approximate 2,300 square foot expansion area will be a continuation of the existing southern building. The expansion will initially include a new reception area, various offices, and classrooms, with the potential for an additional expansion on the rear of the building. The expansion will occur in the future. In order to maintain consistency with the existing site design, pull-in parking will be expanded from the existing parking area adjacent to California Street to the south. To provide as much as a buffer as possible, the expansion will be set back from the nearest residential property line south of the campus by roughly twenty-eight feet (per code twenty-five feet is required). The twenty-eight feet provides the ability for vehicular access to the rear of the property in the event parking is needed, as well as provides a secure paved area for children to play in.

The expansion area will maintain architectural consistency with the existing buildings; providing a residential and pedestrian scale. Building wall planes along California Street will maintain consistency with the existing structures; however because of this, deviation from commercial design standards is requested. Architectural embellishments have been minimized in order to maintain consistency with the residential character of the area. While desiring to maintain consistency with the existing buildings, some façade treatments will be done to the new structure. The existing main building is of block construction and provides horizontal windows with security bars in place. The new structure will provide a stucco façade and provides vertical window. The security bars will be removed and replaced with an opaque window (Kalwall). The opaque windows are constructed in a manner that provides security without the need for the additional security bars. Additionally, the main entrance is emphasized through the inclusion of a block vertical wall that extends above the roof ridge line, and horizontal clear windows for the entire height of the face of the building adjacent to the door. A steel trellis further accentuates the entrance area.

The applicant is requesting some deviations from current development standards including: reduced building setbacks along the California Street frontage and the rear building setback, on-site parking requirements, landscaping requirements, and the maximum allowance of 65% of one building material per elevation.

While the request is to rezone the properties to allow for the multi-use community center, zoning setback standards are meant to maintain consistency with standard Zoning Code requirements. In this case, the required front building setback along California Street is twenty-five feet, the current building is at approximately eighteen feet to the main building overhang (the northern storage building has a five foot setback). The front plane of the new structure is setback at roughly twenty-two feet; however the steel trellis entrance feature is approximately eight feet from the property line.

In addition to the front setback, a rear setback of thirty feet is required. The current structure has a rear setback slightly more than eighteen feet. As is currently shown on the site plan for the new structure, the new portion will be setback at forty feet; however, the applicant is requesting the allowance to maintain the building setback of the existing building to allow for a future expansion area. In conjunction with setback relief for the future building expansion, the applicant is requesting the ability to allow for administrative review and approval of the expansion area. In addition to relief for the rear setback of the main building, a future storage shed is proposed in the drop-off/pick-up storage area that also requires relief from the rear setback. The storage shed, as provided on the site plan, will be setback roughly ten feet from the rear property line. While maintaining consistency with the existing building setback is desirable, Planning Commission and Staff have no concerns with allowing the storage shed to have a ten-foot setback as the shed is a typical structure found in residential neighborhoods. Moreover, if the site were to operate as a residence, Zoning Code would allow the storage shed to maintain a ten-foot setback from the rear property line. Planning Commission and Staff are comfortable with the request for setback deviations and for the ability of administrative review on the future expansion area.

The second request for deviation is for the required on-site parking. For a community center, parking ratio would be consistent with public assembly uses and requires one space per two-hundred square feet. For the full development of the site, fifty-three parking stalls would be required; twelve parking stalls are currently provided, with an additional five spaces to be added with the expansion area. Typically, staff would have concerns with such a large deviation from code requirements; however in this situation the site has operated for a number of years without significant concerns being raised due to parking shortages and a substantial amount of the traffic generated at the site is pedestrian oriented, as the facility primarily serves the surrounding area.

The third request for deviation is to allow for a reduced coverage of landscaping. Per code requirements, the site would be required to install six trees and fifty shrubs within the area separating the parking and front face of the building. The proposed landscape plan includes the addition of seven trees for a total of ten along the street frontage, however, no additional shrubs are being provided. The reasoning behind the exclusion of the shrubs is primarily due to the large amounts of pedestrian traffic that the site receives (CCCC serves roughly 1,200 people per week) and that the shrubs would eventually be destroyed. In addition, having a reduced amount of shrubs along the frontage allows the center to concentrate on the design of the learning trail (discussed in the narrative); providing a more engaging area for the community.

Overall, with the deviations requested for the plan, Planning Commission and Staff are comfortable with recommending approval of the request citing that with the deviations requested a number of the concerns are addressed through the historic operational practices of the center, the proximity of the center to the community it serves, and the fact that staff has heard no opposition to the request.

The request was noticed in accordance with the requirements of the Chandler Zoning Code and a neighborhood meeting was held on August 16, 2011. There was one neighbor in attendance with general questions. Staff has not received any telephone calls or letters opposing the application.

The Planning and Zoning Commission expressed some concerns with the lack of landscape materials along the front of the building, and added condition No. 7 listed in the Ordinance to allow flexibility in the location and design of the additional landscape materials.

Upon finding consistency with the General Plan, South Arizona Avenue Area Plan, and PAD Zoning, Planning Commission and staff recommend approval subject to the conditions listed in the ordinance.

Discussion:

Planning Manager KEVIN MAYO gave the Council an overview on the item. He told the Council that the Chandler Christian Community Center had been in operations since the 1960's and consisted of property at 345 S. California Street as well as a home south of that location with the desire to incorporate that home into the campus of the center. He explained that the rezoning would bring the original site and the additional house into one zoning district with a PDP overlay.

Mr. Mayo also told the Council that the Planning and Zoning Commission directed the applicant and staff to work together on permitting to address the landscaping condition.

In response to a question from COUNCILMEMBER HEUMANN, Mr. Mayo stated that it was staff's intention to look at hardscape and more durable landscape for the location.

MS. LORI TAPIA, 3729 W. GERONIMO ST., told the Council that the project would allow the Chandler Christian Community Center to be more efficient as they meet the needs of the families that they serve. She stated that the facility being brought into the campus would beautify and not be an eyesore. She expressed excitement over the project and stated that input was given to the project from volunteers and individuals who use their services.

DR. TREVA FREE-KIMBROUGH, 428 W. MCNAIR ST., shared a personal story with the Council. She told the Council she had moved to Chandler in the early 1980's to be closer to her parents at a time she was going through a divorce making \$6.50/hour as a single mother pursuing a college degree. She indicated she used resources from the Chandler Christian Community Center various times to ensure that her children did not have to go without food. She noted that now many years later, she had accomplished her schooling and now serves as a member of the Board of Directors for the Chandler Christian Community Center. She asked that the Council continue their support of the Center.

MAYOR TIBSHRAENY thanked Ms. Tapia and Dr. Free-Kimbrough for their comments and service. He noted that the Center has been a part of the City of Chandler for decades serving families. He appreciated everything that the Center has done and looked forward for the Center to continue to be a vibrant part of the community for years to come.

MOVED BY COUNCILMEMBER ORLANDO, SECONDED BY COUNCILMEMBER HEUMANN TO INTRODUCED AND TENTATIVELY APPROVE ORDINANCE NO. 4322, DVR11-0026 CHANDLER CHRISTIAN COMMUNITY CENTER, REZONING FROM MULTI-FAMILY (MF-1) TO PAD ALONG WITH PDP APPROVAL FOR A MULTI-USE COMMUNITY CENTER SUBJECT TO THE CONDITIONS RECOMMENDED BY PLANNING COMMISSION AND STAFF.

MOTION CARRIED UNANIMOUSLY (6-0).

9. AUTHORIZED REDUCTION: Bus Services

AUTHORIZED the specified reduction of bus services in order to achieve a \$20 million cost savings through 2026.

Background:

Due to declining regional sales tax revenue, Chandler is facing an approximate \$20 million cut to its transit system over the next 15 years. The \$20 million cut that Chandler is facing is less than the previously estimated \$22 million that was presented to a Council subcommittee in May. The region has worked together to find additional cost savings, and as a result, Chandler can now cut less transit service than originally expected.

The majority of Chandler's transit service is funded by a regional sales tax that is approved to continue until 2026. Valley Metro, through the Transit Life-Cycle Program (TLCP), administers this sales tax revenue and the regional transit service that it funds through 2026.

Revenue forecasts have significantly declined, and in order to balance TLCP revenue and expenses, the region must cut nearly \$250 million to existing and planned transit service through 2026. Chandler's Share of this cut is approximately \$20 million or 1.33 million per year. Chandler has some future services programmed in the TLCP, but the City cannot achieve a \$20 million reduction in transit service without also cutting existing service.

Chandler Staff accepted comments online (June – August), held two public meetings in early August, and welcomed public comment at Transportation Commission meetings in May and August. Extensive notice for Chandler's public meetings and transit website was provided, including:

- Notices posted at bus stops,
- Advertisements placed in local newspapers (including Prensa Hispana),
- Information on Valley Metro's web site,
- Information on Chandler's web site,
- Notices posted on Dial-A-Ride vans,
- Notice posted at Senior Center,
- Messages in CityScope and Quicklook,
- City Channel 11/ On-Hold Messages,
- Press Release

Additionally, Valley Metro held a series of public hearings and accepted online comments. Attachment 1 provides a summary of public feedback received online and at public meetings. Although there was some concern expressed with regard to all service reductions proposed, the most numerous comments received related to the following possible service reductions:

1. **541 (Express)** – Several online comments were received opposing the elimination of one trip in each direction.
2. **96 (Dobson)** – Many residents spoke at public meetings and/or submitted comments online, expressing the need for service to South Chandler during peak commuting hours.
3. **136 (Gilbert)** – Several online comments were submitted indicating the need for continued service to Chandler Gilbert Community College.
4. **156 (Chandler)** – Many online comments indicated that weekend service is important on this route.
5. **540 (Express)** – Many residents attended public meetings and expressed concern over the elimination of trips or the entire route.

As a result of this public input, staff has revised our original proposal to:

- Preserve one AM trip on Route 541 (Express)
- Preserve peak hour service (6 AM trips and 6 PM trips in each direction) on Route 96 (Dobson) south of Pecos
- Preserve all existing trips on Route 540 (Express)
- Preserve Route 81 (McClintock)

Attachment 2 provides staff's recommended service reductions in order to achieve a \$20 million cost savings over the next fifteen years. The service reductions proposed include the following:

- Eliminate/reduce future service additions – Routes 81, 104, 108 and 112
- Reduced service south of Pecos – Route 96 (Only run AM and PM peak hour service south of Pecos)
- Eliminate Sunday service – Route 96
- Reduce late night service – Routes 66, 81, 96, 156, LINK
- Express Service reductions – 541 (Relocate starting point to Ray/Arizona; Eliminate one PM trip)

Service reductions will go onto effect on January 23, 2012.

There are no proposed changes to existing service on routes 72, 104, 108, 112, 136, 542 and Dial-A-Ride.

The Transportation Commission unanimously recommended approval of the bus service reductions recommended by staff at their August 31, 2011 meeting.

Discussion:

MR. VICTOR PETERSON, 124 W. MORELOS ST., questioned which areas were being cut.

Transit Services Coordinator JASON CRAMPTON gave an overview of what was being recommended by Transportation Commission and staff. He indicated that there would not be any changes to local routes 72 on Rural Road or 136 on Gilbert Road. As well as express routes 540 and 542. He stated that the changes being recommended include:

- eliminating the last south bound trip on Kyrene Road Route 66
- Ending service at 8:00 p.m. at Route 81
- Reduced service south of Pecos – 3 hours in morning and 3 hours in the evening. Ending service at 9:00 p.m. and to eliminate Sunday service
- Route 156 – Chandler Blvd. – service would end at 9:00 p.m.; Sunday service would end at 7:00 p.m.
- Arizona Avenue Link – late night Friday and Saturday service would be eliminated.
- Route 541 Express – eliminate last afternoon trip with low ridership. Route would begin on Ray Road and Arizona Avenue.

COUNCILMEMBER ORLANDO questioned how long it would take for the changes to be published.

MR. CRAMPTON responded that the changes would take effect January 23, 2012. He stated that Valley Metro would be working on getting word out more than a month prior to the changes being effective. He added that announcements would be provided on buses.

MR. RUDOLF KOLAIA voiced his opposition of the reductions in bus services. He expressed concern over growing traffic congestion issues, building wrong transportation projects and overspending on transit systems.

COUNCILMEMBER SELLERS indicated that the process for reductions had been very difficult. He stated he became impressed with staff's ability to balance requirements and input from public meetings.

MOVED BY COUNCILMEMBER SELLERS, SECONDED BY COUNCILMEMBER HEUMANN TO AUTHORIZE THE SPECIFIED REDUCTION OF BUS SERVICES IN ORDER TO ACHIEVE A \$20 MILLION COST SAVINGS THROUGH 2026.

COUNCILMEMBER HEUMANN stated that efficiencies were being looked into between Cities and Valley Metro. He added that part of the reason that the cuts were being done was due to the fact that the State Legislature was raiding funds.

VICE-MAYOR DONOVAN concurred with Councilmember Heumann's comments. Vice-Mayor Donovan complimented staff for making changes based on public input.

WHEN THE VOTE WAS CALLED, THE MOTION CARRIED UNANIMOUSLY (7-0).

CURRENT EVENTS:

A. Mayor's Announcements

Mayor Tibshraeny announced the Veteran's Expo would take place on October 1, 2011 at the Chandler Community Center.

Mayor announced the Fire Department Open House would take place at the Fire Training Center on September 24, 2011.

Mayor announced that the City of Chandler two first-place Crescordia awards at the Valley Forward Environmental Excellence Awards for City Hall and for the Downtown Chandler Redevelopment Plan. He added that the South Arizona Avenue Improvement Project won an award of merit in the public sector site development and landscape category.

Mayor also announced that the City of Chandler ranked at 45 in a list by Businessweek.com regarding the Country's largest cities.

Mayor also reminded residents of the Virtual Neighborhood Town Hall on October 15, from 10-11:00 a.m.

Mayor Tibshraeny congratulated Councilmember Weninger on his reappointment to the GPEC Board.

B. Councilmembers' Announcements

