

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, March 13, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:05 P.M.

The following members answered roll call:

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

Also in attendance:

Rich Dlugas	City Manager
Marsha Reed	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

Mayor Tibshraeny asked for a moment of silence in remembrance of Phoenix Police Officer John Hobbs who lost his life in the line of duty on March 3, 2014.

INVOCATION: Pastor Terry Lamberth, Cornerstone Christian Fellowship

PLEDGE OF ALLEGIANCE: Councilmember Hartke led the Pledge of Allegiance.

SCHEDULED PUBLIC APPEARANCES: Mayor Tibshraeny and the Chandler City Council welcomed the delegation from Tullamore Ireland. The delegation included: Mayor Paddy Rowland, Vice Mayor Tony McCormick, and Town Manager Declan Kirrane. Also present, Sacred Heart Principal Pauline McKenna and Vice Principal Orla Healy. Also present were members from the Chandler-Tullamore Sister Cities Board: President Ellen Harrington, Sharon Anderson, Barb Olivieri, Jill Johnson, Patricia Prior, and Carol Venberg. Mayor Tibshraeny announced there were several students from Tullamore and students from Seton High School here in Chandler Arizona who have formed their own long distance relationship. Mayor Tibshraeny then read the proclamation recognizing the collaboration between the two cities in exploration of economic opportunities and diverse culture experiences and proclaiming March 13, 2014 as "Tullamore Day" in Chandler Arizona.

Mayor Rowland presented a brief history on Tullamore, its culture, tourism, economy, and how the Phoenix became their Coat of Arms. Mayor Rollin then presented the Chandler City Council with gifts representative of Tullamore and Ireland.

CONSENT:

MOVED BY COUNCILMEMBER SELLERS, SECONDED BY COUNCILMEMBER ELLEN, TO APPROVE THE CONSENT AGENDA AS PRESENTED, NOTING ITEM NO. 4 WAS CONTINUED TO MARCH 27<sup>TH</sup>.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Minutes:

- 1a. Special meeting of February 24, 2014.
- 1b. Budget Connect Meeting of February 27, 2014.
- 1c. Regular Meeting of February 27, 2014.

2. RIGHT-OF-WAY VACATION: NWC Gilbert Road and Chandler Blvd. Ord. #4469

ADOPTED Ordinance No. 4469 repealing Ordinance No. 3996 and authorizing the vacation of a portion of road right-of-way at the NWC of Gilbert Road and Chandler Boulevard of approximately 14,563 sq. ft., conditioned upon receipt of \$78,566.00 plus closing expenses, if any, and reserving an easement of 1,500 sq. ft. for a future City monument sign.

3. ANNEXATION: NWC Riggs and Lindsay Roads Ord. #4526

ADOPTED Ordinance No. 4526 annexing approximately 19 acres located west of the NWC of Riggs and Lindsay roads.

4. PROPERTY SALE: SWC Gilbert and Ocotillo Roads Ord. #4527

CONTINUED TO MARCH 27, 2014 CITY COUNCIL MEETING. Ordinance No. 4527 authorizing the sale of approximately 31.22 acres of City-owned property at the SWC of Gilbert and Ocotillo roads to DeRito Partners Development, Inc., for \$8,647,334.00; authorizing the Recapture Agreement; and authorizing the City Manager or his designee to execute all relevant documents.

5. PROJECT AGREEMENT AMENDMENT: MAG Res. #4738

ADOPTED Resolution No. 4738 authorizing the first amendment to the project agreement with Maricopa Association of Governments (MAG) for the advancement of regional reimbursement for the construction of McQueen Road (Ocotillo Road to Chandler Heights Road), in the amount of \$3,895,652.00, to 2013.

BACKGROUND / DISCUSSION

The original project agreement is for reimbursement of Proposition 400 funds to the City of Chandler for design, right-of-way, and construction for McQueen Road (Ocotillo Road to Riggs Road). Reimbursement was originally programmed in 2017, 2018, 2019 and 2020. This project involves street widening improvements to McQueen Road (Ocotillo Road to Riggs Road).

This advancement of the reimbursement of Proposition 400 funds to 2013 is for the construction of the portion of McQueen Road from Ocotillo Road to Chandler Heights Road. These advanced Proposition 400 funds are federal Surface Transportation Program (STP) funds that required obligation of the funding in federal fiscal year 2013, which has already been completed. The construction of this project will start in the summer of 2014.

FISCAL IMPLICATIONS

This first amendment advances reimbursement for the Ocotillo Road to Chandler Heights Road portion to 2013 for a revised regional reimbursement of \$3,895,652.00 and may be adjusted annually for inflation, in accordance with MAG policies. Because the construction of this project

has been accelerated, there is no grant appropriation specific for this project in the current fiscal year. The grant appropriation authority will be transferred from the Chandler Boulevard/Alma School Road intersection project. The construction was pushed back from Fiscal Year 2015 to Fiscal Year 2016 and from the Street Construction/Various Improvements project where a grant appropriation for un-anticipated grants is carried. This will allow the project to start construction this year with reimbursements starting immediately thereafter.

6. PROJECT AGREEMENT: CH2M HILL Engineers, Inc.

APPROVED Project Agreement No. WA1411-201 with CH2M HILL Engineers, Inc., pursuant to Annual Contract No. EN1308-101, for the Hahn Water Production Facility Rehabilitation Design Services, in an amount not to exceed \$283,234.00.

7. PROJECT AGREEMENT: CH2M HILL Engineers, Inc.

APPROVED Project Agreement No. WW1411-201 with CH2M HILL Engineers, Inc., pursuant to Annual Contract No. EN1308-202, Water and Wastewater Facility Arc Flash Updates, in an amount not to exceed \$361,771.00.

The National Fire Protection Association and the 2011 National Electrical Code require routine training and reoccurring safety program audits of electrical equipment. The training and audits ensure safe work practices, procedures and personal protective equipment for personnel who may be exposed to energized equipment.

The project scope of work includes arc flash evaluation, development of electrical system models, calculations, preparation of reports and installation of arc flash warning labels. Forty-one water facilities and forty wastewater facilities will be evaluated. The project will also provide training to the department's Safety Coordinator to encompass aspects of the arc flash evaluation conducted, details of the labels provided, and regulations as they apply to the energized work at electrical equipment.

8. PROJECT AGREEMENT: Stantec Consulting, Inc.

APPROVED Project Agreement No. WW1412-201 with Stantec Consulting, Inc., pursuant to Annual Contract No. EN1211-101, for Hillcrest Recovery Well Equipping Design Services, in an amount not to exceed \$162,472.00.

The Hillcrest Well was originally drilled in February 2005. The well site is located north of Riggs Road between Val Vista Drive and Lindsay Road. Due to high arsenic levels, the well was not equipped for potable use. It has since been determined the well can be repurposed as a recovery well to supplement the reclaimed water system during peak demand periods.

9. PROJECT AGREEMENT: Southwest Ground-water Consultants, Inc.

APPROVED Project Agreement No. WA1405-451 with Southwest Ground-water Consultants, Inc., pursuant to Annual Contract No. EN1203-101, for Riggs Road Well Construction Management (CM) Services, in an amount not to exceed \$86,770.00.

The 2008 Water Master Plan recommends 74.5 million gallon per day (MGD) build-out capacity for groundwater wells. As the City's groundwater wells age, well production will decrease over time. To maintain the required capacity, new replacement wells are needed. The new well,

known as the Riggs Road Well, will be located north of Riggs Road between Gilbert and Lindsay roads.

10. OFFSITE LUMP SUM AGREEMENT: DR Horton, Inc.

APPROVED an offsite lump sum agreement with DR Horton, Inc., deferring the construction of the median on Chandler Heights Road as a condition of their development and accepting a lump sum payment of \$26,882.36.

BACKGROUND / DISCUSSION

As a condition of development, Southshore Village Subdivision, located at the east/northeast corner of Chandler Heights Road and Arizona Avenue, deferred roadway work on Chandler Heights Road adjacent to their property. Construction of the median on Chandler Heights Road was deferred in lieu of a lump sum payment of \$26,882.36 made to the City. This agreement is intended to cover the cost of the work. A lump sum agreement was used to secure their financial obligation to the City for the deferred work as well as release the developer from any future obligations for the improvements.

FINANCIAL IMPLICATIONS

The funds have been received from the developer and are being held in an interest bearing account to use for the future construction of Chandler Heights Road.

11. CITY PARTICIPATION AGREEMENT: Ashton Woods Arizona, LLC

APPROVED City Participation Agreement No. CP13-001 with Ashton Woods Arizona, LLC, for the design and installation of the City well site infrastructure adjacent to the Jacaranda Subdivision in excess of their offsite improvement obligation at a cost to the City in an amount not to exceed \$58,555.00.

BACKGROUND / DISCUSSION

The 2008 Water Master Plan recommends 74.5 million gallon per day (MGD) build-out capacity for groundwater wells. As the City's groundwater wells age, well production will decrease over time. To maintain the required capacity, new replacement wells are needed. The new well, known as the Riggs Road Well, will be located north of Riggs Road between Gilbert and Lindsay roads.

A residential subdivision, Jacaranda Place, is being developed on the northwest corner of Riggs Road and South 142<sup>nd</sup> Street by Ashton Woods Arizona, LLC. The Riggs Road Well infrastructure will extend through the limits of the offsite improvements to 142<sup>nd</sup> Street and exceeds their development obligation. The City requests the developer design and install the necessary well site infrastructure including electrical and water lines in south 142<sup>nd</sup> Street in an amount not to exceed \$58,555.00.

12. CONTRACT EXTENSION: Ritoch-Powell & Associates

APPROVED Contract No. EN1002-101 extension with Ritoch-Powell & Associates, for civil design and platting services, for one year, in an amount not to exceed \$200,000.00. This is the third of four optional one-year extensions.

13. CONTRACT EXTENSION: Sunrise Engineering

APPROVED Contract No. EN1004-101 extension with Sunrise Engineering for civil design and platting services for one year in an amount not to exceed \$1,500,000.00. This is the third of four optional one-year extensions.

14. CONTRACT EXTENSION: SDB, Inc.

APPROVED Contract No. JOC1201-401 extension with SDB, Inc., for general construction services for one year in an amount not to exceed \$1,500,000.00. This is the second of four optional one-year extensions.

15. CONTRACT EXTENSION: Chasse Building Team, Inc.

APPROVED Contract No. JOC1201-401 extension with Chasse Building Team, Inc., for general construction services for one year in an amount not to exceed \$100,000.00. This is the second of four optional one-year extensions.

16. CONTRACT EXTENSION: CORE Construction, Inc.

APPROVED Contract No. JOC1203-401 extension with CORE Construction, Inc., for general construction services for one year in an amount not to exceed \$100,000.00. This is the second of four optional one-year renewals.

17. CONSTRUCTION CONTRACT: Layne Christensen Co.

APPROVED Construction Contract No. WA1405-401 with Layne Christensen Co., for the Riggs Road Well in an amount not to exceed \$1,160,000.00

BACKGROUND / DISCUSSION

The 2008 Water Master Plan recommends 74.5 million gallon per day (MGD) build-out capacity for groundwater wells. As the City's groundwater wells age, well production will decrease over time. To maintain the required capacity, new replacement wells are needed. The new well, known as the Riggs Road Well, will be located north of Riggs Road between Gilbert and Lindsay roads.

18. CONSTRUCTION CONTRACT: Nickle Contracting, LLC

APPROVED a construction contract with Nickle Contracting, LLC, for Centennial Park Construction, Project No. PR0810-401, in an amount not to exceed \$1,228,961.66.

19. PURCHASE: Office Supplies

APPROVED the purchase of office supplies, utilizing the National Intergovernmental Purchasing Alliance (National IPA) Contract with Office Depot/Max and the City of Mesa contract with Wist Office Products, in a combined total amount not to exceed \$200,000.00.

20. LIQUOR LICENSE: Circle K Store #5301

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #151453 L10) for Kim Kenneth Kwiatkowski, Agent, Circle K Stores, Inc., dba Circle K Store #5301, 6015 S. Arizona Avenue. A recommendation for approval of State Liquor License #10076485 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. The applicant's Use Permit through Transportation and Development was approved at the December 12, 2013, Council meeting.

21. SPECIAL EVENT LIQUOR LICENSE: Valley Unitarian Universalist

APPROVED a Special Event Liquor License for Valley Unitarian Universalist for the VUU Heart and Hand Auction, March 29, 2014, at the Chandler Valley Unitarian Universalist Church, 6400 S. Del Rio Street. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

22. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation for the Chandler Jazz Festival, April 4 & 5, 2014, at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

23. SPECIAL EVENT LIQUOR LICENSE: ICAN

APPROVED a Special Event Liquor License for ICAN for the Sip & Sizzle, March 26, 2014, at the Connect 5 Family Center, 222 E. Warner Road, Suite 5. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

24. FINAL PLAT: La Valenciana

APPROVED Final Plat FPT13-0022 La Valenciana, for a 58-lot single-family residential subdivision at the NEC of Cooper and Pecos roads. (Applicant: Bowman Consulting.)

BACKGROUND

This Final Plat is for a single-family residential subdivision located north and east of the northeast corner of Pecos and Cooper roads and was approved by Council in September 2013. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and PAD zoning, Planning Staff recommends approval.

25. FINAL PLAT: Fire Rock Ranch

APPROVED Final Plat FPT13-021 Fire Rock Ranch, for 135 single-family residential lots on approximately 23.5 acres located at the NWC of Chandler Boulevard and Gilbert Road. (Applicant: Dan Auxier; EPS Group.)

BACKGROUND

This Final Plat is for a single-family residential subdivision located at the northwest corner of Chandler Boulevard and Gilbert Road and was approved by Council in 2013. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor Tibshraeny thanked the Tullamore delegation for coming to Chandler and wished them a successful trip.

The Mayor announced the upcoming Sr. Expo on Wednesday, March 19<sup>th</sup>, from 9:00 a.m. to noon at the Chandler Community Center, 125 E. Commonwealth Ave. hosted by the Mayor's Committee for the Aging. The Senior Expo is free and open to the public. There will be free blood pressure checks and a limited number of free cholesterol and glucose tests for attendees on a first come, first served basis.

He announced the Chandler firefighters are again asking residents to join them in a door-to-door campaign through local neighborhoods to help prevent water related tragedies in the community. The campaign will kick off on Saturday, March 29<sup>th</sup>, when volunteers will meet at 9:00 a.m. at Desert Oasis Aquatic Center

The Macy's "Heart Your Park" Campaign is underway. Macy's and the National Recreation and Park Association are inviting Chandler residents to "give a little love" to their local parks by making an in-store donation this month. Macy's will match the total customer donation across all stores, dollar for dollar, up to \$250,000 through March.

The Mayor reminded Council of the Special Council meeting Friday morning at 10:00 a.m. to be held in the Council Conference room.

B. Councilmembers' Announcements

COUNCILMEMBER WENINGER thanked the Tullamore delegation for coming and wished everyone a Happy St. Patrick's Day.

COUNCILMEMBER HEUMANN announced the Chandler Relay for Life on May 2<sup>nd</sup>. Teams are still in the process of being created. This event is held at Basha High School and is one of the State's largest fund raisers.

On April 8<sup>th</sup> at the Chandler Center of the Arts, the Holocaust Era Railcar will be on display and tours will be from 4:00 – 6:00 p.m. A Naturalization Ceremony will take place at 5:00 p.m., and then a movie on the liberation of the concentration camps.

COUNCILMEMBER HARTKE announced the robotics competition at Hamilton High School on March 21<sup>st</sup> and 22<sup>nd</sup>.

The Desert Cancer Foundation is holding their annual wine tasting and silent auction event on April 6<sup>th</sup> at the Crown Plaza in downtown Phoenix from 4:00 – 6:30 p.m.

He just returned from the National League of Cities and Towns conference held in Washington D.C. where he heard many cities from across the country describe the financial hardships they are still struggling to overcome. He is appreciative of Chandler's diligence in fiscal responsibility and is very proud to be a resident of the City of Chandler.

COUNCILMEMBER ELLEN welcomed the Tullamore delegation to Chandler. She announced Chandler Airport Days and car show on April 5<sup>th</sup> and 6<sup>th</sup> at the Chandler Airport. The event is free and open to the public.

She sent out her condolences to Phoenix Police Officer John Hobbs wife and family, and sent well wishes to Detective Albert Casado who is recovering from the shooting.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:36 p.m.

ATTEST: \_\_\_\_\_  
City Clerk

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Mayor

Approved: March 27, 2014

### CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 13<sup>th</sup> day of March 2014. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 27<sup>th</sup> day of March, 2014.

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City Clerk