

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 11, 2014.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:02 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
Nachie Marquez	Assistant City Manager
Marsha Reed	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

Mayor Tibshraeny asked for a moment of silence to honor the victims of 9-11 (September 11, 2001).

INVOCATION: Councilmember Hartke led the invocation.

PLEDGE OF ALLEGIANCE: Vice Mayor Heumann led the Pledge of Allegiance.

Councilmember Sellers joined the Mayor to present the following Proclamations:

SCHEDULED PUBLIC APPEARANCES:

1. Proclamation: Good Neighbor Day – Mayor recognized the following neighborhood leaders who work hard at keeping Chandler neighborhoods vital and sustainable: Marc Young, Dorsha Hale, Penny Ross, Sherry Booth, and Wanda and Neil Bales.
2. Proclamation: Week without Violence – Mayor recognized the following members of the Children’s Benefit Foundation Task Force: Susan Stevens-Clark, Patti Tracy, Barbara Troia, and Nellie Moller.
3. Proclamation: National Domestic Violence Awareness Month – Mayor asked Sarah Youngblood, Chair of Chandler’s Domestic Violence Commission to come forward and accept the proclamation.
4. Proclamation: Disabilities Employment Awareness Month – Mayor asked Jeff Deaver, a member of the Mayor’s Committee for People with Disabilities, to come forward to accept the proclamation.

CONSENT:

VICE MAYOR HEUMANN thanked staff and the applicant for Item 2 in working to alleviate problems with the onsite trash enclosure. The Mayor noted that Stipulation No. 7 was revised and the applicants are in agreement.

MOVED BY VICE MAYOR HEUMANN, SECONDED BY COUNCILMEMBER HARTKE, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

A Request to Speak card was submitted in support of Item 89 (Bourbon Jacks). Discussion is noted under that item.

The Mayor noted several Request to Speak cards had been received for Item number 85. Discussion is noted under that item

COUNCILMEMBER DONOVAN STATED SHE WOULD BE VOTING NO ON ITEM NO. 28 (AGREEMENT EXTENSION: PAYFLEX SYSTEMS USA, INC.), SHE FELT IS WAS A GOOD BENEFIT TO EMPLOYEES, BUT FELT THE CITY SHOULD BE LOOKING FOR A NEW PROVIDER.

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

1. CITY CODE AMENDMENT: Chapter 24 Ord. #4557

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4557 emending Chapter 24 of the Chandler City Code to remove Section 24-6 concerning Alarm Business and Alarm Agent Licensing Requirements.

BACKGROUND

During the 2012 Arizona Legislative Session, House Bill 2546 (HB 2546) established Arizona Revised Statute (A.R.S.) 32-122.05. The statute became effective May 1, 2013, and has removed the authority from municipalities to license alarm agents and alarm businesses. These authorities have been moved to the State and are now being issued from the Board of Technical Registration.

One such provision related to licensing became effective after October 1, 2013. This section of the law establishes certain licensing procedures for alarm businesses and alarm agents that prohibit operating an alarm business in the State of Arizona unless the person obtains an alarm business certificate from the board.

This ordinance brings the City of Chandler Code requirements into compliance with A.R.S. §32-122.05.

2. REZONING/PRELIMINARY DEVELOPMENT PLAN: The Perch Ord. #4564

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4564, DVR14-0007 The Perch, rezoning from Community Commercial (C-2) with a Planned Area Development (PAD) overlay to PAD for commercial and retail located at 232 S. Wall Street, north and west of the NWC of Arizona Avenue and Frye Road.

APPROVED a Preliminary Development Plan (PDP) for the site and new buildings at an existing bar and restaurant located at 232 S. Wall Street, north and west of the NWC of Arizona Avenue and Frye Road. (Applicant: Daniel Istrate, Kontexture, LLC.)

BACKGROUND

The subject site is approximately 1/3 of an acre. The Perch is an existing restaurant with outdoor courtyards, patios and a roof-top bar. The surrounding developments include a two-story office building, various commercial and retail businesses, a parking lot and single-family residential.

In March 2012, the property was purchased by Lavenue LLC. Several business ventures were undertaken, including a smoothie shop, "The Courtyard on Wall Street", and "The Perch" which opened in February 2014. Site and building improvements with amenities were built and include courtyards, a bird coop, a roof-top bar with seating, indoor dining, office and the craft beer microbrewery.

The request is for rezoning from Community Commercial (C-2) with a Planned Area Development (PAD) overlay to PAD for commercial and retail with a Preliminary Development Plan for the site and new buildings. Due to site constraints, existing buildings do not comply with the C-2 zoning regulations. Accordingly, the request is to reconcile existing nonconformities related to building height and setback.

The site is located within the SAZACAP and designates this site for Cultural and Entertainment land uses. The Perch is also part of Site 8. In May 2011, a City-initiated PAD zoning overlay was approved to allow flexibility in the enforcement of parking requirements for properties within Site 8. The inventory found approximately 743 off-street public parking spaces available on nights and weekends that can be shared by Site 8 properties. The parking overlay remains in effect.

The applicant is concurrently processing a Liquor Use Permit application that seeks to expand the premise area for serving liquor.

SITE

The site consists of several buildings, a bird coop, outdoor patios and courtyards. Three new structures are proposed, including a cooler, expanded storage building and a pergola. These uses do not require additional parking. Building setbacks are proposed as 10 ft. front, 2 ft. rear, 0 ft. north side and 5 ft. south side. Landscape setbacks along the north and south sides would be eliminated with a 10 ft. landscape buffer along the west property boundary.

Briefly noted in the public/neighborhood notification section, trash accumulation is a concern voiced by adjacent business tenants and property owners. Currently, two refuse containers are placed behind the sidewalk within the Oregon Street right-of-way. However, a trash enclosure is required to be sited within the property.

In discussion with the City's Downtown Redevelopment Manager, there are existing shared refuse containers within the downtown business area for use by multiple businesses. This site is not in close proximity to utilize the existing shared refuse containers. Identification of a property for a shared refuse enclosure for this business and others is under assessment.

Until such time that a shared off-site location site is developed, the existing situation needs to be addressed. A trash enclosure is proposed on the subject site and will be south of the current container location to lessen the impact to the adjacent business tenants and residences. The property owner states that refuse pickup will be scheduled five days a week. When a shared

refuse location is available for use by this business, the on-site trash enclosure can be removed. Planning Staff has included conditions of approval to address trash containment.

ARCHITECTURE

The proposed ancillary buildings are small, ranging in floor area from approximately 180 sq. ft. to 440 sq. ft. Materials palette includes wood siding, decorative corten steel and gabion columns with river stones to complement the existing buildings. Additional details can be found in the Development Booklet.

DISCUSSION

Planning Staff supports the request finding the project to be a creative redevelopment of the site that furthers the goals of the SAZACAP. The requested setback relief improves the project and allows additional enhancement to the site.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on July 28, 2014. A business owner was in attendance stating support of the project with the condition that trash is contained on-site. Planning Staff received several emails regarding trash accumulation on Oregon Street. Concerns relate to odor, trash piles, insects, grease and the off-site location.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTIONS

Rezoning

Upon finding consistency with the General Plan and the South Arizona Avenue Corridor Area Plan (SAZACAP), the Planning Commission and Planning Staff recommend approval subject to the condition listed in the ordinance.

Preliminary Development Plan

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, the Development Booklet, entitled "THE PERCH", kept on file in the City of Chandler Planning Services Division, in File No. DVR14-0007, except as modified by condition herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting. Dead, dying, or missing landscape shall be replaced.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner.
4. The site shall be maintained in a clean and orderly manner.
5. Trash shall not accumulate outside the refuse containers.
6. Trash pick-up shall be provided five-days a week.
7. Construction of the on-site trash enclosure shall be completed by January 1, 2015, alternatively, the property owner shall work with City Staff on selection of an off-site location for a shared trash enclosure to be approved by the City. Construction and operation of the off-site trash enclosure shall be completed by January 1, 2015. If the off-site refuse location is removed and no replacement is available, an on-site trash enclosure shall be required.

3. ZONING CODE AMENDMENT: Chandler City Code Chapter 35 Ord. #4567

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4567, Zoning Code Amendment, ZCA14-0001 Zoning Code Amendments, amending Chapter 35 of the Chandler City Code (Zoning Code) by adopting clarifications, citation reconciliations and other minor adjustments to match current administrative practices.

BACKGROUND

The proposed amendments can be considered 'housekeeping' because they consist of minor revisions that do not introduce any new policies or regulations. A majority of the revisions involve adjusting Code language to match administrative practices. For many decades, a few administrative policies have differed from Code requirements. Applicants have not complained because the administrative policies are less restrictive.

For example, the Zoning Code language requires 1 tree and 6 shrubs per 500 square feet of open space in residential developments and 1 tree and 6 shrubs per 750 square feet of open space in commercial developments. Staff has never required this many trees and shrubs in open space areas as they are unreasonably excessive especially when large amounts of turf are used. For many years, as long as anyone currently employed by the City can remember, Staff has administratively only required 1 tree and 6 shrubs per 1,000 square feet of open space for both residential and commercial developments. This ratio is similar to ratios required by other cities.

Another example is regarding garages. The Zoning Code defines a private garage as having no more than 1,000 square feet in area. Administratively, Staff has never enforced this maximum stated size. When reviewing plans for a garage, Staff focuses on building setback, maximum lot coverage, building height and other standards that are designed to protect the value of neighboring properties, but has never denied plans solely due to its size.

The proposal also includes several revisions to the citizen review process, informally referred to as the neighborhood meeting process required for rezoning, preliminary development plan and area plan applications. Again, all of the proposed amendments match current administrative practices such as requiring the applicant to mail notices for the neighborhood meeting only after clearing the contents of the notification letter with Staff first, requiring expanded notification for any area plan amendment regardless if it is pertaining to a mid-rise development and requiring a neighborhood meeting summary from the applicant instead of requiring Staff to attend every neighborhood meeting which is not practical or possible in many instances.

In all, the proposed amendments include 16 changes in total:

- 9 adjustments aligning the Zoning Code with administrative practices;
- 2 clarifications reorganizing Code language to clarify and make it easier to understand;
- 4 Code citation reconciliations, and
- 1 misspelled word.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- As required by Arizona Revised Statutes, hearing dates for the Planning Commission and City Council, as well as the proposed amendments to the City Code (redlined version),

have been published in an eighth-page newspaper ad at least fifteen (15) days prior to the first required public hearing.

- A draft copy of the proposed amendments has been posted on the City's web site.
- As of the date of this memo, Planning Staff is not aware of any opposition or concerns related to this request.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 - 0.

RECOMMENDATION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval.

4. EXTEND ZONING: NEC Loop 202 & Alma School Road Ord. #4568

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4568, DVR14-0013, NEC Loop 202 & Alma School Road, request action on the existing Planned Area Development (PAD) zoning to extend the conditional schedule for development, remove or determine compliance with the two-year schedule for development or to cause the property to revert to the former PAD (Commercial) and AG-1 (Agricultural District) zoning. Request to revert from PAD (Commercial) zoning in Ordinance No. 3260 (DVR00-0005) to PAD (Commercial) in Ordinance No. 2822 (PL97-199) and AG-1 (Agricultural District). The reverted zoning establishes community commercial uses on approximately 10 acres and agricultural uses on approximately 2 acres. The property is located at the NEC of Loop 202 Santan Freeway and Alma School Road. (Applicant: Mike Withey, Withey Morris, PLC.)

BACKGROUND

The subject site is located at the northeast corner of Loop 202 Santan Freeway and Alma School Road. The property is currently undeveloped and has a history of zoning cases establishing Planned Area Development (PAD) zoning for Community Commercial (C-2) uses and Preliminary Development Plans (PDP) for two different retail shopping centers and others for an office park development.

The property's initial zoning case established PAD Commercial (C-2) uses in 1998 via Ordinance No. 2822 (PL97-199). This zoning case included approximately 30 acres with 14 acres of conceptual commercial and 16 acres of multi-family residential apartments with a PDP for the apartments. The apartments developed which vested the PAD zoning on the entire 30 acres. The commercial component did not include an adjacent southern 2-acre parcel.

In 2001, the subject site was rezoned to a new PDP Commercial (C-2) via Ordinance No. 3260 (DVR00-0005) and included the southern 2-acre parcel. Zoning case DVR00-0005 tied the northern 10-acre parcel to the southern 2-acre parcel maintaining the C-2 land use. A PDP was approved for a K-Mart retail center. Retail shops and office on the southern 2-acre parcel required a separate PDP application. Most recently, the subject site received PDP approval for an office park development named Advantage Business Park. There were two PAD zoning time extensions approved for three years each with the last one expiring in 2009.

The application requests a zoning reversion from the property's PAD zoning for Community Commercial (C-2) uses on approximately 12 acres adopted in 2001 via Ordinance No. 3260 (DVR00-0005) to PAD (commercial) in Ordinance No. 2822 (PL97-199) and Agricultural District

(AG-1). This reversion reestablishes prior zoning district of PAD Commercial (C-2) uses on 10 acres and AG-1 on the southern 2 acres.

DISCUSSION

While the commercial property's PAD (Commercial) zoning is vested, the applicant requests to simplify the property's zoning by going back to its original zoning case approval. In doing so, the property's northern 10 acres become PAD Commercial (C-2) again. The southern 2 acres becomes AG-1 zoning, which through a subsequent case, requests rezoning to PAD Commercial to match the northern 10 acres. Planning Staff supports the request to revert the property's PAD Commercial (C-2) zoning district to PAD Commercial (C-2) and AG-1

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the City of Chandler Zoning Code with a neighborhood meeting being held on July 10, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval.

5. REZONING/REESTABLISHMENT OF PRELIMINARY DEVELOPMENT PLAN: NEC
Loop 202 & Alma School Road Ord. #4569

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4569, DVR14-0014 NEC Loop 202 & Alma School Road, rezoning on approximately 2 acres from AG-1 (Agricultural District) zoning to Planned Area Development (PAD) for Commercial.

REESTABLISHED Preliminary Development Plan (PDP) for a commercial center located at the NEC of Loop 202 Santan Freeway and Alma School Road. (Applicant: Mike Withey, Withey Morris PLC.)

BACKGROUND

The subject site is located at the northeast corner of Loop 202 Santan Freeway and Alma School Road. The property is currently undeveloped and has a history of zoning cases establishing Planning Area Development (PAD) zoning for Community Commercial (C-2) uses and Preliminary Development Plan (PDP) for two different retail shopping centers and others for an office park development.

In 2001, the subject parcel was rezoned to PAD for Community Commercial via Ordinance No. 3260 (DVR00-0005) as part of a larger commercial development. A PDP was approved for a retail center anchored by K-Mart which did not include the subject 2-acre parcel. A separate PDP application was required for the subject parcel. Most recently, the subject site received PDP approval for an office park development named Advantage Business Park.

The application is a subsequent request to zoning case DVR14-0013 which reverts zoning on the approximately 2-acre subject site to AG-1 (Agricultural District). This case requests rezoning the 2 acres from AG-1 (Agricultural District) zoning to PAD for Commercial (C-2), as well as reestablishment of PDP approval for an office park development as represented in zoning case

PDP08-0005. The commercial zoning reestablishes the Community Commercial (C-2) uses previously approved for this property.

The rezoning request brings this parcel in alignment with the northern 10-acre parcel thus establishing an approximately 12-acre property with PAD zoning for C-2 uses. Planning Staff supports the request to rezone the 2-acre parcel.

The Advantage Business Park PDP approval included a mix of office and retail buildings totaling over 140,000 square feet of building area upon the northern 10 acres and the southern subject 2 acres. This application does not seek to change the approved PDP.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the City of Chandler Zoning Code with a neighborhood meeting being held on July 10, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

RECOMMENDED ACTION

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

6. REZONING/PRELIMINARY DEVELOPMENT PLAN: Bella Rose Inn Ord. #4570

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4570, DVR14-0006 Bella Rose Inn, rezoning from Planned Area Development (PAD) for Office to PAD for a Hotel, including a Mid-Rise Overlay for building height up to 75 feet, on approximately 3.5 acres located west of the NWC of Price and Willis roads.

APPROVED a Preliminary Development Plan (PDP) for site layout and building architecture on approximately 3.5 acres located west of the NWC of Price and Willis roads. (Applicant: Garry Hays; Law Office Garry Hays.)

BACKGROUND

The subject site is located west of the northwest corner of Price and Willis roads and is currently vacant. The site's western boundary is shared with the Gila River Indian Community. North and northeast of the site are the Ashley Manor and Bella Rose special event venues. Directly east is the Mammoth office development. The site's southern boundary is Willis Road with the recently approved Allred Park Place development south of the collector.

The 3.5-acre subject site was zoned in early 2001 to PAD for an office building. At the time of approval, a condition requiring construction to commence within two years of Council approval was provided. An extension was never granted nor has the property reverted zoning back to the original Agricultural zoning designation. This request is to rezone the property to allow for the construction of a hotel.

SITE LAYOUT/ARCHITECTURE

The hotel is placed at a north/south offset on the southern half of the site. The main entry drive is located at the site's eastern property line with the hotel's entrance via a porte-cochere along the eastern portion of the building. The area surrounding the porte-cochere will be formally landscaped, providing a sense of arrival. It is important to note the drive widths of the porte-cochere do not meet design standards; therefore, a condition has been added requiring the applicant to work with Planning Staff to address the design.

Based on the proximity of the hotel to the special event venues, a pedestrian connection is provided to the Bella Rose event venue that is adjacent to the site's northeast corner. It is anticipated that there may be a future connection to the Ashley Manor to the north; however, nothing has been finalized. The intent of the connection is to allow for patrons to pass freely from the venue to the hotel without having to leave either site by means of a vehicle. Complementing the pedestrian connection, the hotel developer has provided additional parking stalls beyond what code requires allowing for parking agreements between the hotel and the two special event venues. Planning Staff believes that a larger landscape area should be provided where the pedestrian connection is located in proximity to the parking lot, and may equate to replacing two of the parking stalls with additional landscaping. Planning Staff has added a condition addressing the modification.

The hotel, as designed, is six-stories and provides 161 rooms. Due to the height of the hotel exceeding 45 feet, a Mid-Rise Overlay for the additional building height is also requested. The hotel is just under 69 feet with some flexibility in the requested mid-rise height of 75 feet, allowing for minor modifications if necessary.

Architecturally, the hotel complements the surrounding buildings in the area by means of soft earth tones. Architectural interest is provided through the use of scoring lines, recessed windows, metal elements, glass and masonry being incorporated into the design. The design and use lends itself to the employment corridor supplementing the need to provide additional rooms to business clientele, while being located within the corridor, but not on Price Road frontage.

DISCUSSION

The Planning Commission and Planning Staff support the request finding the use and design consistent with the goals of the employment corridor. Due to the site being located within the South Price Road Employment Corridor, the request was reviewed by the Design Review Committee (DRC). The DRC did not express any concerns and were supportive of the proposal.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Due to the Mid-Rise Overlay request, two neighborhood meetings with an increased notification radius were required. One neighbor attended both meeting expressing support. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4 – 0 with Commissioner Ryan abstaining and Commissioners Baron and Foley absent.

RECOMMENDED ACTIONS

Rezoning

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

Preliminary Development Plan

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

1. Development shall be in substantial conformance with the Development Booklet entitled "BELLA ROSE INN" and kept on file in the City of Chandler Planning Division in File No.

DVR14-0006, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Landscaping shall be in compliance with current Commercial Design Standards.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
6. The applicant shall work with Planning Staff to ensure that the entry porte-cochere and drives meets all applicable design requirements
7. The applicant shall work with Planning Staff to enlarge the pedestrian connection located at the site's northeast corner.
8. Signage for the hotel shall meet the requirements as outlined in the Sign Code of the City of Chandler.

7. CHANDLER GROUND LEASE AMENDMENT: F&G Enterprises, LLC Ord. #4571

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4571 amending Chandler Ground Lease Number 016 at the Chandler Municipal Airport with F&G Enterprises, LLC, and authorize the Mayor to sign the lease amendment and the City Manager to sign any related documents.

BACKGROUND/DISCUSSION

In September 2013, City Council approved an airport ground lease with F&G Enterprises, LLC. The hangar development, which is currently under construction, features three buildings consisting of a total of eleven individual T-hangars and eight executive box hangars. F&G Enterprises' initial plan was to only develop four box hangars; however, pre-sales of the large hangars proved demand was greater for that style.

The larger hangars are appealing to owners seeking to store an aircraft and are also ideal locations for some types of smaller aviation enterprises. The current lease agreement allows aviation-related commercial activities in building "AG" only. Since the development plan has been modified so that buildings AF and AG are now box-style hangars, the proposed amendment will expand the option for commercial uses in both buildings.

8. PERSONNEL RULES AMENDMENTS Res, #4762

ADOPTED Resolution No. 4762 amending Personnel Rule 1, Section 5, Classified and Unclassified Service; Personnel Rule 2, Section 5, Reclassification; Personnel Rule 3, Section 4, Merit Increases and Salary Decreases; Personnel Rule 4, Section 5, Compensation for Pain and Suffering for Employee Injured While on Duty; and Personnel Rule 15, Section 3, Leave Authorization (Sick Leave), and Section 4, Vacation Leave Accrual.

BACKGROUND

Staff proposes the following amendments to the Personnel Rules to make substantive and administrative changes:

Personnel Rule 1, Section 5: Classified and Unclassified Service

The proposed change to Section 5.F. is housekeeping in nature to clarify that the unclassified employees serve at the pleasure of the Council appointee to whom the unclassified employees report.

Personnel Rule 2, Section 5: Reclassification

The proposed amendment to Section 5.A. is a housekeeping change to reflect the current notification procedure to incumbents whose positions are reclassified.

Personnel Rule 3, Section 4: Merit Increases and Salary Decreases

In the last two years, the City's Oracle Financial/Payroll system has been enhanced to allow salary changes to occur within a pay period as opposed to the current requirement that they begin only at the beginning of a pay period. The proposed change to Section 4.C. allows the effective date of the merit increase to be established by the City Manager so, if the City chooses to take advantage of the functionality of processing merit increases within the pay period, the Rule is not in conflict.

Personnel Rule 4, Section 5: Compensation for Pain and Suffering for Employees Injured While on Duty

In 2012, the Personnel Rule for Pain and Suffering was changed to allow for incremental increases to the threshold that is used to qualify for pain and suffering benefits. These benefits are provided to employees if the employee's surgical, medical, and/or hospitalization expenses reach a certain threshold. Beginning in 2014, the threshold was to be adjusted annually by the City Manager using a formula that was "equivalent to the annual overall percentage increase to the City's lowest cost medical plan premium". Since the pain and suffering threshold costs are based on the cost of medical services and not directly related to the City's medical plan premiums, City Staff recommends that the pain and suffering threshold index be based on the Consumer Price Index of medical care services. This is a national index and is more representative of the costs associated with medical care. Further, it is an easy and accessible index that can easily be verified. After discussions with the health plan consultant, Staff's recommendation is to use the unadjusted percent change year over year table of the Medical Care Services category of the Consumer Price Index-Urban (CPI-U). This would result in a 2.5% adjustment to the current pain and suffering threshold of \$80,000.00 increasing the 2014 threshold to \$82,000.00. This change to Section 5.D. has no effect on the City's workers' compensation benefit that provides full coverage of medical services required as a result of a work-related injury.

Personnel Rule 15, Section 3: Leave Authorization (Sick Leave)

In 2012, the City outsourced the management of the Family and Medical Leave Act (FMLA) to a third party administrator. This proposed change to Section 3.E. of the Rule is housekeeping in nature and deletes the statement that forms for FMLA are obtained through Human Resources because, under the current process, employees now obtain those forms directly from the City's third party administrator.

Personnel Rule 15, Section 4: Vacation Accrual

The City of Chandler is one of the few cities that have multiple tiers of vacation accrual for various employee groups. It has been the City's goal over the last few years to take steps to equalize the vacation accrual leave for all City employees. This has been an on-going discussion in labor negotiations and we have been successful in negotiating incremental changes with the bargaining groups to that end. The proposed change to this Rule provides for non-represented employees, with the exception of one group that will be grandfathered in their current schedule, to receive the

same vacation accrual. Language has been added that non-represented employees hired on or after September 7, 2014, will be placed on a single vacation accrual schedule regardless of job title or reporting relationship.

9. AFFILIATION AGREEMENT AMENDMENT: Arizona Board of Regents Res. #4787

ADOPTED Resolution No. 4787 authorizing the execution of Amendment No. 3 to the Affiliation Agreement between the Arizona Board of Regents for and on behalf of Arizona State University and the City of Chandler and authorizing the City Manager or designee to add or delete University programs as necessary to meet the needs of the parties without requiring a resolution amendment before the three-year (3) renewal cycle term.

BACKGROUND/DISCUSSION

On August 27, 2009, the Council passed Resolution No. 4322 approving the Affiliation Agreement between Arizona State University and the City of Chandler. Exhibit A of the initial agreement lists university programs eligible to take part in the program. The term of the initial agreement was three (3) years, renewable on a year-to-year basis. The initial term ended September 4, 2012. Resolution No. 4622, amendment number one (1), extended the term through September 2, 2013. Resolution No. 4705, amendment number two (2), extended the term through September 11, 2014.

Several City departments utilize this agreement to provide an educational experience for students at Arizona State University. As a result, the affiliated programs have been expanded since the original agreement in 2009. Exhibit A includes 17 programs of which 16 have been approved through prior resolutions. The addition of the School of Politics and Global Studies (SPGS) is being requested through this amendment.

Resolution No. 4787 will amend the Affiliation Agreement to allow for a renewal term of a three-year (3) cycle. In addition, it will authorize the City Manager or designee to add or delete University programs listed on Exhibit A as necessary to meet the needs of the parties without requiring a resolution amendment before the three-year (3) renewal cycle term.

10. CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT Res. #4791

ADOPTED Resolution No. 4791 authorizing the Consolidated Annual Performance and Evaluation Report (CAPER) for fiscal year 2013-2014 and authorizing the City Manager or his designee to execute and submit the CAPER to the United States Department of Housing and Urban Development (HUD).

BACKGROUND

Each year the City of Chandler is required to evaluate the programs funded by HUD and publish the results in a CAPER. The CAPER describes federally-funded activities occurring during the most recent fiscal year and reports on Chandler's success meeting the priority needs, goals and strategies described in the City's 2010-2014 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 a public hearing at a Chandler City Council meeting. The public hearing for fiscal year 2013-2014 CAPER was held at the City Council meeting on August 14, 2014.

DISCUSSION

The fiscal year 2013-2014 CAPER has been prepared to meet HUD's requirements for an annual performance evaluation. This report summarizes the City's accomplishments for the Community Development Block Grant (CDBG), HOME Investment Partnership and Neighborhood Stabilization Programs.

In addition to the federally-funded programs, the City also reports on those social service programs funded annually with the City's General Fund dollars. The funding of programs by the General Fund serves to significantly leverage the City's federally-funded programs to expand the services provided to Chandler residents.

11. AREA PLAN AMENDMENT/REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Dobson/Germann Area Plan, Canopy Lane
Res. #4792 & Ord. #4554

ADOPTED Resolution No. 4792, Area Plan Amendment, APL14-0008 Dobson/Germann Area Plan Amendment, amendment for Low Density Residential to Medium Density Residential located north of the NWC of Dobson and Germann roads.

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4554, DVR13-0030 Canopy Lane, rezoning from Planned Area Development for office to Planned Area Development for single-family residential located north of the NWC of Dobson and Germann roads.

APPROVED a Preliminary Development Plan (PDP) for subdivision layout and housing product on approximately 2.5 acres and located north of the NWC of Dobson and Germann roads.

APPROVED Preliminary Plat, PPT13-0019 Canopy Lane, for single-family residential located north of the NWC of Dobson and Germann roads. (Applicant: Sandra Welty, SW Land Services on behalf of Keystone Homes.)

BACKGROUND

The subject site is approximately 2.5 acres located north of the northwest corner of Dobson and Germann roads. The long and narrow infill property is bordered on the east by Dobson Road, an agriculturally zoned parcel on the south, Hope Covenant Church on the north and Arroyo Drive on the west. Germann Country Estates single-family residential subdivision is to the west and south. The site was zoned in 2008 for an office condominium project for which construction never commenced.

AREA PLAN AMENDMENT

The Dobson/Germann Area Plan designates the site as Low Density Residential with a 10,000 square foot minimum lot size. The request is to amend the Area Plan with the designation of Medium Density Residential for 3.5 to 12 dwelling units per acre (du/ac). The proposed density of the 15-lot subdivision is 6.6 du/ac.

The requested amendment provides for a solution consistent and compatible with single-family residential developments in the surrounding area and provides a transition from the church property to the large agriculturally zoned property.

SUBDIVISION

Canopy Lane is a 15-lot, non-gated, single-family subdivision. The minimum lot area is 3,252 sq. ft. with lot sizes of approximately 52 ft. by 64 ft. for Lots 1 through 10 and 72 ft. by 64 ft. for Lots 11 through 15. The requested setbacks are 10 ft. for the front yard; 5 ft. for the side yards, creating a 10 ft. Use Benefit Easement on one side of each home, and 10 ft. for the rear yard.

On-street parking is permitted on the north side only. Signs designating “no parking” are required to be installed where parking is prohibited.

The Residential Development Standards (RDS) are intended to address and create diversity within residential subdivisions. This site is considered an infill property; however, the proposal incorporates many of the required and optional Subdivision Diversity elements. Additional information on how the project complies is described in the Development Booklet.

ARCHITECTURE

The housing product features one, single-story plan and two, two-story plans. Three architectural styles are proposed. The two-story housing products include significant use of architectural treatments, including Juliet Balconies and single-story elements to break up the massing. Building square footages range from 1,968 to 2,321 sq. ft. Additional details for the housing product can be found in the Development Booklet.

As an outcome of neighborhood concerns and working with the property owner of the large ranchette located to the immediate south, the applicant proposes to restrict Lots 11 through 15 to single-story homes. Conditions of approval are included to address this restriction, yet ensure the expected diversity.

DISCUSSION

Planning Staff supports the request. The proposal is a viable solution to a small, infill site, providing an alternative subdivision layout and housing product for empty nesters and homeowners who do not want a large yard to maintain. This type of infill project maximizes a property’s viability, but maintains compatibility with the existing adjacent uses through the high quality building architecture and attention to lot layout.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on October 7, 2013. There were four property owners in attendance inquiring about lot size, housing design, number of stories, traffic and parking. The applicant mailed out a second neighborhood letter on June 25, 2014, to inform the property owners of the revised site layout, reduced number of lots, and addition of a single-story plan. Planning Staff received two phone calls from the same property owners to state their opposition to the request. The concerns related to lot sizes, traffic, and the incompatibility with existing large lot residential development.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTIONS

Area Plan

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval.

Rezoning

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

Preliminary Development Plan

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

1. Development shall be in substantial conformance with Exhibit A, the Development Booklet, entitled "Canopy Lane", kept in file in the City of Chandler Planning Services Division, in File No. DVR13-0030, except as modified by condition herein.
2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Planning Administrator for arterial street median landscaping.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner.
5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
6. Lots 11 through 15 shall be constructed with single story homes only.
7. The same elevation shall not be built side-by-side or directly across the street from one another.
8. "No Parking" signs shall be installed where parking is prohibited and in accordance with Fire Department regulations.

Preliminary Plat

The Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

12. SUBMISSION OF APPLICATION; Emergency Management Agent Res. #4797

ADOPTED Resolution No. 4797 authorizing the execution and submission of the Arizona Division of Emergency Management Designation of Applicant's Agent Form designating Keith Hargis, Fire Battalion Chief, as the City of Chandler's agent.

BACKGROUND/DISCUSSION

In the event the State of Arizona or City of Chandler declare an emergency, it is required that the City identify a representative who is authorized to file an application for disaster relief funds.

13. IGA AMENDMENT: East Valley Gang and Criminal Information Fusion Center Res. #4799

ADOPTED Resolution No. 4799 authorizing Amendment No. 2 to the Intergovernmental Agreement (IGA) with the cities of Mesa, Gilbert, Tempe, Scottsdale, Apache Junction and the Salt River Pima Maricopa Indian Community and the U.S. Bureau of Alcohol, Tobacco and Firearms (ATF) as a resource provider, regarding participation in the East Valley Gang and Criminal Information Fusion Center and authorizing the City Manager to execute the amendment.

BACKGROUND

The City of Chandler, through its Police Department, entered into an IGA regarding participation in the East Valley Fusion Center. The Fusion Center was established in 2007 with Mesa designated as the Fusion Center location. The Mesa Police Department is the central agency to receive and distribute agreements as well as Fusion Center grant money to the parties for related expenses, allows the Mesa Police Chief, with specific restrictions and consent of the parties, to negotiate and enter information sharing agreements between the East Valley Fusion Center and other Fusion Centers or law enforcement agencies and clarifies Executive Team makeup and membership. The amendment is intended to formalize the financial support of the Fusion Center by having the participating parties pay up to \$10,000.00 a year to the City of Mesa to cover Fusion Center operational expenses. Where each party was previously paying for expenses directly, the amendment will allow Mesa to make the necessary purchases for the Fusion Center operations in a more streamlined manner by following one set of purchasing procedures. This will expedite the ability to make purchases and minimize possible disruptions to operations.

FINANCIAL IMPLICATIONS

As with the original IGA, the City of Chandler will pay the salary and benefits of the employee assigned to the Fusion Center. Additionally, the City of Chandler will pay the City of Mesa up to \$10,000.00 annually to operate the Fusion Center.

14. AGREEMENTS: Salt River Project

Res. #4801

ADOPTED Resolution No 4801 consenting to Municipal Aesthetics Program Funding Agreements with Salt River Project (SRP) and authorizing the City Manager or his designee to execute the necessary documents.

BACKGROUND

In 1989, SRP implemented the Municipal Aesthetics Program to encourage partnerships with local municipalities. The Municipal Aesthetics Program provides municipalities with the opportunity to conduct aesthetic improvements to existing SRP water and power distribution facilities. Annual allotment of Aesthetics Funds to municipalities are based upon: irrigation water acreage, the percentage of Salt River Valley Water Users Association Membership within the municipality, the municipality's percentage share of total electric facilities revenue and the total cost of electric system work accomplished during SRP's prior fiscal year period. The City of Chandler has received \$39,061,582.00 in aesthetic funds since the program's inception.

At this time, the City of Chandler has approximately \$5,100,000.00 in SRP Aesthetic Funds that need to be assigned to aesthetic projects in order to meet SRP's schedule for allocations of those funds in this fiscal year or the funds will be forfeited. City Staff has inventoried the existing SRP infrastructure in the City that qualifies for the use of aesthetic funds and has identified six sites for relocation of SRP overhead facilities and one site for landscape improvements at an SRP substation. These projects were briefed to members of the City Council Municipal Utilities and Transportation Subcommittee on June 4, 2014. Recommendations from this meeting were incorporated into priority grouping for projects and the top seven projects that fell within the funding guidelines are included in this year's aesthetic funding request. These projects are detailed in the Municipal Aesthetic Program Funding Agreements, Exhibit 1-7.

FINANCIAL IMPLICATIONS

SRP has provided Conceptual Job Estimates of \$6,019,000.00 for the relocation of the existing SRP overhead facilities at six locations and substation landscaping at one location.

These funds will be appropriated from the City's available SRP Aesthetics Fund balance which is currently approximately \$11,900,000.00. SRP will submit a final account summary to the City after the agreements are approved so that final engineering design can be completed. Historically, the Conceptual Job Estimates tend to be below the actual contract amount so that no additional funds are required.

15. No item.

16. 2015 CITY COUNCIL REGULAR MEETING SCHEDULE Res. #4805

ADOPTED Resolution No. 4805 setting the 2015 City Council regular meeting schedule. An effort has been made to set meeting dates in order to avoid conflicts with holidays, observations and conferences. Special meetings may be called as needed. All meetings are scheduled to being at 7:00 p.m.

17. PRELIMINARY DEVELOPMENT PLAN: Fairview Medical Plaza

APPROVED Preliminary Development Plan PDP14-0005 Fairview Medical Plaza, a phased medical office development on approximately four acres located at the SEC of 94th and Fairview streets, north and west of the NWC of Dobson and Pecos roads. (Applicant: Kevin Fawcett, Cawley Architects.)

BACKGROUND

The approximately four-acre site was zoned in 2009 as Planned Area Development (PAD) Multi-Use for Assisted Living, Nursing and General/Medical Office uses as part of a nine-acre development. The south five acres were developed as Sante Chandler, a Transitional Rehabilitation Center. The subject site consists of two phases for medical office which is consistent with the approved PAD land uses.

The site is located at the immediate southeast corner of 94th and Fairview streets. The Stonegate Village apartments are to the north, Via Del Cielo condominiums are west of 94th Street, Sante Chandler is south and east is vacant property planned for additional medical and general office and commercial uses as part of the Santan Area Plan.

SITE LAYOUT

Phase I consists of the east portion and Phase II is conceptually designed for the west portion of the site. Planning Staff will review Phase II administratively for substantial conformance with the PDP.

The site is arranged to address the needs of the patients through a linear layout of buildings, landscape and parking. Buildings are pushed toward Fairview Street with the majority of parking internally. As indicated by the ownership, the patients are recovering from brain, spinal and other conditions which require the need for uncomplicated routes and orientation to entrances, exits and parking. A patient drop-off is located adjacent to the courtyard entry leading directly into the medical office building.

The original zoning case included a vehicular and pedestrian connection between the south and north parcels. The driveway cut was constructed from the Sante Chandler development to this site with a pedestrian walkway connection. The ownerships of Fairview Medical development and Sante Chandler request that the connection no longer be required due to the operational needs of the facilities and patients. Planning Staff agreed to the removal of the driveway and

pedestrian connection with the stipulation that the Fairview Medical development team remove and reconstruct the driveway cut and pedestrian access.

ARCHITECTURE

The two phases each consist of one, single-story building. Phase I is fully illustrated in the Development Booklet. Phase II is conceptual with design elements including materials and colors carried over from Phase I. Final details of Phase II will be reviewed administratively by Planning Staff.

The architectural style is a modern design utilizing a series of horizontal planes connected with linear components. The main entrance is the south elevation which features an entry courtyard, water feature and seating. The 'internalized' entrance furthers the operational needs of the medical office uses by minimizing visual and distance conflicts for patients. Design elements such as cantilevered window canopies, recessed windows and a modulating roofline provide both vertical and horizontal articulation. Materials include stucco, metal panels, stained wood, steel and concrete and split-faced block with a complementary earth-toned color scheme. Additional details can be found in the Development Booklet.

SIGNAGE

The request includes a sign package that includes building mounted signage, freestanding monument signs and multi-tenant signage. Building mounted signage includes reverse pan channel lettering. The monument and multi-tenant signage utilizes similar materials and colors as those used on the buildings to further create cohesiveness.

DISCUSSION

Planning Staff supports the request finding it to represent a quality medical office development and a compatible addition to the surrounding hospital area. The uses are consistent with the Santan Area Plan. The site layout and architecture are sensitive to the nearby residential developments through building location, pedestrian access and scale.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on July 10, 2014. On person, representing Sante Chandler, attended and inquired about the south access driveway and pedestrian connection to their property. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Santan Area Plan and Planned Area Development zoning, the 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 "FAIRVIEW MEDICAL PLAZA", kept on file in the City of Chandler Planning Services Division, in File No. PDP14-0005, except as modified by condition herein.
2. Compliance with original stipulations adopted by the City Council as Ordinance No. 4174 in case DVR09-0001 SANTE CHANDLER, except as modified by condition herein.

3. The vehicular curb cut and pedestrian connection located on the Sante Chandler property shall be removed and reconstructed by the Fairview Medical development as part of Phase I.
4. Landscaping along 94th and Fairview streets shall be installed as part of Phase I.
5. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
6. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. All buildings shall be designed to be consistent with the level of quality, detail, building material, paint colors, architectural articulation and the like as established in the attached Development Booklet.
8. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

18. PRELIMINARY DEVELOPMENT PLAN: Mach 1 @ Chandler Airport Center

APPROVED Preliminary Development Plan PDP14-0010 Mach 1 @ Chandler Airport Center, site layout and building architecture for an office development on approximately 10 acres located SE of the Santan Loop 202 and Cooper Road interchange off of Yeager Drive. (Applicant: Lanny Shaw, Butler Design Group.)

BACKGROUND

The approximate 19-acre site is located southeast of the Santan Loop 202 and Cooper Road interchange north of Yeager Drive. The site is bounded by the Santan Freeway to the north, commercial office, recreation/fitness, and industrial developments to the south and east, and commercial, retail and vacant land to the west. The request is for PDP approval of site layout and building architecture for an office development.

The site is within the 245-acre Chandler Airport Center (CAC) master plan. The CAC master plan received zoning approval in 2005 and spans both sides of Cooper Road south of the Santan Freeway (Loop 202). The CAC master plan identifies the site to include general land uses as categorized under Commerce Midrise and Commercial Hotel/Retail Midrise. Under these broad categories, specific uses including office, showroom, light industrial, restaurant, retail, service retail and hospitality are permitted within the development. In February 2013, five of the 19 acres was rezoned to allow additional land uses including medical office and athletic fields.

SITE LAYOUT

The project represents a campus styled office development. Two, two-story buildings totaling 210,000 sq. ft. in area are set back from the street with parking areas arranged to create a campus environment. Extensive vehicular and pedestrian access is provided within the site and to the street. An enhanced main entry drive is created by a progression of site elements including accent walls, pedestrian walkways, signage and landscape. Landscape plant materials comply with the plant palette established in the approved CAC master plan. Additional details can be found in the Development Booklet.

BUILDING ARCHITECTURE

Architecture is modern with contemporary design elements providing four-sided architecture with massing and scale appropriate to an office park. Design elements, window treatment and rooflines provide both vertical and horizontal modulation.

The two buildings are skewed at the core and are mirrored floor plans with a 180 degree rotation to break up the mass and linear design. Building materials and an earth toned color palette further the cohesiveness of the CAC master plan. Additional details can be found in the Development Booklet.

SIGNAGE

The development's signage is governed by the CAC Comprehensive Sign Plan. The Comprehensive Sign Plan limits the size, amount and type of signage throughout the CAC including wall signage. The development will build the previously approved multi-tenant freeway pylon sign as depicted in the CAC Comprehensive Sign Plan.

DISCUSSION

Planning Staff supports the request for site layout and building architecture. Building architecture advances the goals of the CAC master plan by establishing a high level of design quality. The goals are furthered by a cohesively designed office development with enhanced entry features, pedestrian plazas, and a complementary landscape theme. The proposal is compatible with existing, adjacent developments.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code. A neighborhood notice was mailed on August 1, 2014. No comments or questions concerning the request have been received. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Foley absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan and Planned Area Development (PAD) zoning, the 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 "MACH ONE AT CHANDLER AIRPORT CENTER", kept on file in the City of Chandler Planning Services Division, in File No. PDP14-0010, except as modified by condition herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The site shall be maintained in a clean and orderly manner.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. All buildings shall be designed to be consistent with the level of quality, detail, building material, paint colors, architectural articulation and the like as established in the Development Booklet.
6. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

19. ELECTION CANVASS: Primary Election

ACCEPTED the canvass of the City of Chandler Primary Election of August 26, 2014.

The City held its Primary Election on August 26, 2014, for the purpose of electing a mayor and three councilmembers, and deciding a ballot proposition (Home Rule). The election was held in conjunction with the countywide election on a consolidated ballot. Arizona Revised Statutes §16-642 requires the governing body canvass the returns of the election no later than twenty days following the election.

The attached canvass shows the summary and individual precinct results. Voter turnout was 22% with 29,481 voters casting ballots out of a total voter population of 131,874.

Proposition 470 (Home Rule) was approved overwhelmingly by a vote of 22,314 yes votes and 3,778 no votes.

Jay Tibshraeny was declared elected to the office of mayor. He will assume a four-year term as mayor. A City Charter amendment was approved in 2012 changing the term of the office of mayor from two years to four years.

As Kevin Hartke, Terry Roe and Rene Lopez were declared elected to the office of councilmember at the Primary Election, a run-off election is not necessary. The installation ceremony will occur on January 8, 2015.

20. SOLE SOURCE PURCHASE: AZ Wastewater Industries, Inc.

APPROVED the sole source purchase of repairs for a Super Products Camel brand waste water debris tank from AZ Wastewater Industries, Inc., (AWI) in an amount not to exceed \$156,479.22.

The Streets division utilizes a large vactor style truck to clean out the City's storm water facilities such as catch basins, sump areas and storm drain lines. This truck utilizes a high capacity, large diameter vacuum pump apparatus to pick up dirt, debris sand, gravel and small rocks that restrict, plug and otherwise impact the drainage system. The material picked up by the apparatus causes significant wear and tear on the system. The vactor truck is a 2006 Sterling chassis with a Super Products Camel brand waste water vacuum pump debris tank unit mounted on the frame which has been in service since August 2006. The truck chassis is currently in acceptable condition and does not need replacement; however, the vacuum tank apparatus is at the end of its service and needs to be replaced.

Staff received a sole source quote from AWI for major refurbishment of the Super Products Camel debris tank. AWI is the exclusive dealer for Super Products Camel equipment. The replacement of the debris tank and associated plumbing equipment is \$128,156.66, which includes delivery of the truck to the Super Products factory in New Berlin, Wisconsin, for fabrication and replacement.

In addition, the primary vacuum blower pump has seized up and become inoperable. The additional equipment replacement quote is in the amount of \$28,322.56, for a total AWI refurbishment cost of \$156,479.22.

21. ADMINISTRATION: Statutorily and Self-administered City Benefit Programs

AUTHORIZED the administration of statutorily and self-administered City benefit programs to include cancer insurance, retirement for civilian public safety and elected officials, and long term disability for benefit plan year 2015, effective January 1, 2015.

BACKGROUND

City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. The following employee benefits are required statutorily or are a designated self-administered City benefit:

<u>Coverage</u>	<u>Provider</u>	<u>Paid by</u>
• Cancer Insurance – Fire Fighters and Police Officers	Public Safety Retirement System	City
• Retirement Plan – Civilian	Arizona State Retirement System	City/Employee
• Retirement Plan - Public Safety	Public Safety Retirement System	City/Employee
• Retirement Plan – Elected Officials	Elected Officials Retirement Plan	City/Employee
• Long Term Disability – Civilian	Arizona State Retirement System	City/Employee

22. AGREEMENT EXTENSION: ACE American Insurance Company

APPROVED a three-year agreement extension with ACE American Insurance Company for benefit plan year 2015, effective January 1, 2015.

BACKGROUND

City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. ACE provides business travel accident and commuter insurance. The premium increase in the three-year (3) term is negligible at \$0.02 annually. This benefit is paid by the City.

23. AGREEMENT EXTENSION: Anthem Life Insurance Company

APPROVED a one-year agreement extension with Anthem Life Insurance Company for benefit plan year 2015, effective January 1, 2015.

BACKGROUND

City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. The long-term disability insurance is designed to assist public safety personnel to help replace income enabling the employee to focus on getting better. The current rate of .36 cents per \$100 monthly covered payroll has been guaranteed for plan year 2015; therefore, no rate increase will occur. This benefit is paid by the City.

24. AGREEMENT EXTENSION: APS Healthcare Bethesda, Inc.

APPROVED a one-year agreement extension with APS Healthcare Bethesda, Inc., for benefit plan year 2015, effective January 1, 2015.

BACKGROUND

City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm.

APS Healthcare Bethesda, Inc., provides confidential and professional employee counseling assistance dealing with issues ranging from grief to managing stress. Each of the counselors holds either a master or doctoral degree and are certified or licensed by the appropriate state agency. The City of Chandler's employee utilization rate continues to be strong. There is no rate increase for benefit year 2015. This benefit is paid by the City and remains at \$3.33 per employee per month.

25. AGREEMENT EXTENSION: Delta Dental Plan of Arizona, Inc.

APPROVED a one-year agreement extension with Delta Dental Plan of Arizona, Inc., for benefit plan year 2015, effective January 1, 2015.

BACKGROUND

City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. Delta Dental Plan of Arizona, Inc., has provided premier dental services to employees since 2002. We continue to look for ways to improve the overall wellbeing of our employees and their dependents to include dental plan services ranging from general teeth cleanings to orthodontia with having minimal or no impact to the premiums of which both the City and employee pay. We were effective in ensuring that the following schedule that provides the premium and cost share for the City and the employee will continue to be in effect for plan year 2015.

<u>Coverage</u>	<u>Full Rate Monthly Premium</u>	<u>City Pays</u>	<u>Employee Pays</u>
Employee only	\$ 51.00	\$51.00	\$ 00.00
Employee + 1	83.00	83.00	25.00
Employee + 2 or more	135.00	67.50	67.50

The administrative rate remains at \$4.80 per month per member. The administrative rate is paid for by the City's self-funded dental plan.

26. AGREEMENT EXTENSION: Liberty Mutual Insurance Company

APPROVED a one-year agreement extension with Liberty Mutual Insurance Company for benefit plan year 2015, effective January 1, 2015.

BACKGROUND

City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. Liberty Mutual Insurance Company offers employees and their dependents discounted group coverage for home and auto insurance to include an on-site representative on a quarterly basis and 24-hour claims service. This is a voluntary benefit; therefore, there is no cost to the City.

27. AGREEMENT EXTENSION: Matrix Absence Management, Inc.

APPROVED a one-year agreement extension with Matrix Absence Management, Inc., for benefit plan year 2015, effective January 1, 2015.

BACKGROUND

City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm.

Matrix Absence Management, Inc., as a successor to Reliance Standard Life Insurance Company, administers the City's self-funded short term disability income benefit plan. In addition, they assist with the coordination and administration of the City's Family Medical Leave program. There is no rate increase for benefit year 2015.

28. AGREEMENT EXTENSION: PayFlex Systems USA, Inc.

COUNCILMEMBER DONOVAN VOTED NAY ON THIS ITEM.

APPROVED (6-1) a one-year agreement extension with PayFlex Systems USA, Inc., for benefit plan year 2015, effective January 1, 2015.

BACKGROUND

City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. PayFlex Systems USA, Inc. provides healthcare flexible spending account and dependent care flexible spending account administration services. Flexible Spending Accounts (FSA) enable employees to put aside a portion of their gross income on a pre-tax basis in an FSA in order to pay qualified health care and/or dependent care expenses. The current rate of \$4.75 per employee per month has been guaranteed for plan year 2015; therefore, no rate increase will occur. This benefit is paid by the City.

29. AGREEMENT EXTENSION: Reliastar Life Insurance Company

APPROVED a one-year agreement extension with Reliastar Life Insurance Company dba ING Employee Benefits (ING) for benefit plan year 2015, effective January 1, 2015.

BACKGROUND

Effective July 11, 2014, ING US will now be known as "Voya Financial" (Voya) but will remain with Reliastar Life Insurance Company.

City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. This benefit provides basic life and accidental death and dismemberment insurance and optional life insurance for spouses and dependent children to benefit eligible classes. This agreement will include the approved 2013 Amendment (referred to as Attachment 2 in the agreement) to remove the "age reduction schedule". A new amendment (referred to as Attachment 3 in the agreement) will amend the definition of "dependent child" to include an employee's married and unmarried child(ren) under the age of twenty-six (26) years to align with other City benefits. The rates will not increase in the 2015 plan year, with a three-year (3) rate guarantee upon renewal. The basic life and accidental death and dismemberment insurance is funded by the City; all optional coverage is funded by the employee based on the benefit selected.

30. AGREEMENT EXTENSION: Vision Service Plan Insurance Company

APPROVED a one-year agreement extension with Vision Service Plan Insurance Company for benefit plan year 2015, effective January 1, 2015.

BACKGROUND

City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. Vision Services Plan Insurance Company (VSP) provides affordable

vision services to include eye exams, frames, lenses and contact lenses. The rates for 2015 will increase by 3% which includes an assessment by the Affordable Care Act (ACA).

The last increase was in 2008. The following schedule provides the premiums and cost share effective for plan year 2015:

<u>VSP</u>	<u>Full Rate Monthly Premium</u>	<u>City Pays</u>	<u>Employee Pays</u>
Employee Only	\$ 8.11	\$0.00	\$ 8.11
Family	17.37	0.00	17.37

31. AGREEMENT EXTENSION: Blue Cross Blue Shield of Arizona

APPROVED a one-year agreement extension with Blue Cross Blue Shield of Arizona for benefit plan year 2015, effective January 1, 2015.

BACKGROUND

The City's medical benefit is reviewed throughout the year by Staff and in collaboration and input from the City-wide Healthcare Task Force with assistance from a benefits consulting firm

In 2014, the City introduced the Red and Blue benefit plans. Both benefit plans include well established benefit designs of co-insurance, deductibles and out of pocket maximums. The Red Plan best mirrors the City's 2013 benefit design for it maintains the "co-pay" feature for basic services such as primary care and specialist doctor visits, of which the members pays a flat fee for a service. The Blue Plan best mirrors that of a true deductible/co-insurance benefit plan. The introduction of these plans was part of a two-year strategy with the final piece being the introduction of a High Deductible Health Plan (HDHP) known as the "White Plan", with a Health Savings Account (HSA) in the 2015 benefit year.

The City's Human Resources Benefits Staff, the benefits consultant, and the Task Force have engaged in discussions since 2011 about the possibility of a HDHP. The goal was to design a plan that follows the City's strategic benefit plan offering principles. Those principles include: compliance with the Patient Protection and Affordable Care Act, commonly referred to as the Affordable Care Act (ACA); provide employee/dependent choices both in coverage options and financially; engage membership in their personal health; educate membership on the cost of medical and pharmacy services; and ensure sustainability of health insurance benefit plans. The City's benefit consultant facilitated the Task Force meetings where significant discussion, education and evaluation occurred. The Task Force outlined several key components they felt would be important to implement a successful HDHP for City employees. The City's Human Resources Benefits Staff, along with the benefits consultant, worked with the City's healthcare actuary to establish a plan that met the principles. As a result, the proposal of adding the White benefit plan to the existing Red and Blue benefit plans is being presented before Mayor and Council.

No benefit plan design changes will be made to the Red and Blue Plans in 2015. The White Plan is an HDHP that features higher deductibles than traditional insurance plans including the existing Red and Blue Plans. HDHPs include federally determined minimum deductible levels that may be adjusted annually by the Internal Revenue Service (IRS). The plan cannot include "first dollar" benefits, with the exception of preventative care, for services covered under the deductible. A high-deductible health savings account qualified plan is required to open an HSA. The White Plan meets these qualifications. An HSA is an employee-owned tax-advantaged savings and spending account that can be used to pay for qualified medical expenses. Employers and employees may contribute to the HSA but there are contribution limits required by the IRS. The

HSA provides the opportunity to use tax-free dollars to pay for qualified medical expenses, and unlike a Flexible Spending Account (FSA), allows the money to be carried forward year after year.

In 2015, the City will contribute \$1,000.00 into the HSA accounts of employees that select the White Plan. This contribution will be deposited into each account the first pay period of the plan year. The City's contribution, coupled with voluntary contributions made by the employee, will help provide a balance in the HSA that will help mitigate initial out-of-pocket medical expenses that may occur.

All plans will continue to provide for preventative services at 100% such as well woman and well man visits, along with well-baby visits. The contracted network and network discounts apply to all plans as well.

The pharmacy benefit will continue to operate with a co-pay feature immediately in the Red and Blue Plans. The same co-pay structure was established in the White Plan, but is not applicable until the employee has reached their deductible based on the legal requirements of a HDHP. The Task Force was cognizant of the fact that the City's pharmacy benefit is highly utilized; therefore, they wanted to ensure that regardless of what benefit plan the employee selected, the benefit would be administered the same for all plans with the noted exception on the White Plan.

The City will continue to contract with Blue Cross Blue Shield of Arizona to provide the administration of the City's group medical and pharmacy program to include customer service support, administrative services, network contracts, clinical programs, pharmacy benefit management service, and stop-loss coverage.

On August 28, 2014, after review and consideration of the financial attestation provided by the City's healthcare actuary and in accordance with the City of Chandler Health Care Benefits Trust Agreement, the City's Health Benefits Trust Board approved benefit plan year 2015 healthcare benefit premiums and requested that said premiums be presented to City Council for review and approval.

As previously noted in the City's budget proceedings and subsequently approved by the Mayor and Council, the contribution strategy will remain at an 80/20 split of which the City pays 80% and the employee 20% for the Red and Blue Plans.

The White Plan premium will be paid 100% by the City. This strategy will provide employees with an opportunity to deposit a portion or all of what they would have normally paid in premiums, into their HSA in order to cover expenses subject to the deductible.

The HR Benefits Staff developed and will be presenting various forms and venues of communication regarding the White Plan to City employees, dependents and retirees. This will be done in order to ensure they have an adequate understanding of the plan choices for 2015 and the differences of how a HDHP plan operates as well as an HSA.

32. PROJECT AGREEMENT: Southwest Groundwater Consultants

APPROVED Project Agreement No. WW1407.451 with Southwest Groundwater Consultants for Hydrogeological Services for the Ocotillo Recharge & Recovery Facility installation of Aquifer Storage and Recovery Wells 7, 8, 9 and 10 and Monitor Well OW-MWA, pursuant to Annual Contract No. EN1203-101, in an amount not to exceed \$113,845.00.

33. PROJECT AGREEMENT: Sunrise Engineering

APPROVED Project Agreement No. ST1404.201 with Sunrise Engineering for design services for a deceleration lane from eastbound Ray Road to southbound Dobson Road, pursuant to Annual Contract No. EN1004.101, in an amount not to exceed \$58,222.00.

34. AGREEMENT: Utility Construction Company, Inc.

APPROVED Agreement No. TD5-968-3404 with Utility Construction Company, Inc., for streetlight pole replacement in an amount not to exceed \$137,815.00 for one year with the option of four additional one-year periods. Risk Management recovers approximately 80% of the cost for damaged poles through insurance companies and/or persons involved. The remainder will be funded from the City's self-insurance program

35. AGREEMENT EXTENSION: Traffic Signal Poles

APPROVED Agreement No. TE2-550-2975 with Valmont Industries, Inc., Southwest Fabrication, LLC, Leotek Electronics USA Corporation and Cem-Tec for traffic signal poles and miscellaneous hardware in a total combined amount not to exceed \$100,000.00.

36. AGREEMENT: Ritoch-Powell & Associates

APPROVED Agreement No. WA1306.451 with Ritoch-Powell & Associates for construction management services, pursuant to Annual Contract No. EN1506.101, for the Joint Municipal Utilities and Police Department Facility, in an amount not to exceed \$60,941.00

The project consists of the construction of a new pre-engineered metal building complete with interior finish-out and exterior site improvements. The building will be located at the Pecos Surface Water Treatment Plant, 1475 E. Pecos Road. It will house the Municipal Utilities Department's water systems maintenance operations (6,900 sq. ft.) and the Police Department's large vehicle storage (3,500 sq. ft.). In addition, a 725 square-foot common space will join the two departments' areas.

37. AGREEMENT: GE Betz, Inc.

APPROVED Agreement No. MU5-885-3431 with GE Betz, Inc., for the purchase of water and wastewater chemicals for the Ocotillo Brine Reduction Facility in an amount not to exceed \$120,000.00.

38. AGREEMENT: Invensys

APPROVED Agreement No. MU4-918-3402 with Invensys for the sole source purchase of water and wastewater instrumentation/control system equipment and services in an amount not to exceed \$698,718.00.

The Pecos Surface Water Treatment Plant, located at 1475 E. Pecos Road, and the Airport Water Reclamation Facility, located at 905 E. Queen Creek Road, utilize a Distributed Control System (DCS) consisting of components only manufactured and serviced by Invensys. Both facilities' processes communicate through fiber optic cables to the plant's control systems. The

existing equipment used for this communication is obsolete and will no longer be supported by Invensys.

39. AGREEMENT AMENDMENT: Continental Flooring Company

APPROVED Agreement No. BF3-360-3216, Amendment No. 2, with Continental Flooring Company for flooring services (carpet and vinyl flooring repair and replacement), in the amount of \$130,000.00 for a revised total contact amount not to exceed \$275,000.00 for a two-year period.

The Building and Facilities Division currently needs to install carpet in the Transportation and Development building as a majority of the carpet is over 14 years old and it has expended its life span. The new carpet will be carpet tiles that allow for easy installation with limited impact on the operation of the building. The carpet tile also allows for easy replacement in the event a section of carpet is stained and cannot be cleaned.

A request for Proposals (RFP) was issued on February 8, 2013. One response was received and evaluated. An award was made to Continental Flooring Company for a two-year period, April 1, 2013 through March 31, 2015, with options to renew for two additional two-year periods, for an amount not to exceed \$45,000 per year. Because the amount was below the Council approval limit, the City Manager signed and approved the agreement. Due to the increase in projects, the amount needed now requires Council approval. Council extended the amount at the February 13, 2014, Council meeting to fund the carpet replacement at the Tumbleweed Recreation Center Cottonwood Room, Chandler Heights Sub-station multi-purpose room and the records area at the main Police Station. The amount of the extension was for \$100,000.00. An additional \$130,000.00 is now required to carpet the Transportation and Development building.

40. AGREEMENT: Continental Flooring Company

APPROVED Agreement No. BF5-360-3419 with Continental Flooring Company for flooring services (vinyl sheeting and vinyl composite tile replacement) at various locations in an amount not to exceed \$111,794.48.

41. AGREEMENT AMENDMENT: Painting and Related Services

APPROVED Agreement No. BF3-910-3153, Amendment No. 1, with A&H Painting, Inc., Ghaster Painting & Coatings, Inc., and Hernandez Companies for painting and related services for a total combined amount not to exceed \$70,000.00 per year for a two-year period.

42. AGREEMENT AMENDMENT: Plumbing and Irrigation Supplies

APPROVED Agreement No. WH4-670-3284, Amendment No. 1, with Ewing Irrigation, Ryan Herco Flow Solutions, Horizon Distributors, Inc., Central Arizona Supply, Interline Brands dba Sexauer, and Sprinkler World of Arizona, Inc., for the purchase of plumbing and irrigation supplies for a period of one year in a combined total not to exceed \$160,000.00. This is the first of four optional one-year extensions.

43. CONTRACT: Wilson Engineers, LLC

APPROVED Contract No. EN1517.101 with Wilson Engineers, LLC, for Permitting, Study, Design and Post-Design Services for Water and Wastewater Facilities, for a two-year term, in an amount not to exceed \$2,000,000.00 per year, with the option of one additional two-year extension.

44. CONTRACT: Carollo Engineers, Inc.

APPROVED Contract No. EN1518.101 with Carollo Engineers, Inc., for Permitting, Study, Design and Post-Design Services for Water and Wastewater Facilities, for a two-year term, in an amount not to exceed \$2,000,000.00 per year, with the option of one additional two-year extension.

45. CONTRACT: CH2M Hill Engineers, Inc.

APPROVED Contract No. EN1519.101 with CH2M Hill Engineers, Inc., for Permitting, Study, Design and Post-Design Services for Water and Wastewater Facilities, for a two-year term, in an amount not to exceed \$1,500,000.00 per year, with the option of one additional two-year extension.

46. CONTRACT: Dibble Engineering

APPROVED Contract No. EN1520.101 with Dibble Engineering for Permitting, Study, Design and Post-Design Services for Water and Wastewater Facilities, for a two-year term, in an amount not to exceed \$1,500,000.00 per year, with the option of one additional two-year extension.

47. CONTRACT: Aztec Engineering Group, Inc.

APPROVED Contract No. EN1523.101 with Aztec Engineering Group, Inc., for Permitting, Study, Design and Post-Design Services for Water and Wastewater Facilities, for a two-year term, in an amount not to exceed \$750,000.00 per year, with the option of one additional two-year extension.

48. CONTRACT: Stantec Consulting Services, Inc.

APPROVED Contract No. EN1521.101 with Stantec Consulting Service Facilities, Inc., for Permitting, Study, Design and Post-Design Services for Water and Wastewater Facilities, for a two-year term, in an amount not to exceed \$750,000.00 per year, with the option of one additional two-year extension.

49. CONSTRUCTION CONTRACT: DNG Construction LLC

APPROVED Construction Contract No. WA1306.401 with DNG Construction LLC, for the Joint Municipal Utilities and Police Department Facility in an amount not to exceed \$1,234,373.15.

The project consists of the construction of a new pre-engineered metal building complete with interior finish-out and exterior site improvements. The building will be located at the Pecos Surface Water Treatment Plant, 1475 E. Pecos Road. It will house the Municipal Utilities Department's water systems maintenance operations (6,900 sq. ft.) and the Police Department's large vehicle storage (3,500 sq. ft.). In addition, a 725 square-foot common space will join the two departments' areas. The Municipal Utilities Department's area will have a 1,850 sq. ft. interior mezzanine and a bridge crane. A chain-link fenced exterior storage space will be located on the south end of the area.

50. CONSTRUCTION CONTRACT: Arizona Beeman Drilling

APPROVED Construction Contract No. WW1407.401 with Arizona Beeman Drilling for Ocotillo Recharge Facility site installation of Aquifer Storage and Recovery Wells 7, 8, 9 and 10 and Monitor Well OW-MW2A in an amount not to exceed \$1,603,937.00, contingent upon written notification from Intel and appropriate funding.

51. CONTRACT EXTENSION: Consultant Engineering, Inc.

APPROVED Contract Extension Project No. EN1202.101 and Project Agreement Project No. EN1522.101 to Consultant Engineering, Inc., for On-Call Inspection Services in an amount not to exceed \$35,500.00. This is the second of four optional one-year renewals.

52. CONTRACT: Ritoch-Powell and Associates

APPROVED Contract No. EN1506.101 with Ritoch-Powell and Associates for Civil Engineering Services, for a two-year term, in an amount not to exceed \$300,000.00 per year with the option of one additional two-year extension.

53. CONTRACT: Aztec Engineering Group, Inc.

APPROVED Contract No. EN1505.101 with Aztec Engineering Group, Inc., for Civil Engineering Services, for a two-year term, in a amount not to exceed \$300,000.00 per year with the option of one additional two-year extension.

54. CONTRACT: Ninyo and Moore

APPROVED Contract No. EN1507.101 with Ninyo and Moore for Environmental Services, for a two-year term, in an amount not to exceed \$100,000.00 per year with the option of one additional two-year extension.

55. CONTRACT: Allwyn Environmental

APPROVED Contract No. EN1508.101 with Allwyn Environmental for Environmental Services, for a two-year term, in an amount not to exceed \$100,000.00 per year with the option of one additional two-year extension.

56. CONTRACT: AMEC Environment and Infrastructure, Inc.

APPROVED Contract No. EN1509.101 with AMEC Environment and Infrastructure, Inc., for Environmental Services, for a two-year term, in an amount not to exceed \$100,000.00 per year with the option of one additional two-year extension.

57. CONTRACT: Perlman Architects of Arizona, Inc.

APPROVED Contract No. EN1504.101 with Perlman Architects of Arizona Inc., for Architectural Services, for a two-year term, in an amount not to exceed \$150,000.00 per year with the option of one additional two-year extension.

58. CONTRACT: Dick & Fritsche Design Group

APPROVED Contract No. EN1503.101 with Dick & Fritsche Design Group for Architectural Services, for a two-year term, in an amount not to exceed \$150,000.00 per year with the option of one additional two-year extension.

59. CONTRACT: Dieterich Architectural Group, Inc.

APPROVED Contract No. EN1502.101 with Dieterich Architectural Group, Inc. for Architectural Services, for a two-year term, in an amount not to exceed \$150,000.00 per year with the option of one additional two-year extension.

60. CONTRACT: Taylor Rymar Corporation

APPROVED Contract No. EN1514.101 with Taylor Rymar Corporation for Facilities Engineering and Mechanical, Plumbing and Electrical Engineering Services, for a two-year term, in an amount not to exceed \$200,000.00 per year, with the option of one additional two-year extension.

61. CONTRACT: Melroy Engineering, Inc.

APPROVED Contract No. EN1515.101 to Melroy Engineering, Inc., dba MSA Engineering Consultants Incorporated, for Facilities Engineering and Mechanical, Plumbing and Electrical Engineering Services for a two-year term, in an amount not to exceed \$200,000.00 per year with the option of one additional two-year extension.

62. CONTRACT: Spectrum Engineers, Inc.

APPROVED Contract No. EN1516.101 with Spectrum Engineers, Inc., dba Spectrum Engineers and Total Building Commissioning, for Facilities Engineering and Mechanical, Plumbing and Electrical Engineering Services, for a two-year term in an amount not to exceed \$200,000.00 per year with the option of one additional two-year extension.

63. CONTRACT: Salt River Project

APPROVED Contract No. ST0809 with Salt River Project (SRP) for design and construction services for Phase II of the Gilbert Road Improvements (Queen Creek Road to Hunt Highway), in an amount not to exceed \$98,760.12.

64. CONTRACT: Salt River Project

APPROVED Contract No. ST1305.501 with Salt River Project (SRP) for design of Old Price Road and Queen Creek Road Intersection Improvements in an amount not to exceed \$17,760.00.

65. CONTRACT: Entellus, Inc.

APPROVED Contract No. ST0808.452 with Entellus, Inc., for professional services for Ocotillo Road Improvements (Arizona Avenue to McQueen Road) – Construction Management Services in an amount not to exceed \$592,330.00.

66. CONTRACT: Blucor contracting Inc.

APPROVED Contract No. ST0808.401 with Blucor Contracting Inc., for construction of Ocotillo Road Improvements (Arizona Avenue to McQueen Road) in an amount not to exceed \$5,356,350.75.

67. CONTRACT: Tristar Engineering & Management, Inc.

APPROVED Contract No. ST0810.451 with Tristar Engineering & Management, Inc., for professional services for McQueen Road Improvements (Ocotillo Road to Chandler Heights Road) – Construction Management Services in an amount not to exceed \$602,698.00.

68. CONTRACT: Nesbitt Contracting Co., Inc.

APPROVED Contract No. ST0810.402 with Nesbitt Contracting Co., Inc., for construction of McQueen Road Improvements (Ocotillo Road to Chandler Heights Road) in an amount not to exceed \$4,175,891.15.

69. CONTRACT: Kristin Darr & Associates, LLC

APPROVED Contract No. ST0810.102 with Kristin Darr & Associates, LLC, a limited liability company dba Central Creative, for professional services for McQueen Road Improvements (Ocotillo Road to Chandler Heights Road) - Public Outreach, in an amount not to exceed \$38,120.00.

This contract is for public outreach services consisting of providing and maintaining a project website, a 24/7 answering service, construction hotline for residents and businesses, weekly email updates to the public and coordination with the contractor and the City to mitigate public concerns and issues. Services also include implementation of the project Partnering Evaluation Program (PEP) and other related tasks as necessary to ensure compliance with local, state and federal requirements.

70. CONTRACT: Visus Engineering Construction

APPROVED Contract No. ST1402.401 with Visus Engineering Construction for construction for Emmett Drive Improvements in an amount not to exceed \$657,000.00.

The City agreed, as part of the Development Agreement with Rock-Queen Creek LLC and SunCap Phoenix, LLC, dated May 8, 2014, to design and construct half-street collector improvements to Emmett Drive from Ryan Road to ¼ mile south. The roadway will provide additional access for the Chandler Crossroads Development (Federal Express). Overall, this project provides a continuous roadway connection from Ryan Road to Queen Creek Road. On June 11, 2012, Developer Lump Sum Agreements with Covance Laboratories, Inc., were approved by City Council and consist of contributions for streets and water improvements to Emmett Drive. The funding will be transferred from Developer Lump Sum Account and applied towards this project.

71. CONTRACT: Entellus, Inc.

APPROVED Contract No. ST1402.451 with Entellus, Inc., for professional services of Emmett Drive Improvements – Construction Management Services in an amount not to exceed \$43,296.00.

72. CONTRACT: Blount Contracting, Inc.

APPROVED Contract No. ST0408.401 with Blount Contracting, Inc., for construction of Thude Park Drainage Improvements in an amount not to exceed \$566,415.00. This project is ADOT funded.

73. CONTRACT: Kimley-Horn and Associates

APPROVED Contract No. EN1501.101 with Kimley-Horn and Associates for Airport Facilities and Infrastructure Design Services in an amount not to exceed \$200,000.00 per year for a two-year term with the option of one additional two-year extension.

74. CONTRACT: EPG Environmental Planning Group

APPROVED Contract No. EN1512.101 with EPG Environmental Planning Group for Landscape Design Consulting Services for a two-year term in an amount not to exceed \$75,000.00 per year with the option of one additional two-year extension.

75. CONTRACT: Gavan and Barker, Inc.

APPROVED Contract No. EN1511.101 with Gavan and Barker, Inc., for Landscape Design Consulting Services for a two-year term in an amount not to exceed \$150,000.00 per year with the option of one additional two-year extension.

76. CONTRACT: J2 Engineering and Environmental Design, LLC

APPROVED Contract No. EN1510.101 with J2 Engineering and Environmental Design, LLC, for Landscape Design Consulting Services for a two-year term in an amount not to exceed \$150,000.00 per year with the option of one additional two-year extension.

77. CONTRACT: Olsson and Associates

APPROVED Contract No. EN1513.101 with Olsson and Associates for Landscape Design Consulting Services for a two-year term in an amount not to exceed \$100,000.00 per year with the option of one additional two-year extension.

78. PURCHASE: Versaterm, Inc.

APPROVED the purchase of annual maintenance and services for the Police RMS from Versaterm, Inc., in an amount not to exceed \$381,000.00.

The Police Department purchased the Versaterm integrated police records management (RMS), computer-aided dispatch (CAD), mobile data computing (MDC) and field reporting (FR) system in March 2010. With the expiration of the initial warranty period, the department needs to provide ongoing maintenance and services for the product, which are only available through the vendor in the form of annual maintenance. The maintenance allows for product updates and upgrades, correction of product failures that are not working as intended in accordance with documentation,

and support of the product and its interfaces per contract. Because the system is proprietary, the ongoing maintenance service is available only from Versaterm, Inc. No other vendors are authorized to provide these maintenance services.

79. PURCHASE: Verizon Wireless

APPROVED the purchase of mobile communication services from Verizon Wireless, utilizing the State of Arizona/Western States Contracting Alliance (WSCA) Contract No. ADSPO13-034099, in an amount not to exceed \$151,029.00.

The Mobile Data Center is the centerpiece of all communication infrastructure police officers use in the field to perform their daily functions. These units must stay in contact with the central dispatch center via industry standard encrypted wireless communication technologies. The importance of these units properly working and communicating is critical enough that a failed MDC, in most cases, means the vehicle is pulled from service because of the significant threat to officer safety.

The communication between the mobile units and the station provide the officer in the field with capabilities for:

- Computer-aided dispatch features.
- Communication with dispatchers, emergency calltakers and supervisors.
- Access to many law enforcement information systems.
- Ability to write reports and input RMS data.
- Access to City GIS information and maps.
- Automatic vehicle location systems for emergency response.
- Emergency notification systems for officer in trouble/backup assistance situations.

80. PURCHASE: Motorola Solutions

APPROVED the purchase of public safety communication equipment from Motorola Solutions, utilizing the State of Arizona Contract No. ADPSO13-036880, in an amount not to exceed \$846,673.06.

The Federal Communications Commission (FCC) has ruled that by the year 2017, all radios must be capable of narrow band reception/transmission. The Police Department currently utilizes Motorola two-way radios for police, fire and municipal departments. The City is a member agency of the Regional Wireless Cooperative wireless network in cooperation with Motorola and in order to maintain the compatibility and security of the system, it is not recommended that an additional radio vendor be introduced into the radio system. The Police Department needs to replace approximately 184 portable and mobile vehicle radios that have exceeded their recommended lifespan. This is the second phase of purchases to replace the current radios in order to be compliant with the 2017 FCC mandate. Other agencies within the Regional Wireless Cooperative have purchased radios utilizing the State of Arizona contract.

81. PURCHASE: EMC

APPROVED the purchase of enterprise data storage equipment and services from EMC, utilizing the State of Arizona/Western States Contracting Alliance (WSCA) Contract No. ADSPO10-00000049, in an amount not to exceed \$1,394,456.00.

The City of Chandler has had large success with the use of several key Enterprise Mass Storage technologies. The Storage Area Network (SAN) is heavily utilized for mission critical applications such as Oracle E-Business Suite, IBM Notes/Domino, Accela, Lucity and many others. The Network Attached Storage (NAS) is primarily utilized to store departmental documents ("F:", "T:" and "N:" drives). To make sure that is all backed up in case of loss or corruption, the City has standardized on Commvault Simpana software with EMC and Quantum hardware for backup and recovery. All of these services work in harmony to provide service directly to users and citywide applications on a daily basis.

These centralized storage and backup solutions are planned to be replaced on a seven-year replacement cycle and are now due for replacement. IT has reviewed the current storage strategies and feature sets available in the market and is recommending the continued utilization of SAN and NAS technologies provided by EMC VNX hardware. Due to ongoing issues and the high cost of maintenance with the Commvault backup solution, IT is also recommending the implementation of EMC's Avamar backup and recovery solution to replace Commvault. There is a high degree of comfort with EMC technology as it's been extremely reliable with no major outages or data loss and has performed as required by the various applications. New features available as part of this replacement will aid in managing the exponential growth of data storage utilization that has been experienced since the implementation of centralized citywide storage.

82. PURCHASE: Western Environmental Equipment co.

APPROVED the purchase of Severn Trent Services/ClorTec replacement parts for the Surface Water Treatment Plant from Western Environmental Equipment Co. in an amount not to exceed \$65,000.00.

83. EMERGENCY PURCHASE: Hydrochloric Acid

APPROVED the emergency purchase of hydrochloric acid for the Ocotillo Brine Reduction facility in an estimated amount of \$1,000,000.00. The cost for this purchase will be reimbursed by Intel.

On June 26, 2014, City Council approved Agreement No. MU4-885-3350 for the purchase of water treatment, wastewater treatment and swimming pool chemicals to various suppliers for one year. Design Engineers' initial estimate was 140,000 gallons per year prior to startup. It is now estimated that the Ocotillo Brine Reduction Facility (OBRF) will require 500,000 gallons per year. In addition to increased demand at the OBRF, there is a nationwide shortage of hydrochloric acid due to two major chemical plants being off-line and an increased industry demand. The contracted suppliers will provide 140,000 gallons during the contract period, but are unable to supply any more. Price will vary due to supply and demand. The OBRF required two tanker truck loads of hydrochloric acid per week and cannot function without this chemical.

84. USE PERMIT: The Perch

APPROVED Use Permit LUP14-0010 The Perch, to expand the premise area to sell and serve liquor as permitted under a Series 6 Bar License in an existing restaurant outdoor courtyard and patios and continue live entertainment indoors and outdoors. The request also includes expanding the area for operation of the Series 3 Domestic Microbrewery License to include additional storage for property located at 232 S. Wall Street, north and west of the NWC of Arizona Avenue and Frye Road. (Applicant: Jared Repinski, AATF Agent.)

BACKGROUND

The Perch is an existing restaurant and bar with outdoor courtyards, patios and a roof-top area located at 232 S. Wall Street. The previous Liquor Use Permit was approved in September 2013. A new Liquor Use Permit is prompted due to the proposed expansion of the approved site and floor plans, expiration of the one-year time limit and a desire to expand the live entertainment hours.

The request is to expand the premise area to sell and serve liquor as permitted under a Series 6 Bar License to include the salon and add outdoor patio areas. The request also includes expanding the area for operation of a Series 3 Domestic Microbrewery License to include additional storage. The premise area extension adds approximately 5,600 sq. ft. The applicant also requests extending the hours of live entertainment from 10 pm. until 11 p.m. on Fridays and Saturdays. The additional hour allows patrons to further enjoy the live entertainment in both indoor and outdoor areas. Live entertainment occurring on Sunday through Thursday would end at 10 p.m.

DISCUSSION

Planning Staff supports the request, finding that the restaurant and bar with live entertainment is appropriate at this location if controlled so as to not unreasonably disturb the surrounding businesses and residents. The request to extend live entertainment for one additional hour on Friday and Saturday nights further sustains the business and allows patrons to enjoy live music and entertainment for an extended period of time. Planning Staff is not recommending a time condition on this Liquor Use Permit due to the success of the business's operation. The applicant is concurrently processing a rezoning application that seeks to reconcile existing site constraints and building setbacks.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on July 14, 2014. There were no neighbors in attendance. Planning Staff has not received any correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION

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

1. The Liquor Use Permit granted is for a Series 6 license and a Series 3 license and any change of license shall require reapplication and new Use Permit approval.
2. The Liquor Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require a new Liquor Use Permit application and approval.
4. Music and entertainment shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line
5. No noise shall be emitted from the live music and entertainment occurring outdoors that exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
6. No live entertainment shall occur after 11 p.m. on Friday and Saturday.

7. The establishment shall provide a contact phone number of a responsible person (bar owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.
8. The site shall be maintained in a clean and orderly manner.

85. Moved to Action.

86. CONTINUED USE PERMIT: Mid Mountain Excavation

CONTINUED TO OCTOBER 23, 2014, Use Permit ZUP14-0006 Mid Mountain Excavation, extension for the continued operation of an excavation business located at 900 E. Germann Road, west of the NWC of Germann and McQueen roads. Following the Planning Commission hearing, Planning Staff reviewed the request in light of concerns expressed regarding the up-keep of the site. Planning Staff is recommending a continuance to further monitor maintenance of the site.

87. USE PERMIT: Max & Ted's 480

APPROVED Use Permit LUP14-0011, Max & Ted's 480, Series 6 Bar License, to sell and serve all types of spirituous liquor as permitted and allow live music indoors at an existing bar located at 480 N. Arizona Ave., south of the SWC of Oakland Street and Arizona Avenue. (Applicant: Bill Mohler.)

BACKGROUND

Max & Ted's 480 bar is an existing business operating since 1961. Since it was established, the business name and ownership has changed several times. The business is under new ownership as of May 2014. The bar received Liquor Use Permit approval in July 2013 with a time condition of one year. The request is for extension of the Liquor Use Permit without any further time condition. The business's operational plan remains the same as the previous owners. The hours of operation are 10 a.m. until 2 a.m. seven days a week. There are pool tournaments and leagues, karaoke and live entertainment. The live entertainment is once a month on Saturdays, from 9 p.m. to 1 a.m.

Parking was an issue conveyed by a property owner during the previous Liquor Use Permit process. No recent parking concerns have been raised. The previous bar owner made an agreement with Chandler Auto and Tire, located south of the bar on the same block, to utilize their parking lot for overflow parking. The agreement was made in April 2013 when the bar came under the previous ownership. The parking agreement allows bar patrons to use the tire business's parking lot in the evening on any day of the week. On-site parking is monitored by the bar owner and when the lot is nearing capacity, a movable sign notifying patrons of the additional parking is placed outdoors. The current bar owner confirmed with the owner of Chandler Auto and Tire to continue this parking agreement.

DISCUSSION

Planning Staff supports the request finding that the bar with live entertainment indoors is appropriate at this location if controlled so as to not unreasonably disturb the surrounding businesses and residents. There have been no complaints filed with the Police Department or opposition conveyed during the neighborhood meeting and public notification processes. Planning Staff is not recommending a time condition on this Liquor Use Permit due to the success of the ongoing business operation.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 18, 2014.

There were no neighbors in attendance. Planning Staff has received one phone call from a property owner in opposition to live entertainment.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION

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

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 6 license only and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to any other location.
4. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
5. No noise shall be emitted from the live entertainment occurring indoors that exceed the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential area.
6. The site shall be maintained in a clean and orderly manner.

88. LIQUOR LICENSE: Max & Ted's 480

APPROVED a Series 6 Bar Liquor License (Chandler #153224L6) for William Clyde Mohler, Jr., Agent, Mohler Enterprises LLC, dba Max & Ted's 480, located at 480 N. Arizona Avenue. A recommendation for approval of State Liquor License #06070133 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.

89. USE PERMIT: Bourbon Jacks Bar & Grill

Carisson Thurman, 11 W. Boston St. #2 Chandler AZ, stated as a neighbor to Bourbon Jacks they had brought up several issues at the last meeting. Through discussions after the Council meeting they have resolved the issues and are in direct contact with management of Bourbon Jacks. She is in support of the Use Permit application.

APPROVED Use Permit LUP14-0007 Bourbon Jacks Bar & Grill, Series 6 Bar License to sell and serve liquor as permitted for on- and off-premises sales indoors and within an outdoor patio and live entertainment indoors located at 11 W. Boston Street, Suite 1. (Lori Rutten, Howdy Partners LLC.)

This case was continued at the August 14, 2014, Council meeting to allow time for the applicant and Planning Staff to address concerns raised by an adjacent business owner, Shoe Thrill. The adjacent business owner provided Planning Staff and the Bourbon Jacks owners an email with

their concerns. Most concerns are related to on-site business owner/landlord property management. Planning Staff worked with the business owners and City Staff regarding these concerns. On August 15, 2014, the Bourbon Jacks and Shoe Thrill business owners had a meeting. A key concern was live music and when it occurs. There are now clear expectations and a line of communication between the businesses.

There is an agreement between the businesses to allow live music after 8 p.m. Monday through Saturday and after 5 p.m. on Sundays. There was a charitable event held on a weekend in which the music occurred during the day while Shoe Thrill was open for business. Bourbon Jacks will coordinate other events in advance so as not to affect Shoe Thrill's business. Bourbon Jacks will advise their management that sound checks and start times occur only within the agreed upon hours.

Both businesses discussed concerns about patrons smoking close to business entrance doors. Planning Staff advised that the Smoke Free Arizona law prohibits smoking within 20 feet of an entrance. Either business can file a complaint on the Smoke Free Arizona website. In addition, Bourbon Jacks can remove any outdoor ashtrays on patio tables and post a "No Smoking" sign. Bourbon Jacks will advise staff and patrons to prohibit smoking within 20 feet of the entrance.

A concern related to the trash containment area is a multi-tenant matter since many businesses use it. Bourbon Jacks will advise their employees to clean up any over-spilled trash and both businesses will talk with adjacent tenants to bring awareness about keeping the trash area clean. Concerns related to door access, multi-tenant shared bathroom access and the hallway, and cleaning of shared bathrooms was discussed. Bourbon Jacks owners will advise management to be aware and mitigate these concerns. The location of A-frame signs, a hostess podium and a statue in front will be located so as not to affect pedestrian circulation.

The concern regarding over-serving liquor was discussed and Bourbon Jacks ensured they do not tolerate it and will further educate management and employees on State laws regarding liquor service and work with Police Staff on how to better address these issues. Planning Staff coordinated with Police Staff on these concerns and Police Staff will speak with the business owners to assist them in the matters. Police also provided a call summary report.

Shoe Thrill does not request any additional zoning conditions or live music restrictions beyond what was previously approved with the Liquor Use Permit and the agreements they have with Bourbon Jacks.

BACKGROUND

The subject site is located west of Arizona Avenue on the south side of Boston Street in Downtown Chandler. In April 2012, the restaurant was approved a Series 12 Restaurant License for liquor inside and on an outdoor patio as well as live entertainment indoors. The Series 12 Liquor License requires at least 40% of gross revenue from the sale of food. The State Department of Liquor Licenses and control determined this requirement was not met; therefore, the restaurant is requesting a Series 6 Bar License.

The application requests Liquor Use Permit approval to sell liquor as permitted under a Series 6 Bar License within an existing restaurant. A Series 6 Bar License allows the sale and service of all spirituous liquors and off-sale "To Go" privileges.

The restaurant is approximately 2,600 square feet with approximately 76 seats inside and 15 outside on a small patio. The interior includes a stage for live music.

Following concerns raised at City Council, Planning Staff recommends additional zoning conditions to ensure live music does not disturb adjacent businesses and area residents.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on July 10, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Cunningham absent.

RECOMMEND ACTION

Upon finding consistency with the General Plan, the 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 Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 6 Bar 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 store locations.
4. The site shall be maintained in a clean and orderly manner
5. Live music and entertainment shall be controlled so as to not unreasonably disturb adjacent businesses and area residents and shall not exceed the ambient noise level as measured at the commercial property line.
6. The establishment shall provide a contact phone number of a responsible person (business owner and/or manager) to interested business owners and neighbors to resolve noise complaints quickly and directly.

90. **LIQUOR LICENSE:** Bourbon Jack's Grill

APPROVED a Series 6 Bar Liquor License (Chandler #141172L6) for Jesus M. Altamirano, Agent, Howdy Partners LLC, dba Bourbon Jack's Grill, located at 11 W. Boston Street, Suite 1. A recommendation for approval of State Liquor License #06073502 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.

91. **USE PERMIT:** H&H City Pizza

APPROVED Use Permit LUP14-0012 H&H City Pizza, Series 12 Restaurant License, to sell and serve liquor as permitted for on-premise consumption located at 4040 S. Arizona Avenue, Suite 17, in Fulton Ranch Towne Center. (Applicant: Marshall Reichert.)

BACKGROUND

H&H City Pizza is an existing restaurant in Fulton Ranch Towne Center located at the southwest corner of Ocotillo Road and Arizona Avenue. The application requests Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License.

The hours of operation are Monday through Thursday 11 a.m. until 9 p.m.; Friday and Saturday from 11 a.m. until 9:30 p.m. and 11 a.m. until 8 p.m. on Sunday. There are eight employees. The tenant suite is approximately 1,500 square feet and accommodates 32 seats indoors. Outdoor seating is for dining only; serving of liquor is not requested. Signage will be posted outside of the restaurant stating alcohol is not permitted.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 12, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Foley absent.

RECOMMENDED ACTION

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

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

92. LIQUOR LICENSE: H & H City Pizza

APPROVED a Series 12 Restaurant Liquor License (Chandler #149188L12) for Marshall A. Reichert, Agent, City LLC, dba H & H City Pizza, located at 4040 S. Arizona Avenue, Suite 17. A recommendation for approval of State Liquor License #12079940 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.

93. USE PERMIT: Hyatt Place Phoenix / Chandler Fashion Center

APPROVED Use Permit LUP14-0013 Hyatt Place Phoenix / Chandler Fashion Center, Series 11 Hotel Liquor License to sell and serve liquor as permitted for on-premises consumption of beer, wine and spirits located at 3535 W. Chandler Boulevard, SWC of Chandler Boulevard and Chandler Village Drive. (Applicant: Andrea Lewkowitz, Lewkowitz Law Office, PLC.)

BACKGROUND

This property is undergoing renovation from Windmill Suites to a Hyatt Place hotel. The former hotel did not service liquor. Hyatt Place hotel will offer food and beverage service including alcoholic beverages.

The Series 11 Hotel License allows for on-premises consumption of beer, wine and spirits. The hotel will serve alcoholic beverages in the gallery market, kitchen and dining area and at the bar. Hyatt Place is a 3-story hotel at approximately 93, 000 square feet with 130 guest rooms.

PUBLIC/NEIGHBORHOOD NOTIFICATION

The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on July 24, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the 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 Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 11 Hotel 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 store locations.
4. The site shall be maintained in a clean and orderly manner.

94. LIQUOR LICENSE: Hyatt Place Phoenix / Chandler Fashion Center

APPROVED a Series 11 Hotel/Motel Liquor License (Chandler #154151L11) for Andrea Dahlam Lewkowicz, Agent, Noble-Interstate Management Group LLC, dba Hyatt Place Phoenix/Chandler-Fashion Center, located at 3535 W. Chandler Boulevard. A recommendation for approval of State Liquor License #11077038 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.

95. LIQUOR LICENSE: Hensley & Company

APPROVED a Series 4 In-State Wholesalers Liquor License (Chandler #154302L4) for Robert Michael Delgado, Agent, Hensley & Company, located at 120 E. Corporate Place, Suite 14. A recommendation for approval of State Liquor License #04077064 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. Planning and Development advises that a Use Permit is not required as distribution only is an allowed use in a PAD zoned district.

96. LIQUOR LICENSE: Tom Ryans Lounge

Approved A Series 6 Bar Liquor License (Chandler #154470L6) for Michael John Ryan, Agent, TRS Take Two LLC, dba Tom Ryans Lounge, located at 70 W. Warner Road, Suite 105. A recommendation for approval of State Liquor License #06070623 will be forwarded to the State Department of Liquor Licenses and Control.

The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as O'Shay's Pub and Grill LLC, dba O'Shay's Pub.

97. LIQUOR LICENSE: Whiskey Rose Saloon

APPROVED a Series 12 Restaurant Liquor License (Chandler #153892L12) for Lauren Kay Merrett, Agent, Rose Saloon LLC, dba Whiskey Rose Saloon, located at 135 W. Ocotillo Road. A recommendation for approval of State Liquor License #12079996 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as W.R.S. Chandler LLC, dba Whiskey Rose Saloon.

98. LIQUOR LICENSE: AZ Pho & Grill

APPROVED a Series 12 Restaurant Liquor License (Chandler #154194L12) for Thanh Trang Nguyen, Agent, AZ Pho & Grill LLC, dba AZ Pho & Grill, located at 3140 S. Gilbert Road, Suite 1. A recommendation for approval of State Liquor License #12079969 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Rez LLC, dba Natalia's 1912 Restaurant.

99. LIQUOR LICENSE: Red Lobster #6230

APPROVED a Series 12 Restaurant Liquor License (Chandler #154116L12) for Richard Scott Teel, Agent, Red Lobster Hospitality LLC, dba Red Lobster #6230, located at 7240 W. Ray Road. A recommendation for approval of State Liquor License #12079975 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as N and D Restaurants, Inc., dba Red Lobster #6230

100. LIQUOR LICENSE: Fiesta Mexicana Restaurant No. 13 Authentic Mexican Food

APPROVED a Series 12 Restaurant Liquor License (Chandler #153525L12) for Lawrence Edward Elliget, Agent, Fiesta Mexicana Restaurant No. 13 Inc., dba Fiesta Mexicana Restaurant No. 13 Authentic Mexican Food, located at 4949 S. Alma School Road. A recommendation for approval of State Liquor License #1279972 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Ocotillo East LLC, dba Table 49 Restaurant and Wine bar.

101. LIQUOR LICENSE: Ploy Thai

APPROVED a Series 12 Restaurant Liquor License (Chandler #151684L12) for Suwanan Dempsey, Agent, Suwanan Thai LLC, dba Ploy Thai, located at 2330 N. Alma School Road, Suite 118. A recommendation for approval of State Liquor License #12079989 will be forwarded to the

State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as T Spot Holdings LLC, dba T Spot.

102. SPECIAL EVENT LIQUOR LICENSE: American Foundation for Cardiomyopathy

APPROVED a Special Event Liquor License for the American Foundation of Cardiomyopathy for the Taste, Chandler's Culinary Festival, October 25, 2014, Downtown Ocotillo, 2855 W. Queen Creek Road. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The Special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

103. SPECIAL EVENT LIQUOR LICENSE: American Foundation for Cardiomyopathy

APPROVED a Special Event Liquor License for the American Foundation for Cardiomyopathy for the Voodoo Poker Run event, October 11, 2014, at Chandler Harley Davidson, 6895 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 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.

104. SPECIAL EVENT LIQUOR LICENSE: Si Se Puede Foundation

APPROVED a Special Event Liquor License for Si Se Puede Foundation for the 1st Annual Dia De Los Muertos Celebration, November 1, 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.

105. PERMANENT EXTENSION OF PREMISES LIQUOR LICENSE: The Perch

APPROVED a Permanent Extension of Premises for a Series 3 Domestic Microbrewery Liquor License (Chandler #145511L3) held by The Perch LLC, dba The Perch, located at 232 S. Wall Street to extend their alcohol serving area to expand outside seating. A recommendation for approval of a permanent extension of premises for State Liquor License #03073070 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to the permanent extension of premises. All fees have been paid and the business is in compliance with the City's Tax Code.

106. PRELIMINARY PLAT: Cornerstone Christian Fellowship

APPROVED Preliminary Plat PPT14-0010 Cornerstone Christian Fellowship, for a church campus on approximately 23 acres located at the SEC of Alma School and Willis roads. (Applicant: David Moran; Larson Engineering, Inc.)

BACKGROUND

This Preliminary Plat is for a church campus located at the southeast corner of Alma School and Willis roads that was approved by Council last year. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan and Planned Area Development zoning, the Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

107. **FINAL PLAT:** Alta Chandler

APPROVED Final Plat FPT14-0008 Alta Chandler, for a 301-unit urban multi-family development located at the SEC of Frye Road and Washington Street. (Applicant: Adrian Burcham; Hubbard Engineering.)

BACKGROUND

This Final Plat is for a 301-unit urban multi-family development located at the southeast corner of Frye Road and Washington Street that was approved by Council in July 2014. The plat creates the lot and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding consistency with the General Plan and PAD zoning, Planning Staff recommends approval.

108. **SPECIAL EVENT LIQUOR LICENSE:** Chandler Cultural Foundation

APPROVED a Special Event Liquor License for Downtown Chandler Cultural Foundation For the Higher Education Maker Summit and Mixer and Expo on Thursday, October 23, 2014 from 5:00p.m. to 7:00p.m., located at Chandler Center of the Arts, 250 N. Arizona Ave., 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.

ACTION:

85. **USE PERMIT:** Hudson Baylor dba ReCommunity Chandler

Use Permit ZUP13-0025 Hudson Baylor dba ReCommunity Chandler extension for the continued operation of a recycling facility located within a General Industrial (I-2) zoning district and the continued use of ingress and egress off of Hamilton Street located at 1100 N. Hamilton Street,

north and west of the NWC of Ray Road and Hamilton Street. (Applicant: Will Herzog; Hudson Baylor dba ReCommunity.)

BACKGROUND

The subject site is located north and west of the northwest corner of Ray Road and Hamilton Street. Surrounding the site on all four sides are industrial uses. Directly north of the subject site is a steel welding facility. Directly east is a lot zoned for I-2 uses and is relatively vacant. South of the site is another recycling facility. Directly west is the Southern Pacific Railroad.

Recycling activities have taken place on the subject property since 1995 and on the adjacent property to the south since 1989. Recycling activities for both sites are deemed vested as well as the means of ingress off of Hamilton Street. Up until 2009, the subject site had been part of the recycling operations to the south. In 1999 and 2001, Use Permits were granted to allow ingress to the recycling facilities off of Hamilton Street. The 2001 approval removed any timing condition for the means of access. With the sell-off of the subject site in 2009, the facility to the south modified their access points utilizing Ray Road for ingress and egress, eliminating the need for access off of Hamilton Street. Due to the sell-off, the subject site was prohibited from using any means of access on Ray Road, which led to the Use Permit request in 2009 for both ingress and egress off of Hamilton Street. The Use Permit was granted with a one-year timing condition and subsequently approved in 2010 for an additional three years. The Use Permits were required due to the point of egress crossing a separate parcel that does not include the subject site. The current request seeks to extend the Use Permit for an additional three years allowing for egress on to Hamilton Street.

At the time of approval in 2009, the request included an expansion area and drop-off building located north of the existing building. The approved structure consisted of pre-fabricated 10' tall by 7'-6" wide concrete walls on an approximate 82' x 68' pad. Extending above the walls, an additional 10' will be mesh netting for an overall structure height of 20'. The structure has yet to be built due to the lower number of trips generated than was initially anticipated; however, the request for the additional structure remains.

There is no storage of materials or the operation of vehicles overnight; however, a spare trailer is kept onsite to allow for loading of materials until a delivery truck arrives at the site the following morning. Public drop-off of recyclables does not take place on the subject site.

Based on concerns received from the surrounding neighborhood about trash, Planning Staff has visited the site on a number of occasions, unannounced, and has found that the site has been maintained and kept in clean order; no violations have been issued for the site. While visiting the site, Planning Staff noticed recyclables in the area and that there were two facilities within close proximity of the subject site (one directly south of the subject site and the other at the immediate northwest corner of Ray Road and Hamilton Street) with exposed recyclables. Planning Staff is working with our inspection team to remedy the issue.

Additionally, concerns have been expressed regarding the amount of truck traffic generated. Based on the concerns that Planning Staff heard regarding traffic movements, Planning Staff worked with the Traffic Division to have an in-house traffic study conducted over a two-day period. The results were then compared with a study that was conducted in 2010. Results of the study concluded that truck traffic on Hamilton Street heading south on Knox Road constitutes 4% of overall traffic on Hamilton Street and truck traffic heading north on Hamilton Street, north of Ray Road, provides 9% of the traffic. In short, the results show that truck traffic largely heads

north on Hamilton Street to the facility and then heads south on Hamilton Street from the facility with some occasional trucks heading north on Hamilton Street.

Movements are consistent with the requirement that truck traffic exit the facility heading south onto Hamilton Street.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on March 10, 2014. There were nine neighbors in attendance strongly expressing their concerns with the increase in trash, traffic and pests.

Planning Staff has heard from a number of residents concerned with the request citing that because of the recycling facility, trash in the surrounding neighborhoods has increased and traffic issues on Hamilton Street have become more difficult to deal with. Concerns have primarily been conveyed via petition with a neighborhood representative being in routine contact with Planning Staff. Following the Planning Commission hearing, Planning Staff has heard from two additional neighbors opposed to the request.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

Two neighbors spoke in opposition at the hearing with one of the speakers being a resident looking for a home in the neighborhood. Concerns expressed dealt with the size of trucks on Hamilton Street and potential traffic safety, the early hours of operation and diminished property values. Following the Planning Commission hearing, Planning Staff spoke with the applicant and the Traffic Division to address the wide turns out of the site and it was determined that the applicant, in working with the property owner, could widen the driveway which would give existing trucks a more direct ability to angle south reducing the width of the turnout of the subject site.

RECOMMENDED ACTION

Upon finding consistency with the General Plan and I-2 zoning district, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The site shall be maintained in a clean and orderly manner.
2. The Use Permit shall remain in effect for three (3) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
3. Expansion or modification beyond the approved exhibits (Site Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.

COUNCILMEMBER HARTKE stated he thinks there are some areas that need to come together and he would like to offer a continuation of this item to October.

VICE MAYOR HEUMANN agreed that a continuance may be in order, and that after comments from the public are received, there may be some other contingencies added to the Staff recommendations.

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER DONOVAN, TO CONTINUE ITEM NO. 85 USE PERMIT ZUP13-0025 HUDSON BAYLOR DBA RECOMMUNITY CHANDLER TO THE OCTOBER 23, 2014 COUNCIL MEETING.

LAWRENCE MONTEIGH, 1122 N. Bogle Ave., Chandler, AZ said activity begins on the site at 5:20 a.m.. They are dealing with rats, roaches, excess paper flying around, and damage to the streets. He submitted photos of the pavement damage.

ELAINE MORRIS, 1182 N. Bogle Ave., Chandler, AZ stated she lives directly behind the entrance to the site. Activity starts just around 5 a.m. There is a tremendous amount of dust created from the site and the backyard is constantly littered with paper debris. She was visiting with a neighbor from down the street who was complaining of rats in her garage. She also complained of the damage to Hamilton street and inquired who will have to pay for the repair.

JOHN OSBORN, 3165 S. Alma School Rd., Chandler, AZ stated he owns a home in the area and commented on the unsafe traffic conditions the large trucks cause. There have been talks about the percentage of business from the site and the current business representatives state they want more business at that facility. There has been discussion about widening the road for ingress and egress, but there is a large electrical box on the west side of the street. His concern was who gets the bill for moving all that electrical.

GARY HIEDER, 1072 N. Bogle Ave., Chandler, AZ stated his backyard fronts the Baylor property. He stated he has four concerns regarding the Use Permit request. They have been monitoring the facility for the past year and have expressed their concerns and complaints to Council, and have extensively documented the activity of the site.

1. There are approximately 32-34 trucks on a daily average accessing the area.
2. There are seeing excessive rats and cockroaches in their homes, yards and in the neighborhood. When there are strong gusts of wind, the trash is blown into his backyard. On several occasions he has seen trash fall out of the trucks and onto the streets.
3. The trucks are too large and public safety is an issue. The trucks take up the entire roadway when entering and exiting the property.
4. Construction times were to be between 6-8 a.m., currently trucks and individuals are on the property as early as 5:20 a.m.

Mr. Heider stated he has provided the City with a year's worth of videos and photos, by several different residents of the community, documenting the complaints. He submitted petitions to the City Clerk at Monday night's meeting, and all of them are asking the Council to vote no on the extension of this Use Permit.

The MAYOR asked the City Attorney if Hudson Baylor can expand operations on the site without coming back to the City or Council for approval. Ms. Bigelow stated it might be possible for them to submit for permits administratively and Council would not see those.

JAMES KEAN, 11015 E. Minnesota Ave, Sun Lakes, AZ owns the property to the south of the site. He provided the following history of the property. In 1977 they began manufacturing cellulose insulation using recycled paper. In 1981 they started recycling operations to provide more newsprint for the insulation manufacturing. The facility has been processing Chandler's curbside recyclables since 1993.

In 1999 his recycling company applied with the City for a Use Permit that would allow a recycling plant to be built on that site. The request included access to the property only from Hamilton St. The Use Permit was approved.

In 2002 the company was sold who continued to use the site until they went out of business in 2007. Hudson Baylor made application to the City in 2009 for a "Recycling Center." However the actual use of the property has been a transfer facility. Hudson Baylor's site plan and written narrative listed the use of the property as a recycling center. Hudson Baylor never indicated the site would be used for a transfer station and using 53" trailers.

Mr. Kean referenced page 20 Chandler General Plan adopted in 2008 of the Land Use Element – Plan for Sustainable Development: **GOAL: PRESERVE EXISTING NEIGHBORHOODS:** "To prevent businesses and traffic incursions that negatively impact residential neighborhoods." The second quote is in the Safety Element chapter, page 133; **GOAL: FOCUS ON TRAFFIC SAFETY:** "Reduce traffic congestion and other driving hazards." A transfer station is not permitted under the current Use Permit application of a recycling center. Mr. Kean then quoted Chapter 35, section 35-502 **Uses permitted by Use Permit:** (4) Any other uses the City Council determines are compatible may be permitted in the best interest of the community.

The MAYOR inquired who sold the property. Mr. Kean stated the property has never been sold. It is owned by Tempe Steele. He said he found it interesting the applicant is on a month to month lease at this time, but requesting a 3 year use permit.

COUNCILMEMBER WENINGER requested Staff provide more history of the property and information of the last approved Use Permit for the October Council meeting, he then inquired about the maintenance schedule of streets. MR. ZEDER, Public Works Director responded there is a Pavement Quality Index that is used to guide maintenance and capital repairs to streets. He stated they will inspect the street and report back to Council in October.

Mayor Tibshraeny added he would like to have included as part of the information whether the previous approvals were for a recycling facility and what the ramifications would be if now the operations were more a transfer facility for garbage.

Following discussion, THE MOTION TO CONTINUE THIS ITEM TO THE OCTOBER 23, 2014 COUNCIL MEETING CARRIED UNANIMOUSLY (7-0).

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor Tibshraeny thanked all the city crewmembers who worked so diligently after the storm and historic rainfall last week to clean up the city and keep water damage and traffic issues to a minimum. Crews worked 24-7 going above and beyond to ensure the safety and well-being of everyone and the city.

He announced the Neighborhood Excellence applications for awards will be available on the City's website starting the week of September 14th.

He announced the Teen Leadership Academy which will take place in the spring. The application process will start in the next few weeks.

The Mayor noted the Governor's debate on September 10th televised from Chandler Center for the Arts.

B. Councilmembers' Announcements

COUNCILMEMBER WENINGER thanked the public service men and women and all those serving or who have served in the armed services in recognition of 9-11, 2001. He thanked everyone who worked so hard in keeping the city running as smoothly as possible in light of the record setting storm this week.

He congratulated the Mayor and Councilmember Hartke on their re-election, and the two new councilmembers; Terry Roe and Rene Lopez.

COUNCILMEMBER SELLERS stated Chandler received the most measurable rain in the valley, and the city staff did an amazing job. Mr. Sellers reported he was part of a delegation that visited Taiwan last week and named the various organizations the group was able to visit and the opportunity to ride the high speed rail.

VICE MAYOR HEUMANN spoke briefly remembering the anniversary of 9-11. He thanked city staff for their hard work during the storm that swept through the valley. He announced the G.A.I.N. event to be held on October 25th. He highlighted the Cost of Services analysis the City of Tempe publishes and highlighted the City of Chandler has the lowest cost for services to its residents as a city. He also noted the process to remove the structure known as "Elevation Chandler" will begin after Christmas.

COUNCILMEMBER DONOVAN extended her appreciation to city staff who worked so tirelessly at cleaning up the city after the storm. She congratulated to the Mayor, Kevin Hartke, Terry Roe and Rene Lopez for being elected to the Chandler Council.

COUNCILMEMBER HARTKE congratulated Terry Roe and Rene Lopez on the election and the mayor for his reelection. He expressed appreciation to the City employees for doing an amazing job at cleaning up the city and keeping things moving as best as possible.

He announced the Domestic Violence Awareness breakfast at the Tumbleweed Rec. Center on September 18th.

On September 27th the cities of Chandler, Mesa, Gilbert and Queen Creek will have representatives from Fire and Police unite for the "Community First" event. The Redemption Church located at 1820 W. Elliott Rd in Gilbert.

On October 16th at the Mesa Hilton, Chandler will hold its Annual Desert Cancer Foundation luncheon, however this year it will be in Mesa.

COUNCILMEMBER ELLEN congratulated the Mayor and Councilmember Hartke on their election win, and stated she looks forward to serving with new members to the Council, Terry Roe and Rene Lopez. She thanked city employees for all their hard work and many hours cleaning up the city after the storm this week.

