

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, February 26, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:00 p.m..

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	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

INVOCATION: Pastor Sean Eddy – Chandler Bible Church

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

CONSENT:

COUNCILMEMBER HEUMANN stated earlier in the day the Council had received a letter from a resident on item No. 15, Preliminary Development Plan PDP14-0011 Cornerstone Church – Campus Expansion, asking the Council to consider adding a left-hand turn signal at Willis and Alma School. TRANSPORTATION AND DEVELOPMENT DIRECTOR R.J. ZEDER replied that staff is aware of the concern expressed by the neighbor and staff will review the issue for resolution.

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

VICE MAYOR HARTKE commented that three years ago the City Council voted on a Use Permit request for the Wee Blessings Preschool and Academy located next to the Chandler Airport and he voted in opposition at that time. He stated while he likes to remain consistent with his vote, they have become great neighbors for the area with no concerns. He stated he is in favor of item No. 15.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

- 1a. Special Meeting of February 6, 2015
- 1b. Study Session of February 9, 2015
- 1c. Special Meeting of February 12, 2015
- 1d. Regular Meeting of February 12, 2015

2. ANNEXATION: Southwest Corner of Queen Creek Road and Union Pacific Railroad Ord. #4590

ADOPTED Ordinance No. 4590, Annexation – Southwest Corner of Queen Creek Road and Union Pacific Railroad, annexation of approximately 18.75 acres located at the SWC of Queen Creek Road and the Union Pacific Railroad.

3. POWER DISTRIBUTION EASEMENT: Salt River Project Ord. #4592

ADOPTED Ordinance No. 4592 granting a no-cost power distribution easement to Salt River Project (SRP) for the Hatch Hangar project located at the Chandler Municipal Airport on the east side of Airport Boulevard between Germann and Queen Creek roads.

4. CITY CODE AMENDMENT: Chapter 10 Ord. #4602

ADOPTED Ordinance No. 4602 amending Chapter 10, Section 10-12, of the Chandler City Code relating to property and firearms obtained by the Police Department.

5. FORMATION OF CITIZEN'S ADVISORY COMMITTEE: General Plan Ord. #4603

ADOPTED Ordinance No. 4603 forming a Citizen's Advisory Committee to guide Planning Staff and consultants in updating the Chandler General Plan.

6. ANNEXATION: Chandler Heights and Cooper Roads Ord. #4605

ADOPTED Ordinance No. 4605, the annexation of three parcels totaling approximately 9.53 acres located south of the SEC of Chandler Heights and Cooper roads.

7. ANNEXATION: Gilbert and Brooks Farm roads Ord. #4606

ADOPTED Ordinance No. 4606, the annexation of approximately 5 acres located at the NWC of Gilbert and Brooks Farm roads

8. ANNEXATION: McQueen and Ocotillo roads Ord. #4607

ADOPTED Ordinance No. 4607, the annexation of approximately 4.18 acres located south of the SWC of McQueen and Ocotillo roads.

9. GROUND LEASE: Chandler Municipal airport Ord. #4609

ADOPTED Ordinance No. 4609 authorizing a ground lease at the Chandler Municipal Airport with WingSpan Business Investments LLC; and authorizing the Mayor to sign the lease and City Manager to sign all related documents.

10. DEDICATION FEE: Price Road and Boston Street Alignment Ord. #4520

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4520 authorizing the Dedication Fee of a portion of City-owned property located on Price Road south of the proposed Boston Street alignment for public roadway purposes.

BACKGROUND

The City of Chandler owns property located at the southeast corner of the proposed Boston Street alignment with Price Road. In order to accommodate the construction of a right-turn lane onto Boston Street from Price Road, it is necessary for the City to dedicate a 27-foot wide portion of this property to the public for roadway purposes.

By way of a separate instrument in the form of a deed, the City will grant to the public, in trust, the required roadway. The document will be in a form approved by the City Attorney.

11. CITY CODE AMENDMENT: Chapter 62 Ord. #4589

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4589 amending Chapter 62 of the Chandler City Code conforming the Chandler City Tax Code and regulations to changes made to the Model City Tax Code, as approved by the Municipal Tax Code Commission, and establishing the effective dates thereof.

BACKGROUND

The Model City Tax Code (MCTC) is a state-wide, uniform set of privilege (sales) tax laws that every city or town that desires to impose a privilege tax must adopt as defined in A.R.S. §42-6051. The City of Chandler adopted the MCTC in February 1987. All amendments to the MCTC are brought before the Municipal Tax Code Commission for approval, and once approved by the Commission, every city or town that has adopted the MCTC is required to adopt the amendments as per A.R.S. §42-6053. Therefore, the proposed changes to the Chandler Tax Code included in this ordinance are necessary for purposes of conformity with the MCTC.

During the most recent legislative session, several bills were signed by the Governor requiring conforming changes to the MCTC. Specifically, changes were made to the Arizona Revised Statutes (A.R.S. §42-5005) regarding tax licensing for both the Department of Revenue and cities and town, with an effective date of January 1, 2015. The changes were adopted to simplify the numerous individual variations in tax licensing codes and administrative policies among the various cities and towns, and were intended to create uniform tax licensing rules and improve taxpayer understanding and compliance.

The following are highlights of the changes:

- Eliminates all application fees (approximately \$65,000 reduction in revenue) and the ability to apply for temporary licenses;
- Clarifies that the City cannot withhold the issuance of the tax license for failure to comply with all statutes, ordinances, regulations, or other requirements by repealing 62-305(d);
- Reaffirms a single license fee of \$50 for most taxable classifications, and adds a new model option #16 to allow the City to continue licensing residential rental properties on a \$2 per-unit basis with a maximum license total of \$50;

- Clarifies licensing real property rentals, including clarification for those that use property managers;
- Creates uniform penalties and allows for standardized waiver procedures;
- Removes the ability to prorate license fees based on application date (approximate revenue increase of \$80,000).

Additionally, there are numerous other changes to the MCTC, as approved by the Municipal Tax Code Commission, from the years 2011 through 2014. These changes incorporate various requirements of Arizona Revised Statutes, as well as aligning formatting and other approved changes with the most current version of the MCTC.

12. INITIAL CITY ZONING: SWC Queen Creek Road and Union Pacific Railroad Ord. #4610

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4610, DVR15-0003 Southwest Corner of Queen Creek Road and the Union Pacific Railroad, establishment of initial City zoning of agriculture (AG-1) on approximately 18.75 acres. (Applicant: City Initiative.)

BACKGROUND

The site is an undeveloped parcel that is currently used for agricultural purposes and is bordered by an unincorporated rural residential property to the west, Queen Creek Road to the north, the Union Pacific Railroad to the east and undeveloped property owned by First Baptist Church to the south.

An area plan amendment application and a rezoning and preliminary development plan application have been submitted for the development of a small lot single-family development on the subject site and a 9-acre parcel that adjoins the southwest side of the site. The Chandler Land Use Element of the General Plan designates the site as Employment and refers to the Chandler Airpark Area Plan (CAAP) for more specific land uses. The CAAP designates the subject site as Commercial/Office/Business Park with a Light Rail Corridor Overlay.

Planning Staff does not support the land use that is requested with the pending development applications, but does not oppose the annexation and establishment of initial City zoning of the subject property to allow the pending applications to be reviewed by the Planning Commission and City Council.

In accordance with state statute, Planning Staff is proposing an initial City zoning of AG-1, which is consistent with the previous RU-43 zoning in the County. A.R.S. §9-471 states that “a city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land”.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code. Planning Staff has not received any correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION

Upon finding consistency with Arizona Revised Statutes, the Planning Commission and Planning Staff recommend approval.

13. AMENDED CITY OF CHANDLER WORKERS' COMPENSATION AND EMPLOYER LIABILITY TRUST AGREEMENT Res. #4835

ADOPTED Resolution No. 4835 authorizing the amended and restated City of Chandler Workers' Compensation and Employer Liability Trust Agreement (Trust Agreement) which amends quorum requirements, adds provisions to allow telephonic attendance and voting, clarifies termination of office, and provides for an extinction of the timeframe for the Workers' Compensation and Employer Liability Trust Board to provide for an extension of the timeframe for the Workers' Compensation program.

BACKGROUND/DISCUSSION

The City of Chandler established a Trust for the purposes of management and administration of the City's Worker's Compensation Self-Insured Program on December 13, 2012. The Trust Agreement was adopted on January 24, 2013, to set forth requirements of the program as well as roles and responsibilities of the Board of Trustees.

The proposed amendment and restatement of the Trust Agreement amends Section 3.09 to clarify that in order for a quorum to exist, three Trustees must attend the meeting in person. Section 3.05 refers to City Code §2-6 regarding grounds for removal and forfeiture of office. This change allows for excused absences and does not require removal from office to be automatic. Sections 3.08 and 3.10 allow for attendance and telephonic voting by Trustees unable to attend the meeting in person as long as there is a quorum. Section 5.01 extends the timeframe in which the Board is required to recommend funding needs to City Council from January 1st to March 15th. The extension enables City Staff to examine the needs of the program, provide additional information to the Trust Board for consideration on future expenses, and still adhere to the City's budget time frames.

City Staff met with the Chandler Workers' Compensation and Employer Liability Trust Board on January 29, 2015, and the Board concurred with the recommended changes.

14. DRAINAGE EASEMENT EXTINGUISHMENT: Stonefield Apartments Res. #4836

ADOPTED Resolution No. 4836 authorizing the extinguishment of two temporary drainage easements no longer needed for public use at Stonefield Apartments located at the SEC of Dobson and Germann roads.

BACKGROUND/DISCUSSION

The City obtained two temporary drainage easements on a parcel of land located at the southeast corner of Dobson and Germann roads to accommodate improvements to both roads. Subsequently, the Stonefield II development built and incorporated the required retention provided by these easements into their development. As a result, the drainage easements are no longer required and can be extinguished. The property owner has requested the City extinguish these easements in order to clear up their title. Staff has reviewed the property owner's request and has confirmed that the easements are no longer needed.

15. PRELIMINARY DEVELOPMENT PLAN: Cornerstone Church Campus Expansion

APPROVED Preliminary Development Plan PDP14-0011 Cornerstone Church – Campus Expansion, for site layout and building architecture for the master plan of the 23.9-acre Cornerstone Christian Fellowship campus located at the SEC of Alma School and Willis roads. (Applicant: Craig Goldstone; Todd & Associates, Inc.)

BACKGROUND

The site has street frontages along the north, west and south portions of the site. The recently approved Maplewood Court II single-family residential subdivision is east of the subject site. The Eden Estates and Maplewood Court I single-family residential subdivisions are south of Maplewood Street.

The site has an extensive zoning history with Council recently approving the last outstanding parcel zoned Agricultural that is located along Maplewood Street. The eastern portion of the campus is currently under construction as a permanent parking lot is being provided. The Worship Center, Early Childhood and Student Center are existing buildings on the site that, upon completion of the new buildings, will be renovated and enlarged. Three education buildings are proposed; Elementary, 5th/6th Grade and Adult Education. A maintenance building is part of the Adult Education building and the café/bookstore that is currently in the Worship Center will be removed and recreated in a separate building. Full development of the site is anticipated to be completed by mid-2017.

Design of the campus is predicated on creating an open space system that places emphasis on place-making and pedestrian interaction. The plaza that runs the length of the campus draws inspiration from commercial plazas and outdoor pedestrian gathering areas providing water features, a children's splash pad, fireplaces, children's playground area, shaded seating and useable turf areas.

Each building integrates elements from a material and color palette with the end user in mind. As is evident in the color palette, the Early Childhood and Elementary education buildings have a vibrant color palette consistent with the nature of users. Care has been taken so that the colors are internalized to the site, with minor elements wrapping the side elevations. Furthermore, the elevations are designed so that a variety of plane changes, colors, materials and textured design elements are incorporated so as to prevent monotony. No single architectural theme is provided with the purpose of creating an architectural design pattern and pedestrian environment similar to large-scale commercial centers such as Tempe marketplace.

An extensive sign package is provided addressing everything from signage along the street frontage, to vehicular and pedestrian way-finding signage, and building signage. Of particular note, there are three types of signs that are atypical to church campuses; Tram Stop signs (3), Site Kiosk signs (2), and a single outdoor television mounted on the Worship Center. Illumination of the signs is minimal and they primarily serve the purpose of providing current events and scheduling for upcoming events; the signs have been located so that they are completely screened from the residences to the south by education buildings.

Lastly, a coffee shop/bookstore with drive-thru is provided. The coffee shop is open daily; however, the drive-thru will be closed on Sundays and during service hours.

DISCUSSION

Planning Staff recommends approval of the request finding that the proposal presents a unified campus design. The design team has worked diligently to provide a strong pedestrian atmosphere with a variety of amenities, while also providing unique building elements that allow for each building to represent an individual group and maintain a level of consistency in the plan.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on November 24, 2014. There were 9 neighbors in attendance with questions regarding current operations, improvements being made to the parking lot and proposed activities occurring on the site.

Planning Staff has been in ongoing correspondence with a couple of neighbors regarding the improvements that will be made. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 - 0.

The Planning Commission supports the request, but expressed some concerns with the vibrancy of the color palette for the monument signs along Alma School Road. The Planning Commission added condition #10 addressing the monument sign colors.

RECOMMENDED ACTION

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

1. Undergrounding of all overhead electric (less than 69kv), communication and television lines and any open irrigation ditches or canals located on the site or within adjacent rights-of-way and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The above ground utility poles, boxes, cabinets or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
2. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
3. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details and design manuals.
4. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "CORNERSTONE CHRISTIAN FELLOWSHIP", kept on file in the City of Chandler Planning Division, in File No. PDP14-0011, CORNERSTONE CHURCH – CAMPUS EXPANSION, except as modified by condition herein.
5. Landscaping shall be in compliance with current design standards.
6. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
7. 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.
8. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
9. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
10. The applicant shall work with Planning Staff to modify the colors of the monument signs along Alma School Road.

16. BOARD / COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Economic Development Advisory Board

Todd Hardy

Citizens' Panel for Review of Police Complaints and Use of Force

Aaron Harris

17. AGREEMENT AMENDMENT: Banner Occupational Health Services

APPROVED Agreement No. RM2-948-3059, Amendment No. 1, with Banner Occupational Health Services for occupational health care providers in an amount not to exceed \$125,000.00, for a two-year term of March 1, 2015, through February 28, 2017. This is the first of two optional two-year extensions.

18. AGREEMENT AMENDMENT: Patrick Ibarra, DBA The Mejorando Group

APPROVED Agreement No. 3444, Amendment No. 1, with Patrick Ibarra DBA The Majorando Group for Pilot Program Group 2 of the Professional Development Program pilot in an amount not to exceed \$27,900.00, for a total agreement amount not to exceed \$57,300.00.

With the anticipation of upcoming retirements in key positions over the next five years, City Staff began to research a method for a succession planning process. The City hired Patrick Ibarra of The Mejorando Group who has done work with many public sector organizations in this area. Mr. Ibarra worked with Human Resources to complete a workforce data retirement analysis in order to identify critical positions that would be needed in the upcoming years. Based on that data, the Professional Development Pilot program was developed. Sixty-eight (68) employees applied for this program and City Staff interviewed 48 employees. City Staff requested that the City Manager approve a second pilot because the selection committee was so impressed with the enthusiasm and quality of the applicants. The first pilot group concluded on December 16, 2014, and included a group of 12 managers aspiring for executive level positions. The second pilot group commenced on February 3, 2015, and includes 10 employees aspiring for management positions. Both groups participate in a 360 degree feedback process and customized training programs designed to provide them with the competencies to be better prepared to compete for future promotional opportunities.

Patrick Ibarra, of The Mejorando Group, was selected by Staff to facilitate the Professional Development Program pilot because of his unique experience as the consultant for the City's workforce data retirement analysis. That analysis resulted in the pilot of a professional development program for City employees. The first agreement was entered into in September of 2014 and was approved by the City Manager given it was under the \$30,000.00 threshold required for Council approval. To provide program consistency, Staff recommends that The Mejorando Group facilitate the conclusion of the second pilot program which now requires Council approval.

19. AGREEMENT AMENDMENT: Ryley Carlock & Applewhite

APPROVED Agreement Amendment No. 1 with Ryley Carlock & Applewhite for legal services in an additional amount of \$50,000.00 for completion of legal proceedings in *Austin v. City of Chandler*.

20. AGREEMENT: ESRI

APPROVED Agreement No. 2015ELA60 with ESRI for GIS products in the amount of \$352,000.00 for a three-year period.

The City's Geographic Information System (GIS) is based on ESRI GIS products. Several years ago, the City expanded its use of these products in current and planned City applications. This expansion of GIS services resulted in a need for additional product licenses.

Rather than continue to purchase licenses and maintenance for each application, the City consolidated all GIS software needs citywide into an Enterprise License Agreement (ELA). Through this agreement, the City has incurred a lower cost-per-unit for licensed software. A City GIS Advisory Team recommended this purchase and the Information Technology Oversight Committee approved the recommendation in 2009. The ELA allows City departments to deploy software products from the GIS as needed to support its growth. The GIS Advisory Committee considers each request for additional software installations to determine validity and also monitors software installed to not adversely affect future costs of the ELA. Since the purchase of the ELA, cost savings and use of the product have continually given the City a good return on their investment.

Staff negotiated a three-year ELA with ESRI since they are the sole provider of their GIS products and the City's GIS is based on the ESRI GIS products. The annual cost includes products, annual maintenance and user conference registrations

21. AGREEMENT: Kimley-Horn and Associates, Inc.

APPROVED Agreement No. CM5-918-3464 with Kimley-Horn and Associates, Inc., for Phase 1 of the airport economic impact analysis, in an amount not to exceed \$50,000.00 for Phase 1, with the option to proceed to Phase 2 in an amount not to exceed \$31,500.00 for a total not to exceed amount of \$81,500.00.

City Council was briefed on Chandler Municipal Airport's role in the National Airspace System, Airport operations, and its operating and capital budgets during a micro-retreat in August 2014. At that time, City Council requested Staff devote resources to analyzing the current and future economic output of the Airport.

The Airport is still developing and therefore requires a General Fund subsidy in order to maintain sufficient operating and capital budgets. City Council requested Staff utilize a consultant to determine the economic impact of Chandler Municipal Airport as well as evaluate its ability to achieve self-sufficiency and maintain a growth model that supports the City's overall economic development goals.

Under this project agreement, Kimley-Horn and Associates, in partnership with Arizona State University's W.P. Carey School of Business and L. William Seidman Research Institute, will complete the tasks in phases.

22. AGREEMENT: WESCO Distribution, DBA Brown Wholesale

APPROVED Agreement No. PM5-285-3499 with WESCO Distribution, DBA Brown Wholesale for lighting, poles and lamps for Pecos Ranch Park in the amount of \$64,283.63.

23. AGREEMENT AMENDMENT: Fuel

APPROVED Agreement No. FS9-405-2707, Amendment No. 2, with Western Refining Wholesale, Inc., Senegy Petroleum, LLC, and Supreme Oil Co., for fuel in an amount not to exceed \$2,400,000.00 per year for a total of \$7,200,000.00 for a three-year term. This is the final optional three-year extension.

24. PROFESSIONAL SERVICES CONTRACT: Wilson Engineers, LLC

APPROVED Professional Services Contract No. WW1413.451, with Wilson Engineers, LLC, for construction management services for Phase I of the Ocotillo Water Reclamation Facility (OWRF) Process Improvements in an amount not to exceed \$1,213,500.00.

25. CONSTRUCTION MANAGER AT RISK CONTRACT: Sundt-McCarthy

APPROVED Construction Manager at Risk Contract No. WW1301.401, with Sundt-McCarthy, an Arizona Joint Venture, for Phase I of the Ocotillo Water Reclamation Facility (OWRF) expansion and related facilities, in an amount not to exceed \$12,633,076.00.

The OWRF, located at 3333 S. Old Price Road, has been in operation since 1985. In 2013, the City completed a comprehensive assessment of the OWRF and identified rehabilitation items that will ensure its continued reliable and efficient operation to meet regulatory requirements. In addition, the City will expand the treatment capacity with a new treatment system and supporting areas. However, this construction is not slated until after July 2015. To bridge the time gap, the City needs to rehabilitate selected areas of the OWRF to continue meeting regulatory compliance.

26. PURCHASE: Fleet Fuel Cards

APPROVED the purchase of fleet fuel cards from U S Bank/Voyager Fleet Card Services, utilizing the State of Arizona contract, in an amount not to exceed \$160,000.00 per year for a total of \$640,000.00 for a term ending December 31, 2018.

The primary use of the Voyager Fleet Fuel Card is to fuel Police and Motor Pool vehicles. Police motorcycles require premium grade fuel, which is not provided by other contracted vendors. Police Detective and Motor Pool vehicle operators frequently require fueling outside Chandler city limits. The Voyager Card provides a way to purchase fuel at most retail gas stations that accept credit cards. Voyager forwards a consolidated monthly invoice, which identifies the City employee authorizing the purchase, the retailer's location as well as the purchase date, time, gallons and dollar amount. Voyager's accounting is compatible with the City's financial reporting system. The primary advantage of the US Bank/Voyager Fleet Card Services is in the billing. Purchase amounts are forwarded minus Federal Excise Tax, from which the City is exempt. This eliminates the need to file a quarterly tax return to recover the Federal Excise Tax that is included in the pump price. The requested amount is based on an estimated consumption of 40,000 gallons per year.

The requested service was awarded by Western States Contracting Alliance (WSCA) in January of 2014 and adopted by the State of Arizona Procurement Office in October of 2014. The contract was awarded for a term ending December 31, 2018, and has an option to extend for an additional two years.

27. USE PERMIT: Wee Blessings Preschool & Academy

APPROVED Use Permit ZUP14-0032 Wee Blessings Preschool & Academy, extension for the continued operation of a preschool located at 1751 E. Queen Creek Road, west of the SWC of Queen Creek and Cooper roads. (Applicant: Phil Chavez; Owner/Operator.)

BACKGROUND

The building is part of a partially developed office development that includes financial/tax preparation services, an optometrist, physical therapy, and property management company. The building sits at the northwest corner of the site and is adjacent to Queen Creek Road. To the west are large-lot rural residential properties (Twin Acres); to the north, across Queen Creek Road, is vacant land zoned for industrial and airport-related uses; to the east is vacant land zoned PAD for commercial uses and to the south is vacant land zoned for custom homes.

The larger development of 8.1 acres was zoned PAD in 2006 to allow medical/general office uses. Only four of the development's 12 approved buildings have been constructed, though the drive aisles and parking spaces are all installed. The subject business occupies the entire 5,300 square foot building. Seven classrooms, an office, workroom, restrooms and indoor playroom are provided. An outdoor playground was installed by removing four parking spaces west of the building as well as some landscaping with the approval of the initial Use Permit.

The hours of operation are generally Monday through Friday from 8:30 a.m. to 3 p.m., with occasional after hour programs at 4 p.m. There are occasional special events such as Parent's Night Out that extend the hours of operation into the early evening. Currently, there are 18 employees that include ten teachers, five teacher assistants, and three office staff. Pick-up and drop-off times are staggered throughout the day depending on the program the children are enrolled in.

DISCUSSION

Planning Staff recommends approval of the request, finding that the continued operation of a preschool use fits well in the existing zoning and has not presented land use conflicts with the surrounding uses. With the initial Use Permit, there was strong reservation with the use in proximity to both the airport and adjacent rural properties. Throughout the review process of the original Use Permit, all issues were resolved. The use is adequately buffered from the residential neighbors to the west by distance and landscaping. Also, the use is complementary to the medical office uses in the development and has a lower parking requirement that will free up parking spaces in the long-run. Noise effects from children playing on the outdoor playground are of little concern adjacent to Queen Creek Road and near the airport.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on February 2, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4 – 3 with Commissioners Cunningham, Donaldson and Pridemore dissenting.

The dissenting Commissioners wanted to maintain consistency with their prior votes on the item and continued to cite concerns with the location of the facility in proximity to the airport.

RECOMMENDED ACTION

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 the submitted application documents (Narrative, Site plan, Floor Plan) except as modified by condition herein.
2. The Use Permit shall remain in effect for five (5) 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.

28. LIQUOR LICENSE: Creole Cajun Bistro

APPROVED a Series 12 Restaurant Liquor License (Chandler #156966L12) for Eric D. Rachal, Agent, Creole Cajun Bistro LLC, dba Creole Cajun Bistro, 5070 S. Gilbert Road, Suite 400.

A recommendation for approval of State Liquor License #1207A134 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 locations' previous use as Tomfohr Management LLC, dba The Cove Grill.

29. CONTINUED LIQUOR LICENSE: Chennai Fusion Grill

CONTINUED TO MARCH 26, 2015, a Series 12 Restaurant Liquor License application for Arvinder Kaur, Agent, Chennai Fusion Café LLC, dba Chennai Fusion Grill, 4929 W. Chandler Boulevard, Suite 1, to allow the applicant time to complete the requirements for a new Use Permit.

30. TEMPORARY EXTENSION OF PREMISES: American Legion Post 91

APPROVED a Temporary Extension of Premises for a Series 14 Private Club Liquor License (Chandler #42674L14) held by American Legion Post 91, Inc., dba American Legion Post 91, 922 N. Alma School Road, for a St. Patrick's Day Celebration on March 17, 2015. A recommendation for approval of a Temporary Extension of Premises for State Liquor License #14073030 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

31. TEMPORARY EXTENSION OF PREMISES: Fibber Magees

APPROVED a Temporary Extension of Premises for a Series 6 Bar Liquor License (Chandler #45077L06) held by T. W. Steves LLC, dba Fibber Magees, 1989 W. Elliot Road, Suite 19, for a St. Patrick's Day Festival on March 17, 2015. A recommendation for approval of a Temporary Extension of Premises for State Liquor License #06070661 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

32. FINAL PLAT: Replat Ocotillo Plaza Parcel 4

APPROVED Final Plat FPT14-0016, Replat Ocotillo Plaza Parcel 4, for a restaurant parcel located at the NWC of Alma School and Queen Creek roads, within the Ocotillo Plaza commercial shopping center. (Applicant: Richard Stockman; S & W Land Surveying Services,)

BACKGROUND

The plaza recently went through Preliminary Development Plan review and was approved by Council late last year. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

RECOMMENDED ACTION

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

PUBLIC HEARING:

Ph1. ANNEXATION of a parcel totaling approximately 1.25 acres located north of the NWC of Cedar Place and Riggs Ranch Road.

THE MAYOR opened the public hearing at 7:05 p.m.

Staff Presentation:

City Planner Lauren Schumann provided the staff presentation. The subject site is currently undeveloped, vacant land, which is currently zoned RU-43 in the County. The site is bordered by rural residential properties zoned AG-1 to the west and north. Circle G at Riggs Homestead Ranch subdivision is adjacent to the east and south. The Chandler Land Use Element of the General Plan designates the site as Residential and the Southeast Chandler Area Plan designates a more specific land use category of Rural/Agrarian Character, supporting low-density residential development.

The requested annexation will be the final remaining property being assembled as part of a larger single-family development. In the past two years, the City approved the annexation of 34.53 acres abutting the north and west sides of the property. The applicant intends to develop a low-density residential neighborhood on the subject property together with the previously annexed 34.53 acres. A rezoning application and preliminary development plans are currently being reviewed and will be forthcoming to Mayor and Council.

Existing municipal water service and wastewater service are located in Chandler Heights Road. The developer will be required to extend a reclaimed water line in Chandler Heights Road to serve the property.

Planning Staff circulated this request among City departments and received no negative comments relative to the property's annexation.

Per Arizona Revised Statutes, the City Council must hold a public hearing to gather input regarding a proposed annexation prior to taking action on the request. No action is required of Council at this time.

There were no questions from the City Council and no comments from the public.

THE MAYOR closed the public hearing at 7:08 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Classic Car and Hot Rod Show – Saturday, February 28th from 10 a.m. to 4 p.m. in downtown Chandler with approximately 250 pre-1980 cars and hot rods registered.

Senior Expo –The Mayor's Committee for the Aging is hosting its 25th Annual Senior Expo on Wednesday, March 11th. He stated more than 60 representatives from a wide variety of health

care agencies, leisure services, and senior-related product firms will be in attendance to share their services with senior adults.

Free tax assistance – The Mayor reminded everyone that Chandler's free tax assistance sites are available to the residents. Over the past 11 years, Chandler working families have received more than \$10 million in tax refunds. He thanked the Volunteer Income Assistance staff and the VITA program.

The Mayor announced the Arizona State Legislature is currently considering a bill that would have a significant impact on the City of Chandler and other cities in Arizona. The bill, HB2254, would eliminate nearly \$5 million in ongoing funding through the elimination of rental tax to the City of Chandler. The statewide impact of this proposal would be nearly \$90 million annually to Arizona cities and towns. These monies support police and fire protection, economic development, neighborhood programs, parks, recreation and aquatics programs, libraries, museum, performance arts, and transportation. He stated the cities were unified in their opposition to this bill.

B. Councilmembers' Announcements

COUNCILMEMBER SELLERS stated he recently attended the Arizona State Transportation Board meeting in Morenci, AZ and was absent when the Mayor gave the State of the City address. He stated it was nice to be able to tour a copper mine, an industry which played a vital role in the development and growth of Arizona.

VICE MAYOR HARTKE announced the Annual Ostrich Parade which will be on Arizona Avenue March 7th, The Fire and Police departments will be hosting an open house that day as well.

COUNCILMEMBER HEUMANN announced "Read On" week is next week starting March 2nd. He expressed his thanks to Odette Moore and Jane Poston for their work on the SciTech event, held last weekend. He reminded everyone of the Mayor's Fun Run next week which is part of the Ostrich Festival events.

COUNCILMEMBER ELLEN stated Operation Welcome Home was a wonderful event and well attended. She thanked Melanie Sala, Jane Poston and the Chandler Chamber Committee Foundation which is always a tremendous help and she thanked the many sponsors of the event. The next event will be held October 19th.

COUNCILMEMBER ROE extended a thank you to City Staff and the employees for their hard work which may not be seen every day by the general public.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:18 p.m.

ATTEST: _____
City Clerk

Mayor

Approved: March 12, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 26th day of February 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of March, 2015.

City Clerk