

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers in the Chandler Library, 22 S. Delaware, on Monday, December 11, 2006 at 7:07 p.m.

THE MEETING WAS CALLED TO ORDER BY MAYOR BOYD W. DUNN.

The following members answered roll call:

Boyd W. Dunn	Mayor
Lowell Huggins	Vice-Mayor
Bob Caccamo	Councilmember
Trinity Donovan	Councilmember
(telephonically) Matt Orlando	Councilmember
Martin Sepulveda	Councilmember
Jeff Weninger	Councilmember

Also in attendance:

W. Mark Pentz	City Manager
Rich Dlugas	Assistant City Manager
Pat McDermott	Assistant City Manager
Michael D. House	City Attorney
Marla Paddock	City Clerk

INVOCATION: The invocation was given by Pastor Ron Cannell, North Pointe Baptist Church.

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

SCHEDULED PUBLIC APPEARANCES:

1. Sally Petrik – County Island Fire Protection

Ms. Petrik was not present.

UNSCHEDULED PUBLIC APPEARANCES:

There were no unscheduled public appearances.

CONSENT:

COUNCILMEMBER SEPULVEDA requested a briefing by the City Attorney of what the final adoption will entail with respect to the waiver relative to the newly adopted legislation. Mr. House explained that with the passage of Proposition 207 during the last election requiring cities to pay compensation for adoption of land-use regulations that diminish property owner's property values. Therefore, all local governments in the state are asking applicants for zoning requests to provide a written waiver to the City of any claim they may have for compensation under Prop 207 as a result of Council's approval zoning applications at this and future Council meetings.

COUNCILMEMBER SEPULVEDA asked if it would be accomplished through a stipulation rather than sending a waiver to the applicants? Mr. House clarified that the procedure is subject to further revision, but Staff intends to continue with a written waiver process. There are three items on the agenda tonight for zoning changes and written waivers have been received from the property owners in all three cases.

MOVED BY COUNCILMEMBER ORLANDO, SECONDED BY COUNCILMEMBER SEPULVEDA, to approve the Consent Agenda as presented.

COUNCILMEMBER ORLANDO stated he would be voting nay on agenda item #9 (Paseo Lindo).

Motion carried unanimously (7-0).

COUNCILMEMBER SEPULVEDA said that in discussion with the City Attorney, in order for him to declare a conflict of interest on items #4 (legal description for annexation) and #5 (Cooper/Queen Creek annexation) there would need to be a motion for reconsideration of the consent agenda and a second vote taken.

MOVED BY COUNCILMEMBER SEPULVEDA, SECONDED BY COUNCILMEMBER ORLANDO to reconsider the consent agenda to allow COUNCILMEMBER SEPULVEDA to declare a conflict of interest on items #4 and #5. Motion carried unanimously (7-0).

MOVED BY COUNCILMEMBER ORLANDO, SECONDED BY COUNCILMEMBER SEPULVEDA to APPROVE the consent agenda. COUNCILMEMBER ORLANDO stated he would be voting nay on item #9 and COUNCILMEMBER SEPULVEDA abstained from voting on items #4 & 5. Motion carried unanimously (7-0).

1. MINUTES:

APPROVED, as presented, Minutes of the City Council Special Meeting of November 13, and the Regular Meetings of November 13 & 16, 2006.

2. WITHDREW ZONING TIME EXTENSION: Candlewood Center Ord. #3851

WITHDREW Final Adoption of Ordinance No. 3851, DVR06-0025, Candlewood Center, zoning time extension on an existing PAD zoned district for conceptual commercial development on approximately 14.5 acres at the NEC of Chandler Boulevard and McClintock Drive.

3. TAX CODE CONFORMANCE Ord. #3852

ADOPTED Ordinance No. 3852 relating to conforming to the Chandler Tax Code.

4. CORRECTION OF LEGAL DESCRIPTION: SWC Queen Creek / Cooper Ord. #3855

ADOPTED Ordinance No. 3855, correction of legal description contained within Ordinance No. 3768, annexation of approximately 10 acres south of the SWC of Queen Creek and Cooper roads, by substituting a corrected legal description contained within Section 1 of Ordinance No. 3768.

COUNCILMEMBER SEPULVEDA declared a conflict of interest on this item and abstained from voting.

5. ANNEXATION: Cooper / Queen Creek Roads Ord. #3857  
INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 3857, annexation of approximately 10 acres south of the SWC of Cooper and Queen Creek roads. (Applicant: Roman Catholic Church of Phoenix.)

COUNCILMEMBER SEPULVEDA declared a conflict of interest on this item and abstained from voting.

6. REZONING: Parcland Crossing Ord. #3858

ADOPTED Ordinance No. 3858, DVR05-0063, Parcland Crossing, rezoning from Planned Area Development (PAD) Office and Single-Family Residential to PAD with a mid-rise overlay to allow a mixed-use development with Office, Commercial Retail and Residential Condominiums with Preliminary Development Plan (PDP) approval for the mixed-use development on approximately 40 acres at the NEC of Alma School and Willis roads.

7. CITY CODE AMENDMENT: Chapter 24 Ord. #3863

ADOPTED Ordinance No. 3863 amending Chapter 24, Section 24-5 of the Chandler City Code relating to False Alarms and Permit Revocation.

8. REZONING: Able Engineering Ord. #3865

ADOPTED Ordinance No. 3865, DVR06-0042, Able Engineering, rezoning from AG-1 to PAD with Preliminary Development Plan for a new industrial building on 10 acres at the NEC of Queen Creek Road and the Southern Pacific Railroad.

9. REZONING: Paseo Lindo Ord. #3866

ADOPTED Ordinance No. 3866, DVR06-0018, Paseo Lindo, rezoning from County Rural-43 and C-3 zoning to initial City zoning district PAD to allow a mixed-use commercial retail, office, business park, and residential development with Preliminary Development Plan on approximately 68 acres at the NEC of Arizona Avenue and Ocotillo Road.

COUNCILMEMBER ORLANDO voted nay on this item.

SPECIAL ORDERS OF THE DAY

- A. Mayor's Announcements:

MAYOR DUNN congratulated Hamilton High School for winning their championship game with Mountain View High School in Mesa.

- B. Councilmembers' Announcements:

- C. City Manager's Announcement:

There were no City Manager announcements at this time.

Adjournment: The meeting was adjourned at approximately 7:15 p.m.

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

\_\_\_\_\_  
MAYOR

Approved: \_\_\_\_\_

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 11<sup>th</sup> day of December 2006. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
City Clerk