

**\*\*REVISED\*\***

## CITY OF CHANDLER COUNCIL MEETING

The City Council of the City of Chandler welcomes you to its **Regular Meeting of Thursday, April 12, 2007, at 7:00 p.m.**, at 22 S. Delaware Street, City Council Chambers, Second Floor, Chandler, Arizona.

**NOTE:** Consent items have either been discussed in the Study Session or previously reviewed by the City Council. Individual items may be pulled off by the Councilmembers or citizens prior to the time a final vote is taken. Individuals who want an item pulled for further discussion should so state when the Mayor addresses the public concerning the CONSENT agenda.

### **CALL TO ORDER:**



### **ROLL CALL:**

### **INVOCATION:**

### **PLEDGE OF ALLEGIANCE:**

### **SCHEDULED PUBLIC APPEARANCES:**

1. DCCP Hiring of Off Duty Officer / Letter to Mayor re: Retirement of Lowell Huggins – Jose A. Garcia
2. Police Records – Eduardo Ramirez
3. Gila River Indian Community Casino Concerns – Lorraine Walters & Lisa Peters

### **UNSCHEDULED PUBLIC APPEARANCES:**

Members of the audience may address any item not on the agenda. State Statute prohibits the City Council from discussing an item that is not on the agenda, but the City Council does listen to your concerns and has staff follow up on any questions you raise.



**CONSENT:**

- 1a. **MINUTES** of the Chandler City Council Special Meeting of March 22, 2007.
- 1b. **MINUTES** of the Chandler City Council Regular Meeting of March 22, 2007.
- 1c. **MINUTES** of the Chandler City Council Special Meeting of March 26, 2007.
- 1d. **MINUTES** of the Chandler City Council Special Meeting of March 27, 2007.
- 1e. **MINUTES** of the Chandler City Council Regular Meeting of December 11, 2006.
  
2. **FINAL ADOPTION OF ORDINANCE NO. 3808**, granting two power distribution easements to Salt River Project (SRP). One easement will be at no cost and SRP will reimburse the City \$14,502.43 for the second easement to construct an underground 12 kilovolt (kV) facility, located on the south side of Warner Road from Pennington Drive to Arrowhead Drive.
  
3. **FINAL ADOPTION OF ORDINANCE NO. 3892**, granting a no-cost power distribution easement to Salt River Project (SRP) for the purpose of installing and maintaining electrical facilities to a new building containing private hangars constructed on City-owned property as part of the development of Chandler Municipal Airport.
  
4. **FINAL ADOPTION OF ORDINANCE NO. 3899**, granting a no-cost, non-exclusive irrigation easement to Salt River Project (SRP) to relocate irrigation facilities on Germann Road west of Arrowhead Drive.
  
5. **FINAL ADOPTION OF ORDINANCE NO. 3900**, annexation of approximately 5.4 acres east of the SEC of McQueen and Pecos roads.
  
6. **FINAL ADOPTION OF ORDINANCE NO. 3904, DVR06-0011 THE METROPOLITAN OF CHANDLER**, rezoning from I-1 with a PAD Overlay to PAD Amended for a residential and commercial office/retail development on an approximate 12-acre site located at the SEC of Chandler Boulevard and Hearthstone Way.
  
7. **INTRODUCTION OF ORDINANCE NO. 3878**, granting a no-cost power distribution easement to Salt River Project (SRP) to replace an existing deteriorating underground facility located on City-owned property south of the Consolidated (Western) Canal and north of Summit Place in Parkwood Estates.
  
8. **INTRODUCTION OF ORDINANCE NO. 3905, ZCA07-0001 EXTENSION OF LIQUOR PREMISES IN THE CITY CENTER ZONING DISTRICT**, amending City Code Chapter 35, Section 35-3203/D pertaining to extension of liquor premises in the City Center Zoning District.  
**INTRODUCTION OF ORDINANCE NO. 3908**, amending City Code Chapter 46, Sections 46-4.2/A and 46-4.2/B pertaining to sidewalk furniture and consumption of alcoholic beverages in the public right-of-way.
  
9. **INTRODUCTION OF ORDINANCE NO. 3906, DVR06-0049 CIRCLE K AT CARMEL VILLAGE PLAZA**, rezoning from PAD to PAD Amended to allow the sale of gasoline with PDP for the construction of a gasoline station on approximately 2 acres of a 12.48-acre site located at the SWC of Gilbert and Queen Creek roads.

10. **RESOLUTION NO. 4055** authorizing the City of Chandler to enter into an Intergovernmental Agreement with Maricopa County to provide restoration to competency services for Rule 11 defendants.
11. **PRELIMINARY DEVELOPMENT PLAN, PDP06-0044 LMA MIXED-USE**, for site layout and building architecture for an office development on approximately 19 acres located at the SWC of the Loop 202 Santan Freeway and Price Road.
12. **PRELIMINARY DEVELOPMENT PLAN, PDP06-0054 CHANDLER AIRPORT CENTER – MARK IV**, for site layout, landscaping, and building architecture for a multi-tenant office/industrial development on approximately 14 acres located at the NEC of Wright Drive and Germann Road.
13. **PRELIMINARY DEVELOPMENT PLAN, PDP06-0059 WESTECH CORPORATE CENTER – LOT 15**, for site layout and building architecture for an industrial building located at 2352 N. Delaware Court, Lot 15 of the Westech Corporate Center.
14. **PRELIMINARY DEVELOPMENT PLAN, PDP07-0003 THE PARK AT SANTAN**, amending a comprehensive sign package for a mixed-use office and retail development on approximately 18.23 acres located at the SWC of Ray Road and the Loop 101 Price Freeway.
15. **PRELIMINARY DEVELOPMENT PLAN, PDP07-0005 CHANDLER AUDI MONUMENT SIGN**, for new freestanding monument signs as part of an automotive sales and service development on approximately 24.14 acres located west of the NWC of 54<sup>th</sup> Street and Orchid Lane.
16. **AREA PLAN, AP05-0003 PINELAKE CONDOMINIUMS**, amendment from business park to multi-family residential land use at the SEC of Pinelake Way and Ocotillo Road. **(REQUEST CONTINUANCE TO THE MAY 10, 2007, CITY COUNCIL MEETING.)**  
**ZONING, DVR05-0040 PINELAKE CONDOMINIUMS**, rezoning from PAD for business park and AG-1 to PAD for residential condominiums with PDP to allow a residential condominium development for property located at the SEC of Pinelake Way and Ocotillo Road. **(REQUEST CONTINUANCE TO THE MAY 10, 2007, CITY COUNCIL MEETING.)**
17. **ZONING, DVR06-0061 MONTAGE BY CHARLEVOIX**, rezoning from PAD to PAD amended to allow increased lot coverage, eliminate certain two-story restrictions, and eliminate the requirement for copper plumbing on approximately 35 acres site located at the NEC of Chandler Heights and Lindsay roads. **(REQUEST CONTINUANCE TO THE APRIL 26, 2007, CITY COUNCIL MEETING.)**
18. **GRANT** a Downtown Improvement Fund (DIF) matching grant to Olpin Art Center located at 141 W. Boston Street in an amount not to exceed \$23,008.00.
19. **ANNUAL CONTRACT** for City Manager in an amount of \$184,000.00.
20. **CLAIMS REPORT** for the accounts payable checks for the quarter ending March 31, 2007.
21. **AGREEMENT** with L.N. Curtins, United Fire Equipment Company, First Line LLC and Arizona Glove and Safety for fire supplies in an amount not to exceed \$50,000.00.

22. **AGREEMENT** extension for one year with Arizona Envelope Company for envelopes in an amount not to exceed \$45,000.00.
23. **AGREEMENT** with WesTech Engineering, Inc. for one year for the purchase of Fuchs aerators in an amount not to exceed \$58,120.00.
24. **AGREEMENT #PR0706-201**, with Valley Rain Construction Corporation for pre-construction services for Canal Park, in an amount not to exceed \$173,432.00, and increase the annual Job Order Contract JOC05-06 from \$3,000,000.00 to \$4,000,000.00 and authorize a one-year extension through June 14, 2008.
25. **CONTRACT #WW0606-201**, Amendment No. 1 to Carollo Engineers for construction management services for McQueen Road sewer and manhole rehabilitation in an amount not to exceed \$58,485.00, for a revised contract total of \$125,373.00.
26. **CONTRACT #ST0605-401**, to Haydon Building Corporation for the improvements to Germann Road from Dobson to Alma School roads in an amount not to exceed \$4,473,193.00.
27. **CONTRACT #ST0148-304**, to Arizona Public Service (APS) for the removal and undergrounding of existing overhead 12 kilovolt (kV) power lines and to relocate an existing switching cabinet to accommodate the Arizona Avenue and Ray Road Intersection Improvement Project in an amount not to exceed \$111,319.00.
28. **CONTRACT #ST0134-307**, Amendment No. 1 to Salt River Project (SRP) for removal of existing overhead 12 kilovolt (kV) power lines and the relocation of electrical equipment for the Alma School Road and Warner Road Intersection Improvements in an amount not to exceed \$12,184.00, for a total contract price of \$104,685.00.
29. **CONTRACT #JOC05-05**, extension for one year thru April 18, 2008, to Nickle Contracting, L.L.C., for park development and park improvements for an annual amount not to exceed \$5,000,000.00.
30. **PURCHASE** of promotional items, utilizing the State of Arizona and City of Tucson contracts, in a combined amount not to exceed \$40,000.00.
31. **PURCHASE** of fire fighting foam from Fire-trol Holdings, LLC, sole source, in an amount not to exceed \$25,000.00.
32. **PURCHASE** of digital tags from 3M Library Systems, utilizing the Maricopa County contract, in an amount not to exceed \$51,533.00.
33. **PURCHASE** and installation of a compressed air foam system (CAFS) from Frontier Emergency Products, sole source, in an amount of \$26,115.00.
34. **USE PERMIT, UP06-0058 CIRCLE K AT CARMEL VILLAGE PLAZA**, Series 10, for the sale of beer and wine for off-premise consumption only within a future convenience store on approximately 2 acres at the SWC of Gilbert and Queen Creek roads.

35. **USE PERMIT, UP06-0084 ELDERCARE – SANTA ANNA**, to operate an assisted living facility for 7 residents within an existing residential home located at 921 N. Santa Anna Place.
36. **USE PERMIT, UP07-0016 318 S. OREGON STREET**, to locate a single-family home within a multi-family zoning district at 318 S. Oregon Street.
37. **USE PERMIT, UP07-0005 D'VINE WINE & BAR**, Series 12, for the sale of liquor for on-premise consumption only within a new restaurant located at 3990 S. Alma School Road.
38. **USE PERMIT, UP07-0002 WHOLE FOODS MARKET**, Series 7, for the sale of beer and wine only for on and off-premise consumption within a new grocery store located at 2955 W. Ray Road.
39. **LIQUOR LICENSE**, Series 7, for H. J. Lewkowitz, Agent, Mrs. Gooch's Natural Food Markets Inc., dba Whole Foods Market located at 2955 W. Ray Road.
40. **USE PERMIT, UP07-0015 BELLA VINO RISTORANTE**, Series 12, for the sale of all spirituous liquor for on-premise consumption only within a new restaurant located at 985 W. Chandler Heights Road, Suites 4-8.
41. **LIQUOR LICENSE**, Series 12, for Anthony Gilbert Serrano, Agent, Bella Vino Ristorante, Inc., dba Bella Vino Ristorante located at 985 W. Chandler Heights Road, Building B, Suites 4-8.
42. **USE PERMIT, UP07-0020 SPICES MEDITERRANEAN KITCHEN**, Series 12, for the sale of liquor for on-premise consumption only within an outdoor dining area for a new restaurant located at 4040 W. Ray Road, Suite 12, in the Copper Point commercial center.
43. **LIQUOR LICENSE**, Series 12, for Etgar E. Wagner, Agent, Wagner Development Group, LLC, dba Spices Mediterranean Kitchen located at 4040 West Ray Road, Suite 12.
44. **USE PERMIT, UP07-0026 IBIZA BLUE RESTAURANT**, Series 7, for the sale of wine and beer by individual portions for on-premise consumption or in the original container for off-premise consumption within an existing restaurant located at 1964 N. Alma School Road, Suites #1-4.
45. **LIQUOR LICENSE**, Series 7, for Lori A. Tapia, Agent, Alas De Oro LLC, dba Ibiza Blue located at 1964 N. Alma School Road, Suites 1-4.
46. **LIQUOR LICENSE**, Series 7, for John Franklin Griffith Jr., Agent, W2005 New Century Hotel Portfolio, LP, dba Homewood Suites Chandler located at 7373 W. Detroit Street.
47. **LIQUOR LICENSE**, Series 12, for Ajay Kapur, Agent, Benihana Chandler Corp., dba Benihana located at 3025 W. Chandler Boulevard. **(APPLICANT REQUESTS WITHDRAWAL.)**
48. **SPECIAL EVENT LIQUOR LICENSE** for Valley Unitarian Universalist Church for the 28<sup>th</sup> Annual - The Heart's Desire Auction on April 28, 2007, at 6400 W. Del Rio Street.

49. **TEMPORARY EXTENSION OF PREMISES, LIQUOR LICENSE**, Series 12 Restaurant Liquor License, held by Valle Luna Inc., dba Valle Luna Mexican Restaurant located at 1949 W. Ray Road, Ste. G, for an event May 4-5, 2007.
50. **TEMPORARY EXTENSION OF PREMISES, LIQUOR LICENSE**, Series 12, held by 98 South, LLC, dba 98 South located at 98 S. San Marcos Place, for an event April 20-21, 2007.
51. **TEMPORARY EXTENSION OF PREMISES, LIQUOR LICENSE**, Series 7, held by Devlin W/ Grubb, LLC, dba T'z Market Place located at 58 S. San Marcos Place, for an event April 20-21, 2007.
52. **CONDOMINIUM PLAT, CPT06-0020 SANTAN DOBSON BUSINESS PARK PHASE II**, for a business park development with commercial and industrial uses located west of the SWC of Pecos and Dobson roads.
53. **CONDOMINIUM PRELIMINARY PLAT, PPT07-0006 AIRPARK SOUTH PROFESSIONAL VILLAGE**, for an office development near the Chandler Municipal Airport located at the SWC of Cooper and Queen Creek roads.
54. **FINAL PLAT, FPT06-0064 THE SHOPS AT PECOS RANCH**, for a commercial retail and office development located at the NEC of Dobson and Germann roads.
55. **FINAL PLAT, FPT06-0043 CHANDLER VILLAGE**, for a single-family subdivision located east of the NEC of McQueen and Ray roads.

**ACTION:**

56. **REQUEST** City Council to assign Douglas Hammond as mediator to the Police Sergeant Meet & Confer process based on the provisions contained in the Meet & Confer Ordinance Section 2-13.8D.5(c).

**INFORMATION:**

1. **MINUTES** of the March 21, 2007, Planning and Zoning Commission Meeting.

**SPECIAL ORDERS OF THE DAY:**

- A. Mayor's Announcements
- B. Councilmembers' Announcements
- C. City Manager's Announcements

**ADJOURN**