

## CITY OF CHANDLER COUNCIL MEETING

The City Council of the City of Chandler welcomes you to its **Regular Meeting of Thursday, May 24, 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:**

Pastor Mike Sproul – Tri-City Baptist Church

### **PLEDGE OF ALLEGIANCE:**

### **SCHEDULED PUBLIC APPEARANCES:**

1. Service Recognitions
2. Retirement Recognition
3. Proclamation – Hunger Awareness Day
4. Proclamation – National Public Works Week

### **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 May 7, 2007.
- 1b. **MINUTES** of the Chandler City Council Regular Meeting of May 10, 2007.
2. **FINAL ADOPTION OF ORDINANCE NO. 3810**, authorizing vacation of a portion of the Old Germann Road right of way alignment located at the SWC of Old Germann Road at Stearman Drive for a fee of \$48,083.00.
3. **FINAL ADOPTION OF ORDINANCE NO. 3869, DVR05-0039 CHANDLER AIRPORT COMMERCE PARK**, rezoning from AG-1 to PAD for a Commercial Office and Industrial business park development on approximately 80-acres located south of the SEC of McQueen and Queen Creek roads.
4. **FINAL ADOPTION OF ORDINANCE NO. 3902**, granting a no-cost power distribution easement to Salt River Project (SRP) for electrical service to the new recreation center at Tumbleweed Park located at Germann and McQueen roads.
5. **FINAL ADOPTION OF ORDINANCE NO. 3909**, authorizing the assignment to Salt River Project (SRP) of certain aerial easements acquired by the City of Chandler for the Riggs Road (Arizona Avenue to Gilbert Road) improvement project.
6. **FINAL ADOPTION OF ORDINANCE NO. 3913**, authorizing the exchange of approximately 44.48 acres of land between the City of Chandler and Chandler Airport Property Investors Limited Partnership at the SEC of Queen Creek and McQueen roads and authorize an amount not to exceed \$75,000.00 for expenses related to this agreement.
7. **FINAL ADOPTION OF ORDINANCE NO. 3918**, granting no-cost transmission and aerial easements to Salt River Project (SRP) to accommodate the relocation of 69 kilovolt (kV) electrical facilities located along Pecos Road for the Cooper Road/Pecos Road Improvement Project.
8. **FINAL ADOPTION OF ORDINANCE NO. 3919, DVR07-0008 THE SERRANO BUILDING**, rezoning from City Center District (CCD) to CCD with a PAD overlay for additional building height for a new building located at the SWC of Boston and Washington streets.
9. **FINAL ADOPTION OF ORDINANCE NO. 3923**, annexing portions of the Germann Road right of way between Arizona Avenue and Hamilton Street.
10. **INTRODUCTION OF ORDINANCE NO. 3911**, annexing the north half of the Queen Creek Road right of way between Lindsay Road and the Eastern Canal.
11. **INTRODUCTION OF ORDINANCE NO. 3926, DVR07-0011 GATEWAY OFFICE PARK SIGNAGE**, rezoning from Community Commercial (C-2) to PAD with PDP for new monument signage at the SWC of Chandler Boulevard and McClintock Drive.
12. **RESOLUTION NO. 4068**, authorizing an Intergovernmental Agreement with the Arizona Department of Transportation (ADOT) for the design and installation of dynamic message signs in the amount of \$400,000.00.

13. **RESOLUTION NO. 4075**, pertaining to the submission of projects for consideration in Arizona's 2008 Highway Safety plan.
14. **RESOLUTION NO. 4076**, authorizing a Commercial Reinvestment Program Agreement between the City of Chandler and Ethan Christopher AZ, L.L.C. for renovation assistance at 2031 N. Arizona Avenue in an amount not to exceed \$325,000.00.
15. **RESOLUTION NO. 4077**, determining that the acquisition of real property located at and near the SWC of E. Chicago Street and S. Washington Street for the construction and development of a new City Hall complex and related off-street parking is a matter of public necessity; authorizing condemnation proceedings to acquire said real property and to obtain immediate possession thereof; and authorizing such relocation assistance as may be required by law.
16. **PRELIMINARY DEVELOPMENT PLAN, PDP06-0061 HOLIDAY INN/T-MOBILE**, for a wireless communications facility located on top of an existing hotel at 1200 W. Ocotillo Road. **(REQUEST CONTINUANCE TO THE JUNE 14, 2007, COUNCIL MEETING.)**
17. **PRELIMINARY DEVELOPMENT PLAN, PDP06-0062 SUNBELT EQUIPMENT RENTALS**, for site layout and building architecture for an equipment rental facility on approximately 2.8 acres located at the NWC of Pecos Road and Hamilton Street within the Bogle Business Park.
18. **TERMINATION** of the construction bond for Cox Communications, Inc. related to its cable television system build.
19. **BOARD AND COMMISSION APPOINTMENTS.**
20. **ACCEPTANCE** of the Water/Wastewater Rate Design Committee recommendations.
21. **PROGRAM RENEWAL** for commercial insurance coverage and services for FY 2007/2008 to various firms for a combined total of \$876,534.00.
22. **AGREEMENT** with The Arizona Republic for employment advertisement, utilizing Maricopa County's contract, in an amount not to exceed \$85,000.00.
23. **AGREEMENT** increase of \$15,000.00 for City facilities refuse collection with Allied Waste Transportation, Inc. for a total amount not to exceed \$85,214.00.
24. **AGREEMENT** amendment with Freightliner Sterling Western Star of Arizona upgrading to the Cummins engines from the Mercedes engines at no-cost to the City.
25. **AGREEMENT** Amendment No. 2 with Abitibi Consolidated for the recycling material recovery facility.
26. **AGREEMENT** with Sanborn Map Company for Digital Elevation Model (DEM) and planimetric update mapping in an amount not to exceed \$60,736.00.

27. **AGREEMENT** extension for one year with Safeway Signs Co. and Zumar Industries, Inc. of Arizona for the purchase of traffic signs and related hardware material in an amount not to exceed \$55,000.00.
28. **AGREEMENT** extension for one year with Artistic Land Management for Municipal Utilities facilities landscape maintenance in an amount not to exceed \$148,867.00.
29. **AGREEMENT** extension for one year with Allied Waste Transportation, Inc. for City facilities refuse collection in an amount not to exceed \$90,000.00.
30. **AGREEMENT** Amendment No. 1 extension for one year to Cactus Towing for Police towing service and assignment of the contract to ACT Towing LLC dba All City Towing.
31. **AGREEMENT** with West Valley Uniforms, Inc., dba East Valley Uniforms in an amount not to exceed \$130,000.00.
32. **AGREEMENT #PR0707-401** with Nickle Contracting, L.L.C. for design services and construction for Desert Breeze Park Improvements in an amount not to exceed \$499,304.00; and authorize a one-year extension to annual contract #JOC05-05, through April 18, 2008.
33. **AGREEMENT #WW0707-401** with Builder's Guild, Inc. for roof replacement on the Ocotillo Water Reclamation Facility administration building in an amount not to exceed \$223,050.00.
34. **AGREEMENT #WW0404-202** report of staff approved Amendment No. 1 in an amount not to exceed \$63,565.00 and Amendment No. 2 in an amount of \$300,000.00 to Damon S. Williams Associates LLC for arsenic treatment systems for a revised contract total of \$2,855,605.00.
35. **AGREEMENT #WA0710-101** with Carollo Engineers for professional services for development of the Integrated Water, Wastewater and Reclaimed Water System Master Plans in an amount not to exceed \$612,720.00.
36. No item.
37. **AGREEMENT #ST0504-201** Amendment No. 1 to AMEC Infrastructure, Inc. for the Price Road/Germann Road Improvements in an amount not to exceed \$180,221.00 for a revised contract total of \$462,932.00.
38. **AGREEMENT #EN0713-101** with EMS Consulting, Inc. for As-Built Database Mapping in an amount not to exceed \$48,400.00.
39. **AGREEMENT #JOC07-04** to SDB, Inc. for restroom remodeling on the second floor of the Main Library and the second floor of Police Headquarters in an amount not to exceed \$86,683.00.
40. **USE PERMIT, UP06-0009 APPLEBEE'S NEIGHBORHOOD BAR & GRILL**, Series 12, for an extension of premises to sell liquor for on-premise consumption only within an outdoor patio located at 1245 W. Chandler Boulevard.

41. **USE PERMIT, UP06-0089 84 LUMBER COMPANY**, for a 1,000-gallon fuel storage tank on an industrial site at 275 E. Willis Road. **(REQUEST CONTINANCE TO THE JUNE 28, 2007, COUNCIL MEETING.)**
42. **USE PERMIT, UP06-0092 IGUANA MACK'S**, Series 6, for a time extension to sell liquor within existing interior and exterior dining areas located at 1371 N. Alma School Road.
43. **USE PERMIT, UP07-0022 PERCIVAL – DAKOTA DUPLEX**, for construction of a new residential duplex on a vacant lot zoned Multiple Family Residential (MF-2) located at 131 S. Dakota Street.
44. **USE PERMIT, UP07-0017 FAMOUS SAM'S**, Series 6, for an extension of premises to sell liquor for on-premise consumption only within an outdoor patio area located at 940 N. Alma School Road, Suites 106-109.
45. **LIQUOR LICENSE**, Series 6, permanent extension of premises for Cantinas Inc., dba Famous Sam's located at 940 N. Alma School Road, Suite 106.
46. **LIQUOR LICENSE**, Series 10, for Randy Nations, Fresh & Easy Neighborhood Markets, Inc., dba Fresh & Easy Neighborhood Market located at 5805 W. Ray Road, Pad A. **(APPLICANT REQUESTS CONTINUANCE TO THE JUNE 14, 2007, COUNCIL MEETING.)**
47. **LIQUOR LICENSE**, Series 12, for Lauren Kay Merrett, Agent, My Big Fat Greek Restaurant 400 LLC, dba My Big Fat Greek Restaurant located at 3305 W. Chandler Boulevard, #8. **(APPLICANT REQUESTS WITHDRAWAL.)**
48. **LIQUOR LICENSE**, Series 12, for Lauren Kay Merrett, Agent, My Big Fat Greek Restaurant 100 LLC, dba My Big Fat Greek Restaurant located at 900 N. 54<sup>th</sup> Street. **(APPLICANT REQUESTS WITHDRAWAL.)**
49. **LIQUOR LICENSE**, Series 12, for Ron Gordon Campbell, Agent, Darkhorse Sports Bar and Grill LLC, dba Darkhorse Sports Bar and Grill located at 4929 W. Ray Road, Suite 3.
50. **LIQUOR LICENSE**, Series 12, for Viet Hoang Nguyen, Agent, Tu Suong located at 2055 N. Dobson Road, Suites 3 & 4. **(APPLICANT REQUESTS CONTINUANCE TO THE JUNE 28, 2007, COUNCIL MEETING.)**
51. **LIQUOR LICENSE**, Series 6, permanent extension of premises for Makk Enterprises LLC, dba Tom Ryan's Lounge located at 70 W. Warner Road, Suite 105.
52. **PRELIMINARY PLAT, PPT07-0003 POLLACK BUSINESS PARK NORTH III LOTS 1 THRU 5**, for a retail, showroom retail, and light industrial development located at the NEC of Arizona Avenue and Elliott Road.
53. **PRELIMINARY PLAT, PPT07-0004 MARKETPLACE PLAZA AT FULTON RANCH**, for a commercial retail and office development located at the NWC of Chandler Heights Road and Arizona Avenue.

54. **PRELIMINARY PLAT PPT07-0013/FINAL PLAT FPT07-0018 DOBSON TOWN PLACE**, for an office development in south Chandler adjacent to the Las Tiendas shopping center located north of the NEC of Alma School and Queen Creek roads.
55. **FINAL PLAT, FPT06-0053 ARBOLEDA ESTATES**, for a custom single-family subdivision located west of the SWC of Alma School and Germann roads.
56. On Action.
57. **RESOLUTION NO. 4071, 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.  
**INTRODUCTION OF ORDINANCE NO. 3925, DVR05-0040 PINELAKE CONDOMINIUMS**, rezoning from PAD for business park and AG-1 to PAD for residential condominiums with PDP for a residential condominium development for property located at the SEC of Pinelake Way and Ocotillo Road. **(REQUEST CONTINUANCE TO THE JUNE 14, 2007, COUNCIL MEETING.)**
58. On Action.
59. On Action.
60. On Action.
61. **FINAL ADOPTION OF ORDINANCE NO. 3927, DVR07-0016 SOUTHEAST CORNER OF CHANDLER HEIGHTS AND MCQUEEN ROADS**, for the establishment of initial City zoning of Agricultural District (AG-1) on an approximately 23-acre site located at the SEC of Chandler Heights and McQueen roads.
62. **FINAL ADOPTION OF ORDINANCE NO. 3928, DVR07-0017 NORTHWEST CORNER OF LINDSAY AND OCOTILLO ROADS**, for the establishment of initial City zoning of Agricultural District (AG-1) on an approximately 42-acre site located at the NWC of Lindsay and Ocotillo roads.
63. **FINAL ADOPTION OF ORDINANCE NO. 3929, DVR07-0018 NORTH OF THE NORTHWEST CORNER OF GERMANN ROAD AND THE UNION PACIFIC RAILROAD**, for the establishment of initial City zoning of Agricultural District (AG-1) on an approximately 3.5-acre site located north of the NWC corner of Germann Road and the Union Pacific Railroad.
64. **FINAL ADOPTION OF ORDINANCE NO. 3930, DVR07-0019 SOUTH OF THE SOUTHWEST CORNER OF COOPER AND QUEEN CREEK ROADS**, for the establishment of initial City zoning of Agricultural District (AG-1) on an approximately 10-acre site located south of the SWC of Cooper and Queen Creek roads.

**ACTION:**

56. **RESOLUTION NO. 4073** adopting the 2007-08 Tentative Budget.
58. **USE PERMIT, UP06-0079 MUSIC MASTERS MUSIC ACADEMY**, to operate a music instruction business in a General Industrial (I-1) zoning district located at 344 N. McKemy Avenue, Suite 2. **(STAFF RECOMMENDS DENIAL.)**
59. **MOTION** for reconsideration of weight limits on Germann Road.
60. **WEIGHT RESTRICTION ON GERMANN ROAD**, City Council to direct City Transportation Engineer to implement Option 2, a 40,000 -pound weight restriction on commercial vehicles along the section of Germann Road, up to, but not including the intersections of Hamilton Street and McQueen Road.

**PUBLIC HEARINGS:**

P.H.1. Downtown Chandler Enhanced Municipal Services District

1. Open Public Hearing
2. Staff Presentation
3. Council Discussion
4. Discussion from the Audience
5. Close Public Hearing

65. **RESOLUTION NO. 4078** authorizing the FY2007-2008 annual assessment for the City's Downtown Chandler Enhanced Municipal Services District.

**INFORMATION:**

1. **MINUTES** of the May 2, 2007, Planning and Zoning Commission Meeting.

**SPECIAL ORDERS OF THE DAY:**

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

**ADJOURN**