

## CITY OF CHANDLER COUNCIL MEETING

The City Council of the City of Chandler welcomes you to its **Regular Meeting of Thursday, August 23, 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 Joel Tetreau – South East Valley Baptist Church

#### **PLEDGE OF ALLEGIANCE:**

#### **SCHEDULED PUBLIC APPEARANCES:**

1. Retirement Recognition
2. Service Recognitions
3. Special Recognition - Officer Shevy Wright Day Citizen Contributors
4. Proclamation – Recognition of the Elderly
5. Best Fitness Walking City Award - Dr. Alan Discont
6.  Brett Rayno – Chandler recent listing as a Sanctuary City by the Federal Government
7. David Barresi – Serial Rapist

#### **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 August 6, 2007.
- 1b. **MINUTES** of the Chandler City Council Special Meeting of August 9, 2007.
- 1c. **MINUTES** of the Chandler City Council Regular Meeting of August 9, 2007.
  
2. **FINAL ADOPTION OF ORDINANCE NO. 3938, DVR07-0026 NORTHWEST CORNER OF LINDSAY AND CHANDLER HEIGHTS ROADS**, for the establishment of initial City zoning of AG-1 on approximately 5.4 acre site located at the NWC of Lindsay and Chandler Heights roads.
  
3. **FINAL ADOPTION OF ORDINANCE NO. 3943** amending Sections 50-1 through 50-3, 50-5, 50-8 through 50-12, 50-18 through 50-19 and 52-7 of the Code of the City of Chandler to change certain Water, Reclaimed Water and Sewer Fees.
  
4. **FINAL ADOPTION OF ORDINANCE NO. 3946, DVR07-0007 AC EXCALIBUR STORAGE**, rezoning from PAD Office to PAD Amended for the construction of a climate-controlled internalized self-storage facility on approximate 1.5 acre site located south of the SEC of Ray and McQueen roads.
  
5. **On Action**
  
6. **INTRODUCTION OF ORDINANCE NO. 3942** granting a no-cost power easement to Salt River Project (SRP) on the north side of Warner Road, east of the NEC of Alma School and Warner roads.
  
7. **INTRODUCTION OF ORDINANCE NO. 3950, DVR06-0045 STEVENS OFF ROAD**, amendment of existing Planned Industrial District with Planned Area Development Overlay (I-1/PAD) zoning to allow certain auto service and customization, including sand rails, located at 3210 N. Delaware Street.
  
8. **On Action**
  
9. **ORDINANCE NO. 3952** authorizing the grant of a parking easement and temporary construction easement to Qwest Corporation over a portion of Lot 1, Qwest Chandler Main; and declaring an emergency.
  
10. **RESOLUTION NO. 4109** adopting by reference a revised flood insurance study, flood insurance maps, and floodplain management regulations consistent with and pursuant to Section 43-6, Code of the City of Chandler, as part of the delegation for responsibility for floodplain management.
  
11. **RESOLUTION NO. 4115** authorizing an Intergovernmental Agreement (IGA) with the State of Arizona through the Department of Public Safety for the Chandler Police Department to participate in the Arizona Vehicle Theft Task Force program.

12. **RESOLUTION NO. 4116** authorizing the condemnation proceedings as needed to acquire nine (9) parcels of real property within the designated new City Hall site located at and near Arizona Avenue and Chicago Street in the City of Chandler, Arizona, and to obtain immediate possession thereof.
13. **PRELIMINARY DEVELOPMENT PLAN, PDP07-0012 CHANDLER MIDWAY CORPORATE CENTER**, for a comprehensive sign package for an office development on approximately 20 acres located at the NEC of Chandler and Gila Springs boulevards.
14. **AUTHORIZE** funding transfer from general fund non-departmental to the appropriate cost centers with the Police Department for the reclassification of three commanders to assistant chiefs, the addition of one police commander, and an increase in pay grade for four civilian managers in an amount not to exceed \$200,000.00.
15. **AUTHORIZE** an amendment to the South Arizona Avenue Entry Corridor Study by expanding the Urban Commercial designation on the NEC of Arizona Avenue and Pecos Road easterly to the existing Washington Street right-of-way, revising the Washington Street alignment accordingly, and modifying the land use description of Civic Uses to include office, museum and ancillary retail; and amending the General Plan to incorporate the amended South Arizona Avenue Entry Corridor Study. **(STAFF REQUESTS WITHDRAWAL FOR THE PURPOSE OF RE-ADVERTISING.)**
16. **SUBORDINATE** the Housing Rehabilitation Lien on Project #RH06-0002 located at 315 W. Tulsa Street in the amount of \$72,758.24. (Rosales)
17. **AGREEMENT #AI0402-201** Amendment No. 1 with Kimley-Horn and Associates for the Airport North Apron in the amount of \$225,211.00, for a revised contract total of \$374,429.00. **(STAFF REQUESTS CONTINUANCE TO THE SEPTEMBER 6, 2007, COUNCIL MEETING.)**
18. **AGREEMENT #EN0721-101** with Stantec Consulting for annual Citywide engineering and construction survey services in an amount not to exceed \$200,000.00 for the first year with the option of four one-year extensions.
19. **AGREEMENT #EN0711-101** with Morrison-Maierle, Inc. for pipeline design service in an amount not to exceed \$1,000,000.00 for the first year with the option of four one-year extensions.
20. **AGREEMENT #EN0717-011** with Brown and Caldwell for permitting, study and design for water and wastewater facilities in an amount not to exceed \$1,500,000.00 for the first year with the option of four one-year extensions; and Agreement #WA0801-201 for Equipping Design of Basha Wells No. 1, 2, and 3 in an amount not to exceed \$331,448.00.
21. **AGREEMENT #EN0725-101** with Dibble Engineering for pipeline design service in an amount not to exceed \$1,000,000.00 for the first year with the option of four one-year extensions.
22. **AGREEMENT** extension for one year with Aerotech Environmental Laboratories, TestAmerica, and Transwest Geochem, Inc. for laboratory testing services in an amount not to exceed \$304,000.00.

23. **AGREEMENT #PR0715-401** with Valley Rain Construction Corporation for construction of Blue Heron Park, pursuant to JOC05-06, in an amount not to exceed \$545,837.00.
24. **AGREEMENT #PR0710-402** with Valley Rain Construction Corporation for construction of Neighborhood Park Improvements, pursuant to JOC05-06, in an amount not to exceed \$247,869.00.
25. **AGREEMENT** extension for one year with 3M for service of security detection systems, SelfCheck units, discharge workstations, and software at Downtown, Hamilton, Sunset and Basha library branches in an amount not to exceed \$58,310.50.
26. **AGREEMENT #PR0701-251** with Brignall Construction Co., Inc. for the pre-construction services contract for the construction manager at risk project for the Tumbleweed Park Maintenance Facility in an amount not to exceed \$54,711.00.
27. **AGREEMENT** extension for one year with Anderson Security Agency, LTD for security guard services utilizing the City of Tempe contract, in an amount not to exceed \$55,000.00.
28. **CONTRACT #PR0209-402**, Change Order No. 5, to Haydon Building Corp. for construction of the Tumbleweed Park Recreation Center in the amount of \$125,272.00 for a revised contract total of \$13,404,999.18.
29. **CONTRACT #AI0402-401** to C.S.&W. Contractors, Inc. for the Airport North Apron in an amount not to exceed \$2,592,578.08. **(STAFF REQUESTS CONTINUANCE TO THE SEPTEMBER 6, 2007, COUNCIL MEETING.)**
30. **CONTRACT #ST0623-301** to Salt River Project (SRP) to remove and relocate streetlight junction boxes for the Queen Creek Road Improvements - Price Road to Arizona Avenue - in an amount not to exceed \$40,229.00.
31. **CONTRACT #WW0501-402** to McCarthy for the construction manager at risk contract for the Airport Water Reclamation Facility Expansion – Phase Two, located at 905 E. Queen Creek Road in an amount not to exceed \$70,866,675.00.
32. **PURCHASE** of membership, access to OCLC (Online Computer Library Center) database, Atlas hosted server, and Illiad software renewal license from Amigos Library Services, sole source, in an amount not to exceed \$38,000.00.
33. **PURCHASE** of library materials from Thomson Gale, sole source, in an amount not to exceed \$35,000.00.
34. **PURCHASE** of library materials from Random House Inc., sole source, in an amount not to exceed \$24,000.00.
35. **PURCHASE** of library materials from BBC Audio Books America, sole source, in an amount not to exceed \$16,000.00.
36. **PURCHASE** and installation of playground equipment at San Marcos Park, utilizing the US Communities contract, from Landscape Structures in an amount not to exceed \$66,232.69.

37. **USE PERMIT, UP07-0065 WHOLE FOODS MARKET**, Series 7, for the sale of beer and wine only, on-site tasting, and the serving of beer and wine to customers dining in-store, located at 2955 W. Ray Road, within the Raintree Ranch shopping center.
38. **USE PERMIT, UP07-0052 DOS GRINGOS GRILLE**, Series 12, time extension for a Use Permit to allow the sale of liquor at a new restaurant located at 1361 N. Alma School Road.
39. **USE PERMIT, UP07-0057 AJ'S FINE FOODS #168**, Series 9, for the sale of alcohol within a grocery store located at 4975 S. Alma School Road, within the Promenade at Fulton Ranch.
40. **LIQUOR LICENSE**, Series 9, for Michael Joseph Basha, Agent, Basha's Inc., dba AJ's #168 located at 4975 S. Alma School Road.
41. **USE PERMIT, UP07-0044 THE URBAN TEA LOFT**, Series 12, for the sale of alcohol for on-site consumption only in a new retail/restaurant facility that includes a new outdoor patio at 11 W. Boston Street, Suite #2.
42. **LIQUOR LICENSE**, Series 12, for Glynis LaTrise Legrand, Agent, Velvet Steel LLC, dba The Urban Tea Loft located at 11 W. Boston Street, Suite #2.
43. **USE PERMIT, UP07-0049 PICAZZO'S GOURMET PIZZA & SALADS**, Series 12, for the sale of alcohol for on-site consumption only in a restaurant at 7225 W. Harrison Street within Polar Ice.
44. **LIQUOR LICENSE**, Series 12, for Jesus Manual Altamirano, Agent, DRD Express I, LLC, dba Picazzo's Gourmet Pizza & Salads at 7225 W. Harrison Street within Polar Ice.
45. **USE PERMIT, UP07-0051 BIG WA CHINESE CAFÉ**, Series 12, for the sale of alcohol for on-site consumption only within a new restaurant located at 990 E. Riggs Road, Suite #9.
46. **LIQUOR LICENSE**, Series 12, for Hua Guan, Agent, Big Wa Chinese Café Inc., dba Big Wa Chinese Café located at 990 E. Riggs Road, Suite #9.
47. **USE PERMIT, UP07-0059 LONGHORN STEAKHOUSE**, Series 12, for the sale of alcohol within a new restaurant located at 2950 E. Germann Road, within the Crossroads Towne Center.
48. **LIQUOR LICENSE**, Series 12, for H.J. Lewkowitz, Agent, RARE Hospitality Management Inc., dba Longhorn Steakhouse of Chandler located at 2950 E. Germann Road.
49. **LIQUOR LICENSE**, Series 12, for James Patrick Nagy, Agent, Bravi 2 LLC, dba Bravi located at 2990 E. Germann Road, Suite 7. **(APPLICANT REQUESTS CONTINUANCE TO THE SEPTEMBER 6, 2007, COUNCIL MEETING).**
50. **LIQUOR LICENSE**, Series 12, for Jesus Ariel Montano Jr., Agent, Jimenez and Montano LLC, dba Charo's Mexican Food located at 1368 N. Arizona Avenue.

51. **LIQUOR LICENSE**, Series 10, for Kim Kenneth Kwiatkowski, Agent, Circle K Stores, Inc., dba Circle K Store #3377 located at 3010 S. Gilbert Road.
52. **LIQUOR LICENSE**, Series 12, for Amy S. Nations, Agent, Z'Tejas Chandler LLC, dba Z'Tejas Grill located at 7221 W. Ray Road.
53. **LIQUOR LICENSE**, Series 12, for Eun-Kyung Lim, Agent, CK Vision Inc., dba Mi Sushi & Teppanyaki located at 4939 W. Ray Road, Suites 1 and 2.
54. **LIQUOR LICENSE, TEMPORARY EXTENSION OF PREMISES**, Series 12, held by Darkhorse Sports Bar & Grill LLC, dba Darkhorse Sports Bar & Grill located at 4929 W. Ray Road, Suite #3, for an event on August 25, 2007.
55. **PRELIMINARY PLAT, PPT07-0024 / FINAL PLAT, CPT07-0009 CHANDLER CROSSING 5**, for an existing office/retail building divided into two condominiums located at the SEC of Ray Road and 56<sup>th</sup> Street.
56. **FINAL PLAT, FPT07-0027 PASEO LINDO**, for a mixed-use commercial retail, office, business park, and residential development on approximately 68 acres located at the NEC of Arizona Avenue and Ocotillo Road.

**ACTION:**

5. **INTRODUCTION OF ORDINANCE NO. 3916, DVR07-0020 SAN TAN MARKETPLACE**, rezoning from AG-1 to PAD with PDP for a new retail/office center that may include late-hour businesses on approximately 5.4 acres located at the NWC of Lindsay and Chandler Heights roads.  
**PRELIMINARY PLAT, PPT07-0022 SAN TAN MARKETPLACE**, for a new retail/office center that may include late hour businesses located at the NWC of Lindsay and Chandler Heights roads.
8. **INTRODUCTION OF ORDINANCE NO. 3951, DVR07-0009 AZ 202**, rezoning from PAD to PAD Amended with a mid-rise overlay for additional building height, as well as PDP for an office, retail and hotel development with late-hour businesses on approximately 45 acres located at the NWC of Arizona Avenue and the Loop 202 Santan Freeway.  
**PRELIMINARY PLAT, PPT07-0032 AZ 202**, for an office, retail and hotel development with late hour businesses located at the NWC of Arizona Avenue and Loop 202 Santan Freeway.

**PUBLIC HEARING:**

PH1. **ANNEXATION** of approximately 1.6 acres of land located south of the SEC of Cooper and Ocotillo roads.

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

**INFORMATION:**

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

**SPECIAL ORDERS OF THE DAY:**

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

**ADJOURN**