

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 Thursday, April 10, 2008, at 7:00 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
Kevin Hartke	Councilmember
Trinity Donovan	Councilmember
Bob Caccamo	Councilmember
Jeff Weninger	Councilmember
Matt Orlando	Councilmember

Also in attendance:

W. Mark Pentz	City Manager
Rich Dlugas	Assistant City Manager
Pat McDermott	Assistant City Manager
Mary Wade	City Attorney
Marla Paddock	City Clerk

INVOCATION: The invocation was given by Councilmember Hartke.

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

SCHEDULED PUBLIC APPEARANCES:

None.

UNSCHEDULED PUBLIC APPEARANCES:

DAN REES, Arizona BioDiesel, 3324 N. San Marcos Place, said that he has been in business since 1996. Three years ago, they started producing bio-diesel at his facility to power their vehicles. It is an environmentally friendly fuel and is made from cooking oil. He had permission from the Fire Department and has fully cooperated with regulations for the three years they have been producing this fuel. He explained that during last summer, due to overwhelming demand, they decided to increase the size of production and apply to the EPA for a certificate to sell fuel to the general public. It did not change the status of the type of hazardous material they have. They have a Class 2 hazmat certified room on the back of the building limited to 240 gallons of methanol. They are not containing any more methanol than they were in the past. The only change is the amount of cooking oil they keep. The Fire Department allows 26,000 of cooking oil, a non-flammable substance, to be stored inside their sprinklered building. It came to their attention about a week ago that the City decided that Planning and Zoning was not notified, and other things, and their business was closed down. Mr. Reese said since then, he has been in the "uphill" process of trying to get in compliance, but there are a couple of people in the City that do not want that to happen. He asked that Council get involved and help him. He said he is being invited by the City of Phoenix because they have a classification for bio-diesel, which is light industrial. The Fire Marshall from Phoenix, in the backing of bio-diesel, said in light industrial he is aware of 50 more types of businesses allowed to operate in light industrial that are not as hazardous as a bio-diesel production facility. Many other states have this type of business and it

is classified. Arizona does not have any classifications. He has invested \$1.2 million to trying to make this available as a local resource to benefit the environment.

COUNCILMEMBER DONOVAN asked for clarification of a statement made by Mr. Rees that the City of Phoenix Fire Marshall said there were 50 businesses allowed to operate in light industrial less hazardous than biodiesel. Mr. Rees clarified that there were 50 businesses more hazardous than biodiesel.

MAYOR DUNN asked for clarification from the City Attorney regarding Council comments under Unscheduled Public Appearances. Mary Wade said that Council is not permitted to respond or interact under this category.

VICE-MAYOR HUGGINS suggested that Mr. Rees request to be listed as a Scheduled Public Appearance in order to have conversation with Council.

MAYOR DUNN directed the City Manager to look into the matter and respond back to Council.

CONSENT:

MAYOR DUNN said that agenda item #9 (annexation of NEC of Arizona Avenue and Ray Road) would be continued to April 24, 2008, pursuant to Staff's request.

COUNCILMEMBER ORLANDO asked why this item is being continued. PLANNING AND DEVELOPMENT DIRECTOR DOUG BALLARD said that Staff needs to gather more information and make sure Staff fully understands what the request is.

COUNCILMEMBER WENINGER clarified that when it returns, it would just be for annexation and not zoning. Jodie Novak confirmed that would be the case.

MAYOR DUNN said that if the property were annexed, it would automatically be zoned as it is presently in the County (I-2), which many not comply with Chandler's General Plan.

MOVED BY COUNCILMEMBER ORLANDO, SECONDED BY VICE-MAYOR HUGGINS, to approve the Consent Agenda as amended with item #9 being continued to April 24, 2008.

COUNCILMEMBER WENINGER congratulated Staff for their work on agenda items #17 and #18 (Police Sergeants Bargaining Unit M.O.U.s).

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED, as presented, minutes of the City Council Special and Regular meetings of March 27, 2008.

2. ANNEXATION: SEC Cooper/Chandler Heights Roads Ord. #3990

ADOPTED Ordinance No. 3990 annexing approximately 9.5 acres at the SEC of Cooper and Chandler Heights roads.

3. REZONING: Ryan Commerce Center Ord. #4050

ADOPTED Ordinance No. 4050, DVR07-0048 Ryan Commerce Center, rezoning from AG-1 to PAD for an office/industrial/warehouse development on approximately 10 acres at the SWC of Ryan Road and the future Emmett Drive and east of the NEC of Cooper and Queen Creek roads.

4. GROUND LEASE: F&G Enterprises, LLC Ord. #4020

ADOPTED Ordinance No. 4020 authorizing a 30-year ground lease with two, ten-year options with F&G Enterprises, LLC for the purpose of constructing a hangar storage facility at the Chandler Municipal Airport for \$3,525.00 for the first year.

5. IRRIGATION EASEMENT: Salt River Project Ord. #4048

ADOPTED Ordinance No. 4048 granting a no-cost irrigation easement to Salt River Project to accommodate underground construction of relocated irrigation facilities in front of 700 W. Germann Road due to road improvements for Germann Road from Dobson Road to Arizona Avenue.

6. IRRIGATION EASEMENT: Salt River Project Ord. #4049

ADOPTED Ordinance No. 4049 granting a no-cost irrigation easement to Salt River Project to accommodate underground construction of relocated irrigation facilities due to road improvements for Gilbert Road from Frye Road to the Santan Freeway.

7. RIGHT-OF-WAY VACATION: Gilbert Road / Chandler Boulevard Ord. #3996

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 3996 authorizing the vacation of a portion of road right-of-way at the NWC of Gilbert Road and Chandler Boulevard, conditioned upon receipt of \$148,498.00 plus closing expenses, and accepting an easement of 1,500 square feet for the future City monument sign.

In 2002, the City acquired property located at the NWC of Gilbert Road and Chandler Boulevard (Norton's Corner) for the East Chandler Boulevard Road Improvement Project. The parcel contained approximately 43,560 square feet and cost the City \$430,332.00 or \$9.88 per square foot. The intersection improvement project was completed. However, approximately 14,563 square feet of land remained as a remnant.

Starpointe Communities is in the process of developing the property that surrounds the City's land into a mixed-use residential and commercial project. Starpointe has requested that the City vacate the remaining 14,563 square feet of right-of-way so that it can be incorporated into their project. Doing so will benefit the Starpointe parcel, as well as benefit the public by incorporating the remnant City parcel into a revenue generating development. Additionally, Starpointe is willing to designate an easement parcel west of the City Parcel, on the north side of Chandler Boulevard for a future monument sign to be used by the City.

Starpointe is willing to compensate the City for the parcel at the current market rate of \$11.368 per square foot (\$9.88 per square foot inflated by the Consumer Price Index) plus closing costs, less the value of the sign easement to be granted to the City.

In accordance with a previous Intergovernmental Agreement, the City of Chandler and the Town of Gilbert shared costs for developing the Gilbert Road and Chandler Boulevard Improvement

Project. Under that agreement, the Town of Gilbert is entitled to receive reimbursement of its contribution to the acquisition of the Norton's Corner parcel at a rate of 44% of the proceeds upon sale of the parcel.

Staff recommends vacating the City's remnant parcel at its cost basis plus closing expenses. The calculation is as follows:

14,563 sq. ft. at \$11,368 per sq. ft.	\$165,553.00
Less credit for sign easement area (1,500 sq. ft.)	<u>-17,055.00</u>
Subtotal:	\$148,498.00
Less reimbursement to Town of Gilbert (44% of \$148,498)	<u>- 72,843.00</u>
Net compensation to the City plus closing costs in cash	\$ 75,655.00

Real Estate has contacted the appropriate City Departments and outside utilities. Each has reviewed this request. There were no objections to vacating the parcel. The published separate fee for processing a vacation request was previously paid by Starpointe.

8. ANNEXATION: SEC Arizona Avenue / Willis Road Ord. #4037

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4037 annexing approximately 11 acres east of the SEC of Arizona Avenue and Willis Road. (Owner: Siebe & Eileen Hamstra.)

The parcel is undeveloped with the exception of an existing vacated single-family home located along the Willis Road frontage. The house will be removed when the property is developed. The owner proposes to develop the property for a business park. It is zoned RU-43 within the county. Surrounding and/or adjacent parcel status is as follows: north – City of Chandler existing PAD Retail Commercial Center; east – City of Chandler existing PAD Industrial; south – County RU-43 Agricultural; west – County RU-43 Agricultural and City of Chandler AG-1 Agricultural. The Chandler Airpark Area Plan, a Land Use Element of the Chandler General Plan, designates the area as Commercial/Office/Business Park with a Light Rail Corridor Overlay.

9. ANNEXATION: NEC Arizona Avenue / Riggs Road Ord. #4039

CONTINUED TO APRIL 24, 2008, Introduction of Ordinance No. 4039 annexing approximately 35 acres at the NEC of Arizona Avenue and Riggs Road to allow Staff more time to review the request. (Owner: CTW-Riggs Gateway, LLC.)

10. POWER DISTRIBUTION EASEMENTS: Salt River Project Ord. #4046

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4046 authorizing the assignment of certain power distribution easements acquired by the City of Chandler to Salt River Project for the Arizona Avenue and Ray Road Intersection Improvement Project.

In connection with a City road project for the improvement of the Arizona Avenue and Ray Road intersection the City acquired roadway and easements needed for the project, which also included acquisition of power distribution easements ultimately intended for use by SRP. The project has been completed, however, the easements that were conveyed to the City through Final Orders of Condemnation, took time to be processed through the court system and are now ready to be assigned. They were needed to assure clear space to accommodate SRP's facilities for the transmission and distribution of electricity that were relocated as a consequence of the project.

Upon recording the assignment, the City would have no further obligation, responsibility or liability, and no further rights, pursuant to or because of the easements.

11. REZONING: Park Place

Ord. #4051

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4051, DVR07-0055 Park Place, rezoning from PAD to PAD amended with PDP for a service retail and office development on approximately 22 acres at the NEC of Price and Willis roads. (Applicant: Mike Withey, Withey Morris PLC.)

The site is located south and east of the Loop 202 Santan Freeway and Price Road interchange. Adjacent to the north and east is the balance of the Park Place master planned development previously known as Spectrum. Willis Road abuts the property's south side with vacant land planned for high-tech campus employment uses as part of the South Price Road Campus Employment Corridor located south of Willis Road. Adjacent to the east is the recently approved Park Place II business park.

The subject property received PAD zoning in 1989 as part of the larger 156-acre Gateway Park master plan, previously know as Spectrum, now identified as Park Place. The PAD zoning, most recently revised in 2001 and extended in June of 2005, identifies this approximately 22-acre site for commercial land uses with the purpose of providing a wide range of retail, service and commercial activities to support the surrounding corporate campus environmental and nearby residential areas. The rezoning request seeks a minor amendment to the PAD purpose statement with the intent to provide a mix of office, employment, retail and service commercial uses to support the campus environment. The amendment simply broadens the purpose statement. The specific permitted land uses remain the same as identified in the development booklet. Staff supports the proposed rezoning finding the existing retail-focused purpose statement no longer viable in light of the surrounding area's developmental evolution. The proposed amendment maintains the existing permitted land uses while setting the stage for a more compatible intent.

The request includes Preliminary Development Plan approval for the 22-acre site. Development is proposed to occur in two phases. Phase I will include all streetscape perimeter landscaping as well as the northern portion of the site including both retail buildings. Phase II will include the balance of the site's southern portion. Parking is provided to accommodate all general office uses within the site. Based on parking, medical office uses are not permitted.

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on February 11, 2008. There were no neighbors in attendance. Staff has received no correspondence in opposition to this request.

Upon finding consistency with the General Plan and PAD zoning, the Planning Commission and Staff recommend approval subject to the conditions listed in the ordinance.

12. PROPERTY PURCHASE: 444 W. Washington Street

Res. #4162

ADOPTED Resolution No. 4162 authorizing the purchase of a vacant residential lot at 444 S. Washington Street at a cost not to exceed \$72,500.00.

Donald Woods, owner of the residential property, has agreed to sell his property to the City for the amount equal to the appraised value of \$71,000.00. The property consists of an unimproved

residential lot totaling approximately 7,500 square feet. Because the property is available for sale and because of its proximity to future developments in the downtown area, Staff recommends the purchase of the property. Additional costs will include closing and associated costs in the approximate amount of \$1,500.00.

13. PROPERTY PURCHASE: 99 E. Elgin Street Res. #4163

ADOPTED Resolution No. 4163 authorizing the purchase of property at 99 E. Elgin Street at a cost not to exceed \$156,000.00.

Raymundo Salgado, owner of the residential property, has agreed to sell his property to the City for the appraised value of \$154,000.00. The property consists of a 7,500 square foot residential lot that is improved with a single-family residence that totals approximately 1,033 square feet. Because the property is available for sale and because of its proximity to future developments in the downtown area, Staff recommends the purchase of the property. Additional costs will include closing and associated costs in the approximate amount of \$2,000.00.

14. INTERGOVERNMENTAL AGREEMENT: Law Enforcement Information Res. #4168

ADOPTED Resolution No. 4168 authorizing an intergovernmental agreement (IGA) between the City of Chandler, Town of Gilbert, City of Tempe, City of Scottsdale and City of Mesa for sharing law enforcement information (COPLINK), in an amount of \$40,664.24 for FY 08-09.

The purpose of the IGA is to enhance the effectiveness of law enforcement by increasing information sharing related to crime and criminal activities. The City of Mesa has implemented a system that is able to share confidential law enforcement information electronically with East Valley law enforcement agencies that wish to participate. The system is being implemented throughout the southwestern portion of the United States and those agencies that participate will have access to information from all other member agencies.

Costs are based on the number of authorized sworn personnel from each participating agency. To participate, the Chandler Police Department will pay \$40,664.24 for Fiscal Year 08-09 and the amount will be evaluated and possibly adjusted annually.

15. ZONING EXTENSION: Arrowhead Professional Office Building

CONTINUED TO MAY 8, 2008, Zoning, DVR07-0030 Arrowhead Professional Office Building, to extend existing PAD zoning to the conditional schedule for development, remove or determine compliance with the three-year schedule for development or to cause the property to revert to the former AG-1 zoning which is for a general office building on approximately 1 acre at the NWC of Ray Road and Arrowhead Drive to allow the applicant additional time to address neighborhood concerns and site maintenance.

16. REZONING: Park Ocotillo Business Center

CONTINUED TO MAY 8, 2008, Zoning, DVR07-0038 Park Ocotillo Business Center, rezoning from PAD zoning for light industrial use and/or commercial uses to PAD zoning for office, light industrial and retail uses with PDP for a business/industrial park development at the SWC of Price and Queen Creek roads to allow the applicant additional time to address traffic design.

17. MEMORANDUM OF UNDERSTANDING: Police Sergeants

APPROVED reopening of a Memorandum of Understanding (M.O.U.) dated July 1, 2007, through June 30, 2008, and authorized a 5% market adjustment for the Police Sergeants Bargaining Unit to be effective March 2, 2008. The current M.O.U. with the Sergeant's Bargaining Unit allows the parties to mutually reopen the current M.O.U.

The City Council has the authority to approve this recommendation and the recommendation to implement a 5% market adjustment to be effective March 2, 2008. The market adjustment recommendation was the result of a salary survey conducted by the City of Chandler and discussed with the Sergeants. The increase will keep Sergeant's wages competitive with surrounding communities.

18. MEMORANDUM OF UNDERSTANDING: Police Sergeants

APPROVED a Memorandum of Understanding (M.O.U.) with the Police Sergeants Bargaining Unit to become effective July 1, 2008, through June 30, 2011. The City and local bargaining teams jointly recommend that the City Council approve this M.O.U. The non-economic terms of the M.O.U. begin on July 1, 2008, and the economic terms to into effect the beginning of the 1st pay period in July (07-06-08). The M.O.U. will expire June 30, 2011.

As a result of Ordinance #3619, approved by City Council on October 28, 2007, and amended on October 23, 2006, the City of Chandler entered into meet and confer discussions in January of 2008 with the Sergeant's Bargaining Unit. The meet and confer process was concluded on March 27, 2008, and the members of the Sergeant's Bargaining Unit ratified the tentative meet and confer agreement.

Wage increases to be effective 07/06/08, 07/05/09 and 07/04/10 are to be determined as follows:

- Human Resources will perform a salary survey in September 2008, 2009 and 2010, to look at the maximum Sergeant salary data from 7 cities (Gilbert, Glendale, Mesa, Peoria, Phoenix, Scottsdale and Tempe) based on JIMS data in order to maintain Chandler at the 4th position defined as halfway between 3rd and 5th of the cities in the survey.
- The starting salary for the Police Officer promoted to Police Sergeant will be 5% above the maximum of the Police Officer salary range. The minimum Police Sergeant salary will always be set at 5% above the maximum of the Police Officer range.
- Effective 07/06/08, an additional six-tenths percent (0.6%) City contribution to deferred compensation plan, providing the employee contributes a minimum of ten dollars (\$10) per pay period. New total contribution of one percent (1%).
- Effective 07/04/2010, Unit members who have accrued 240 hours or more of accrued and unused vacation leave and who have attained a minimum of seventeen (17) years of City service, may elect to have the additional vacation leave that he/she earns paid to them as salary on a monthly basis for the upcoming three (3) consecutive years. Once the unit member elects to exercise this benefit, it must continue for the full three (3) consecutive years. A unit member may draw down the current 240 hours balance.
- Effective 07/04/2010, Unit members who have accrued 1,000 hours or more of accrued and unused sick leave and who have attained a minimum of seventeen (17) years of City service, may elect to have the additional sick leave that he/she earns to be paid to them as salary on a monthly basis for the upcoming three (3) consecutive years. Once the unit

member elects to exercise this benefit, it must continue for the full three (3) consecutive year period. A unit member may draw down the current 1,000-hour balance.

- Increase the compensatory time from 70 hours to 80 hours effective 07/06/08, from 80 hours to 90 hours effective 07/05/09, and from 90 hours to 100 hours effective 07/04/2010.

Effective July 1, 2008, the M.O.U. also maintains the current non-economic language and the following provisions:

- Health and Dental Insurance; for the term of the M.O.U., the City will pay 90% and the employee will pay 10% of the cost of any health insurance increased costs each year. The City will pay 100% of the dental insurance premiums for employee only coverage, 70% for employee plus one and 50% for employee plus two.
- Labor-Management Committee:
The Labor-Management Committee is a standard labor relations process, which provides the employee organization and management an informal forum for the exchange of views and discussion of mutual concerns and problems during the term of the M.O.U. This process is distinguished from the formal meet and confer process, which takes place at the expiration of the M.O.U.

The mutual benefit to the parties of the labor-management process is the ability to solve problems as they arise throughout the term of the M.O.U. The process builds trust and commitment between labor and management and promotes future cooperation when the parties engage in the formal meet and confer process.

19. AGREEMENT: Gilbertson Associates

APPROVED Agreement #AI0805-201 to Gilbertson Associates for design of Airport Boulevard Realignment in an amount not to exceed \$313,028.00.

Airport Boulevard, south of Germann Road and west of Cooper Road, is currently the main entrance to the Chandler Municipal Airport. Due to the ongoing expansion of aircraft parking areas and future commercial development on the north side of the airport, the Airport Master Plan recommended a re-alignment of Airport Boulevard to coincide with the Cooper Road/Germann Road intersection. This re-alignment will improve access into and out of the airport due to the existing traffic signal at Cooper Road and Germann Road, and provide a more direct route between the Loop 202 Santan Freeway and the airport entrance. Future commercial and industrial developments along the new Airport Boulevard will benefit from easier access to the terminal and aircraft parking. Curtis Way and Ryan Road will be extended and reconfigured.

This contract will provide the engineering services necessary to produce design plans for the roadway construction. The consultant will also prepare right-of-way mapping for the segment of the existing Airport Boulevard from Stinson Way to Queen Creek Road.

20. AGREEMENT EXTENSION: G&G Construction, Inc.

APPROVED a one-year Agreement Extension with G&G Construction, Inc., for concrete curbs, sidewalks and handicap ramps in an amount not to exceed \$1,500,000.00.

When street repaving is scheduled for streets, concrete repair work is needed ahead of the repaving as necessary. Concrete work includes repair of damaged existing concrete and upgrading of existing handicap ramps to current standards required by the Americans with Disabilities Act Accessibility Guidelines (ADAAG). This agreement is necessary to complete the concrete work ahead of the street rehabilitation project.

21. AGREEMENT EXTENSION: G&G Construction, Inc.

APPROVED a one-year Agreement Extension with G&G Construction, Inc., for asphalt patchwork repairs of arterials, collectors and local streets in an amount not to exceed \$1,300,000.00. This is the fourth of four one-year extensions.

This asphalt patchwork agreement is used as needed for the repair of arterials, collectors and local streets. The current volume or scope of work of asphalt patchwork repairs to be completed by the Street Division exceeds the capacity of existing crews; therefore, the agreement will be used to complete the overflow asphalt paving work.

This agreement is also used to apply an asphalt cap on older arterial streets that need maintenance and for larger patch repairs as needed. The Streets Division anticipates spending \$900,000; Municipal Utilities will use \$325,000; and Traffic Division will use \$75,000. Traffic uses the agreement for traffic calming work and Municipal Utilities uses it for various repairs as a result of pipeline work. There is a 6.9% increase due to additional material and labor cost increases.

22. AGREEMENT EXTENSION: Vulcan Materials Company and Mesa Materials

APPROVED a one-year Agreement Extension with Vulcan Materials Company and Mesa Materials, Inc., to provide hot mix asphalt material in a combined amount not to exceed \$113,000.00. This will be the second of four one-year extensions.

23. AGREEMENT EXTENSION: Vulcan Materials Company

APPROVED a one-year Agreement Extension with Vulcan Materials Company to provide ready mix concrete in an amount not to exceed \$75,000.00. This will be the third of four one-year extensions.

24. AGREEMENT: The Groundskeeper

APPROVED an Agreement with The Groundskeeper for Price Freeway Frontage Road – Area 4 landscape maintenance service in the amount of \$129,144.00.

25. AGREEMENT: O.R. Colan Associates

APPROVED two Agreements with O.R. Colan Associates for acquisition and relocation services for the Alma School Road at Ray Road Intersection Improvements in the total amount of \$169,250.00.

Council has approved the alignment for the Alma School Road and Ray Road Intersection Improvements to relieve congestion along this major arterial corridor. The project requires the acquisition of real property (road right-of-way and easements) from private property. Road right-of-way and/or easement acquisitions for the proposed improvements will be required from an

estimated 9 residential properties, 1 church and 23 commercial/retail parcels. This includes probable full acquisitions of 2 of the residential properties and 2 commercial/retail properties at the southeast and northeast corners of the intersection. City Staff have discussed the possible full acquisition of these four parcels with the property owners. An additional commercial/retail property full acquisition may be necessary pending appraisal results.

26. AGREEMENT AMENDMENT: Camp Dresser & McKee

APPROVED Agreement #ST0708-201, Amendment No. 1, with Camp Dresser & McKee for the pump station at Thude Park in the amount of \$43,400.00 for a revised contract total of \$87,265.00.

The western area of the drainage basin at Thude Park, near Galveston Road and Price Road, has an area that does not drain creating standing water. To address health concerns associated with standing water, a pump station will need to be designed. The pump station will automatically operate when water is present and return to standby once water has been removed.

27. AGREEMENT EXTENSION: Water/Wastewater Equipment Repair & Maintenance

APPROVED a six-month Agreement Extension with Weber Group, L.C., Gilbert Pump and Equipment Co., Layne Christensen Company and Foster Electric/Arizona Pump Company, Inc., for water/wastewater equipment repair and maintenance in a total amount not to exceed \$501,500.00.

In March 2007, Council awarded an agreement for water/wastewater equipment repair and maintenance to Weber group, L.C., Gilbert Pump and Equipment Co., Layne Christensen Company and Foster Electric/Arizona Pump Company. The agreement has provisions to extend for four additional years. Staff is planning on expanding the scope of work requirements. Therefore, Staff is recommending a six-month extension to the existing agreement to allow time to re-bid. This extension will expire September 30, 2008.

28. No Item.

29. AGREEMENT EXTENSION: Fire Supplies

APPROVED a one-year Agreement Extension with L.N. Curtis, United Fire Equipment Company, First Line LLC and Arizona Glove and Safety for fire supplies in a total amount not to exceed \$60,000.00. This is the first of four one-year extensions.

30. AGREEMENT EXTENSION: Arizona Envelope Company

APPROVED a one-year Agreement Extension with Arizona Envelope Company for envelopes in an amount not to exceed \$50,000.00. This is the third of four one-year extensions.

31. AGREEMENT: C.C.I. Chemical

APPROVED an Agreement with C.C.I. Chemical for two years for servicing chillers and cooling towers in an amount not to exceed \$20,000.00 per year for a total of \$40,000.00.

32. CONTRACT: Pierson Construction Corporation

APPROVED Contract #ST0401-401 to Pierson Construction Corporation for Dobson Road/Warner Road Intersection Improvements in an amount not to exceed \$7,512,783.90.

33. CONTRACT: Sell & Associates

APPROVED a Contract with Sell & Associates for appraisal services for the Alma School Road at Ray Road Intersection Improvements in the amount of \$50,000.00.

Council has approved the alignment for the Alma School Road and Ray Road intersection Improvements to relieve congestion along this major arterial corridor. The project requires the acquisition of real property (road right-of-way and easements) from private property. Road right-of-way and/or easement acquisitions for the proposed improvements will be required from an estimated 9 residential properties, 1 church and 23 commercial/retail parcels. This includes probable full acquisitions of 2 of the residential properties and 2 commercial/retail properties at the southeast and northeast corners of the intersection. City Staff have discussed the possible full acquisition of these four parcels with the property owners. An additional commercial/retail property full acquisition may be necessary pending appraisal results.

34. CONTRACT: Salt River Project

APPROVED Contract #ST0401-302 to Salt River Project (SRP) for the design and construction to remove and relocate electrical equipment for the Dobson and Warner Road Improvements in an amount not to exceed \$793,689.00.

35. CONTRACT: Salt River Project

APPROVED Contract #ST0401-303 to Salt River Project (SRP) for the design and construction for installation of a street light system on Warner Road for the Dobson and Warner Road Improvements in an amount not to exceed \$75,884.00.

36. CONTRACT: Abacus

APPROVED Contract #GG0502-451 to Abacus Project Management for City Hall construction management services in an amount not to exceed \$1,376,321.00.

The City has been leasing 38,000 square feet in the Chandler Office Center since the fall of 1998. The lease will expire in 2010. The new City Hall will total approximately 120,000 square feet and is planned to be available by the time the City moves out of the Chandler Office Center.

The Departments that are planned to move into the new City Hall include Mayor and Council, City Manager, City Clerk, City Attorney, CAPA (Administrative Services, Public Affairs, Video), Community Services, Council Chambers, Economic Development, Human Resources, Management Services (Accounting, Administration, Budget, Environmental Services, Purchasing, Risk Management, Tax & Utility Licensing) and Neighborhood Resources.

Staff has also determined that the new City Hall should be an environmentally friendly building design, with design standards to achieve a gold certification level within the Leadership in Energy and Environmental Design (LEED)-NC Version 2.2 Green Building Rating System. Some of the elements that could be included in the new City Hall are sustainability issues such as construction

activity pollution prevention, bicycle storage and changing rooms for employees, parking preferences for fuel efficient vehicles, shading, storm water design, water efficiency plans, energy efficient HVAC systems and use of materials that reduce indoor air contaminants.

Due to the importance of this project, City Staff recommended hiring a consultant to serve as the City's representative during the design and construction of the City Hall. The Construction Management Services consultant will participate in the [CM@Risk](#) process as the owner's representative, attend design meetings, coordinate City Staff reviews, facilitate design-sensitive issues and coordinate on-site and off-site construction requirements. They will coordinate [CM@Risk](#) scope items, make sure the site is prepared for construction, resolve utility coordination issues and assist with utility relocations. The consultant will also monitor construction progress and reporting, provide cost estimating services, resolve issues, minimize delays and costs, coordinate inspections, facilitate shop drawing reviews and requests for information between the contractor and architect, and coordinate punch list and close out and other responsibilities necessary to facilitate the successful construction of this project.

The architects anticipate design completion in approximately 12 months. It is anticipated that construction will start the beginning of 2009. This should allow for the construction to be complete prior to the end of the City's lease at the Chandler Office Center in December 2010.

37. USE PERMIT: Alma School Place Assisted Living Facility

WITHDREW USE PERMIT UP08-0004, Alma School Place Assisted Living Facility, to operate an Assisted Living Home for up to ten residents within an existing single-family home at 451 W. Wildhorse Drive, west of the NWC of Alma School and Willis roads for the purpose of re-advertising.

38. USE PERMIT: Desert Spring Adult Care Home

APPROVED Use Permit UP08-0010 Desert Spring Adult Care Home, to operate an adult care home within a single-family residence for up to five adults at 1641 E. Yellowstone Place, southwest of the SWC of Cooper and Ocotillo roads. (Applicant: Viorica Sana.)

This request is to allow an existing adult care home to expand from four to five residents receiving care in a single-family house. The site is located in the Cooper Corners single-family residential subdivision near the SWC of Cooper and Ocotillo roads that was built-out primarily in 2004 and 2005. The current situation with four residents plus the proprietors living on-site meets the Zoning Code definition of "family" and has been allowed by right. The addition of one resident requires Use Permit approval.

The home is located on a corner lot and has two floors with seven bedrooms. The adult care residents occupy the main floor, which has four bedrooms and three full bathrooms. The floor plan's "powder room" has added a shower since construction. The homeowners, a couple and their son who operate the facility, live in the basement. Besides the homeowners, there are no other employees.

The facility was denied a Use Permit in 2005 for an adult care home with up to eight residents.

The Planning Commission and Staff find the proposed use to be compatible with the surrounding neighborhood. Adding one resident will not significantly change the traffic, noise or other land

use effects generated by the use. It appears to be similar in impact to any other house in the neighborhood.

The request was noticed in accordance with the requirement of the Chandler Zoning Code with a neighborhood meeting being held on March 11, 2008. There was one neighbor in attendance in support of the request. Staff has received no correspondence in opposition to the request.

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

1. The Use Permit shall be granted for a period of one (1) year, at which time re-application shall be required. The one-year time period shall begin from the date of City Council approval.
2. Compliance with City provisions regarding the operation of an adult care home.
3. The maximum number of residents receiving care shall be five (5).

39. USE PERMIT: CVS Pharmacy (Portico Place)

WITHDREW Use Permit UP08-0014 CVS Pharmacy (Portico Place), Series 10, for the sale of beer and wine only for off-premise consumption at the SWC of Dobson Road and Chandler Boulevard for the purpose of re-advertising. (Applicant: Withey Morris, PLC / Adam Baugh.)

40. USE PERMIT: CVS Pharmacy (Fulton Ranch)

APPROVED Use Permit UP08-0013 CVS Pharmacy (Fulton Ranch), Series 10, for the sale of beer and wine only for off-premise consumption at the NWC of Arizona Avenue and Chandler Heights Road in the Fulton Ranch Marketplace center. (Applicant: Withey Morris, PLC / Adam Baugh.)

A new freestanding CVS convenience market/pharmacy will be locating within the Fulton Ranch Marketplace development. The store will sell only beer and wine for off-site consumption. It will be open seven days a week from 8 a.m. to 10 p.m. and employ approximately 12-15 employees.

The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on March 20, 2008. There were no neighbors in attendance. The Police Department has been informed of the application and has responded with no issues or concerns.

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

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit re-application and approval.
2. Any substantial change in the floor plan to include such items, as but not limited to, a bar serving area or the addition of entertainment-related uses shall require new Use Permit reapplication and approval.
3. The Use Permit is granted for a Series 10 license only and any change of licenses shall require reapplication and new Use Permit approval.
4. The Use Permit is non-transferable to other store locations.
5. The site shall be maintained in a clean and orderly manner.

41. LIQUOR LICENSE: CVS Pharmacy #0193

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #118688 L10) for Jason Barclay Morris, Agent, German Dobson DVS LLC, dba CVS/Pharmacy #0193 at 4990 S. Arizona Avenue. A recommendation for approval of State Liquor License #10075570 will be forwarded to the State Liquor Department. 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.

42. LIQUOR LICENSE: CVS Pharmacy #9283

CONTINUED TO APRIL 24, 2008, Liquor License, Series 9, for Jason Barclay Morris, Agent, Chandler Warner CVS LLC, dba CVS Pharmacy #9283 at 180 N. Dobson Road to allow for the completion of Planning and Development Use Permit requirements.

43. LIQUOR LICENSE: Zorba's Restaurant

APPROVED a Series 12 Restaurant Liquor License (Chandler #11897 L12) for Athanasios Sakellariou, Agent, Zorba's Restaurant at 1964 N. Alma School Road, Suite #10. A recommendation for approval of State Liquor License #12077516 will be forwarded to the State Liquor Department. 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.

44. LIQUOR LICENSE: Buffalo Wings & Rings

CONTINUED TO APRIL 24, 2008, Liquor License, Series 12, for James Stephen Lolli, JC Restaurant Company, dba Buffalo Wings & Rings at 1760 W. Chandler Boulevard to allow the applicant time to complete the requirements for a new Use Permit.

45. LIQUOR LICENSE: Dos Gringos Grille

APPROVED a Temporary Extension of Premises for a Series 12 Restaurant Liquor License (Chandler #105853 L12) held by Dos Gringos Alma, Inc., dba Dos Gringos Grille, 1361 N. Alma School Road, for a Cinco de Mayo Celebration on May 3-4, 2008. A recommendation for approval of a Temporary Extension of Premises for State Liquor License #12076997 will be forwarded to the State Liquor Department. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Services.

46. FINAL PLAT: Kovach, Inc., Lot 1A

APPROVED Final Plat FPT08-0001 Kovach, Inc., Lot 1A, for a minor land division subdividing a single parcel, 1A, into two parcels, 1C and 1D, located north of the NWC of Price and Germann roads. (Applicant: Miller & Sons Surveying.) The plat creates the lots, tracts and easements necessary for the property's development. Kovach's business is currently located on parcel 1C.

SPECIAL ORDERS OF THE DAY

A. Mayor's Announcements:

MAYOR DUNN announced that on Saturday, April 19th, there would be a dedication ceremony at 9:00 a.m. for the Chandler Heights Police Substation as well as the Wetlands Project and Environmental Education Center at Veteran's Oasis Park on the NEC of Chandler Heights and Lindsay roads.

MAYOR DUNN also announced that the official dedication of the Tumbleweed Recreation Center would also be held on April 19th at 11:00 a.m.

THE MAYOR said that April is official Valley Bike Month. Information about activities throughout the month is available at www.valleymetro.org.

The Chandler Small Business Development Workshop will be held Wednesday, April 23rd, at the Western International University Building, at 8:00 a.m. It is presented by the City of Chandler and the Chandler Chamber of Commerce and sponsored by M & I Bank.

B. Councilmembers' Announcements:

COUNCILMEMBER DONOVAN reminded everyone of the Walk to End Domestic Violence will be held Saturday, April 26th, and invited everyone to join her.

C. City Manager's Announcement:

CITY MANAGER MARK PENTZ introduced the City's new Information Technology Director Steve Philbrick. He was the Deputy Information Technology Director in the City of Phoenix.

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

ATTEST: _____
City Clerk

MAYOR

Approved: April 24, 2008

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 10th day of April 2008. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of April 2008.

City Clerk