

CITY OF CHANDLER COUNCIL MEETING

The City Council of the City of Chandler welcomes you to its **Regular Meeting of Thursday, June 26, 2008, 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:

Dr. John Mosley - The Windows of Heaven Advent Fellowship

PLEDGE OF ALLEGIANCE:

SCHEDULED PUBLIC APPEARANCES:

1. Service Recognitions
2. Retirement Recognitions
3. Employee of the Year Awards
4. Proclamation - Recreation and Parks Month and Therapeutic Recreation 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 June 9, 2008.
- 1b. **MINUTES** of the Chandler City Council Special Meeting of June 12, 2008.
- 1c. **MINUTES** of the Chandler City Council Regular Meeting of June 12, 2008.

2. **FINAL ADOPTION OF ORDINANCE NO. 4034** declaring certain real property as no longer necessary for use as public roadway; authorizing and providing the exchange of said real property to an abutting property owner for new public roadway; authorizing a related easement to be extinguished; and authorizing the execution of all documents necessary to complete the roadway exchange and the extinguishment of the easement.

3. **FINAL ADOPTION OF ORDINANCE NO. 4080** amending City Code Chapter 38, Sections 38-4, 38-5 and 38-13 by modifying utility system development fees.

4. **INTRODUCTION OF ORDINANCE NO. 4014** authorizing the conveyance of a City-owned parcel of real property to an adjacent property owner in exchange for the dedication of new public roadway and related easements and other valuable consideration; and authorizing the execution of all documents necessary to complete the conveyance.

5. **INTRODUCTION OF ORDINANCE NO. 4036, DVR08-0008 DOBSON OFFICE CONDOMINIUMS**, rezoning from AG-1 to PAD for an office development with PDP on approximately 2 acres located north of the NWC of Dobson and Germann roads, immediately south of an existing church.

6. **ORDINANCE NO. 4067** establishing a Property Tax Rate of \$1.1814 for FY 2008-09.

7. **INTRODUCTION OF ORDINANCE NO. 4068** granting a no-cost irrigation easement to the United States of America (USA) and Salt River Project (SRP) in exchange for United States of America easement property located along the north side of Germann Road between Ellis Street and Dobson Road.

8. **INTRODUCTION OF ORDINANCE NO. 4081** authorizing an Agreement between TCG Phoenix and the City of Chandler for use of City right-of-way and public places to establish a communications system.

9. **RESOLUTION NO. 4159** authorizing the acquisition of real property needed for the improvement of Ray Road and McClintock Drive; authorizing and approving relocation assistance as may be required by law; and directing further action.

10. **RESOLUTION NO. 4172** authorizing a project agreement with Maricopa Association of Governments (MAG) and the City of Chandler for regional reimbursement for improvements to the Alma School Road and Chandler Boulevard intersection.

11. **RESOLUTION NO. 4175** authorizing and approving the release of two drainage easements that are no longer needed, located near the NEC of 56th Street and Chandler Boulevard.

12. **RESOLUTION NO. 4184** authorizing an Intergovernmental Agreement with the Maricopa County Human Services Department to provide Special Needs Transportation Services for senior citizens, persons with disabilities, and low income veterans for FY 2008/09 in an amount not to exceed \$125,000.00.

13. **RESOLUTION NO. 4197** authorizing the Second Amendment of the First Amended and Restated Development Agreement for San Marcos Commons in the amount of \$393,765.00.
14. **RESOLUTION NO. 4198** authorizing the Municipal Utilities Department to submit a grant application to the Gila River Indian Community's State-Shared Revenue Program for an educational program promoting waste reduction and recycling in the amount of \$14,469.00.
15. **RESOLUTION NO. 4199, GREEN BUILDING PROGRAM**, authorizing a Green Building Program setting forth green building incentives and the criteria for projects wishing to receive incentives; establishing City commitments to green building, and providing green building education and outreach; and authorizing a reallocation of \$75,000.00 from the Residential In-Fill Program to the Green Building Program.
16. **RESOLUTION NO. 4200**, authorizing the City to execute grant application documents to be submitted to the Gila River Indian Community's State-Shared Revenue Program in the amount of \$1,500,000.00 on behalf of the CHW Foundation – East Valley for funding to increase access to healthcare facilities and services in East Valley communities.
17. **RESOLUTION NO. 4202** authorizing the Enhanced Municipal Services Agreement for FY2008-2009 between the City and the Downtown Chandler Municipal Services District in the amount of \$132,916.00.
18. **RESOLUTION NO. 4204** supporting an application to the Sister Cities International Program requesting an exchange with Tullamore, Ireland.
19. **RESOLUTION NO. 4203** amending Personnel Rule 15, Section 4; Personnel Rule 16, Sections 5, 9 and 10; Personnel Rule 3, sections 1, 3 and 5.
20. **PRELIMINARY DEVELOPMENT PLAN, PDP07-0039/PPT08-0004 OCOTILLO VILLAGE**, for site layout and building architecture for a specialty retail development including a health club on approximately 12.3 acres located at the SWC of Alma School and Ocotillo roads.
21. **PRELIMINARY DEVELOPMENT PLAN, PDP07-0041 THE VILLAGE AT BOGLE PARK**, for site layout and building architecture for two office/industrial buildings on approximately 4 acres located north of the NWC of Pecos Road and Hamilton Street, within the Bogle Business Park.
22. **PRELIMINARY DEVELOPMENT PLAN, PDP07-0042 MILL CROSSING**, a comprehensive sign package for a retail development on approximately 20 acres located at the SWC of Gilbert and Germann roads.
23. **PRELIMINARY DEVELOPMENT PLAN, PDP08-0008 ALOFT/DOWNTOWN OCOTILLO**, for a five-story, 144-unit hotel on approximately 4.2 acres located south and west of the SWC of Dobson and Queen Creek roads. **(REQUEST CONTINUANCE TO THE JULY 31, 2008, CITY COUNCIL MEETING.)**
24. **AUTHORIZE** the adoption of the Infrastructure Improvements Plan.
25. **AUTHORIZE** the disbursement of FY 2008-2009 ongoing funds in the amount \$35,000.00 to the Chandler Lions Club for the 4th of July celebration upon commencement of FY 2008-2009.
26. **AUTHORIZE** the site layout entitled "Urban Edge" which incorporates the Chandler Museum on the City Hall site.

27. **AGREEMENT** extension for one year with Stantec Consulting Inc., Willdan, Brown Certified Inspection Services, Inc., Bureau Veritas North America (formerly Linhart Petersen Powers Associates), and MADARA Engineering, Inc., for building plan review services in an amount not to exceed \$300,000.00.
28. **AGREEMENT** extension for one year with Stantec Consulting Inc., Willdan and Brown Certified Inspection Services, Inc., for building inspection services in an amount not to exceed \$300,000.00.
29. **AGREEMENT** with Knowledge Computing Corporation for implementation services for the COPLINK system, sole source, in an amount not to exceed \$61,010.00.
30. **AGREEMENT** extension with Motorola, Inc., sole source, for communication equipment maintenance in an amount not to exceed \$87,273.00.
31. **AGREEMENT** with WBI Inc., for sludge press rental in an amount not to exceed \$94,080.00.
32. **AGREEMENT** extension for one year with Allied Waste Transportation Inc., for City facilities refuse collection in an amount not to exceed \$99,000.00.
33. **AGREEMENT** extension for the purchase of liquid carbon dioxide with Praxair, Inc., in an amount not to exceed \$38,400.00.
34. **AGREEMENT #WW0818-401** with SDB, Inc., for the Airport Water Reclamation Facility Vapex odor control units, pursuant to Job Order Contract JOC07-04, in an amount not to exceed \$333,865.00.
35. **AGREEMENT** extension for one year with Arizona Generator Technology for generator maintenance in an amount not to exceed \$168,275.72.
36. **AGREEMENT #EN0726-101** to Consultant Engineering, Inc., for additional offsite development construction inspection and management services, pursuant to the annual contract EN0602-101, in an amount not to exceed \$550,000.00.
37. **AGREEMENT #ST0815-401** to Brycon Construction for South Basha Road Bus Pullout in an amount not to exceed \$111,508.00. **(STAFF REQUESTS WITHDRAWAL.)**
38. **CONTRACT** Amendment No. 2, to Jeffers and Associates, PLLC for Standard Details and Specifications Revisions and to increase the expenditure limit by \$65,000.00 from \$515,000.00 to \$580,000.00.
39. **CONTRACT #ST0603-201**, Amendment No. 1, with Jacobs, Edwards and Kelcey for the 56th Street (Frye Road to Fairview Street) Improvements in the amount of \$21,600.00, for a revised contract total of \$153,569.00.
40. **CONTRACT #ST0707-101** to Stantec for engineering services for Landscape Analysis and Reclaimed Water System Analysis in an amount not to exceed \$127,741.00.
41. **CONTRACT #ST0625-401** to Achen-Gardner Engineering for Gilbert Road Improvements (Germann Road to Queen Creek Road), in an amount not to exceed \$8,831,745.00.

42. **CONTRACT #ST0613-402** to Nesbitt Contracting Co., Inc., for roadway improvements for Riggs Road (Gilbert Road to Val Vista Drive) – Phase II Guaranteed Maximum Price (GMP), in an amount not to exceed \$1,180,425.11.
43. **CONTRACT #ST0401-401**, Change Orders No. 1 and No. 2, to Pierson Construction Corporation for the Dobson and Warner Roads Improvements in an amount not to exceed \$564,643.73 and a revised contract price of \$8,077,427.63.
44. **CONTRACT #ST0602-402** Change Order No. 1 to the Construction Manager at Risk contract with Achen-Gardner Engineering for the Pecos and Cooper Roads Improvements in an amount not to exceed \$1,600,000.00 for a revised contract price of \$21,953,913.00.
45. **CONTRACT** with a 90-day option with ICP D100, LLC, for an approximate 31.5-acre parcel of land located north of the NWC of Kyrene Road and Loop 202 in an amount not to exceed \$12,006,225.00.
46. **PROFESSIONAL SERVICES CONTRACT** to Westlake, Reed, Leskosky, Inc., for the design of the Chandler Center for the Arts Renovation Phase 1 in an amount not to exceed \$308,571.00.
47. **PRE-CONSTRUCTION SERVICES CONTRACT** to Brignall Construction for the Chandler Center for the Arts Renovation in an amount not to exceed \$137,331.00.
48. **PRE-CONSTRUCTION SERVICES CONTRACT** to Chasse Building Team, Inc., for the Boys and Girls Club in an amount not to exceed \$106,005.00.
49. **CONSTRUCTION MANAGER AT RISK CONTRACT** to Valley Rain Construction for Paseo Vista Recreation Area Phase II in an amount not to exceed \$10,600,000.00.
50. **CONTRACT #GG0502-251** to Sundt Construction, Inc., for pre-construction services for City Hall in an amount not to exceed \$521,779.00.
51. **PURCHASE** of refuse and recycling containers from Toter Incorporated, utilizing the National IPA contract, in an amount not to exceed \$406,676.00.
52. **PURCHASE** of fleet fuel cards, utilizing the State of Arizona Contract with US Bank/Voyager Fleet Card Services, in an amount not to exceed \$120,000.00.
53. **PURCHASE** of Commvault Tape Backup Software from ASAP Software, utilizing the Arizona State contract, in an amount not to exceed \$180,450.00.
54. **USE PERMIT, UP07-0073 WAL-MART NEIGHBORHOOD MARKET**, Series 10, to sell beer & wine for off-premise consumption only within a planned grocery store at the NWC of Chandler Boulevard and Cooper Road.
55. **USE PERMIT, UP08-0012 SWADDEE THAI CUISINE**, Series 12, for the sale of all spirituous liquor for on-premise consumption only within an existing restaurant located at 5055 W. Ray Road.
56. **USE PERMIT, UP08-0021 VILLALPANDO'S MEXICAN RESTAURANT**, Series 12, to allow music and dancing within an existing restaurant located at 7450 W. Chandler Boulevard.

57. **USE PERMIT, UP08-0022 ROBINSON FAMILY CHILD CARE**, to provide residential childcare for up to 10 children in a single-family home located at 731 E. Los Arboles Court, north and west of Warner and McQueen roads.
58. **USE PERMIT, UP08-0023 RED WHITE AND BREW**, Series 12, to allow live music indoors and/or on an outside patio at an existing restaurant located at 4850 S. Gilbert Road at the NWC of Chandler Heights and Gilbert roads.
59. **USE PERMIT, UP08-0025 FREDRIK'S AUTO**, to install a modular office building in conjunction with a planned auto dealership at 880 E. Chandler Blvd.
60. **LIQUOR LICENSE**, Series 10, for Randy D. Nations, Agent, Fresh & Easy Neighborhood Market, Inc., dba Fresh & Easy Neighborhood Market located at 215 N. McQueen Road. **(STAFF REQUESTS A CONTINUANCE TO THE JULY 31, 2008, CITY COUNCIL MEETING.)**
61. **LIQUOR LICENSE**, Series 10, for Clare Hollie Abel, Wal-Mart Stores Inc., dba Wal-Mart Neighborhood Market #4324 located at 1900 E. Chandler Blvd.
62. **LIQUOR LICENSE**, Series 7, for Michael Lon Rus, Crosswoods Indoor Golf LLC, dba Crosswoods Indoor Golf Center located at 6170 W. Chandler Boulevard. **(APPLICANT REQUESTS A CONTINUANCE TO THE JULY 31, 2008, CITY COUNCIL MEETING.)**
63. **LIQUOR LICENSE**, Series 10, for Randy D. Nations, Agent, Fresh & Easy Neighborhood Market, Inc., dba Fresh & Easy Neighborhood Market located at the NWC of Gilbert Road and Chandler Boulevard. **(APPLICANT REQUESTS A CONTINUANCE TO THE JULY 31, 2008, CITY COUNCIL MEETING.)**
64. **LIQUOR LICENSE**, Series 12, for Randy D. Nations, Sauce Ocotillo LLC, dba Sauce Pizza & Wine located at 2551 W. Queen Creek Road, Suite 4. **(APPLICANT REQUESTS CONTINUANCE TO THE JULY 31, 2008, CITY COUNCIL MEETING.)**
65. **TEMPORARY EXTENSION OF PREMISES, LIQUOR LICENSE**, Series 12, held by RWB II LLC, dba Red White & Brew, located at 4850 S. Gilbert Road, Suite 4, for a Fourth of July Celebration on July 4, 2008.
66. **SPECIAL EVENT LIQUOR LICENSE** for the Choir Boys Law Enforcement Motorcycle Club for a 4th of July Celebration at Chandler Heights Marketplace located at 4850 S. Gilbert Road.
67. **PRELIMINARY PLAT, PPT08-0007 CHANDLER AIRPORT BUSINESS CENTER CONDOMINIUM PLAT PHASE I WITHIN AIRPORT BUSINESS CENTER OF CHANDLER**, for the subdivision of one lot into two lots within the Airport Business Center of Chandler plat NW of the airport located at the SWC of Ryan Road and Airport Boulevard.
68. **RESOLUTION NO. 4195** under Public Hearing #1.
69. **ANNUAL CONTRACT** for City Clerk in the amount of \$114,853.00.
70. **SETTLEMENT** in *City of Chandler v. Rodriguez* in the sum of \$355,000.00, plus statutory interest.

PUBLIC HEARING:

P.H.1. GENERAL PLAN UPDATE, GPA07-0002, public input, consideration and discussion regarding the update of Chandler's General Plan.

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

68. **RESOLUTION NO. 4195**, adopting the final draft of the Chandler General Plan dated June 26, 2008, and submit to the voters for ratification at the November 4, 2008, election.

P.H.2. 2008 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

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

INFORMATION:

1. **MINUTES** of the June 4, 2008, Planning & Zoning Commission Meeting.

SPECIAL ORDERS OF THE DAY:

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

ADJOURN