

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 Monday, October 27, 2008, at 7:20 p.m.

MAYOR BOYD W. DUNN CALLED THE MEETING TO ORDER.

The following members answered roll call:

Boyd W. Dunn	Mayor
Lowell Huggins	Vice-Mayor
Trinity Donovan	Councilmember
Matt Orlando	Councilmember
Kevin Hartke	Councilmember
Jeff Weninger	Councilmember

Absent and Excused: Bob Caccamo Councilmember

Also in attendance:

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

INVOCATION: Councilmember Hartke gave the invocation.

PLEDGE OF ALLEGIANCE: Vice-Mayor Huggins led the Pledge of Allegiance.

SCHEDULED PUBLIC APPEARANCES:

None.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CONSENT:

MOVED BY COUNCILMEMBER ORLANDO, SECONDED BY VICE-MAYOR HUGGINS, to approve the Consent Agenda as presented.

MOTION CARRIED UNANIMOUSLY (6-0).

1. MINUTES:

APPROVED, as presented, Minutes of the Chandler City Council Regular Meeting of September 25, 2008.

2. PROPERTY TRANSFER: United States of America Ord. #4077

ADOPTED Ordinance No. 4077 authorizing the transfer of a parcel of land to the United States of America (USA) for the relocation of irrigation facilities along the north side of Germann Road

between Alma School Road and Arizona Avenue, and ACCEPTING in exchange a Quit Claim Deed from the United States of America (USA) for its existing property in this area.

3. ZONING AMENDMENT: Serious Installs & Customs Ord. #4099

ADOPTED Ordinance No. 4099, DVR08-0027, Serious Installs & Customs, zoning amendment to allow an auto accessory and installation business within a Planned Industrial District (I-1) with a PAD overlay, I-1/PAD zoning located at 3265 N. Nevada Street, east of Arizona Avenue and north of Elliot Road.

4. REZONING: Santan Mixed Use Amended Ord. #4103

ADOPTED Ordinance No. 4103, DVR08-0033, Santan Mixed Use Amended, rezoning from PAD Mixed Use to PAD mixed Use Amended to permit an educational facility within an office development on approximately 9.2 acres of a 18.2-acre site located at the SWC of Ray Road and the Loop 101 Price Freeway.

5. CITY CODE AMENDMENT: Chapter 47 Ord. #4104

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4104 amending Chapter 47 of the Chandler City Code by repealing Subsection 47-7.3 of Section 47-7, relating to the street cleanup fee; repealing Subsections 47-15.1 and 47-15.2 of Section 47-15, relating to the traffic signal system development fee; and renumbering Subsection 47-15.3 of Section 47-15, relating to traffic signals and streetlight reimbursement agreements.

Staff has been reviewing a number of developer-based processes and the fees associated with these processes. The City of Chandler had created a number of fees in the 1980's to address a number of development concerns. A number of these fees are no longer relevant and in this fiscal era, it appears to be prudent to eliminate a number of non-revenue generating fees. Some of these fees were codified, while others have been adopted through a Council process. This ordinance addresses those fees adopted by code for street cleaning and traffic signals.

The street cleaning fees were instituted in 1985 at a time when dust control and track out was an issue the City was trying to address. Recent mandates by the U. S. Environmental Protection Agency have a number of agencies assisting with the dust control efforts. Maricopa County has taken the lead and is the agency that fines the development community. The current City fees of \$100 non-refundable plus \$21.60 per acre refundable are assessed at the time of permitting. Developer's compliance on dust control issues has changed dramatically within the last two years per Maricopa County enforcement. These fees are being collected and refunded without the City having to expend resources. This ordinance eliminates the fee in its entirety.

In the late 1980's, a number of fees associated with streetlights and traffic signals were initiated. The Street Light Energization fee (\$93.58) and Street Light Tax (\$4.65) were fees that the City collected from the development community and paid to Salt River Power (SRP) for new streetlights. These fees were a pass-through cost that required both the City and SRP to generate and pay invoices. SRP adopted a new process that has the developer paying this fee directly to a supplier and has eliminated the need to collect this fee. This fee is listed in the City's Fee Schedule and will be removed.

The Traffic Signal fee was developed based on the 1986 Transportation Master Plan and, with the completion of the signalized arterial-to-arterial intersections, is no longer applicable. This ordinance will eliminate the fee in its entirety.

6. INTERGOVERNMENTAL AGREEMENT RENEWAL: Joint Enterprise Zone Res. #4240

ADOPTED Resolution No. 4240 renewing the Intergovernmental Agreement (IGA) with Maricopa County for the purpose of renewing a Joint Enterprise Zone, which has been in effect since 1992.

The Intergovernmental Agreement with Maricopa County is required due to the parcels within the Zone under County jurisdiction. The Joint Enterprise Zone Commission consists of City Council, a member of the Maricopa County Board of Supervisors and the Economic Development Director and to oversee the Enterprise Zone.

The Zone is generally bounded by the Western Canal, Ray Road and Chandler Boulevard on the north; Dobson Road, Alma School Road and Arizona Avenue on the west; Ocotillo Road and Pecos Road on the south; and Gilbert Road, Cooper Road, McQueen Road and the Southern Pacific Railroad on the east.

7. INTERGOVERNMENTAL AGREEMENT: Joint Enterprise Zone Res. #4241

ADOPTED Resolution No. 4241 renewing the Intergovernmental Agreement (IGA) with the County of Maricopa for the purpose of creating a Joint Enterprise Zone. The renewed Intergovernmental Agreement and new Enterprise Zone boundary, if approved by the Arizona Department of Commerce, will supersede the existing Enterprise Zone boundary.

The Intergovernmental Agreement with Maricopa County is required due to the parcels within the zone under County jurisdiction. The Joint Enterprise Zone Commission consists of City Council, a member of the Maricopa County Board of Supervisors and the Economic Development Director and to oversee the Enterprise Zone.

SPECIAL ORDERS OF THE DAY

A. Mayor's Announcements:

MAYOR DUNN expressed condolences to COUNCILMEMBER CACCAMO and family in the passing of his wife, Maryanne, on October 23<sup>rd</sup>.

B. Councilmembers' Announcements:

None.

C. City Manager's Announcement:

None.

Adjournment: The meeting was adjourned at approximately 7:23 p.m.

ATTEST: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
MAYOR

Approved: November 17, 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 27<sup>th</sup> day of October 2008. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
City Clerk