



CITY OF CHANDLER COUNCIL MEETING

The City Council of the City of Chandler welcomes you to its **Regular Meeting of Thursday, October 27, 2011, at 7:00 p.m.**, at the Chandler City Council Chambers, 88 E. Chicago Street, 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 the 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:

Susan Stevens-Clark – Chandler Bahai Faith

PLEDGE OF ALLEGIANCE:

Cub Scout Troop 888

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:

1. **INTRODUCTION OF ORDINANCE NO. 4324** granting a fee interest, at no cost, to the United States of America to a parcel of land approximately 22 feet wide by 962 feet long for underground irrigation facilities located on the north side of Willis Road west of Arizona Avenue.
2. **INTRODUCTION OF ORDINANCE NO. 4325, RIGHT-OF-WAY ANNEXATION** of certain Gilbert Road rights-of-way of approximately 3.47 acres between Chandler Auto Park Way and one-quarter mile south of Germann Road contingent upon de-annexation by the Town of Gilbert.
3. **INTRODUCTION OF ORDINANCE NO. 4326** granting a no-cost irrigation easement to Salt River Project (SRP) located at the NEC of McQueen and Queen Creek roads for the McQueen Road (Queen Creek Road to Riggs Road) Improvement Project.
4. **RESOLUTION NO. 4535** amending Section 7 of the City Fee Schedule relating to the Police Department extra duty work, with the changes to become effective November 1, 2011.
5. **RESOLUTION NO. 4538** authorizing administrative action taken on behalf of the City to enter into a Grant Agreement with the Federal Aviation Administration (FAA) to accept Grant Number AIP 3-04-0008-021-2011 for \$75,000.00 for the design of the Airport Weather Observing System (AWOS) replacement.
6. **RESOLUTION NO. 4540** amending the 2011 One Year Action Plan and Submitting Substantial Amendment Number One to the U.S. Department of Housing and Urban Development under the Housing and Economic Recovery Act of 2008 (HERA) for the Neighborhood Stabilization Program.
7. **RESOLUTION NO. 4543** authorizing a Mutual Aid agreement with the Gila River Indian Community for dispatching police services during an emergency situation or when requested by either party.
8. **RESOLUTION NO. 4544** ratifying and authorizing administrative action taken on behalf of the City to reduce or eliminate the amount or type of development fees imposed and collected pursuant to Chapter 38 of the Chandler City Code for the sole purpose of complying with new statutory requirements set out in A.R.S. §9-463.05.
9. **RESOLUTION NO. 4545** authorizing Amendment No. 1 to the Intergovernmental Agreement with the Superior Court of Arizona in Maricopa County for jury services in an amount not to exceed \$10,000.00.
10. **RESOLUTION NO. 4546** amending Resolution 1178, Section 3, Subsection D prescribing standards of financial disclosure for local elected officials.
11. **RESOLUTION NO. 4547** authorizing the City to enter into an amendment to Grant Number E8S45 with the Arizona Department of Transportation (ADOT), Multimodal Planning Division, to extend the grant expiration date to June 30, 2012.

12. **RESOLUTION NO. 4548** authorizing an amendment to the lease at 149 S. 79th Street for 12 years to provide for expansion space for the Innovations Technology Incubator.
13. **ZONING, DVR10-0014 NORTH EAST COOPER AND RIGGS**, Rezoning from AG-1 to PAD along with PDP and PPT for an 84 lot single-family residential subdivision on 32 acres and PAD zoning for commercial development on 7.5 acres located at the NEC of Cooper and Riggs roads. **(STAFF REQUESTS CONTINUANCE TO THE DECEMBER 15, 2011, CITY COUNCIL MEETING.)**
14. **ZONING, DVR11-0013 KYRENE CROSSINGS**, action on the existing PAD zoning to extend 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 PAD (Office) zoning. The PAD zoning is for a childcare/pre-school use on Lot 7. The property is located at the SEC of Kyrene Road and Chandler Boulevard. **(STAFF RECOMMENDS A THREE-YEAR TIMING EXTENSION.)**
15. **ZONING, DVR11-0023 PARK OCOTILLO BUSINESS CENTER**, action on the existing PAD zoning to extend 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 PAD zoning for light industrial use and/or commercial uses. The PAD zoning is for office, light industrial, and retail on property located at the SWC of Price and Queen Creek roads. **(STAFF RECOMMENDS A THREE-YEAR TIMING EXTENSION.)**
16. **AUTHORIZE** grant agreements with the U.S. Department of Homeland Security to be used for emergency preparedness in the total amount of \$275,047.00.
17. **CLAIMS REPORT** for the quarter ended September 30, 2011.
18. **BOARD AND COMMISSION APPOINTMENTS.**
19. **AGREEMENT** renewal with The Law Firm of Miller and Kramer, PLLC, to provide legal services related to eminent domain, litigation and advice on related issues, for the period of October 23, 2011, through October 22, 2013.
20. **OFFSITE LUMP SUM AGREEMENT #OA10-004**, with Artesian 186, LLC, deferring the half-street improvements on Gilbert Road as a condition of their development and accepting a lump sum payment of \$268,241.00.
21. **AGREEMENT #ST2-745-3040**, with CPC Construction Inc., for concrete repair and maintenance in an amount not to exceed \$1,589,000.00 for one year with options to extend up to two additional one-year periods.
22. **AGREEMENT #ST0-745-2801**, Amendment No. 2, with CPC Construction, Inc., for Asphalt Rubber Crack Sealing in an amount not to exceed \$300,000.00.
23. **AGREEMENT #ST2-745-3039**, to CPC Construction, Inc., for Asphalt Patchwork, Maintenance & Repair in an amount not to exceed \$430,000.00 for one year with options to extend for up to two additional one-year periods.

24. **AGREEMENT** Amendment No. 5 with The Frank Gates Service Company for workers' compensation Third Party Claims Administration for a six month period in an amount not to exceed \$35,280.00.
25. **AGREEMENT #WW1-914-2899** Amendment No. 2 with Hoffman Southwest Corp dba Roto Rooter service and Plumbing Company, Cartright's Drain Service and Reddi Services Inc., for plumbing service for a total amount not to exceed \$400,000.00.
26. **AGREEMENT #SW0-926-2873** Amendment No. 1 with Stardust Building Supplies, Habitat for Humanity, Swift Charities for Children, Catholic Charities Community Services, and Big Brothers Big Sisters of Central Arizona for collection of usable items.
27. **PROJECT AGREEMENT #WA1201-201** with Black and Veatch for design of Ocotillo Water Transmission main from Dobson Road to McQueen Road, in an amount not to exceed \$298,175.00 contingent upon written notification from Intel and appropriate funding, and authorize an increase to the annual contract #EN1003-103 to Black and Veatch from \$750,000.00 to \$850,000.00.
28. **PROJECT AGREEMENT #WA1107-401** with SDB, Inc. for construction services for the Valve Replacement Program, pursuant to job order contract #JOC07-04, in an amount not to exceed \$232,423.99.
29. **CONTRACT #WW1104-401** construction manager at risk contract to Achen-Gardner Construction, LLC, for Phase 1 of the Ocotillo Water Reclamation Facility (OWRF)/Airport Water Reclamation Facility (AWRF) lift station and deep sewer in an amount not to exceed \$12,685,782.71, contingent upon written notification from Intel and appropriate funding.
30. **CONTRACT #WA1004-251** construction manager at risk contract to Hunter Contracting Co., Inc. for Phase 1 of Chandler Water Treatment Plant Flocculation System Rehabilitation in an amount not to exceed \$870,467.08.
31. **CONTRACT #AI0805-401**, Change Order No. 2 to Nesbitt Contracting for Airport Boulevard Realignment in an amount not to exceed \$54,973.68, for a new contract amount of \$2,971,664.72.
32. **PURCHASE** of pest control service for treatment of manholes from Peoria Pest Control, utilizing City of Peoria contract, in an amount not to exceed \$100,000.00.
33. **PURCHASE** of maintenance and hardware supplies from Home Depot and HD Supply Maintenance Solutions, utilizing the U.S. Communities Contract, in an amount not to exceed \$275,000.00.
34. **PURCHASE** of Backhoe Loader from RDO Equipment Co. (John Deere) of Arizona utilizing the Houston Galveston Area Cooperative (HGAC) in an amount not to exceed \$103,588.15. **(STAFF REQUESTS WITHDRAWAL.)**
35. **PURCHASE** of Landscape Loader from RDO Equipment Co. (John Deere) of Arizona utilizing the Houston Galveston Area Cooperative (HGAC) in an amount not to exceed \$101,581.22. **(STAFF REQUESTS WITHDRAWAL.)**

36. **USE PERMIT, LUP11-0018 VINTAGE 95**, Series 12 Restaurant License, to sell liquor for on-premise consumption only within a restaurant and adjacent outdoor patios at 95 W. Boston Street in Historic Downtown Chandler.
37. **USE PERMIT, ZUP11-0013 NEW HORIZON YOUTH HOMES – COMMONWEALTH CIRCLE**, to operate a behavioral health group home for up to seven residents within a single-family residential home located at 2504 E. Commonwealth Circle, south and east of the SEC of Chandler Boulevard and 132nd Street.
38. **USE PERMIT, ZUP11-0014 NEW HORIZON YOUTH HOMES – PARK AVENUE**, to operate a behavioral health group home for up to seven residents within a single-family residential home located at 795 W. Park Avenue, north and east of the NEC of Ray and Alma School roads.
39. **USE PERMIT, ZUP11-0015 GENERATIONS LINKED**, extension of existing operation of residential childcare within a single-family residence located at 1192 N. Hudson Place, north and east of McQueen and Ray roads.
40. **USE PERMIT, ZUP11-0023 ST. LUKE'S BEHAVIORAL HEALTH**, to operate a therapy business in an office/industrial building at 325 E. Elliot Road, Suites 26-29, east of the SEC of Elliot Road and Arizona Avenue.
41. **USE PERMIT, ZUP11-0024 TRIUMPH AIR REPAIR**, to allow underground bulk fuel storage in conjunction with an aerospace systems and components business within an I-1 zoned district for property located at 50 S. 56th Street.
42. **LIQUOR LICENSE**, Series 10, for Martha A. Hernandez, Agent, La Victoria Carniceria located at 731 S. Arizona Avenue, Suite 100.
43. **LIQUOR LICENSE**, Series 6, for Destiny Yvonne Myres, Agent, Straight No Chaser LLC, dba Nate's Third Base located at 1949 W. Ray Road, Suites 11-13. **(APPLICANT REQUESTS CONTINUANCE TO THE NOVEMBER 17, 2011, COUNCIL MEETING.)**
44. **LIQUOR LICENSE**, Series 6, for Anny Dinh Narron, Agent, Cole Curtis Inc., dba Sage Bar & Vietnamese Cuisine located at 4929 W. Chandler Blvd., Suite 12. **(APPLICANT REQUESTS CONTINUANCE TO THE NOVEMBER 17, 2011, COUNCIL MEETING.)**
45. **SPECIAL EVENT LIQUOR LICENSE**, for the American Legion Post 35 for the USMC 5th Annual Toys for Tots fund-raising event on Saturday, November 26, 2011, at the American Legion Post 35 located at 2240 W. Chandler Blvd.
46. **SPECIAL EVENT LIQUOR LICENSE**, for the Ahwatukee Chamber of Commerce for the Women in Business Fall Gala fundraiser on Saturday, November 5, 2011, at the Lexus of Chandler located at 7430 W. Orchid Lane.
47. **SPECIAL EVENT LIQUOR LICENSE**, for the US Airways Education Foundation Inc. Fundraising Golf Tournament on Monday, November 14, 2011, at the Ocotillo Golf Resort located at 3751 S. Clubhouse Drive.

- 48. **SPECIAL EVENT LIQUOR LICENSE**, for the East Valley Sol Organization's Fiesta del Sol VI fundraiser on Saturday, November 5, 2011, at Noahs located at 2100 E. Yeager Drive.
- 49. **CLASS A BINGO LICENSE**, for the San Tan Crown Rotary Club, with Jeffrey D. Breese as Manager, located at the Hilton Hotel Chandler/Phoenix, 2929 W. Frye Road.

ACTION:

- 50. **USE PERMIT, ZUP11-0021 WEE BLESSINGS PRESCHOOL & ACADEMY**, to operate a preschool and tutoring business at 1751 E. Queen Creek Road, approximately one-quarter mile west of Cooper Road.

PUBLIC HEARINGS: (THURSDAY)

- PH1. ANNEXATION** of approximately 23.8 acres located east of the SEC of Lindsay and Ocotillo roads. **(STAFF REQUESTS CANCELLATION.)**

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

CURRENT EVENTS:

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

ADJOURN